



COUNCIL

All Members of the Council are
HEREBY SUMMONED
to attend a meeting of the Council
to be held on:
Wednesday 26 January 2022
at 7pm
Hackney Town Hall,
Mare Street, London,
E8 1EA

This meeting will be live streamed and can be viewed here:

<https://youtu.be/qLIyUPIz7Qw>

Backup - https://youtu.be/Wgd7_aXZyl8

Mark Carroll
Chief Executive
18 January 2022

Contact: Andrew Spragg
Governance Services Team Leader
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www.hackney.gov.uk

ORDER OF BUSINESS AND INDICATIVE TIMINGS

Agenda Item No.	Agenda Item	Minutes NOT EXCEEDING
1-4.	Preliminaries	15 minutes (7.15pm)
5.	Questions from Members of the Public	30 minutes (7.45pm)
6.	Questions from Members of the Council	30 minutes (8.15pm)
7.	Elected Mayor's Statement	20 minutes (8.35pm)
8.	Calculation of 2021/22 Council Tax Base and Local Business Rate	5 minutes (8.40pm)
9.	Resolution Not to Issue Casino Licenses	5 minutes (8.45pm)
10.	Gambling Act 2005 Statement of Principles	5 minutes (8.50pm)
11.	Adoption of North London Waste Plan	5 minutes (8.55pm)
12.	Adoption of Councillor Code of Conduct	5 minutes (9.00pm)
13.	Establishment of a Constitution Committee	5 minutes (9.05pm)
14.	Amendments to the Constitution	5 minutes (9.10pm)
15.	Children and Families Service Full and Mid Year Update Report to Members 2020-21	5 minutes (9.15pm)
16.	Annual Report of the Pension Committee 2020-21	5 minutes (9.20pm)
17.	Gender and Ethnicity Pay Gap 2021	5 minutes (9.25pm)
18.	Report on use of Special Urgency Powers	5 minutes (9.30pm)
19.	Draft Calendar of Council Meetings	5 minutes (9.35pm)
20.	Motion: Fire and Rehire	30 minutes (10.05pm)
21.	Dates of Future Meetings	5 minutes (10.10pm)
	TOTAL	3 hours 10 minutes

Council

Wednesday 26 January 2022

Agenda

ORDER OF BUSINESS

- 1 **Apologies for Absence**
- 2 **Speaker's Announcements**
- 3 **Declarations of Interest - Members to Declare as Appropriate**

A Member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered: must disclose the interest at the start of the meeting or when or when the interest becomes apparent, and may not participate in any discussion or vote on the matter and must withdraw from the meeting proceedings in person or virtually.

A Member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at paragraphs 8.1 - 15.2 of Section 2 of Part 5 of the Constitution and Appendix A of the Members' Code of Conduct.

- 4 **Minutes of the previous meeting** (Pages 13 - 26)
 - 4.1 To approve the minutes for the meeting of Council held on 20 October 2021
- 5 **Questions from Members of the Public**
 - 5.1 From Tom Dewey to the Cabinet Member for Energy, Waste, Transport and Public Realm

Can the Cabinet Member tell us what assessment he has made of the impact on Hackney residents and businesses of the proposed reductions in the route 21 bus service by Transport for London (TfL)? And what representations has the Council made to TfL to object to their plans?
 - 5.2 From Joseph Ogundemure to the Cabinet Member for Housing Services

Can the Cabinet Member for Housing Services outline the steps the Council is taking to tackle the backlog of repairs caused by the pandemic and cyberattack?

5.3 From Laura Pascal to the Deputy Mayor for Housing Supply, Planning, Culture and Inclusive Economy

The rising cases of the Omicron variant of Coronavirus (COVID-19) and Government "Plan B" restrictions seriously impacted local businesses, particularly in the retail and catering sector, at their most important time of the year. How has the Council supported Hackney's businesses this winter?

6 Questions from Members of the Council

6.1 From Cllr Polly Billington to the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Leisure

The highly infectious Omicron variant of Coronavirus spread rapidly throughout Hackney before Christmas, causing distress for residents and impacting frontline services. How has the Council encouraged residents to get their first, second and booster jabs, undoubtedly the best safety measure to combat the virus and end this pandemic?

6.2 From Cllr Gilbert Smyth to the Cabinet Member for Energy, Waste, Transport and Public Realm

COP26 has affirmed the need to redouble our efforts in tackling the climate crisis. Since the declaration of our Climate Emergency in 2019, how is Hackney Council ensuring that we reach net zero by 2040 or possibly sooner?

6.3 From Cllr Margaret Gordon to the Cabinet Member for Energy, Waste, Transport and Public Realm

In light of:

- The request for a pause and review of the Edmonton incinerator by Haringey Council, ;
- The conclusions of the All-Party Parliamentary Group on Air Quality that the project should be halted; and
- The concerns about the track record of the contractor Acciona

Is the Cabinet Member satisfied that it is in the best interests of Hackney residents for the development of a new waste to energy facility to go ahead? In addition, can anything further be done by Hackney Council working together with other North London Waste Authority local authorities to increase recycling and explore alternatives to incineration, including new and developing technologies?

6.4 From Cllr Anya Sizer to the Cabinet Member for Community Safety

Ward Councillors for the Shoreditch area have long campaigned for more police and Council resources to manage the night-time economy in the south of the Borough, and we welcome the new dedicated town centre policing team that has been launched. Can the Cabinet Member outline the priorities for the town centre team, and how this will be resourced, specifically focusing on safety for residents, and for the women and girls who want to

safely enjoy the nightlife of Shoreditch?

6.5 From Cllr Ian Rathbone to the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Leisure

With energy bills and inflation on the rise, and national insurance increases due to take effect this April, residents in Hackney, as across the country, are facing increasing economic hardship in the coming year. Please could the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Leisure set out what steps are being taken locally in response to this, including through the Council's ongoing poverty reduction work and our support to the voluntary advice sector as they face an inevitable increase in demand?

6.6 From Cllr Kam Adams to the Cabinet Member for Housing

Could the Cabinet Member share with us the number of social renters that have been evicted since the Government eviction moratorium ended?

6.7 From Cllr Sam Pallis to the Cabinet Member for Housing

Many residents on Tower Garden Estate were without heating before the Christmas period, which has now fortunately been resolved after intervention from the Tenants and Residents Association and Cazenove Councillors. However, many residents have been facing issues surrounding leaks and hot water for years. We are working with officers and residents to form an action plan to tackle this, but an outstanding issue has been concerning the reporting of repairs. Many residents say when they raise repairs they are not informed when they are carried out and believe that they are being charged for visits that have not happened. Please can you respond to the issue raised from residents surrounding the reporting of repairs, and provide an update on tackling the backlog?.

6.8 Question from Cllr Humaira Garasia to the Mayoral Adviser for Private Renting and Housing Affordability

The new Lettings Policy commenced in October 2021, and Councillors were informed by the Mayoral Adviser that services will organise mutual exchange that will make it easier for tenants who are willing to swap their homes with the Council or a housing association. Can the Mayoral Adviser please give us an update on this?

6.9 Question from Cllr Steve Race to the Cabinet Member for Community Safety

In December, an inquest jury set out that “fundamental failings” and “insufficient leadership” within the Metropolitan Police Service probably contributed to the deaths of three of the four young gay men murdered by a serial killer in Barking. Can the Cabinet Member for Community Safety set out what conversations she has had with the Borough Command in Hackney to ensure that lessons from this appalling failure are learnt, so that the LGBTQ+ community in Hackney can have full confidence that the police are able and willing to protect them?

- 7 **Elected Mayor's Statement**
- 8 **Calculation of 2021/22 Council Tax Base and Local Business Rate**
(Pages 27 - 48)
- 9 **Resolution Not to Issue Casino Licenses** (Pages 49 - 52)
- 10 **Statement of Principles Under the Licensing Act 2005** (Pages 53 - 56)
- 11 **Adoption of North London Waste Plan** (Pages 57 - 430)
- 12 **Adoption of Councillor Code of Conduct** (Pages 431 - 436)
- 13 **Establishment of a Constitution Committee** (Pages 437 - 444)
- 14 **Amendments to the Constitution** (Pages 445 - 476)
- 15 **Children and Families Service Full and Mid Year Update Report to Members 2020-21** (Pages 477 - 552)
- 16 **Annual Report of the Pension Committee 2020-21** (Pages 553 - 568)
- 17 **Gender and Ethnicity Pay Gap 2021** (Pages 569 - 590)
- 18 **Report on use of Special Urgency Powers** (Pages 591 - 594)
- 19 **Draft Calendar of Council Meetings** (Pages 595 - 610)
- 20 **Motion: Fire and Rehire**

This Council is committed to fighting for decent pay, terms and conditions for all workers across Hackney and condemns all employers that use Fire and Rehire (known more formally as "dismissal and re-engagement") tactics to impose worse pay and conditions on their workforces.

We call on employers to enter meaningful negotiations with workers and their representatives.

To this end the Council resolves:

- To include a clear statement of the Council's position on fire and rehire as well as our aims to promote good pay, terms and conditions into the Council's Sustainable Procurement Strategy.
- To lobby the UK national government to introduce new legislation to outlaw firing and rehiring staff, exemplified by Barry Gardiner MP's recent private member's bill, "Employment and Trade Union Rights (Dismissal and Re-Engagement) Bill."

21 Dates of Future Meetings

All meetings of Full Council will commence at 7.00pm and are scheduled as follows:

- 2 March 2022 (rescheduled from 23 February 2022)

Public Attendance

The Town Hall is not presently open to the general public, and there is limited capacity within the meeting rooms. However, the High Court has ruled that where meetings are required to be 'open to the public' or 'held in public' then members of the public are entitled to have access by way of physical attendance at the meeting. The Council will need to ensure that access by the public is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice.

Those members of the public who wish to observe a meeting are still encouraged to make use of the live-stream facility in the first instance. You can find the link on the agenda front sheet.

Members of the public who would ordinarily attend a meeting to ask a question, make a deputation or present a petition will be able to attend if they wish. They may also let the relevant committee support officer know that they would like the Chair of the meeting to ask the question, make the deputation or present the petition on their behalf (in line with current Constitutional arrangements).

In the case of the Planning Sub-Committee, those wishing to make representations at the meeting should attend in person where possible.

Regardless of why a member of the public wishes to attend a meeting, they will need to advise the relevant committee support officer of their intention in advance of the meeting date. You can find contact details for the committee support officer on the agenda front page. This is to support track and trace. The committee support officer will be able to confirm whether the proposed attendance can be accommodated with the room capacities that exist to ensure that the meeting is covid-secure.

As there will be a maximum capacity in each meeting room, priority will be given to those who are attending to participate in a meeting rather than observe.

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present. This is particularly important in the case of the Planning Sub-Committee, as it may have a number of items on the agenda involving public representation.

Before attending the meeting

The public, staff and Councillors are asked to review the information below as this is important in minimising the risk for everyone.

If you are experiencing covid symptoms, you should follow Government guidance. Under no circumstances should you attend a meeting if you are experiencing covid symptoms.

Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through [the NHS website](#). If you do not have access to the internet, or have difficulty

with the digital portals, you are able to call the 119 service to book a test.

If you're an essential worker and you are experiencing Coronavirus symptoms, you can apply for priority testing through GOV.UK by following the [guidance for essential workers](#). You can also get tested through this route if you have symptoms of coronavirus and live with an essential worker.

Availability of home testing in the case of people with symptoms is limited, so please use testing centres where you can.

Even if you are not experiencing covid symptoms, you are requested to take an asymptomatic test (lateral flow test) in the 24 hours before attending the meeting.

You can do so by visiting any lateral flow test centre; details of the rapid testing sites in Hackney can be found [here](#). Alternatively, you can obtain home testing kits from pharmacies or order them [here](#).

You must not attend a lateral flow test site if you have Coronavirus symptoms; rather you must book a test appointment at your nearest walk-through or drive-through centre.

Lateral flow tests take around 30 minutes to deliver a result, so please factor the time it will take to administer the test and then wait for the result when deciding when to take the test.

If your lateral flow test returns a positive result then you must follow Government guidance; self-isolate and make arrangements for a PCR test. Under no circumstances should you attend the meeting.

Attending the Town Hall for meetings

To make our buildings Covid-safe, it is very important that you observe the rules and guidance on social distancing, one-way systems, hand washing, and the wearing of masks (unless you are exempt from doing so). You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

To minimise risk, we ask that Councillors arrive fifteen minutes before the meeting starts and leave the meeting room immediately after the meeting has concluded. The public will be invited into the room five minutes before the meeting starts.

Members of the public will be permitted to enter the building via the front entrance of the Town Hall no earlier than ten minutes before the meeting is scheduled to start. They will be required to sign in and have their temperature checked as they enter the building. Security will direct them to the Chamber or Committee Room as appropriate.

Seats will be allocated, and people must remain in the seat that has been allocated to them.

Refreshments will not be provided, so it is recommended that you bring a bottle of water with you.

RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting.

Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording Councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to all Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- Director of Legal and Governance Services
- the Legal Adviser to the meeting; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

You will have a disclosable pecuniary interest in a matter if it:

- i. relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- ii. relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- iii. affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

If you have a disclosable pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- ii. You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the meeting, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the meeting. Once you have finished making your representation, you must leave the meeting whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal and Governance Services via email dawn.carter-mcdonald@hackney.gov.uk



Meeting of Full Council

London Borough of Hackney Council

Municipal Year 2021/22

Meeting held at Hackney Town Hall, Mare Street, London E8 1EA

Wednesday 20 October 2021 at 7pm

Councillors in Attendance:

Mayor Philip Glanville

Cllr Michael Desmond - Speaker

Cllr Kam Adams, Cllr Brian Bell,

Cllr Robert Chapman, Cllr Mete

Coban, Cllr Sophie Conway, Cllr

Kofo David, Cllr Sade Etti, Cllr

Susan Fajana-Thomas, Cllr

Humaira Garasia, Cllr Margaret

Gordon, Cllr Christopher Kennedy,

Cllr Hershy Lisser, Cllr Yvonne

Maxwell, Cllr Clayeon McKenzie,

Cllr Anthony McMahon, Deputy

Mayor Guy Nicholson, Cllr Harvey

Odze,

Cllr Deniz Oguzkanli, Cllr M Can

Ozsen, Cllr Sam Pallis, Cllr

Benzion Papier, Cllr Sharon

Patrick, Cllr James Peters, Cllr

Steve Race, Cllr Ian Rathbone,

Cllr Nick Sharman, Cllr Anya

Sizer, Cllr Peter Snell, Cllr Simche

Steinberger, Cllr Vincent Stops,

Cllr Lynne Troughton, Cllr Jessica

Webb, Cllr Caroline Woodley, Cllr

Penny Wrouth and Cllr Sarah

Young

Officer Contact: Andrew Spragg, Governance Services Team Leader

This meeting was live streamed and can be viewed at:

<https://www.youtube.com/watch?v=vUZavmPr0m0>

The Speaker, Cllr Michael Desmond, in the Chair

The Speaker welcomed Council members, officers and members of the public in attendance, and those watching the livestream.

The Speaker noted the death of Sir David Amess, MP for Southend West, who was killed on Friday 15 October 2021. He condemned the attack and informed Council that he was committed to working with the Mayor and Chief Executive to ensure elected members remained safe in their roles.

A minute's silence was observed, after which Cllr Steinberger paid tribute to Sir David Amess. He thanked officers for their continued efforts to keep Councillors safe.

Mayor Glanville proposed and Cllr Chapman seconded that Rule 25.1 of the Council's Procedure Rules be suspended for the duration of the meeting. It was agreed unanimously by all present that Councillors would remain seated when addressing the Council through the Speaker.

The Speaker reminded Councillors who were accessing the meeting remotely that they would not be counted as being 'present' for the purposes of the Local Government Act 1972, and could not propose or second a motion or vote on any item under consideration. They would, however, be able to speak at his discretion.

1. Apologies for Absence

- 1.1 Apologies for absence were received from Councillors Gregory, Joseph, Levy, Lynch, Rennison, Selman and Williams.
- 1.2 Apologies for lateness were received from Councillors Conway, Papier and Peters.
- 1.3 It was noted that the following Councillors had joined the meeting remotely: Deputy Mayor Bramble, Councillors Adejare, Billington, Cameron, Chauhan, Hanson, Hayhurst, Lufkin, Moema, Potter, Smyth, Spence and Wrout.

2. Speaker's Announcements

- 2.1 The Speaker welcomed the new Chief Executive, Mark Carroll.
- 2.2 The Speaker outlined his plans for his civic dinner on 27 October 2021.
- 2.3 Full Council was informed that the Speaker had coordinated with St Joseph's Hospice, one of his nominated charities, to provide facilities for team building activities for Council staff.
- 2.4 The Speaker had been working with civic representatives from Lewisham, Newham and Tower Hamlets to promote the role of the Speaker. He had also met with pupils from Urswick school to celebrate local democracy week. In particular, he highlighted the ambitions of the school's Youth Parliament representative to ensure closer working between Councillors and young people.

3. Declarations of Interest

- 3.1 There were no declarations of interests.

4. Minutes of the Previous Meeting

- 4.1 Cllr Steinberger and Cllr Odze raised the following corrections for the minutes of the ordinary meeting of Full Council on 21 July 2021:
 - 8.2 replace "equipment" with "premises".
 - 8.3 replace "Steinbergaer's" with "Steinberger's".
 - Replace "Cllr Hershy" with "Cllr Lisser" throughout.
 - Amend the duration of the meeting to 7.03pm - 9.54pm
- 4.2 The Council noted these corrections.

RESOLVED:

That the minutes of the extraordinary meeting of Council held on 21 July 2021 (Freedom of the Borough) be agreed as a true and correct record of proceedings.

That the minutes of the meeting of Council held on 21 July 2021 be agreed as a true and correct record of proceedings.

5. Questions from Members of the Public

5.1 From Reiner Tegtmeier to the Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy

Concerning the Dalston Plan, what practical actions will be taken to fully respect views, suggestions and substantiated objections expressed by residents in creating “open green spaces” and housing for existing, poor residents as opposed to filling-in the various identified “opportunity spaces” and convert Kingsland Shopping Centre into a high-density Estate?

Response from Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy

Deputy Mayor Nicholson outlined the ongoing work to engage with residents in respect to the draft Dalston Plan. He highlighted that there had been an unprecedented level of engagement, with approximately 5,500 responses from the community. The discussions had been led by the Mayor and local ward Councillors, Cllr Adejare and Cllr Snell. Deputy Mayor Nicholson informed the Council that the consultation had enabled an improved understanding of the needs and ambitions of the community. He outlined that the community had asked for the following:

- Investment in Ridley Road Street Market;
- Protection of the Dalston Curve garden;
- Improvements in the cultural quarter, including the CLR James library;
- Action to address the Anti-Social Behaviour (ASB) in Ridley Road and Gillett Square;
- Open spaces;
- Improved public transport links; and
- Genuinely affordable homes and workspaces.

Deputy Mayor Nicholson stated that the Council was delivering on these ambitions, and they were reflected in the draft Dalston Plan and the Hackney Local Plan. He highlighted that there was a challenge in delivering on green spaces in the area when there was also a clear need for housing, citing the Kingsland Shopping Centre as an example. He informed the Council that the space could deliver up to 242 affordable homes, and that the Council had to hold the community’s different priorities in balance as set out in the Local Plan.

Reiner Tegtmeier asked a supplementary question regarding the impact of taller buildings being built in the area, and what the Council was doing to protect local views and ensure developments did not overshadow the pre-existing buildings.

Deputy Mayor Nicholson explained that the Council's planning policies identified criteria regarding height and massing that were intended to minimise the environmental impact for new developments. The draft Dalston Plan included further detail to support this and what specific needs applied to Dalston in order to safeguard against these issues. Deputy Mayor Nicholson offered to meet with Reiner Tegtmeier to discuss how the plans and policies could support his concerns.

5.2 From Adam Forman to the Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy

Given the options agreement between Hackney Walk and the Council over the Tesco site, Morning Lane, expires in March 2022, will the Council commit to exploring alternative funding for a plan including a high proportion of Council homes and an equivalent size Tesco store?

The Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy referred the question to the Mayor for response.

Response from the Mayor

The Mayor thanked Adam Forman for his question and the petition he submitted on behalf of the Morning Lane campaign group. He informed the Council that the Cabinet decision four years ago to purchase the site had been intended to prevent the kind of unrestricted development previously seen in the area. The agreement in place with Hackney Walk Ltd was designed to ensure that any proposal met the needs of local residents and businesses, as well as the requirements of the Local Plan. This included more affordable workspaces and homes, as well as securing a long-term return for the Council. Any proposal would also need to ensure that there was a replacement Tesco store, of a size specified by the company when the freehold was purchased. Council was informed that local residents and Tesco had both indicated that there should be no break in supermarket provision as the result of any development.

The Mayor stated that the option holder had a right to submit a proposal until March 2022. As the agreement reached its conclusion, the Council would be exploring any required alternatives. The Mayor explained that any proposal would be subject to consultation and engagement, and highlighted the role of the Hackney Central conversation in ensuring that local residents were involved in developing the planning policy for the area. He paid tribute to the work of the local ward Councillors for Hackney Central and Homerton, who had ensured that residents' voices were heard.

The Mayor concluded that any proposal would have to cross-subsidise the costs to the Council, including the provision of new public housing and a return on the cost of the land. He informed the Council that for every social housing home built, it was estimated that a

development would need to sell between 1.5 and 2 private homes. He also indicated that this did not include the cost of purchasing the freehold. The Mayor stated that there was no lack of ambition for Council housing, and he was prepared to explore what could be delivered either by the Council or with a development partner.

Adam Forman asked a supplementary question about how the Mayor proposed to involve the local community in developing proposals for the site.

The Mayor highlighted the role of the current steering group, and noted that the Morning Lane campaign group had a seat on this. He indicated that should Hackney Walk Ltd not pursue the option to submit a proposal, then he would expect the Council to lead this discussion using its established co-production principles.

5.3 From Alastair Binnie-Lubbock to the Cabinet Member for Housing Services

I have encountered several Council residents reporting serious damp issues and their queries weren't taken seriously or dealt with promptly. In some cases queries on this issue are ignored completely. Does the Council commit to not keep residents in the dark and damp?

Response from the Cabinet Member for Housing Services

Cllr McKenzie informed Council that all reported repairs were taken seriously, and that damp and mould were considered priority matters. He outlined the challenges faced by services in the last 18 months, with both the impact of the pandemic and the cyber-attack affecting performance. The loss of digital systems had affected non-urgent repairs and the ability to keep residents informed. Public health advice had also meant that services had been required to suspend non-urgent repairs as a consequence of the pandemic, although these had resumed in June 2021 and work was now underway to address the backlog. He apologised to those residents who had been impacted by the issues.

Cllr McKenzie informed the Council that contact centre call waiting times had reduced to 12 minutes as of September, and that a new call back option had been introduced to help minimise wait times. Options were being explored to enable residents to report repairs online, and staff were being supported to move to mobile working in order to improve productivity. The Cabinet Member stated that services were working closely with Tenant and Resident Associations and ward Councillors to address concerns.

Alastair Binnie-Lubbock asked a supplementary question regarding whether the performance data and targets could be made public. Cllr McKenzie committed to doing this.

5.4 From Kieran Kirkwood to the Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy

In 2020, Hackney Council passed an anti-racism motion pledging that "Hackney's Black Lives Matter". How is this specifically reflected in your planning policy?

Response from the Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy

Deputy Mayor Nicholson explained that a number of work streams had been undertaken since the Council had passed its motion. He informed the Council that this included work that had informed the Local Plan and other planning policies. In particular he cited access to new homes and affordable workspaces as being a priority consideration for the Council. Deputy Mayor Nicholson stated that the different activities around developing planning policies had been focused on delivering an inclusive economy and inclusive regeneration. The work of the Young Futures Commission had identified a clear message about regeneration instead of gentrification, including steps to tackle disenfranchisement and exclusion.

Kieran Kirkwood asked a supplementary question about how the Council supported black owned businesses, including the market traders in the Ridley Road indoor shopping village. Deputy Mayor Nicholson outlined that the shopping village was owned by a commercial organisation and not the Council. It was explained that the Council was supporting business tenants affected by redevelopment to ensure that they were able to find new spaces or negotiate a return if they so wished.

5.5 From Rebecca Lammers to the Cabinet Member for Community Safety

When does Hackney Council plan to fulfill its promise to obtain White Ribbon accreditation and what, if anything, has the Council done to ensure accreditation is obtained sooner rather than later?

Response from the Cabinet Member for Community Safety

Cllr Fajana-Thomas confirmed that the Council had submitted its application and action plan to White Ribbon and was awaiting feedback. It was anticipated that it would gain its accreditation within the year. Cllr Fajana-Thomas went on to outline the work the Council was undertaking to address the four strands set out in its action plan. This was overseen by the Violence Against Women and Girls (VAWG) operational group which comprised of statutory partners and community services. It was explained that training for licensed premises, schools and GPs was provided. Cllr Fajana-Thomas outlined the Council's ambition to support men and boys to become better allies. She explained that the Council also worked with male perpetrators to support and challenge them through the Safe and Together approach. The Council was informed that services worked closely with the police on a number of campaigns such as the "Ask for Angela" scheme and through initiatives such as outreach activities. Cllr Fajana-Thomas concluded by outlining the plans for The 16 Days of Activism Against Gender-Based Violence, an international campaign that began in November and would include a launch at the town hall.

Rebecca Lammers asked a supplementary question regarding the role of male Councillors and staff in leading the accreditation. Cllr Fajana-Thomas explained that the officer leading on the accreditation work was male, and explained that she had repeatedly made public statements about the role men had to play in reducing VAWG.

6. Questions from Members of the Council

6.1 From Cllr Soraya Adejare to the Cabinet Member for Employment, Skills and Human Resources

As a borough in which the children, grandchildren and great grandchildren of refugees, migrants and asylum seekers reside, it is clear that our legacy of providing sanctuary is firmly embedded. Nevertheless, we are now faced with a government which has done its utmost to demonise those seeking refuge, including through the punitive Immigration Bill which goes so far as to criminalise Royal National Lifeboat Institution volunteers for helping drowning refugees and asylum seekers. As we sit in this meeting tonight, there are crises occurring across the world, where human lives remain at risk. Could the Cabinet Member please advise as to the ongoing work being undertaken to ensure that this is countered in our borough, including the support Hackney will give to Afghan refugees under the government's resettlement scheme and the Afghan local workers scheme?

Response from the Mayor

The Mayor stated that the borough had a proud legacy of welcoming refugees, which was core to the beliefs of the administration and wider community. He commented that the Council was in opposition to the hostile environment, citing the Home Office work with rough sleepers as an example. He acknowledged the efforts of Cllr Williams in lobbying against central Government policy, and spoke about how the Council had established a working group to support Afghan refugees. In partnership with London Councils, GLA and LGA, the Council had taken early steps to settle people under the existing local working scheme and the Afghan Relocation Assistance Programme. The Mayor highlighted the experience of those already placed in the borough and how abandoned they reported feeling. He announced that Hackney had already committed to housing 5 households for 5 years, with no detrimental impact to those already waiting for housing in the borough. Council was informed that the first home would be ready in the next few weeks, and each family would have a dedicated caseworker. The Mayor stated that there were approximately 13,000 refugees in bridging hotels across London, and that the needs of children would be paramount in such situations. The Mayor praised the Hackney Community and Voluntary Sector (HCVS) and wider community for its continued efforts to support refugees through offers of help and donations.

6.2 From Cllr Polly Billington to the Cabinet Member for Health, Adult Social Care and Leisure

What progress is being made to reintroduce face to face appointments with GPs in the borough to support those who need quality time with their GP and find virtual consultations unsuitable, thus limiting their access to the healthcare they need?

Response from the Cabinet Member for Health, Adult Social Care and Leisure

Cllr Kennedy opened by thanking all staff operating in GP practices and primary care settings across the borough. He informed Council that across the City and Hackney health

system, a “digital where appropriate” approach had been adopted. He highlighted the role of doorstep assessment teams, who had supported individuals isolating during the pandemic and were now visiting those for whom travel to a GP would be difficult or risky. Cllr Kennedy informed the Council that all local GPs were open and seeing patients face to face where there was a need to do so, or the patient requested it. He outlined that only one GP across City and Hackney had a low ratio of face to face appointments, and this was due to the GP having to isolate due to their personal circumstances. Cllr Kennedy highlighted the role of Hackney Healthwatch in providing challenge on performance, and quoted a recent report to the Primary Care Enabler Board which indicated no reported issues with patients being seen face to face. Cllr Kennedy referenced the additional funding provided by NHS England for a Primary Care Access Improvement Programme, and confirmed that City and Hackney would be looking at how to utilise this. He closed by inviting those who wished to provide feedback on GPs to attend a Healthwatch Hackney session on access to Primary Care, which was planned for the coming fortnight.

6.3 From Cllr Sarah Young to the Mayor

Following the Council’s successful bid for funding from the Mayor of London’s Affordable Homes Programme, could the Mayor provide an update on Hackney’s progress on building the affordable homes our residents desperately need?

Response from the Mayor

The Mayor welcomed Cllr Young as a newly elected Member, and thanked her for organising a public meeting on housing in Woodberry Down. He stated that it had been a decade since the Council had launched its in-house house building programme and it was a model now seen across other local authorities in London. He confirmed that of the 2000 homes the administration had committed to building between 2018-22, 1700 had now been built or received planning permission. The Mayor noted that this was in the context of huge pressures around cost-price, lack of funding and Brexit. He informed Council that approval had just been given for 23 Council homes in Frampton Park and that these would be assigned to local residents. He outlined the work underway in Tower Court in Stamford Hill, Kings Park, Clapton Park, De Beauvoir Estate, Lincoln Court, the Nightingale and Colville Estates, and Hoxton West. He paid tribute to the ward Councillors who had worked with himself and Deputy Mayor Nicholson to address the need in their areas. Council was informed that the Mayor of London had awarded Hackney £17.5 million for the next funding round. It was noted that Treasury rules had prevented Hackney’s preferred bid for 100% social rented homes. The Mayor acknowledged the role partnership played in delivering new housing in the borough, and how funds raised through the Right to Buy scheme was enabling the Council to invest in affordable housing in housing associations such as Peabody. The Mayor restated his commitment to ensuring the next masterplan for Woodberry Downs would see more social and affordable housing for residents.

Cllr Young asked a supplementary question regarding the ability of the Council to push back when developers used viability considerations to reduce the number of affordable and social housing. The Mayor responded by acknowledging the role of Deputy Mayor Nicholson and the Planning Sub-Committee in ensuring that developers were challenged appropriately. He set out the expertise gathered through delivering some developments

in-house and how this enabled an improved understanding of the assumptions made in respect to affordable housing. The Mayor also informed Council that where big applications could not demonstrate the proper considerations, he was confident in joining with local campaigners to make sure their views were heard. He noted that the system still favoured developers, and highlighted previous scrutiny reviews on the topic of viability and affordable and social housing. He noted the role of the Local Plan and London Plan in helping shape the market.

6.4 From Cllr Ian Rathbone to the Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy

Would the Cabinet Member responsible for Street Markets and Outdoor Trading agree with me when I say that our street markets are recognised as the best and most successful not only in London, but also around the country, and would he tell us how we plan to make sure our street markets continue being good for traders, good for residents and good for our town centres?

Response from the Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy

Deputy Mayor Nicholson informed Council that there were approximately 60,000 on-street pitches across Hackney, and that these were a vital part of the supply chain for residents and businesses. He acknowledged the work of the Market Service and market traders, which had collectively won 8 national awards. Hackney Market Service had won one award for exceptional management, and another for its support for Hackney young people. Cllr Nicholson outlined how this support included opportunities for work and training. He noted that Broadway Market was now in operation two days a week, and praised ward Councillors for having supported the different markets across the borough - these included:

- Deputy Mayor Bramble, Cllr Plouviez and Cllr Ozsen - Broadway Market
- Cllr Patrick, Cllr Rennison and Cllr Troughton - Chatsworth Road Market
- Cllr Adams, Cllr Race and Cllr Sizer - Hoxton Market
- Cllr Adejare and Cllr Snell - Ridley Road Street Market

Deputy Mayor Nicholson concluded by informing the Council about insourcing the assembly of market stalls, which had created 29 new jobs and a saving of £350,000 over the next five years.

Cllr Rathbone mentioned that the Councillors in Lea Bridge Road in connection with Chatsworth Road Market. He asked a supplementary question regarding Ridley Road Market and employment opportunities

Deputy Mayor Nicholson praised Cllr Rathbone as a longstanding champion of street markets, and the team of the officers supporting the street markets. Deputy Mayor Nicholson outlined the investments the Council was making to Ridley Road Market which would improve the market stalls, payment machines, Wi-Fi and facilities. Council was informed that there were a number of environmental enhancements to be made. Deputy Mayor Nicholson set out how the Council had worked with residents from the Morningside

Estate to support and enable young people into careers as market traders, as well as the work it did with established traders in terms of training and development.

6.5 From Cllr Sophie Conway to the Cabinet Member for Community Safety

Cllr Sophie Conway introduced her question, drawing particular attention to the recent murder of Sarah Everard and expressing her dissatisfaction with the Government and police response.

What representations has the Cabinet Member for Community Safety made to the Borough Commander of the Metropolitan Police seeking specific, measurable and immediate improvements to the way the police tackle violence against women and girls in the borough, in light of women's waning trust in the police to protect them and bring perpetrators of violence and abuse to justice?

Response from the Cabinet Member for Community Safety

Cllr Fajana-Thomas echoed Cllr Conway's concerns about the response from the police and central Government. She raised a number of statistics that demonstrated that the issue remained a significant one, and informed the Council that there must be more done both by individuals and local authorities. Cllr Fajana-Thomas outlined the work of the Community Safety Partnership to ensure tackling VAWG remained a central priority and indicated that an integrated action plan was in place across partners. Council was informed that the Cabinet Member had written to the Basic Command Unit (BCU) Commander to seek assurances as to what the police had been doing to keep people safe. She outlined the ten points she raised, and offered to share the letter and response with all Councillors. It was noted that arrests were being made by the BCU Predatory Offender Unit, police presence had been increased and VAWG cases fast-tracked. Cllr Fajana-Thomas highlighted that the borough had a named officer leading with the issues, and this was not the case in all London local authorities.

Questions that were not taken at the meeting due to time constraints, and where a written response was to be provided are attached as **Appendix 1**.

Cllr Odze raised a point of order, noting that a number of questions from the previous Council meeting were awaiting a written response. Assurances were given by the Speaker that this would be addressed.

The meeting adjourned for five minutes to enable Members to have a short break.

7. Elected Mayor's Statement

7.1 The Mayor opened by paying tribute to Sir David Amess and condemned the attack. He welcomed the Prime Minister's announcement that Her Majesty The Queen has accorded city status to Southend-on-Sea. He also thanked staff for their continued efforts to keep elected officials safe. The Council was informed about the work undertaken as part of national hate crime awareness week and how the Mayor and services were engaging with communities to address these issues. The Mayor

condemned the anti-Semitic, homophobic and transphobic attacks that had been seen in the borough and across London. He thanked Cllr Conway and Cllr Fajana-Thomas for their work in respect to VAWG, and highlighted the work of Labour Councillors across London to tackle this.

- 7.2 The Mayor outlined how the Council would be celebrating Black History Season. The Black History flag had been raised over the town hall, and various events were planned in local schools and libraries. New public art by Veronica Ryan had been unveiled and was dedicated to the Windrush generation. The Council was also informed that the British Reggae Artists Famine Appeal (BRAFA) Square had been opened in commemoration of the campaign.
- 7.3 The Mayor expressed his thanks to Ian Williams for the period he was Acting Chief Executive, and paid tribute to his work during that time. He welcomed Mark Carroll, as the new Chief Executive, and Jacquie Burke, Group Director for Children and Education.
- 7.4 The Mayor informed Council that the Government's plans to raise National Insurance and reduce Universal Credit were unwelcome, and would impact many Hackney residents. Noting rising fuel and energy bills, coupled with food shortages, the Mayor called on the Prime Minister to announce a plan as part of the Autumn Budget Statement to support people through the winter and fund local services. The Mayor acknowledged the Morning Lane, Ridley Road and Children's Centre campaigns, all of which had demonstrated outside the town hall before the meeting. Council was informed that any decision to close services was unwelcome, and consultation was underway in respect to the Fernbank and Hillside children's centres. The Mayor outlined the funding and demographic changes that had led to the consultation, and called on the Government to improve funding services for children. He committed to working with the family and staff affected to minimise the impact of any closure. The Mayor confirmed that he would be meeting with campaigners and Cllr Woodley to hear their concerns and he encouraged residents to submit to the consultation.
- 7.5 The Mayor concluded by outlining his role at COP26, representing London Councils as Lead Member for Environment and Transport. He would be joined by Cllr Coban, and informed the Council that the administration's roadmap to net zero had recently been updated and republished.
- 7.6 Cllr Steinberger responded on behalf of the opposition group. He noted the passing of MP James Brokenshire, and paid tribute to him. He condemned recent attacks in Stamford Hill. Cllr Steinberger noted the protests outside the town hall, and handed a petition to the Speaker on behalf of the Horrendous Hackney Road Closures campaign group. He criticised the Mayor and Cabinet for considering the closure of the children's centres, and the lack of action in addressing residents' concerns. Cllr Steinberger expressed the view that the Council had failed to do anything positive for residents during the pandemic, and criticised increases in the Council Tax. Cllr Steinberger closed by greeting Mark Carroll and Jacquie Burke, and praising Ian Williams.

- 7.7 The Mayor responded by acknowledging the contribution of MP James Brokenshire in various Government roles, including the Ministry of Housing, Communities and Local Government (MHCLG). He recalled various campaigns he had participated in protesting cuts to local services by central Government. He confirmed that he would be meeting with the Horrendous Hackney Road Closures campaign group with Cllr Coban, reminded those present about the public consultation on the Emergency Transport Plan, and highlighted the extent of public engagement including recent consultations and co-production with residents on Church Street.
- 7.8 The Mayor condemned the anti-semitic attacks in Stamford Hill and paid tribute to Cllr Fajana-Thomas, the Shomrim and Rabbi Gluck in their work to support and reassure communities. The Council was informed that Council tax had been increased as a result of the Government's austerity measures, with the Mayor highlighting the 13% rise in the last two years. He commented that Cabinet had protected investment in front line services, and criticised the opposition group for not submitting any questions for Full Council for a second meeting.

The Speaker announced that item 10 would be the next item on the agenda.

10. Standards Committee Annual Report 2020/21

- 10.1 Deputy Mayor Bramble introduced the report, highlighting how the Standards Committee had continued to promote high ethical standards in the local authority. She thanked the Committee Councillors, Co-opted Members and Independent Person for their contributions, in particular Adedoja Labinjo, Onagete Louison and Jonathan Stopes-Roe, all of whom had come to the end of their terms of office during the 2020/2021 municipal year.

RESOLVED:

To note the annual report of the Standards Committee, attached at appendix 1 to that report.

8. Changes to the Terms of the Late Night Levy

- 8.1 Cllr Plouviez introduced the report, setting out how the Late Night Levy had supported enforcement in the area. She outlined the partnership arrangements with the four local Pub Watches, Community Safety, Enforcement and the police. The Council was informed that the commitment of venue managers and owners contributed to the success of the partnership, despite the challenges of the pandemic. Cllr Plouviez praised the work of the Night Light Levy Manager, and her role in improving things and developing an online portal. The Council was updated on the accreditation scheme and called upon to support the amendment. Cllr Fajana-Thomas and Mayor Glanville praised Cllr Plouviez, the Licensing Committee and Licensing officers. The Mayor also noted the progressive approach taken by venues.

RESOLVED:

To approve the amendment to the terms of the Late Night Levy to enable a 30% reduction for 'Hackney Nights' accredited licence holders that takes effect from 1 November 2021, and the report and the appendices are noted.

9. Licensing Service Annual Report 2020/21

9.1 Cllr Fajana-Thomas introduced the report and thanked officers, the Licensing Committee and her predecessor, Cllr Selman.

RESOLVED:

To approve and note the annual report of the Licensing Service activities to demonstrate how it has undertaken and fulfilled its statutory and operational responsibilities during the municipal year 2020/21 and to show its aims and targets for the forthcoming municipal year 2021/22.

11. Overview and Scrutiny Annual Report 2020/21

11.1 The Speaker noted that a video covering the activities of the overview and scrutiny function had been shown prior to the meeting. Cllr Gordon introduced the report by outlining the work undertaken by the Scrutiny Commissions during the year. She highlighted the role virtual meetings had played in ensuring the public were able to engage with the scrutiny function, and how this had seen new and innovative ways of working. She thanked all Councillors, Co-opted Members, residents, partner services and officers involved in scrutiny across Hackney,

11.2 Cllr Sharman welcomed the report and outlined how the scrutiny function supported innovation, held Cabinet to account and ensured resident voices could be heard. Cllr Rathbone thanked Cllr Gordon and the Scrutiny Commission Chairs. He expressed concern that the opposition group did not participate in scrutiny, and urged them to take their seats on the commissions. Cllr Rathbone concluded by drawing attention to the work undertaken in reference to the use of Stop and Search in the borough. Cllr Patrick spoke about how the Living In Hackney Scrutiny Commission had held Thames Water to account.

11.3 The Mayor and Deputy Mayor Bramble praised the work of the scrutiny function and called on the Council to protect and invest in it, in order to ensure Cabinet was held to account. It was noted that the function had resumed shortly after the first lockdown had come into effect.

11.4 Cllr Steinberger expressed the view that the function was not effective, and referenced a previous external report and its findings. He criticised the majority group for not making changes and reverting to a previous form of governance. Cllr Gordon concluded and reiterated concerns about opposition group members not participating in scrutiny.

RESOLVED:

That the Annual Report of the Overview and Scrutiny Function 2020/21 be noted.

12. Dates of Future Meetings

RESOLVED:

To note that all meetings of Full Council will commence at 7.00pm and are scheduled as follows:

- 26 January 2022
- 23 February 2022

Cllr Steinberger and the Speaker concluded by thanking those officers and staff present with organising the meeting and ensuring they were kept safe.

Meeting duration: 7pm - 9.52pm

Chair: Cllr Michael Desmond, Speaker of the London Borough of Hackney

Contact: Andrew Spragg, Governance Services Team Leader

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COUNCIL TAXBASE AND LOCAL BUSINESS RATES INCOME 2022/23	
COUNCIL 24 JANUARY 2022	CLASSIFICATION: Open If exempt, the reason will be listed in the main body of this report.
WARD(S) AFFECTED: All	
CABINET MEMBER: Councillor Robert Chapman, Cabinet Member for Finance, Housing Needs and Supply	
GROUP DIRECTOR Ian Williams, Group Director Finance and Corporate Resources	

1. CABINET MEMBER'S INTRODUCTION

- 1.1 This report is a key component of setting the Budget and Council Tax for the forthcoming financial year. The money available for service delivery this year depends on the amount of Council Tax that we believe will be collected and we must be careful to estimate this accurately. This report recommends that the Council assume an estimated collection rate for Council Tax for 2022/23 of 93%. While providing a small improvement over that now estimated for 2021/22, we believe this is a realistic but prudent assumption for council tax collection in the next financial year.
- 1.2 Members are asked to agree the baseline level of Local Business Rate income the Council will be likely to receive for 2022/23.
- 1.3 On the basis of advice from London Councils and its advisers, the boroughs have unanimously agreed not to retain the London Business Rates Retention and Pooling pilot arrangement in 2022/23. However, we are proposing to join a localised pooling scheme comprising the City of London and 6 other London boroughs, which is forecast to deliver the Council significant financial benefit (£2.5m to £2,9m). More detail is provided on this below.

2. GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES INTRODUCTION

- 2.1 Section 33 of the Local Government Finance Act 1992 requires that the authority must agree Hackney's Council Tax Base for 2022/23 as calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012. This decision must be taken and communicated to preceptors by 31 January 2022. This report recommends a Council Tax Base of £73,981 Band D equivalents based on a Council Tax collection rate for 2022/23 of 93%.
- 2.2 Section 3 of The Non-Domestic Rating (Rates Retention) Regulations 2013, requires that for 2022/23, we must estimate Non-Domestic Rating income for Hackney (the billing authority) and calculate the major preceptor's share due to the Greater London Authority and the Government share; and any deductions to be made for qualifying relief. The figures contained in this report will become the effective starting point for setting the Council's Budget for 2022/23, subject to the completion of 2022/23 NDR1 (an official return that is submitted to the Government).
- 2.3 This report asks the Council to approve the estimate of business rates yield for 2022/23 to be used in the budget and tax setting report before Council on 2nd March 2022.
- 2.4 It should also be noted that the Welfare Reform Act 2012 abolished Council Tax Benefit in March 2013 and replaced it with the Council Tax Reduction Scheme (CTRS). We are not proposing any changes to the 2021/22 scheme for 2022/23.

3.0 RECOMMENDATION(S)

Council is recommended to agree:

- 3.6 That in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Hackney Council as its Council Tax Base for 2022/23 shall be £73,981 Band D equivalent properties adjusted for non-collection. This represents an estimated collection rate of 93%
- 3.7 In accordance with The Non-Domestic Rating (Rates Retention) Regulations 2013 Hackney's non-domestic rating income for 2022/23 is £117,771,466. This comprises three elements.
- £43,355,953 which is payable in agreed instalments to the Greater London Authority
 - £35,746,691 which is retained by Hackney Council and included as part

- of its resources when calculating the 2022/23 Council Tax requirement. £38,668,822 which is payable in agreed instalments to Central Government.

3.8 To note that no changes are proposed to the current CTRS scheme in 2022/23.

4. REASONS FOR DECISION

Council Tax Base

- 4.1 The rules for calculating the Council Tax Base are set out in the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012. The calculation is based on the valuation list and other information available on 15th December 2021.
- 4.2 Firstly, the authority must estimate the number of properties in each band after allowing for exempt properties. These figures are also adjusted to allow for discounts (e.g. single person discount and Council Tax Reduction Scheme) and the impact of changes in discounts and exemptions which allow the Council to charge additional Council Tax to the owners of empty homes and second homes. A formula is then used to calculate the total number of Band D equivalent properties. This gives a higher weighting to properties in Bands above Band D and a lower weighting to properties in bands below Band D. This can therefore be thought of as the average number of properties liable to pay Council Tax. The calculation is set out at **Appendix 1**.
- 4.3 The Authority then must estimate what percentage of the total Council Tax due for the year it will be able to collect. This is usually referred to as the collection rate. This percentage is then applied to the total number of Band D equivalent properties to give the tax base to be used for setting the Council Tax. Another way of considering the tax base is that it represents the amount of Council Tax income that will be received from setting a Band D Council Tax of £1.
- 4.4 There are a number of factors to be considered when assessing the likely ultimate collection rate for 2022/23. 2013/14 marked the first year of the new Local Council Tax Reduction Scheme and significant changes in the level of discounts allowed for second homes and empty properties, which in turn led to increased volatility regarding the eventual collection rate to be achieved, particularly as the Council was often issuing bills for monies it has not had to previously collect. Despite this, collection rates have held up very well since this time but in 2020/21, they were adversely affected by the Covid-19 pandemic and the cyber attack to fall to an estimated 92% and in 2021/22 the ongoing impact of the cyber attack on billing and recovery and covid19 is likely to reduce it to 90%. We expect collection rates

to recover in 2022/23, albeit at a reduced level compared to pre covid19 and cyber rates, and expect it to reach 93%. It is very difficult to estimate what the actual rate will be in 2022/23 given the uncertainties resulting from the ongoing impact of the cyber attack, Covid-19 and Brexit. We are also mindful of the wider cost of living pressures, and the impact this will have on residents ability to pay and it is ever more important that we continue to provide and signpost to support where it is needed in a timely manner to prevent arrears positions escalating for council taxpayers. Notwithstanding this we believe that the assumed rate of 93% is a prudent estimate.

- 4.5 If actual collection in the forthcoming year exceeds the budgeted collection rate this is likely to generate a surplus in the Collection Fund which would provide additional one-off resources available for use in 2023/24 and beyond, either for one-off revenue spending or the Capital Programme. If on the other hand, the collection rate set is over-optimistic, this may result in a deficit on the collection fund at the end of 2022/23, the major part of which would need to be met from Hackney's 2023/24 Budget.
- 4.6 A collection rate of 93% will result in a tax base of £73,981 Band D equivalents, as shown in the table below.

2022/23 TAX BASE/COLLECTION RATE	
	2022/23
Aggregate of Band D Equivalents Estimate of Collection	79,549
Rate	93%
Tax Base (Band D Equivalents)	73,981

- 4.7 This compares to a tax base of 72,039 Band D equivalents used in the 2021/22 budget setting. The increase is primarily due to an increase in the number of properties in Hackney.

Business Rates and the London Business Rates Retention Scheme

- 4.8 The Local Business Rate retention scheme came into effect from 2013/14 as part of the changes to Local Government funding in the Local Government Finance Act 2012.
- 4.9 In essence, the scheme allowed Local Government to keep 50% of any Business Rate growth from its baseline position. For Hackney and all other London

Boroughs the remaining 50% share was split on a 60/40 basis with the Greater London Authority (GLA). In 2017/18 these proportions were amended to the following distribution of all business rates collected: - the GLA 37%; Central Government 33% and London Boroughs 30%.

- 4.10 A change to the system was made in 2018/19 with the introduction of the London 100% Business Rates Retention and Pooling Pilot scheme. Under this scheme Hackney retained 64% of the rates raised and the GLA kept 36% with no Government share; plus a share of any growth achieved by the boroughs
- 4.11 Yet another change was made in 2019/20 with the introduction of a 75% London Business Rates Retention and Pooling Pilot scheme. Under this scheme, Hackney retained 48% of the rates raised, the GLA retained 27% and Central Government 25%. In both 2020/21 and 2021/22 the Government decided it would not provide for the continuation of the 75% local shares scheme and that the 2017/18 shares of business rates income applied, i.e. GLA 37%; Central Government 33% and London Boroughs 30%. This reduced the amount of business rates retained by Hackney from 48% to 30% but the losses in income were mitigated to some extent by additional Government funding.
- 4.12 In 2020/21, even though the financial benefits of the London Business Rates Retention and Pooling Pilot scheme were expected to be lower than in previous years, the boroughs decided to continue with the pooling arrangement. This decision in part was made for strategic reasons as boroughs regarded the scheme as a key milestone on the journey towards greater fiscal and functional devolution, demonstrating the clear benefits of collective working between London authorities. However, the onset of the pandemic during 2020/21 had a significant impact on the collection of business rates, which led to an estimated £14.2m loss to be shared by pool participants. Further modelling for 2021/22 and 2022/23 showed a mix of risks across London, which, matched with the comparatively estimated low level of financial return meant that it was agreed that the London Pool would not continue for 2021/22 and 2022/23.
- 4.13 However, given the way pools work, there is an opportunity for a smaller and more localised pooling arrangement in London in 2022/23, to generate additional income for the pooling boroughs with a very limited risk. This is discussed below.

Localised Business Rates Pool 2022/23

- 4.14 The paragraphs below set out the proposed arrangements for a Local London Business Rates Retention Pool in 2022/23.
- 4.15 As Members are aware there was not a London-wide business rates pooling

arrangement in 2021-22 and there will not be one in 2022-23. These decisions were made primarily in light of the ongoing risks to business rates income arising from Covid19. However, given the way pools work, there is an opportunity for a smaller and more localised pooling arrangement in London in 2022-23, to generate additional income for the pooling boroughs with a very limited risk.

- 4.16 It should be noted that forming a pool in no way dilutes the sovereignty of each participating authority as each is still responsible for the collection of business rates within its locality. However, forming a pool alters the framework which determines how much business rate income is retained locally with the aim of increasing this amount.
- 4.17 In order to demonstrate the advantage of the proposed pooling arrangement, we must first distinguish between two types of authority - authorities that pay a tariff and levy and those that receive a top up grant. At the introduction of the Business Rates Retention system in 2013-14, the government calculated a funding level for every local authority – “baseline funding level” - which is the funding level the Government calculated a council needed to meet its ‘needs’. This was derived from the previous formula grant system. The Government also calculated a “business rates baseline” for each authority based on the average business rates it contributed to the national pool over the two years from 2010/11.
- 4.18 Where an authority’s business rates baseline exceeds its funding baseline, it pays the difference to central government as a tariff which is used to pay for a top-up for authorities whose funding baseline is above its business rates baseline. In each year since 2013-14, these tariffs and top-ups have been uprated by the business rates multiplier, normally RPI. Tariff Authorities also pay a levy on any growth above the business rates baseline. This levy is paid to the Government and used to fund the safety net system which protects those councils which see their year-on-year business rate income fall by more than a set percentage below their baseline funding levels.
- 4.19 As part of the business rates regime, the Government has allowed Local Authorities with a geographic link to form a business rate pool. In forming a pool, the group of authorities are seen as a single entity from a business rate perspective and in doing this, have the potential to retain more of the business rate income generated locally. A pool is able to do this by reducing the levy payment. At its highest rate, 50% of growth is paid to the Government through the levy but by forming a pool, this rate can be lowered to 0%, and funds which would have been earmarked to the Government would instead be retained locally and can be distributed to all pool members.
- 4.20 For a pool to totally eliminate a levy payment, the value of the top ups paid by all

the top up boroughs in the pool must be equal to or exceed the tariff paid by the tariff boroughs. It follows, to maximise the benefits of a pool, we need a composition that delivers a net top-up subject to the constraint that there must be a geographic link between the members. The grouping of authorities together to achieve the net top up is largely a mathematical exercise (albeit constrained by the requirement to share geographical boundaries).

- 4.21 Detailed research by the Pool's advisers (who were also advisers to the London wide pool), London Futures, has determined a composition of boroughs which will deliver a net top-up and thereby maximise the financial benefit to the participating boroughs. This pool contains 2 levy paying authorities, the City of London Corporation and Tower Hamlets. All the other participating authorities (Brent, Barnet, Enfield, Hackney, Haringey and Waltham Forest) are top-up authorities i.e. authorities which do not generate enough income from business rates to meet their funding requirement, and therefore receive additional funding from the Government to top them up. Their inclusion lowers the levy rate from 50% to 0%.
- 4.22 There would be a significant financial benefit from pooling in this way. The City of London and Tower Hamlets are forecast to make a levy payment in 2022/23 in the range of £30m-£35m. The benefit can be maximised by the proposed pool composition which reduces it to £0m. So there is a net benefit to the participating boroughs of £30m - £35m and this is money that in the absence of the pool would be paid to central government and lost to London. In addition to this financial benefit, if the pool enjoys growth, then this will be distributed to all members.
- 4.23 Turning to the risks, whilst there has been an impact from the pandemic on the City of London's business rate collection, this was the lowest in London. Monitoring of 2021/22 collection rates have remained stable as has the overall amount of collectable business rates. This provides some comfort that business rate growth will remain for the foreseeable future, albeit subject to continued monitoring and further analysis of trends in business premises usage i.e. office space, which represents 80%+ of the rates base. In order to lose all business rate growth, the City Corporation would need to experience a 20% loss in the value of business rates, something which has not been experienced to date. Also, the business rate system has a floor funding level, which the pool will become responsible for should participating authorities fall below this level. These payments would be triggered with significant reductions in business rate income. The make-up of the selected authorities make this circumstance unlikely.
- 4.24 In view of the benefits and limited risks, it is proposed the LBH joins a localised pool with the City of London and the following other boroughs: - Tower Hamlets, Brent, Haringey, Enfield, Waltham Forest and Barnet. The agreed distribution method is that the City will receive 40% of the financial benefit (appropriate as the City is

taking most of the risk) with the balance being shared out to the remaining boroughs on the basis of equal shares. Hackney's share of the levy gain (i.e. before any growth) is estimated to be £2.8m

- 4.25 The detailed recommendations which require approval for Hackney to participate in the pool are listed in **Appendix 2** and Cabinet is asked to approve these.

NNDR Estimates, Reliefs and Special Grants

- 4.26 In past national budgets, the Government has announced various rate reliefs for all businesses in addition to various Covid-19 related reliefs, in particular the significant retail, hospitality and leisure (RHL) sector reliefs. Hackney, in common with all Councils will receive compensation for these reliefs

It is estimated that Hackney Council will receive £14.338m in s31 grants in compensation for the reliefs given in previous and in the current national budget, and from the impact of other current and past Government policies. The grants are primarily in respect of reliefs we award for Small Businesses, Retail, Hospitality and Leisure, and Transitional Payments. We also get a S31 grant to compensate us for the fact that the government did not increase the business rates multiplier in line with inflation in 2022-23 and in prior years.

- 4.27 In addition to this, the Council retains a cost of collection allowance for the administration of the collection of business rates and for 2022/23, this allowance is **£0.593m**
- 4.28 The total resources available to the Council in respect of Non- Domestic Rates and to be included in the budget to be approved by Council in March will therefore be **£52.042m**. This can be itemised as follows:

Net rates yield retained by Hackney	38.209
2021/22 Deficit c/fwd.	-3.056
Cost of Collection allowance	0.593
Total NNDR Income for the Year	35.746
2022/3 Retail, Hospitality, Leisure (RHL) Reliefs S31 Grant	6.175
Government Deficit Contribution S31 Grant	1.957
Other S31 Grants	8.163
Total NDR resources	52.042

Council Tax Reduction Scheme (CTRS).

- 4.29 It is a statutory requirement that the Council approves the CTRS scheme each year. As stated above, no changes are proposed to the current scheme. The Scrutiny

Panel Council Tax Reduction Scheme (CTRS) Task Force is currently looking at the operation of CTRS across London and will aim to report early in the new municipal year.

5.0 DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5.1 The requirement to calculate the Council Tax base and business rates has been laid down by Statute. As such, there are no alternatives to be considered.

6.0 BACKGROUND

6.1 Policy Context

This report sets out the Council Taxbase and estimated NNDR income in 2022/23. Both of these are required by statute. Hackney's tax base for 2022/23 must be notified to the GLA and to the various levying bodies which base their levies on the Council Tax Base. Under regulations this must take place before 31 January 2021. The appropriate bodies will be notified by the due date once the tax base is confirmed

6.2 Equality Impact Assessment

This is not a service but one element of a statutory obligation for residents to pay council tax. The calculation of this element – Taxbase – is determined by statute and regulations.

6.3 Sustainability

As above

6.4 Consultations

Relevant consultations have been carried out involving the Mayor, the Member for Finance, and Directors of Finance.

6.5 Risk Assessment

The risks associated with the schemes Council's financial position are detailed in this report.

7.0 COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 7.1 The setting of a realistic and prudent collection rate for Council Tax in 2022/23 is an essential component of the overall budget strategy. If the collection rate set is over-optimistic, this may result in a deficit on the collection fund at the end of 2022/23, the major part of which would need to be met from Hackney's 2023/24 Budget. This would impact adversely on the overall budget strategy.
- 7.2 The proposed tax base of £73,981 Band D equivalents would result in Council Tax income of £91,623m for Hackney's element, assuming no increase in the Council Tax in 2022/23. The overall resources for the 2022/23 budget will be dependent on the outcome of the Final Local Government Finance Settlement due to be announced in early February 2022, although we do now have the provisional settlement figures.
- 7.3 Similarly, the setting of an accurate baseline Local Business Rates is essential to enable the Council to be able to plan effectively. Once agreed, the amount of Business Rates attributable to the GLA will need to be paid over at certain dates irrespective of whether or not the income has been received by the Council from local businesses. Thus, an overly optimistic or simply erroneous baseline could have significant cash flow implications as well as adverse impact on the future year's budgets. Forecasting the estimated business rates yield is extremely difficult for 2022/23 given the ongoing impact of the cyber attack, Covid-19 and Brexit.

8. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE

- 8.1 Cabinet is being asked to recommend to Council, and Council is being asked to agree, the calculation of the Council Tax Base as required by s.33 Local Government Finance Act (LGFA) 1992. S.33 imposes a duty on the Council, as a billing authority, to calculate the basic amount of its council tax by reference to a formula set out in the Act and Regulations made under the Act.
- 8.2 S.67 LGFA originally provided that adopting the council tax base had to be a decision of full Council. This section was amended by s.84 Local Government Act 2003 which abolished that requirement. However, the calculation is not an "executive" function and it cannot be discharged by the Mayor and Cabinet. It could be delegated to an officer, but Hackney has not delegated the decision to an officer so the responsibility rests with full Council.
- 8.3 As the report makes clear, the decision must be taken by 31 January in each year and therefore this report will be considered by Council on 26 January 2022.
- 8.4 An important part of the calculation of the council tax base is the collection rate which is assumed in the calculation. It is important that Members adopt a prudent

approach to agreeing this assumption since, as the report makes clear, an unrealistic assumption is likely to lead to a deficit on the account which will have to be met from elsewhere thus undermining the integrity of the Council's budget. Members will therefore wish to satisfy themselves that the proposed collection rate of 93% is realistic.

- 8.5 Members are reminded that the calculation of the Council Tax Base is covered by s.106 of the Local Government Finance Act 1992. This provides that if a Member owes two or more months' arrears of Council Tax, they are obliged to disclose this fact to the meeting and not vote on the matter. Failure to comply is a criminal offence punishable by a fine.

APPENDICES

Appendix 1 – Council Tax Base Calculation Schedule

Appendix 2 - Localised Pooling Contribution (with Annex)

Report Author	Jackie Moylan Director, Finance & Corporate Resources Tel: 0208 356 3032 jackie.moylan@hackney.gov.uk
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2022-23 COUNCIL TAX TAXBASE CALCULATION

APPENDIX 1

Line	Band	@	A	B	C	D	E	F	G	H	2022-23
	Actual current properties										
1	Dwellings on database 15/12/2021	0	8,118	31,689	35,532	24,603	12,947	4,776	1,243	48	118,956
2	Exemptions (minus)	0	(1,949)	(1,083)	(564)	(383)	(183)	(96)	(9)	(3)	(4,270)
	<u>Disabled Reductions of Band:</u>										
											0
3	Add to Lower Bands	3	26	41	60	47	28	2	0	0.00	207
4	Take from Higher Bands (minus)	0	(3)	(25)	(42)	(59)	(46)	(29)	(2)	0	(206)
5	Line 1-2+3-4 = H	3	6,192	30,622	34,986	24,208	12,746	4,653	1,232	45	114,687
	Number in H above Entitled to										
	One 25% Discount SPD	(2)	(3,442)	(15,118)	(11,877)	(5,437)	(1,906)	(533)	(145)	0	(38,460)
	One 25% Discount with disregards	0	(25)	(291)	(323)	(226)	(105)	(32)	(6)	0	(1,008)
6		(2)	(3,467)	(15,409)	(12,200)	(5,663)	(2,011)	(565)	(151)	0	(39,468)
7	Line 6 x 25%	(1)	(867)	(3,852)	(3,050)	(1,416)	(503)	(141)	(38)	0	(9,867)
8	Number in H above Entitled to										
	50% Discount	0	0	(13)	(14)	(5)	(12)	(8)	(4)	(7)	(63)
9	Line 8 X 50%	0	0	(7)	(7)	(3)	(6)	(4)	(2)	(4)	(32)
10	No in H above entitled to										
	25% discount Uninhabitable / major wo	0	(1)	(6)	(11)	(7)	(8)	(2)	(1)	0	(36)
	25% of above	0	(0)	(2)	(3)	(2)	(2)	(1)	(0)	0	(9)
10a	No in H above entitled to										
	100% reduction for 1 month	0	(54)	(142)	(223)	(213)	(116)	(7)	(2)	0	(757)
	8.3% of above	0	(4)	(12)	(19)	(18)	(10)	(1)	(0)	0	(63)
10b	No in H above charged										
	Empty homes premium 100%	0	16	29	27	31	20	6	2	0	130
	100% of above	0	16	29	27	31	20	6	2	0	130
10c	No in H above charged										
	Empty homes premium 200%	0	53	40	13	8	3	3	3	1	121
	200% of above	0	105	79	25	15	5	5	6	1	241
11	No in H above entitled to										
	0% discount	0	179	260	351	309	243	149	35	4	1,530
	0% of above	0	0	0	0	0	0	0	0	0	0
12	Total Discounts = Q	(1)	(751)	(3,765)	(3,026)	(1,392)	(495)	(135)	(32)	(3)	(9,600)
13	Line 5+ Line 12	3	5,441	26,857	31,960	22,816	12,251	4,518	1,200	42.50	105,087
	Estimated changes likely										
14	* Properties Awaiting Banding	0	0	0	0	0	0	0	0	0	0
15	**New Properties	0	0	0	504	0	0	0	0	0	504
16	Line 14 + Line 15	0	0	0	504	0	0	0	0	0	504
17	Properties to be Deleted	0	-10	-26	-4	0	0	0	0	0	(40)
18	Known Errors in Valuation List	0	0	0	0	0	0	0	0	0	0
19	Line 17 + Line 18	0	(10)	-26	-4	0	0	0	0	0	(40)
20	Line 16 + Line 19 = J	0	-10	-26	500	0	0	0	0	0	464
	CTRS Discount										
	Total Band reduction based on total mo	(1)	(1,582)	(8,109)	(7,029)	(3,291)	(1,829)	(655)	(67)	0	(22,562)
	Expected in year changes	0	0	0	0	0	0	0	0	0	0
21	Total CTR Discount = Z	(1)	(1,582)	(8,109)	(7,029)	(3,291)	(1,829)	(655)	(67)	0	(22,562)
22	H - Q + J - Z	1	3,849	18,723	25,431	19,525	10,422	3,863	1,132	43	82,989
23	To calculate band equivalents	0.55	0.67	0.78	0.89	1.00	1.22	1.44	1.67	2.00	
24	Band D Equivalent:Lines 22x23	1	2,566	14,562	22,605	19,525	12,738	5,579	1,887	85	79,549
25	Contributions in lieu of Class O	0	0	0	0	0	0	0	0	0	0
26	Band D equivalent for Taxbase calculation after non-collection allowance 7.0% applied										73,981

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PROPOSED CITY AND NORTH LONDON POOLING PROPOSAL 2022-23

1.0 This report set out the proposed arrangements for a Local London Business Rates Retention Pool in 2022/23. Cabinet is asked to approve the recommendations listed in section 2 below to enable Hackney to participate in the scheme.

2.0 Recommendations

2.1 To approve and accept the designation by the Secretary of State as an authority within the London Business Rates Pilot Pool pursuant to 34(7)(1) of Schedule 7B Local Government Finance Act 1988;

2.2 To participate in the Local London Business Rate Pool as described above with effect from 1 April 2022 to 31 March 2023;

2.3 To delegate the authority administrative functions as a billing authority pursuant to the Non- Domestic Rating (Rates Retention) Regulations 2013, to the City of London Corporation ("COLC") acting as the Lead Authority;

2.4 To authorise the Lead Authority to sub-contract certain ancillary administrative functions [regarding the financial transactions [payment of tariffs and top-ups] within the Pool to the GLA as it considers expedient];

2.5 To delegate authority to the Group Director of Finance and Corporate Resources in consultation with the Mayor to agree the operational details of the pooling arrangements with the participating authorities;

2.6 To note the Memorandum of Understanding (attached at Annex 1) with the other participating authorities which is necessary to implement and/or regulate the pool

2.7 To authorise the Mayor to represent the authority in relation to consultations regarding the London Business Rates Pilot Pool consultative as may be undertaken by the Lead Authority pursuant to the Memorandum of Understanding;

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Eight Authority Business Rate Pool 2022/23

Memorandum of Understanding

This Memorandum of Understanding is made between the following councils

- City of London Corporation
- London Borough of Barnet
- London Borough of Brent
- London Borough of Enfield
- London Borough of Hackney
- London Borough of Haringey
- London Borough of Tower Hamlets
- London Borough of Waltham Forest

(Together referred to as the 'Pool' or 'Pool Members').

1. Purpose

- 1.1. The main aim of the pool is to maximise the retention of locally generated business rate. The modelling work that has been undertaken by the Pool demonstrates that financially the Pool would retain a greater share of business rates revenue through pooling than it would otherwise do, as long as it experiences economic growth.
- 1.2. It is the purpose of this Memorandum of Understanding to act as a statement of intent that will support the realisation of these benefits. The Pool Members have agreed to enter into this Memorandum of Understanding to formalise their commitment and to set out their respective roles and responsibilities for the 2022/23 financial year.

2. Glossary of Key Terms

- 2.1. There are a number of technical terms used throughout this document. The meanings of these terms are as follows:

Levy

A formulaic mechanism to pay a percentage of additionally raised local business rates income over to central government when a target (set nationally for each billing authority) has been exceeded.

Pool

A voluntary arrangement amongst a group of local authorities to pool the business rates generated locally to ensure at least some of any levy is retained locally.

Net Retained Levy

The amount of levy retained locally. This is calculated as the sum of levies to be paid by individual Pool members if the Pool did not exist less the levy to be paid by the Pool less any safety net funding that would have been due to individual Pool members if the Pool did not exist and less the administrative costs of the Pool.

Safety Net

The additional funding received by an authority, from central government, if, in the government's opinion, the decline in business rates in any year would leave an authority with insufficient resources. Calculated using a national formula.

Lead Authority

The Pool member who will act as the lead in managing the Pool's resources and being the key contact between central government and the Pool

Schedule of Payments

The Lead Authority will prepare an annual schedule that reflects all the financial payments to be processed through the pool and clearly indicating the amount and timings of each payment and who needs to make what and payment to whom.

3. Key Principles

- 3.1. The Pool Members agree that they will operate the Pool in accordance with the following principles:

Increase in Resources

The Pool Members recognise that the fundamental objective of the Pool is to generate increased resources for the area, and individual Pool Members

Risk Management

The Pool Members agree to protect and mitigate as far as possible the risks associated with the level of business rate income. Income streams to the Pool Members may be more volatile, whether as the result of a one-off event (for example a successful large appeal) or something structural within an area (for example the closure of a major plant). The pooling arrangements should reduce this volatility.

Fairness

The Pool Members agree to share the costs, risks and benefits of local business rate retention proportionately as set out in section 11. Providing the pool does not make a loss, Pool Members should be no worse off than if they were outside the Pool.

Transparency, Openness and Honesty

Pool Members will be open and trusting in their dealings with each other, make information and analysis available to each other, discuss and develop ideas openly and contribute fully to all aspects of making the Pool successful. It also includes sharing data and intelligence outside of the formal reporting mechanisms on any substantive issues relating to business rate retention within their area.

Reasonableness of Decision-Making

Pool Members agree that all decisions made in relation to this Memorandum of Understanding shall be made by them acting reasonably and in good faith.

4. Binding Memorandum

- 4.1. This Memorandum of Understanding is produced as a Statement of Intent and, with the exception of Sections 5, 10 and 11, is not intended to be legally binding.
- 4.2. Subject to Sections 5 (Term of Memorandum), Sections 10 and 11 are intended to be legally binding and to create obligations between Pool Members with immediate effect from the execution of this Memorandum of Understanding.
- 4.3. Pool Members have approved this Memorandum of Understanding in advance of the Secretary of State designating the Pool for the purposes of the Business Rates Retention Scheme. If the Secretary of State adds conditions to the designation, either initially or at any point in the future an immediate review of this Memorandum of Understanding, as outlined in Section 12, will be triggered.

5. Term of Memorandum

- 5.1. This Pool will be for the financial year 2022/23 only and will come into force only if Pool Members agree to commence and the designation is made by the Secretary of State and comes into force. For the avoidance of doubt, if the Pool Members do not agree to commence and no designation is made by the Secretary of State then this Memorandum of Understanding shall not come into force.

6. Decision-Making

- 6.1. The statutory finance officers (Chief Finance Officer) from each Pool Member shall collectively be responsible for overseeing the operation of the Pool and making recommendations to their respective authorities about the way forward.
- 6.2. The Lead Authority shall ensure that reports are sent to the Chief Finance Officer of each Pool Member at least on a quarterly basis updating them of the performance of

the Pool and advising them of any issues. These reports should be available within four weeks of the quarter end.

- 6.3. The Lead Authority is able to appoint external support and incur reasonable internal costs in order to assist with the undertaking of its responsibilities (as per section 9 below) on behalf of the pool. The costs incurred by the lead authority will be shared across the group, as outlined in section 11 below.
- 6.4. For the avoidance of doubt, any substantive decision e.g. commitment of resources, changes in governance or major operational changes shall be referred to each Pool Members' decision-making regime.

7. Dispute Resolution

- 7.1. The Pool Members shall attempt in good faith to negotiate a settlement to any dispute arising between them arising out of or in connection to this Memorandum of Understanding. If this cannot be resolved by the Chief Finance Officers it will be referred to a meeting of all member authorities' Heads of Paid Service for resolution.

8. Resourcing

- 8.1. Each Pool Member will provide the appropriate resources and will act with integrity and consistency to support the intention set out in this Memorandum of Understanding.
- 8.2. In the event that the Lead Authority needs to incur expenditure in order to administer the pool, any reasonable costs agreed by pool members should be the first call on the Net Retained Levy.

9. Lead Authority

- 9.1. The City of London Corporation will act as the Lead Authority for the Pool.
- 9.2. The responsibilities of the Lead Authority are:
 - to make payments on behalf of the Pool to central government and Pool Members on time and in accordance with the schedule of payments,
 - to liaise with and complete all formal Pool returns to central government on behalf of Pool Members,
 - to keep Pool Members informed of all communications with central government,
 - to manage the resources of the Pool in accordance with this MoU,
 - to prepare quarterly reports and consolidate intelligence on future resource levels on behalf of the Pool,
 - to convene an urgent meeting of the Chief Finance Officers if there is the possibility that the pool could make a loss.

- to co-ordinate the annual review and refresh of the Pool's governance arrangements and the methodology for the allocation of resources,
- to consult on and administer a schedule of all payments in respect of all financial transactions that form part of the Pool's resources, and
- to lead on the timely provision of the information required, by Pool Members, in preparing their annual Statement of Accounts in relation to the activities and resources of the Pool.

9.3. To assist the Lead Authority in fulfilling this role, the responsibilities of individual Pool Members are:

- to make payments on time and in accordance with the schedule of payments,
- to provide accurate, timely information to the Lead Authority to enable all formal Pool returns to central government to be completed,
- to inform the Lead Authority, as soon as is practical, of any intelligence that may impact on the resources of the Pool either in the current year or in future years,
- to provide such information as the Chief Finance Officers agree is reasonable and necessary to monitor/forecast the Pool's resources within the timescales agreed,
- to provide such information as the Chief Finance Officers agree is reasonable and necessary on the use of the Pool's resources for inclusion in the Pool's annual report, and
- to provide accurate and timely information on the end of year financial performance of the business rates collection fund to enable the Lead Authority to calculate the end of year accounting entries needed.

10. Cash Management

10.1. The governing principle for the cash management of the Pool is that no individual Pool Member, including the Lead Authority, should incur a cash flow gain or loss as a result of the transfer of funds between Pool Members.

10.2. The Pool will receive/pay interest annually on any retained resource at the average investment rate of the Lead Authority.

10.3. Interest will be calculated on an annual basis and allocated to Pool Members based upon a method agreed by the Chief Finance Officers.

10.4. Where the Pool is required to make a payment to the Secretary of State, each authority in the Pool is jointly and severally liable to make that payment.

11. Allocation of Pool Resources

Principles

11.1. The allocation of resources will be based on the following principles.

- Each individual authority, will receive at least the same level of funding they would have received without the Pool. The remaining amount will be the “Net Retained Levy”.
- Any additional resource that is generated will be shared by pool members using the basis of allocation below. This allocation methodology looks to reward members of the pool for achieving business rate growth.

Basis of Allocation

11.2. The underlying basis of allocation is as follows:

- A - The running costs of the pool, if any, will be initially paid by the lead authority and will be re-imbursed to them from the Net Retained Levy.
- B - If after A, the net retained levy is greater than £0 (i.e. the pool has made an overall gain), then it will be shared out using the following apportionments: 40% to the City of London Corporation and the remaining 60% to be distributed equally between the London Boroughs of Brent, Barnet, Enfield, Hackney, Haringey, Tower Hamlets and Waltham Forest.
- C - Where the Net Retained Levy is less than £0, (i.e. where the Pool makes an overall loss) – the loss will be shared in the following proportions 40% to the City of London Corporation and the remaining 60% to be distributed equally between the London Boroughs of Brent, Barnet, Enfield, Hackney, Haringey, Tower Hamlets and Waltham Forest.

12. Review Arrangements

12.1. It is not expected that these arrangements will be reviewed, with the pool only in operation for 2022/23 only. However, if such a need is required, It will be co-ordinated by the Lead Authority on behalf of the Chief Finance Officers.



RESOLUTION NOT TO ISSUE CASINO PREMISES LICENCES UNDER THE GAMBLING ACT 2005	
COUNCIL 26 JANUARY 2022	CLASSIFICATION: Open
WARD(S) AFFECTED: All Wards	
GROUP DIRECTOR: Ajman Ali, Group Director for Neighbourhoods and Housing	

1. SUMMARY

- 1.1 This report provides Full Council with relevant information on the Gambling Act 2005 (“the Act”) and the proposed resolution not to issue casino licences under the Act for a further period not exceeding three years.
- 1.2 The Council has previously made resolutions not to issue casino premises licences given the characteristics of the Borough. A resolution can last no longer than three years.
- 1.3 The Licensing Committee decided on 7 June 2021 to recommend to Full Council that it should resolve not to issue casino licences in the Borough.

2. RECOMMENDATION

- 2.1 Full Council is recommended not to issue casino premises licences under the Gambling Act 2005 for a period not exceeding three years, effective from 31 January 2022, given the characteristics of the Borough and following the recommendation of the Licensing Committee.

3. REASONS FOR DECISION

- 3.1 Section 166(1) of the Act states that a Licensing Authority may resolve not to issue Casino Premises Licences. Section 166(3)(d) of the Act states that a resolution made under Section 166(1) shall lapse at the end of the period of three years beginning with the date on

which it takes effect (without prejudice to the ability to pass a new resolution).

4. BACKGROUND

- 4.1 A resolution not to issue casino licences made under s166(1):-
- Must apply to the issue of casino premises licences generally;
 - Must specify the date on which it takes effect; and
 - May be revoked by a further resolution.
- 4.2 The passing of such a resolution must be published by being included in the Council's Statement.
- 4.3 The Council first passed a 'no-casino' resolution on 28 June 2006 and has continued to do so by making a new resolution every three years.
- 4.4 Although there is no right of appeal against this resolution, the Council reserves the right to review it and can, at any point, withdraw the resolution where appropriate.

Policy Context

- 4.5 A number of factors have been considered including;
- Demographics of the Borough
 - Hackney's community strategy
 - Possible risks to children and vulnerable adults
 - Possible links between deprivation and problem gambling
 - Lack of local substantive research and debate on the issue
 - Retaining local control and choice
 - The hospitality economy and cumulative impact
 - Economy and regeneration
 - Gambling licensing objectives:
 - o *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.*
 - o *Ensuring that gambling is conducted in a fair and open way*
 - o *Protecting children and other vulnerable persons from being harmed or exploited by gambling*
- 4.6 Hackney is an area of growing economic opportunity as a result of the increased focus on East London as an area of growth and development for London and the UK.
- 4.7 This growth sits alongside significant deprivation. Some local people continue to face persistent inequalities and are disproportionately affected by child poverty, unemployment and welfare dependency.
- 4.8 The Index of Multiple Deprivation (IMD) ranks each local authority area, ward and lower super output area in terms of seven 'domains';

health, education, income, employment, housing and access to services, living environment and crime, in order of deprivation. The domains are brought together in an overall IMD. There are also indices measuring deprivation among children and older people.

5 EQUALITY IMPACT ASSESSMENT

5.1 There are no equalities implications identified.

6. SUSTAINABILITY

6.1 Any new resolution would last a maximum of three years. However, as stated above, the Council reserves the right to review it and can, at any point, withdraw the resolution where appropriate.

7 COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

7.1 This report provides the Council with relevant information to consider the proposed resolution not to issue casino licences for a further period not exceeding three years starting 31 January 2022.

7.2 There are currently no casinos in the Borough and therefore there will be no direct financial implications arising from the resolution not to issue casino licences.

8. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

8.1 Under section 166 of the Gambling Act 2005 (“the Act”) the Council is required to include in its Gambling Statement of Principles (“the Statement”) any resolution passed not to issue casino premises licences.

8.2 Section 166 of the Act also states that when considering whether to have a “no casino” resolution the Council may have regard to any principle or matter when making their decision.

8.3 Given the wide scope that licensing authorities have in determining whether to put in place a “no casino” resolution, the Council does have the power to allow the resolution to remain in place for a further three year period.

8.4 The Council is not obliged to pass a “no casino” resolution. If no resolution is passed, the Statement which is prepared by the Licensing Authority must state what criteria the Council will apply in determining any application that comes before it for a casino licence.

8.5 Without a “no casino” resolution in place, the Council must consider any application that may be made. Whereas the resolution, which can

be reviewed at any time, allows any casino application which is received to be returned with a notification that a 'no-casino' resolution is in place. Should the Borough wish to explore the option of having a casino in the future, the passing of a “no casino” resolution can be rescinded to allow Hackney to consider the option of having a casino on its own terms rather than being compelled into making a decision by virtue of having received an application.

- 8.6 Under section 153 of the Act the Council shall have regard to the statement set out in the Statement in accordance with section 349 of the Act and subject to section 166 of the Act that gives the Council the power to pass this resolution under paragraph 2.1 of this report to resolve not to issue casino licences in the borough.
- 8.7 Paragraph 3.3.7(8) of Part 3 of the Constitution provides that Full Council may exercise the function to approve such policies that form part of the Gambling policy framework.

APPENDICES

None.

BACKGROUND PAPERS

Not applicable.

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GAMBLING ACT 2005 STATEMENT OF PRINCIPLES	
COUNCIL 26 JANUARY 2022	CLASSIFICATION: Open
WARD(S) AFFECTED: All Wards	
GROUP DIRECTOR: Ajman Ali, Group Director for Neighbourhoods and Housing	

1. SUMMARY

1.1 This report provides Council with relevant information on the Gambling Act 2005 (“the Act”) and the Gambling Statement of Principles (“the Statement”) following its review and statutory consultation.

2. RECOMMENDATIONS:

Council is recommended:

- (i) To approve the proposed Gambling Statement of Principles at Appendix 1.
- (ii) To note the report on the statutory consultation at Appendix 2.

3. BACKGROUND

3.1 Section 349 of the Act states that each Licensing Authority must prepare and publish a statement of principles that it proposes to apply in exercising its functions under the Act during the three year period to which the Statement applies. The Statement must be kept under review during the period and be republished where it is revised. The Statement must be in place before the authority can determine any application.

3.2 The Statement sets out the basis of decisions made by the Council regarding gambling premises and in issuing a range of permits to authorise other gambling facilities in the area. For example:

- Adult gaming centre premises licences

- Betting premises licences
 - Bingo premises licences
 - Family entertainment centre premises licences
 - Gaming Machine Permits
 - Temporary Use Notices
- 3.3 The Statement must take account of the Gambling Commission Guidance, and be subject to statutory consultation with prescribed stakeholders including the holders of licences and the Police, as well as other stakeholders including representatives of gambling businesses, local residents, social services and child protection.
- 3.4 On 7 June 2021 the Licensing Committee recommended that Full Council does not issue casino licences given the characteristics of the Borough.

Consultation

- 3.5 On 2 June 2021, the Licensing Committee approved the draft Statement for consultation.
- 3.6 As part of the consultation process, information was published on the Council's website and was made available to statutory bodies and authorities as well as holders of relevant authorisations and other interested parties.
- 3.7 The consultation ran from 6 to 29 August 2021. A report on the consultation has been prepared by the Consultation Team and has been appended to this report.
- 3.8 At its meeting on 9 September 2021, the Licensing Committee recommended the draft Statement for approval by the Council.

Policy Context

- 3.9 A number of factors have been considered including;
- Demographics of the Borough
 - Hackney's community strategy
 - Possible risks to children and vulnerable adults
 - Possible links between deprivation and problem gambling
 - Lack of local substantive research and debate on the issue
 - Retaining local control and choice
 - Hospitality economy and cumulative impact
 - Economy and regeneration
 - Gambling licensing objectives:
 - *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.*

- o *Ensuring that gambling is conducted in a fair and open way*
- o *Protecting children and other vulnerable persons from being harmed or exploited by gambling*

3.10 Hackney is an area of growing economic opportunity as a result of the increased focus on East London as an area of growth and development for London and the UK.

3.11 This growth sits alongside significant deprivation. Some local people continue to face persistent inequalities and are disproportionately affected by child poverty, unemployment and welfare dependency.

3.12 The Index of Multiple Deprivation (IMD) ranks each local authority area, ward and lower super output area in terms of seven 'domains'; health, education, income, employment, housing and access to services, living environment and crime, in order of deprivation. The domains are brought together in an overall IMD. There are also indices measuring deprivation among children and older people.

4. EQUALITY IMPACT ASSESSMENT

4.1 An Equalities Impact Assessment has been completed. This has not identified any equality implications.

5. SUSTAINABILITY

5.1 No matters relating to sustainability have been identified.

6. RISK ASSESSMENT

6.1 No risks have been identified.

7. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

7.1 This report requests that Full Council approve the Gambling Statement of Principles following the statutory consultation.

7.2 The costs of managing the Council's functions under the Gambling Act 2005 are met from the Business Regulation service budgets.

8 COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE

5.1 As detailed in paragraph 3.1, it is a requirement of the Gambling Act 2005 ('the Act') to have a policy, as set out in Section 349. The existing Statement was approved by the Full Council in 2018. The Council, in its capacity as the Licensing Authority, is required by the Act to publish a revised Statement by 31 January 2022.

- 5.2 The Licensing Authority has a duty to consult on the Statement with its statutory consultees under section 349 of the Act.
- 5.3 The consultation of the Statement attracted a limited number of responses. This perhaps reflects the fact that the Statement has in reality had very few changes following its last legal review before taking effect in 2018. Having considered the consultation undertaken the revised policy is in compliance with both the Act and current Guidance, which the Licensing Authority must have regard to.
- 5.4 In accordance with the Local Authorities (Functions and Responsibilities) (Amendment (England) Regulations 2006, approving the policy cannot be the sole responsibility of the Executive. Therefore, Full Council must decide whether to adopt the proposed Statement.
- 5.5 The Gambling Statement of Principles is a statement of principles under section 349 of the Gambling Act 2005 and under paragraph 4.7(a) of the Constitution is part of the Council's mandatory policy framework. Paragraph 4.6(2) of the Constitution provides that Full Council may exercise the functions of approving the policy framework and is therefore authorised to approve this Gambling Statement of Principles.
- 5.6 Subject to approval by Full Council the policy will take effect on 31 January 2022.

APPENDICES

- Appendix 1 – Gambling Policy 2022-2025 for approval.
Appendix 2 – Consultation Summary Report

BACKGROUND PAPERS (as defined by Local Government (Access to Information) Act 1985)

None

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**Draft Gambling Statement of
Principles
2022 – 2025**

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London Borough of Hackney's Statement of Gambling Principles

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In drafting this Statement, the Licensing Authority has relied upon the Act, Regulations, Gambling Commission Guidance and Codes of Practice.

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How to use this Statement

- The gambling licensing policies are shown in text boxes called GLPs (Gambling Licensing Policies). Each GLP is separately numbered and titled. These are general policies and their specific application will vary accordingly
- The additional text where relevant, gives examples, background and reasons for the policies
- The appendices give additional information referred to within the Statement
- A glossary of useful terms is set out at Appendix A.

1. Gambling Statement of Principles

1.1 Background and introduction

1.1.1 Hackney Council which is the local authority for the London Borough of Hackney is a “Licensing Authority” under the Gambling Act 2005 (the “Act”). The Council’s Licensing Committee is responsible for granting premises licences in Hackney for:

- adult gaming centres
- betting premises, including tracks
- bingo premises
- casino premises
- family entertainment centres.

1.1.2 The definition of ‘Gambling’ is defined in the Act as either gaming, betting, or taking part in a lottery:

- gaming means playing a game of chance for a prize
- betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not
- a lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

1.1.3 Under the Act, Hackney, like all licensing authorities, must publish a statement of principles (“the Statement”) which they propose to apply when carrying out their licensing functions. This statement must be published at least once every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must then be re-published.

1.1.4 This Statement has been revised and is based on Gambling Commission Guidance (the “Guidance”) and the licensing objectives

under the Act. The Statement sets out how the Licensing Authority will build on the licensing objectives to reflect local circumstances.

1.2 The licensing objectives

1.2.1 In exercising most of its functions under the Act, the Licensing Authority must have regard to the licensing objectives. The licensing objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is carried out in a fair and open way and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.2.2 This Licensing Authority is aware that, when exercising its functions in relation to premises licensing, it should aim to permit the use of the premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission (the “Codes of Practice”)
- in accordance with any relevant Guidance
- reasonably consistent with the licensing objectives (subject to the above) and
- in accordance with this Statement (subject to the above).

1.2.3 Applicants are encouraged to demonstrate how they will promote the licensing objectives.

1.3 Scope of the Statement

1.3.1 The Statement considers the needs of the Borough and is concerned with upholding the licensing objectives set out in paragraph 1.2.1 above. It will guide the Licensing Authority in carrying out its various regulatory functions under the Act. These main functions are to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing premises licences
- issue provisional statements
- regulate members’ clubs and miners’ welfare institutes who wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits
- issue club machine permits to commercial clubs
- grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed

premises, under the Licensing Act 2003, where more than two machines are required

- register small society lotteries below prescribed thresholds
- issue prize gaming permits
- receive and endorse temporary use notices
- receive occasional use notices
- provide information to the Gambling Commission regarding details of licences issued (see section below on “information exchange”)
- maintain registers of the permits and licences that are issued under these functions
- enforce legislation in relation to premises.

1.3.2 This document sets out the policies that the Licensing Authority will apply when determining applications for:

- premises licences
- use notices
- permits as required under the Act
- registrations as required under the Act.

1.3.3 This Statement relates to all authorisations identified as falling within the provisions of the Act, namely:

- bingo premises
- betting premises
- tracks
- adult gaming centres (AGCs)
- family entertainment centres (FECs)
- club gaming permits
- prize gaming and prize gaming permits
- temporary and occasional use notices
- registration of small society lotteries.

1.3.4 This list does not include casinos. Hackney has previously resolved not to allow casinos in the Borough and will seek a further resolution. Please also refer to paragraph 1.9 on casinos.

1.3.5 For a list of gambling facilities that are exempt from requiring certain licences, please see Appendix G.

1.4 Matters outside the scope of the Statement

- 1.4.1 The Licensing Authority will not be involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences. Spread betting is regulated by the Financial Conduct Authority. The National Lottery is also regulated by the Gambling Commission.
- 1.4.2 When determining an application, the Licensing Authority will not take into account the following:
- the likelihood of the applicant obtaining planning permission or building regulations approval
 - the expected demand for the facilities which are being proposed
 - “irrelevant” matters such as those not related to gambling or the licensing objectives
 - moral objections.
- 1.4.3 The Licensing Authority will avoid duplication with other local government functions when considering some authorisations. However, applicants are expected to comply with all other legislation and regulatory regimes relevant to the operation of their business. The Licensing Authority will as a matter of routine share information with other responsible authorities and the Gambling Commission particularly where there is evidence of non-compliance. Please also note paragraph 2.4 of the Policy which deals with the exchange of information.

1.5 Geographical area covered

- 1.5.1 According to the Office of National Statistics 2016 mid-year estimates, Hackney’s population stood at 273,526. This, as well as Hackney’s relatively small geographical area, makes it one of the most densely populated boroughs in London, Its size ranks 29th in comparison to the other boroughs; only Hammersmith & Fulham, Islington, Kensington & Chelsea and City of London have smaller areas. Hackney is primarily urban (residential, retail, offices, industrial etc.); this accounts for 50.3% of its land use; 22.6% of the Borough is made up of parks, open spaces and waterways with 27.1% being roads and thoroughfares. The Borough’s land use is shown in the map at Appendix B.

1.6 Integrating strategies

- 1.6.1 Regard should be given to the available data, findings, shared vision and plans informing Hackney’s Sustainable Community Strategy (the “Strategy”).
- 1.6.2 The Strategy sets out the Council’s overarching vision for Hackney as it grows and changes over the next decade. It will provide a backdrop for

all decision making throughout this period and a focus for working in partnership with residents, businesses, the voluntary and community sector and statutory agencies. The Strategy builds on what residents have told the Council about the challenges and opportunities presented to those who live and work in the borough.

- 1.6.3 The Strategy will help the Council respond to residents' experience of living in the borough, thinking about how the Council will co-ordinate activity and collaborate with partners to think about the whole place, rather than just running individual services. This will help put the needs, perspectives and feelings of the whole community at the heart of what the Council does through a time of continued change and uncertainty.
- 1.6.4 The Strategy will set out the overall aspirations for Hackney in 2028 and then breaks this down into five key, crosscutting themes. Under each of the themes is a set of commitments the Council is making to move toward Hackney in 2028. The 5 crosscutting themes are:
1. A borough where there is a good quality of life and the whole community can benefit from growth
 2. A borough with residents who are ambitious, engaging and want to contribute to community life
 3. A green and environmentally sustainable borough
 4. An open, cohesive and supportive community
 5. A borough with healthy, active and independent residents
- 1.6.5 Regard has also been given to the responsibility under the Council's planning regime and in particular the new borough-wide local plan, known as LP33. This will be the key strategic planning document which will establish a vision and planning policies to direct and guide development in Hackney up to 2033. The plan is critical in ensuring that the right amount of development is built in the right place at the right time so that the future needs of the borough are met.
- 1.6.7 In order to deliver continued growth and regeneration in the Borough, the Council must ensure a robust planning framework is in place. At the moment we have three key documents (core strategy, development management and site allocations local plans). LP33 will combine and update these documents into a single clear document, helping to support growth and regeneration and provide clarity to our residents.
- 1.6.9 Responsible authorities will have a vital role to play in scrutinising licensing applications to prevent gambling from being a source of, or associated with or used to support crime, and to protect children and other vulnerable persons from being harmed or exploited by gambling. This role will be further enhanced by the enforcement activities of the Police and the Council's Licensing Service.

1.7 Consultation

1.7.1 The Licensing Authority recognises the important role that responsible authorities, the gambling trade and other stakeholders have to play in influencing this Statement. It will therefore take a wide range of views as part of the consultation before finalising and publishing its Statement.

1.7.2 Under the Act, consultation will take place with:

- the Chief Officer of Police for the London Borough of Hackney
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area and
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by or otherwise have an interest in the Statement. This includes but is not limited to:
 - responsible authorities such as the fire authority, child protection, Gambling Commission
 - interested parties such as resident associations and trade associations.

1.7.3 A summary list of persons and groups this Licensing Authority consults with is set out in Appendix C.

1.7.4 The Licensing Authority will give due weight to the views of those consulted and may amend the Statement accordingly following responses received. In determining what weight to give particular representations, the factors taken into account will include:

- who is making the representation (what is their expertise or interest)
- what their motivation may be for their views
- how many other people have expressed the same or similar views
- how far representations relate to matters the Licensing Authority should include in its Statement
- reasoned cases.

1.7.5 The results of the consultation are available via the Council's website.

1.7.6 Nothing in this Statement will:

- undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; or
- override the right of any person to make representations on any application or seek a review of a licence or permit where they are

permitted to do so under the Act as each will be considered on its own merits and according to the statutory requirements of the Act.

1.8 Declaration

1.8.1 In producing the Statement, this Licensing Authority declares that it has had regard to the licensing objectives of the Act, the Guidance, and any responses it has from those consulted.

1.9 Casinos

1.9.1 There are currently no casinos operating within the borough.

1.9.2 On 25 November 2015, the Council made a resolution not to issue casino licences for a further three years given the characteristics of the Borough.

1.9.3 Where a resolution is in place, any casino application received will be returned with a notification that a 'no-casino' resolution is in place.

1.9.4 There is no right of appeal against this resolution.

1.10 Responsible authorities

1.10.1 This Licensing Authority designates the City and Hackney Safeguarding Children's Board as the body competent to advise the Authority about the protection of children from harm. The principles the Licensing Authority has applied in designating this Board are as follows:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

1.10.2 For a list of responsible authorities, please refer to the glossary of useful terms at Appendix A.

1.10.3 The contact details for all responsible authorities under the Act are available from the Licensing Service.

1.11 Interested parties

1.11.1 A person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority, the person:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities

- has business interests that might be affected by the authorised activities
- represents persons who satisfy a) or b) above.

1.11.2 In determining whether a person or business is an interested party, the Licensing Authority will look at each case and decide it upon its merits. It may take into account the size of the premises and nature of activities taking place. This Authority will not apply a rigid rule to its decision making and will consider the Guidance on this.

1.11.3 When determining what “sufficiently close to the premises” means, the Licensing Authority may take into account:

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment) and
- the circumstances of the complainant. For example, it could be reasonable for the Authority to conclude that “sufficiently close to be likely to be affected” could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.

1.11.4 Interested parties will include trade associations, trade unions, and residents’ and tenants’ associations. The Licensing Authority may also request a membership list which will indicate the extent of the membership of that association to allow due weight to be given as appropriate.

1.11.5 Interested parties can be persons who are democratically elected such as Ward Councillors and MPs. Other than these persons, this Authority will generally require written evidence that a person or body (such as an advocate or relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons requesting the representation is sufficient.

1.11.6 The Licensing Authority would usually expect Councillors and MPs to make representations only when requested to by ward constituents and/or residents from the area to which the application relates. If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application.

1.11.7 In determining whether a person has a business interest which could be affected, the Licensing Authority will consider among other things:

- the size of the premises
- the catchment area of the premises, and
- whether the person making the representation has business interests in the catchment area that might be affected.

1.11.8 “Business interests” will be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

1.12 Relevant representations

1.12.1 Representations relating to an application will be considered as admissible where they are made by an interested party or responsible authority. The Licensing Authority will then normally only consider that representations are relevant where they relate to the licensing objectives, the Guidance, the Codes of Practice or the Statement.

1.12.2 The Licensing Authority may determine an application without a hearing despite having received representations from interested parties or responsible authorities where it thinks the representations are vexatious, frivolous or will certainly not influence the authority’s determination of the application.

1.12.3 Anyone making representations on an application should note that their details will be made available to the applicant in the interest of fairness and to allow for negotiation. In the event of a hearing being held, representations will form part of a public document.

2. Delegation and Decision Making

2.1 Delegation of decision making responsibilities

2.1.1 This Licensing Authority will ensure that the licensing functions contained within the Act are delegated to an appropriate level so as to ensure speedy, efficient and cost effective determination of licensing applications. Its licensing functions will be discharged as detailed in Appendix D.

2.1.2 Those decisions which are not delegated will be determined by the Licensing Committee which has been established by the Licensing Authority to administer a range of licensing functions.

2.2 Reports to licensing committee

2.2.1 There are a number of wider issues which the Licensing Committee need to be aware of in order that this and other policies within their remit can be reviewed as and when necessary. The Licensing Committee may receive reports for information such as the following, to ensure the up-to-date position is known:

- employment situation in the area and the need for new investment and employment where appropriate
- cultural strategy
- local visitor economy
- local crime and disorder figures.

2.3 Decision making

2.3.1 A Licensing Sub-Committee, drawn from members of the Licensing Committee, will normally sit in public to hear applications where representations have been received from interested parties and responsible authorities.

2.3.2 A Ward Councillor will not sit on a Sub-Committee involving an application within their own Ward.

2.3.3 Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence or application in question.

2.3.4 Every decision of the Licensing Committee or Licensing Sub-Committee shall be accompanied by clear reasons. The decision will be sent to the applicant and those who have made representations as soon as is practicable.

2.3.5 The Licensing Service will deal with licensing applications where no relevant representations have been received or where representations

have been withdrawn. Even where there are no relevant representations, a hearing must occur where certain conditions to the licence are to be attached or excluded unless the applicant waives their right to a hearing.

- 2.3.6 Decisions as to whether representations are inadmissible, irrelevant, frivolous or vexatious will be made by licensing officers. Where representations are rejected, the person making that representation will be given written reasons for this. There is no right of appeal against a determination that representations are not admissible.
- 2.3.7 The Licensing Sub-Committee will determine each case before it on its individual merits whilst taking into consideration the Codes of Practice, the Guidance, the licensing objectives and the terms of this Policy and may add conditions (Please see paragraph 6.5 on Conditions).
- 2.3.8 In undertaking its licensing functions under the Act, the Licensing Authority is bound by other legislation, for example the Human Rights Act (1998).

2.4 Information exchange

- 2.4.1 The Licensing Authority will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act (2018) and the General Data Protection Regulation (GDPR) will not be contravened. The Licensing Authority will also have regard to any relevant Guidance and regulations under the Act.
- 2.4.2 Should any protocols be established regarding information exchange with other bodies then they will be made available upon request.
- 2.4.3 In fulfilling its functions and obligations under the Act, the Licensing Authority will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information, the Licensing Authority will conform to the requirements of data protection and freedom of information legislation in accordance with the Council's existing policies.
- 2.4.4 Any matters of non-compliance with the Act will, where appropriate, be reported to the Gambling Commission.
- 2.4.5 The Licensing Authority will share information with other responsible authorities and the Gambling Commission where there is evidence of non-compliance with other legislation and regulatory regimes relevant to the operation of the applicant's business.

3 Risk assessment by operators

- 3.1 Licensees must assess the local risk to the licensing objectives posed by the provision of gambling facilities at each of their premises.

Operators will be expected to have policies, procedures and control measures in place to mitigate those risks

- 3.2 The licensees must undertake a risk assessment when applying for a new premises licence as well as when varying an existing premises licence. The risk assessment should take into account the local circumstances, including those identified in this Statement and must be shared with the Licensing Authority when making an application, or otherwise on request.

GLP1

Assessing local risk

Licensees are encouraged to have regard to GLP1 - GLP7, the Council's Sustainable Community Strategy referred to in Paragraph 1.6 and Appendices B, E and G when assessing the local risks posed to the licensing objectives.

Applicants should where appropriate offer their own measures to mitigate those risks.

4 The licensing objectives

- 4.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Guidance and some comments are made below.

4.2 Prevention of crime and disorder

- 4.2.1 The Gambling Commission plays a lead role in preventing gambling from being a source of crime or disorder.
- 4.2.2 The Licensing Authority places importance on the prevention of crime and disorder, and will fulfil its duty under section 17 of the Crime and Disorder Act (1998). This binds the Licensing Authority to exercise its licensing powers with due regard to the need to do all that it reasonably can to prevent crime and disorder in its area. A high standard of control is therefore expected to be exercised over licensed premises.
- 4.2.3 The Licensing Authority will pay attention to the proposed location of gambling premises in terms of this licensing objective and possible conditions. For example, where an area has known high levels of crime and disorder, this authority will consider carefully whether the licensing objectives would be undermined if gambling premises were to be located there. For a map of the crime hotspots in Hackney, please refer to Appendix E (Crime Hotspots Map). This map is subject to change with the use of updated information.

- 4.2.4 The Licensing Authority will, when determining applications, consider whether the grant of a premises licence is likely to result in an increase in crime and disorder. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see or hear it, so as to make that distinction. Issues of nuisance cannot be addressed via the provisions of the Act.
- 4.2.5 Where the premises has been associated with drug dealing, or the possession of weapons on the premises, this may give rise to particular concerns as to whether it will be appropriate to allow the admission of children to the premises during some or all of its hours of operation. In such circumstances applicants may be required to demonstrate that these matters have been addressed.
- 4.2.6 Applicants are therefore encouraged to demonstrate to the satisfaction of the Licensing Authority, in consultation with the police, how they intend to satisfy this licensing objective. Applicants are encouraged to discuss their crime prevention procedures with licensing officers and the police before making a formal application, addressing how at an operational and local level they will implement their measures to prevent crime and disorder on the premises.
- 4.2.7 Examples of the matters that are likely to be considered by the Licensing Authority when determining an application include, where appropriate:
- the design and layout of the premises
 - physical security features installed in the premises; this may include matters such as the position of cash registers or the standard of CCTV that is installed
 - training given to staff in crime prevention measures appropriate to the premises
 - where premises are subject to age restrictions, the procedures in place to conduct age verification checks
 - the likelihood of any violence, public disorder or policing problem if the licence is granted.

4.3 Door supervisors

- 4.3.1 The Licensing Authority may consider whether there is a need for door supervisors and whether these should be Security Industry Authority (SIA) registered having regard to the licensing objectives.
- 4.3.2 Door supervisors at casino and bingo halls are exempt from being licensed by the SIA. The Licensing Authority may make specific requirements for door supervisors working at casinos or bingo premises to search individuals and deal with potentially aggressive persons to ensure that this licensing objective is met to the satisfaction of the authority.
- 4.3.3 For premises other than casinos and bingo halls, operators and the Licensing Authority may decide that supervision of entrances and/or machines is appropriate in particular cases.

GLP2

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

1. Applicants are encouraged to demonstrate within their application, where it is considered necessary and appropriate, measures to prevent crime and disorder on the premises by providing information on:
 - (a) use of door staff, details of SIA door supervisors and other appropriately trained staff including relevant qualifications or registrations, the number of staff, their location whilst working at the premises, and the times they will be on duty
 - (b) details of the training given to staff in crime prevention measures appropriate to those premises
 - (c) notices to be prominently displayed on the premises and visible to members of the public stating:
 - (i) CCTV is recording on the premises (where required by legislation)
 - (ii) drugs will not be tolerated and persons found possessing/dealing will be excluded from the premises
 - (iii) drunkenness and those under the influence of drugs will not be tolerated on the premises
 - (d) an accurate plan of the premises confirming the design and layout of the premises, with particular attention to the ability of staff to survey entrances, exits and any dark or hidden areas. Plans should include:
 - (i) the location of lighting inside and outside the premises
 - (ii) the location of any physical security features for example CCTV equipment, its coverage of the interior and exterior of the premises
 - (iii) CCTV, which is to be recordable, kept for a minimum of 31 days and made available to the police and Licensing Authority on

request.

- (iv) When details of security measures are provided, they will be kept out of the public domain.
- (e) provision of adequate search facilities where applicable to the use of the premises
- (f) measures to be taken to prevent the consumption of alcohol on the premises other than where it is legal and to ensure those under the influence of alcohol are not permitted to gamble
- (g) measures to be taken to prevent the possession, supply or consumption of illegal drugs on the premises and to ensure that those under the influence of drugs are not permitted to gamble. Any drugs policy should cover the requirement to notify the Police
- (h) measures to be taken to prevent the possession of offensive weapons on the premises
- (i) details of any proof of age scheme
- (j) details of the process to ensure that children do not have access to adult only gaming facilities
- (k) measures aimed at discouraging anti-social behaviour
- (l) measures aimed at preventing children and other vulnerable persons from being exposed to incidents of violence or disorder
- (m) measures to address circumstances where there have been known instances of:
 - (i) harbouring drug dealing, or there is a known association with drug dealers
 - (ii) the possession of weapons on the premises, or where there is a known association with such activity
 - (iii) offences against children or involving children, for example, allowing under 18s to participate in adult gambling.
- (n) adoption of the Metropolitan Police Safebet Alliance Voluntary Code of Robbery Security Standards for the Bookmaking Industry

4.4 Ensuring that gambling is carried out in a fair and open way

4.4.1 Generally the Gambling Commission would not expect the Licensing Authority to ensure that gambling is conducted in a fair and open way. This will be a matter for either the management of the gambling business (and therefore relevant to the operating licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the personal licence). The Gambling Commission will be responsible for both of these matters and its expectations by way of measures are set out in its Codes of Practice.

4.4.2 There is more discretion for the Licensing Authority for authorisations which do not require an operating or personal licence and for tracks where practices may be added to ensure that the betting environment is suitable (see paragraph 7.10 on tracks). The Licensing Authority will

expect these applicants to demonstrate how they will meet this objective.

4.4.3 If during the course of considering an application for a premises licence, permit or other notice or at any other time, the Licensing Authority receives information that causes it to question the suitability of the applicant or licence holder to hold an operating licence, or an individual to hold a personal licence the Licensing Authority will notify the Gambling Commission and/or other appropriate authorities without delay.

4.4.4 The Licensing Authority cannot attach conditions on an application for a permit. Therefore, it may instead refuse the application where the above requirements and GLP3 are not met.

GLP3

Ensuring that gambling is carried out in a fair and open way

The Licensing Authority encourages applicants who do not fall within the jurisdiction of the Gambling Commission (see paragraph 4.4.2) to conform to the code of practice issued by the Gambling Commission and by the conditions of their operating licence. Failure to demonstrate this may result in the application being refused. In particular:

1. For applications which do not require an operating licence or personal licence, applicants are to demonstrate how information is to be provided about the rules and terms of gambling so that:
 - (a) customers can make an informed decision as to whether and how to participate in gambling
 - (b) customers know the contractual terms and conditions of gambling
 - (c) information is displayed in a clear, accessible and intelligible way. Information should be:
 - (i) bold, precise and clearly located on or near where the game or bet is placed (e.g. machines, track etc)
 - (ii) where the customer base includes people whose first language is not English, notices should be in other languages as appropriate
 - (d) the information displayed on the premises and on promotional information should include:
 - (i) rules of the game or bet
 - (ii) the odds of winning or losing in different scenarios
 - (iii) changes in the rules which must be bold, precise and communicated to the customer so they are fully aware of them
 - (iv) the average return to the player (the payout percentage)
 - (v) the minimum and maximum stakes

- (vi) information about the machine characteristics (for example compensated/ random)
- (vii) how quickly the winnings will be paid out and in what form
- (viii) the dispute and complaints procedures
- (e) in addition:
 - (i) the operation of the games must be consistent and in line with the rules of the games
 - (ii) the layout of the premises must ensure that the games and bets can be conducted in a fair and open way
 - (iii) no advertising or other marketing tool inside or outside the premises or any part of the media which misleads the customer as to the rules of the game or encourages them not to read the rules.

4.5 Protection of children and other vulnerable persons

- 4.5.1 As outlined in the borough profile from paragraph 1.6, Hackney's population has a higher than average number of children and vulnerable persons. It is particularly important that the Policy has regard to these facts and the aims of our Sustainable Community Strategy in seeking to address inequality and deprivation.
- 4.5.2 The Licensing Authority will, when determining applications consider whether the grant of a premises licence is likely to result in children and other vulnerable persons being harmed or exploited by gambling. Applications are encouraged to demonstrate to the satisfaction of the Licensing Authority, in consultation with the City and Hackney Safeguarding Children Board, how they intend to implement their measures at an operational and local level to promote this objective.
- 4.5.3 In relation to children, it should be noted that the Gambling Commission has stated that this objective is explicitly to protect them from being harmed or exploited by gambling. This means preventing them from taking part in gambling and having restrictions on advertising so that gambling products are not aimed at or are particularly attractive to children. The Licensing Authority will therefore judge the merits of each application before considering whether specific measures are required such as:
- restrictions on advertising and style of the premises where premises cater solely or mainly for adults so that gambling products are not aimed at children or advertised in such a way to make them particularly attractive to children
 - restrictions on layout or on where certain machines may be in operation.
- 4.5.4 In addition, the Licensing Authority will seek to ensure the layout of the premises does not encourage gambling products to be aimed at

children or in such a manner that makes them particularly attractive to children.

- 4.5.5 The Licensing Authority will generally expect those who operate or control gambling licensed premises or gambling events to have regard to child welfare.
- 4.5.6 It should be noted that the definition “vulnerable persons” includes but is not limited to people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.
- 4.5.7 With regard to the protection of vulnerable persons, the Licensing Authority will consider whether special considerations are required. These will need to be balanced against the authority’s aim, in the case of premises licensing, to permit the use of the premises for gambling.
- 4.5.8 When determining an application to grant or review a premises licence, regard may be given to the proximity of other establishments catering to children or vulnerable adults, or to places that are frequented by unaccompanied children and/or vulnerable adults or where children, young people or vulnerable persons are likely to congregate. These may include schools, vulnerable adult centres, addiction centres, day centres or services used by vulnerable adults or residential areas where there may be a high concentration of families with children. It may also include school routes and places that attract unaccompanied children for recreation and leisure.
- 4.5.9 The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will be decided on its merits and may depend in part on the type of gambling proposed. Therefore, if an applicant can effectively demonstrate in its policies how they might overcome licensing objective concerns, this will be taken into account. For a map of the locations of schools, colleges and nurseries within Hackney, please refer to Appendix F.

4.6 Access to licensed premises

4.6.1 With the exception of bingo halls, non-gambling areas of tracks on race days and licensed family entertainment centres, children will not be permitted to enter adult only licensed gambling premises.

4.6.2 The Licensing Authority will consult with the City and Hackney Safeguarding Children Board on any application that indicates there may be concerns for children or vulnerable persons over access to gambling.

GLP4

The protection of children and other vulnerable persons from being harmed or exploited by gambling.

1. Applicants are encouraged to demonstrate within their application where it is considered necessary and appropriate that:
 - (a) the design and style of their premises and any external signage, advertising or promotional material is not aimed or marketed at attracting children to premises or areas which are reserved for adult gambling
 - (b) children are not to be exposed to gambling which is legally restricted to adults
 - (c) measures have been taken to prevent children from being in close proximity to types of gambling restricted to adults for example, gaming machines of class A,B or C
 - (d) staff have been or will be appropriately trained to understand the following:
 - (i) which class of machine is restricted to adults only
 - (ii) any areas where children and young persons are not to be permitted.
 - (iii) child protection requirements
 - (iv) reporting concerns about the welfare of a child to the Duty and Assessment Team, the Council
 - (v) reporting concerns about the welfare of vulnerable persons to Safeguarding Vulnerable Adults, Adult Services, the Council.
 - (e) details of helplines and guidance are provided to those who may have alcohol, drug or gambling problems.
2. The Licensing Authority may consider specific measures to protect under 18s and vulnerable persons on certain categories of premises. These measures include:
 - (a) supervision of entrances
 - (b) segregation of gambling from areas frequented by children
 - (c) supervision of gaming machines in adult only gambling premises
 - (d) separate and identifiable entrances and exits from parts of buildings with

more than one licence.

3. Where category C or above machines are available in premises to which children are admitted applicants are encouraged to demonstrate that they have taken such measures to ensure that:
 - (a) all such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
 - (b) only adults are admitted to the area where the machines are located
 - (c) access to the area where the machines are located is supervised
 - (d) the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder and
 - (e) at the entrance to, and inside, any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
4. For applications that do not require an operating licence or personal licence, the Licensing Authority will consider:
 - (a) any convictions or cautions in relation to the admission of under 18 year olds
 - (b) requirement for children under 14 to be accompanied by an adult
 - (c) measures the applicant is taking to prevent children from being in close proximity to types of gambling restricted to adults (for example, category A, B or C gaming machines). Such measures may include "No Under 18s to Play" notices displayed on category A, B and C machine fronts in alcohol licensed premises, or the adoption of an effective proof of age scheme.
5. Where there have been convictions or cautions for serving alcohol to under 18s, or allowing under 18s to participate in adult gambling, applicants may be asked to demonstrate these matters have been addressed. This may give rise to particular concerns as to whether it will be appropriate to permit the admission of children to the premises during some or all of its hours of operation.
6. Where limiting access to children or young persons is considered necessary, the Licensing Authority will consider the following options:
 - (a) limiting or excluding when certain activities are taking place or at certain times
 - (b) a requirement for children under a certain age to be accompanied by an adult
 - (c) an age limitation for under 18s
 - (d) access may be limited to certain parts of the premises.

5. Location of gambling premises and gaming machines

- 5.1 When considering authorisations, including the need for conditions to be attached to licences, the Licensing Authority will primarily focus on the location, suitability and management of the premises and how this might directly impact upon the licensing objectives.
- 5.2 When determining an application to grant or review a premises licence regard will be given on a case by case basis to the location of the premises and its proximity to other establishments in terms of the licensing objectives which include the protection of children and vulnerable persons and issues of crime and disorder. See paragraph 3 onwards for more details. For crime hotspots and locations of schools, colleges and nurseries in the borough, please refer to Appendices E and F respectively.
- 5.3 Should any specific policy be decided upon regarding areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.
- 5.4 In addition, where there are specific risks or problems associated with a particular locality or specific premises, or class of premises, conditions may be attached to reflect this on a case by case basis, where permitted by law.

GLP5

Location of gambling premises and gaming machines

1. In considering the locations for a premises licence, permit or notice, the Licensing Authority may consider:
 - (a) the proximity of other establishments catering to children or vulnerable adults, or to places that are frequented by unaccompanied children and/or vulnerable adults or where children, young people or vulnerable persons are likely to congregate
 - (b) the size and scope of the gambling premises concerned
 - (c) the type of gambling proposed on the premises.
2. In considering the locations for gaming machines, the Licensing Authority may consider:
 - (a) the size of the premises and the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer
 - (b) the size of the premises and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable people

- (c) restricting the number and location of such machines in respect of applications for track betting premises licences
- (d) the location of gaming machines at tracks
- (e) the locations of gaming machines where the applicant holds a pool betting operating licence and wishes to apply for a track premises licence using their entitlement to four gaming machines. The applicant will need to demonstrate that these machines are located in areas from which children are excluded
- (f) segregation of category C and D machines in family entertainment centres.

6. Hours of operation

- 6.1 The Licensing Authority will have regard to the Guidance and default conditions relating to operating hours and will consider excluding and replacing default conditions only if appropriate and on a case by case basis.
- 6.2 Where limiting access to children is considered necessary, the Licensing Authority will consider a limit on the hours when children may be present on the premises.

GLP6

Hours of operation

The Licensing Authority will have regard to the following, where necessary and appropriate:

- (a) Codes of Practice when determining the hours of operation
- (b) licensing hours fixed will always reflect the individual merits of the application, any relevant representations received and the requirement to uphold the licensing objectives
- (c) earlier hours may be set if the individual circumstances require it. Applicants are encouraged to demonstrate that there would be no breach of the licensing objectives if later hours are requested, especially if requests are made to go beyond midnight in residential areas
- (d) the Licensing Authority may consider the levels of relevant crime and disorder at that premises or in the vicinity of that premises and police resources available to address this late at night
- (e) applicants are encouraged to exclude children from premises or events where children are present by 9pm unless the applicant can demonstrate how they can operate beyond these hours without risking harm to children in these circumstances.

7 Premises licences

7.1 General principles

- 7.1.1 An application for a premises licence may only be made by persons over 18 years old, companies or partnerships.
- 7.1.2 The Licensing Authority can only consider a premises licence application where the applicant:
- has a right to occupy the premises at the time the application is made and can provide evidence of this if requested; and
 - holds, or has applied for, an operating licence which allows the proposed activity to be carried out.
- 7.1.3 It should be noted that the premises licence may only be determined once the operating licence has been issued by the Gambling Commission.
- 7.1.4 The Licensing Authority will expect the applicant for a premises licence to demonstrate that they have or have applied for the appropriate operating and/or personal licences from the Gambling Commission.
- 7.1.5 Where no application for an operating licence has been made, the premises licence application will be refused.
- 7.1.6 Premises licences will be subject to the requirements set out in the Act and regulations, which include mandatory and default conditions. Licensing authorities are able to exclude default conditions and also attach others where appropriate.

7.2 Definition of “premises”

- 7.2.1 Premises are defined in the Act as including “any place”. Different premises licences cannot apply in respect of single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This will always be a question of fact depending on the circumstances and the Guidance provides further detail on this. It should be noted that areas of a building that are artificially or temporarily separate cannot be properly regarded as different premises and the Licensing Authority would therefore normally expect genuine separation in this regard to be a complete floor to ceiling physical separation of the premises.
- 7.2.2 This Licensing Authority will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes on a case by case basis and with regard to the Act and the policy behind the Act, as explained in the Guidance which is to limit the number and type of machines in particular premises. Where the Licensing Authority is not satisfied that the premises are separate, it will be unable to issue further premises licences on that premises concluding that a premises licence already exists. The following factors will be taken into account

in determining whether the premises is in fact a “premises” and therefore able to submit such application(s):

- whether entrances and exits which form parts of a building covered by one or more licences are properly and suitably separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area. In this context it is expected that the premises will be separated by a floor to ceiling division whereby each “premises” can be accessed without going through another licensed premises or premises with a permit particularly where this is required by the Act
- whether the premises have a separate registration for business rates
- whether the premises have different postal addresses
- whether the premises and its neighbouring premises is owned by the same person
- whether each of the premises can be accessed from the street or a public passageway
- whether the premises are accessible only from another gambling premises.

7.2.3 The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises. There will be specific issues to be considered before granting such applications, for example:

- whether children are not only prevented from taking part in gambling but also prevented from being in close proximity to gambling
- whether children are invited to participate in, can gain accidental access to or closely observe gambling where they are prohibited from participating
- compatibility of the two types of establishments
- whether taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would or should be prohibited under the Act. The applicant will need to show for example that direct access between the premises is prevented if the premises licence condition requires it
- whether customers can primarily participate in the gambling activity named on the premises licence.

7.2.4 Applicants will need to demonstrate that the primary purpose of the premises will be fulfilled and are encouraged to provide to the Licensing Authority the precise arrangements for primary and ancillary gambling activities at the premises.

7.3 Premises “ready for gambling”

- 7.3.1 A licence to use a premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. The Guidance provides advice on this.
- 7.3.2 In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at a premises, this Authority will determine applications on their merit, considered in a two stage process:
- firstly, whether as a matter of substance the premises ought to be permitted to be used for gambling and
 - secondly, in deciding whether or not to grant the application, consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 7.3.3 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement may be a better option. Applicants are encouraged to discuss which route is appropriate with the Licensing Authority. For example, where applications are received in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, the Licensing Authority ought to consider whether, applying the two stage process, it should grant a licence or whether the circumstances are more appropriate for a provisional statement application. Please refer to paragraph 7 on provisional statements.
- 7.3.4 If a premises licence is to be sought before the premises is ready to be used for gambling the applicant should consider offering appropriate conditions and/or providing a future effective date for the licence to commence.

7.4 What we consider

- 7.4.1 All applicants for premises licences are encouraged to set out how they will promote the licensing objectives, as specified in paragraph 1.2.1 and what measures they intend to employ to ensure compliance with them. This will assist the Authority, responsible authorities and interested parties to consider whether the application accords with the licensing objectives and is therefore more likely to avoid unnecessary hearings. The applicant may ask the Licensing Authority for advice as to the scope of information to be provided which will be proportionate to the scale and nature of the application made.

7.5 Conditions

- 7.5.1 Licensing is about the control of gambling licensed premises within the terms of the Act. The starting point in determining applications will be to grant the application without attaching conditions.
- 7.5.2 Conditions may be attached to licences that will cover matters within the control of individual licensees. Conditions are attached to a premises licence in the following ways:
- automatically under the Act
 - through regulations as mandatory and/or default conditions
 - by the Licensing Authority.
- 7.5.3 For instance, there are mandatory conditions which attach to all licences or licences of a particular class. Specific conditions which attach to an individual licence will only be attached by the Licensing Authority following a hearing or where the applicant has agreed conditions with a responsible authority or interested party.
- 7.5.4 The Licensing Authority can exclude any default conditions from the premises licence. The Licensing Authority will where necessary impose conditions that are:
- in accordance with the Guidance
 - in accordance with the Code of Practice
 - in accordance with the Policy or
 - in a way that is reasonably consistent with the licensing objectives.
- 7.5.5 Conditions imposed by the Licensing Authority will be proportionate to the circumstances and risks which they are seeking to address. In particular, the Licensing Authority will where appropriate apply conditions that are:
- relevant to the need to make the proposed building suitable as a gambling facility
 - directly related to the premises and the type of licence applied for
 - fairly and reasonably related to the scale and type of premises and
 - reasonable in all other respects.
- 7.5.6 The Licensing Authority does not propose to implement standard conditions on licences but may attach conditions as appropriate given the circumstances of each individual case. It will seek to avoid duplication with other systems so far as possible and will not attach conditions unless they are considered necessary having regard to existing regimes. For example, where applicants fail to adequately address the provisions of the relevant GLPs to the satisfaction of the Licensing Authority, it may attach conditions to alleviate concerns triggered by the lack of information provided.
- 7.5.7 There will be a number of measures the Licensing Authority will consider utilising should there be a perceived requirement such as the

use of supervisors, appropriate signage for adult only areas as set out in GLP2 - 7. There are specific comments made in this regard under some of the licence types below. The Licensing Authority will also expect the applicant to offer measures as to ways in which the licensing objectives can be met effectively.

7.5.8 The Licensing Authority will consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the proper segregation of primary gambling activities in addition to matters in GLP1-7. These matters are in accordance with the Guidance.

7.5.9 This Licensing Authority may contact the Gambling Commission or the applicant to obtain a copy of the operating licence to consider any conditions that may cover the way in which the Gambling Commission expect the objectives to be met. It will assess whether the corresponding premises licence requires any specific expansion on these measures by way of conditions based upon the application and information provided.

7.5.10 There are conditions which the Licensing Authority cannot attach to premises licences. These are any conditions:

- on the premises licence which make it impossible to comply with an operating licence condition;
- relating to gaming machine categories, numbers, or method of operation;
- which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- in relation to stakes, fees, winning or prizes.

GLP7

Premises licences

Applicants for a premises licence are encouraged to consider GLP1 to GLP7 depending on the type of permission being sought.

- (1) In addition, applicants for a premises licence are also encouraged to demonstrate:
 - (i) that the appropriate operating and personal licences are in place from the Gambling Commission where relevant and
 - (ii) that they have a right to occupy the premises at the time of making the application
 - (iii) how the applicant will promote the licensing objectives with regard to GLP1 to GLP7.
- (2) The Licensing Authority will exclude default conditions or attach

conditions where appropriate.

- (3) The Licensing Authority may only consider the grant of a licence where it is going to be ready to be used for gambling in the reasonably near future and (where necessary) the Licensing Authority and/or responsible authorities have been allowed to inspect the premises.
- (4) For multiple licences for a building and those relating to a discrete part of a building used for other non-gambling purposes the Licensing Authority will in particular consider:
 - (i) the measures to prevent people “drifting” into a gambling area
 - (ii) the potential for children to gain access
 - (iii) the ability of two or more establishments to comply with the requirements of the Act.
- (5) Applicants are encouraged to provide where relevant detailed plans, to the satisfaction of the Licensing Authority, consisting of:
 - (i) entrances and exits
 - (ii) number and positions of counters,
 - (iii) number and positions of gaming machines
 - (iv) location of lighting inside and outside
 - (v) location of CCTV.

7.6 Adult gaming centres (AGCs)

7.6.1 The Licensing Authority will expect the applicant to provide sufficient measures to ensure that persons under 18 years' old do not have access to the premises.

GLP8

Adult gaming centres

Applicants are encouraged to have regard to GLP1 - GLP8 when making an application for an adult gaming centre.

Applicants should where appropriate offer their own measures to meet the licensing objectives such as:

- (a) proof of age schemes
- (b) CCTV
- (c) physical and/or remote supervision of entrances/machine areas
- (d) physical separation of areas.

The above suggested measures are neither mandatory nor exhaustive and may where relevant be imposed by the Licensing Authority as conditions.

7.7 Licensed family entertainment centres (FECs)

7.7.1 The Licensing Authority will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that those who are under 18 years old do not have access to the adult gaming machines. For example, this could be achieved through the physical segregation and supervision of these gaming machines.

GLP9

Licensed family entertainment centres

Applicants are encouraged to have regard to GLP1 - GLP7 when making an application for an FEC.

Applicants should, where appropriate, offer their own measures to meet the licensing objectives such as:

- (a) CCTV
- (b) supervision of entrances / machine areas
- (c) physical separation of areas
- (d) location of entry
- (e) notices / signage
- (f) specific opening hours
- (g) self-barring schemes
- (h) provision of information leaflets / helpline numbers for organisations such

- as GamCare
- (i) measures / training for staff on how to deal with suspected truant school children on the premises
 - (j) measures/training by way of a premises log book, covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.

The above suggested measures are neither mandatory nor exhaustive and may where relevant be imposed by the Licensing Authority as conditions.

7.8 Bingo premises

- 7.8.1 Applicants are to have regard to GLP 1 - 7. If children are allowed to enter premises licensed for bingo, they are not to participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted, the Licensing Authority will expect the applicant to comply with GLP4.
- 7.8.2 It is noted that door supervisors at bingo premises are exempt from needing to be SIA registered. This is explained in more detail at paragraph 4.3.
- 7.8.3 Applicants will need to demonstrate that bingo can be played on the proposed bingo premises. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas. Paragraph 7.2 provides detail on the circumstances in which the splitting of a pre-existing premises into two adjacent premises may or may not be permitted.

7.9 Betting premises

7.9.1 Children and young people are not permitted to access betting premises.

7.9.2 For betting machines within a betting premises the Licensing Authority will take into account the following factors:

- the size of premises
- the number of counter positions available for person-to-person transactions
- ability of staff to monitor the use of the machines by children, young and vulnerable persons.

GLP10

Betting premises

Applicants are encouraged to have regard to GLP1 - GLP7 and GLP10 when making an application for a betting premises licence.

The Applicant should where appropriate, offer their own measures to meet the licensing objectives such as:

- (a) CCTV
- (b) supervision of entrances / machine areas
- (c) location of entry
- (d) notices / signage
- (e) specific opening hours
- (f) self-barring schemes
- (g) provision of information leaflets / helpline numbers for organisations such as GamCare.

The above suggested measures are neither mandatory nor exhaustive and may where relevant be imposed by the Licensing Authority as conditions.

7.10 Tracks

7.10.1 Applicants are to have regard to GLP 1-11 where relevant. This Licensing Authority is aware that tracks may be subject to one or more premises licences, provided each licence relates to a specified area of the track. The Licensing Authority will especially consider the impact upon the protection of children and vulnerable persons from being harmed or exploited by gambling and the need for applicants to demonstrate that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

7.10.2 It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but they are still prevented from

entering areas where gaming machines (other than category D machines) are provided.

7.10.3 The Guidance sets out the considerations for where gaming machines may be located on tracks. Applications for track premises licences will need to demonstrate that where the applicant holds a pool betting operating licence and is going to use their entitlement to four gaming machines, these machines are located in areas where children are excluded.

7.10.4 The Licensing Authority where appropriate will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed on the race-card or made available in leaflet form from the track office.

7.10.5 Separate Guidance has been produced which sets out the specific requirements for these types of applications. The Licensing Authority will expect applicants to provide detailed plans for the racetrack itself and the proposed gambling facilities.

7.10.6 It would be preferable for all self-contained premises operated by off-course betting operators on a track to be the subject of a separate premises licence, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator. For occasional permissions to carry out betting on tracks, please refer to paragraph 14 which deals with occasional use notices.

GLP11

Tracks

Applicants are also to have regard to GLP 1 – GLP 11 where relevant.

1. The applicant should where appropriate demonstrate the following measures have been addressed:
 - (a) entrances to each type of premises are distinct
 - (b) children are excluded from gambling areas where they are not permitted to enter
 - (c) children do not have access to adult only gaming facilities
 - (d) track operators ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public
 - (e) detailed plans are provided to the Licensing Authority for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (for dog tracks and horse racecourses, show fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities)
 - (f) identify what authorisations are being sought under the track betting

- premises licence along with any other areas that may be subject to a separate application for a different type of premises licence
- (g) where category C or above machines are on offer in premises to which children are admitted, the relevant considerations in GLP4 should be addressed.
2. This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives such as:
- (a) proof of age schemes
 - (b) CCTV
 - (c) supervision of entrances / machine areas
 - (d) physical separation of areas
 - (e) location of entry
 - (f) notices / signage
 - (g) specific opening hours
 - (h) self-barring schemes
 - (i) provision of information leaflets/helpline numbers for organisations such as GamCare.

The above suggested measures are neither mandatory nor exhaustive and may where relevant be imposed by the Licensing Authority as conditions.

7.11 Travelling fairs

7.11.1 Travelling fairs do not require any permit to provide gaming machines but must comply with the legal requirements in how the machine operates in a fair and open way (please refer to GLP3 for more detail). They may provide an unlimited number of Category D gaming machines and the Licensing Authority will expect the applicant to demonstrate that the gambling facilities amount to no more than an ancillary amusement at the fair.

7.11.2 The Licensing Authority will consider whether the statutory definition of a travelling fair applies. The 27 day statutory maximum (per calendar year) for the land being used as a fair applies to the land on which the fairs are held, regardless of whether the same or a different travelling fair occupies the land.

7.11.3 The Licensing Authority will work with neighbouring authorities to ensure that land that crosses shared boundaries is monitored so that the statutory limits are not exceeded.

8. Provisional statements

8.1 An application for a provisional statement can be made where the applicant expects the premises to be constructed, to be altered or to acquire a right to occupy. Such an application is a separate and distinct process to the granting of planning permission or building control.

- 8.2 Following the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account in the determination of a premises licence application, unless they concern matters which could not have been addressed at the provisional statement stage, or in the opinion of the Licensing Authority, they reflect a change in the applicant's circumstances.

GLP12

Provisional Statements

Applicants should have regard to GLP1 – GLP 11 where relevant. Applications for provisional statements shall be dealt with in the same way as a premises licence.

9. Unlicensed family entertainment centres (unlicensed FECs) gaming machine permits: Statement of principles on permits

- 9.1 Where category D gaming machines are only to be provided, applicants may apply to the Licensing Authority for an unlicensed FEC gaming machine permit. The applicant must show that the premises will be wholly or mainly used for making gambling available for use. An application for this permit cannot be made where a premises licence has effect on the same premises.
- 9.2 The Licensing Authority may only grant or reject an application for a permit and cannot impose or attach any conditions.
- 9.3 The Gambling Commission will not be involved in this process as neither an operating licence nor a personal licence is required. It is therefore essential that the Licensing Authority satisfies itself as to the suitability of the applicant and to the operation being proposed.
- 9.4 The Licensing Authority must be satisfied that:
- a) the applicant has demonstrated that the premises will be used as an unlicensed FEC and
 - b) Hackney Police have been consulted on the application.
- 9.5 The Licensing Authority will look at the suitability of an applicant for a permit. As unlicensed FECs will particularly appeal to children and young persons, the Licensing Authority will expect the applicant to demonstrate their suitability and the measures in place to protect children from harm as well as to prevent crime and disorder by providing the following:
- applicant and staff training/ understanding of the maximum stakes and prizes that is permissible in unlicensed FECs

- applicant's Disclosure and Barring Service check or equivalent, as agreed with the police. This may include a requirement to provide details of residential addresses over the last five years
 - applicant's previous history and experience of running similar premises
 - any policies and procedures in place
 - a scaled plan of the premises
 - a written operating schedule
 - any supporting documentation as to the design and layout of the premises.
- 9.6 Harm in the context of protecting children is not limited to harm from gambling but includes wider child protection considerations. As such, any policies and procedures will each be considered on their overall merits.
- 9.7 The Licensing Authority will have regard to the Policy, the licensing objectives and any relevant Guidance or Code of Practice when considering a permit application. Applicants should in particular have regard to GLP1, GLP2, GLP5, GLP7 and GLP13 when making an application, but need to also consider GLP3, GLP4 and GLP6 where these relate to children and young persons.
- 9.8 This Statement applies to initial applications only and not to renewals. The Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised Local Authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the licensing objectives.
- 9.9 Where there is such a refusal, the Licensing Authority will notify the applicant of its intention to refuse and the reasons for the refusal. The applicant will then have an opportunity to make representations orally, in writing or both and will have a right of appeal against any decision made.
- 9.10 Where the permit has been granted the Licensing Authority will issue the permit as soon as is reasonably practicable and in any event in line with Regulations. The permit will then remain in effect for 10 years unless surrendered or lapsed.
- 9.11 Details of applications for unlicensed FEC permits will be available on the Council's website or by contacting the Licensing Service.
- 9.12 Applicants for unlicensed FEC permits are expected to undertake that they will comply with BACTA's Code of Practice for Amusement with Prizes Machines in Family Entertainment Centres. This code of practice promotes awareness of social responsibility and acknowledges that proactive specific and appropriate commitment will

be given to educating children and young persons, thereby minimising the potential for harm.

GLP13

Statement of principles for unlicensed family entertainment centres (unlicensed FECs)

Applicants for an unlicensed family entertainment centre permit are to have regard to GLP1 - GLP7 and GLP9 where relevant.

1. Applicants are required to demonstrate that:
 - (a) they have permission to occupy the premises at the time of making the application
 - (b) the premises will be used as an unlicensed FEC and
 - (c) the Chief Officer of Police for Hackney Borough has been consulted on the application.

2. Applications should normally be accompanied by an assessment of how the applicant will promote the licensing objectives with regard to GLP1 to GLP7 to demonstrate such matters as:
 - (a) numbers of staff employed and on duty at any given time
 - (b) details of opening hours
 - (c) details of Proof of Age schemes
 - (d) adoption of appropriate measures/training for staff as regards suspected truanting school children on the premises
 - (e) evidence of staff training by way of a Premises Log Book, covering how staff will deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises
 - (f) Evidence that the applicant and staff are trained to have a full understanding of the maximum stake and prizes that are permissible.

3. The application must also be accompanied by detailed plans drawn up to the satisfaction of the Licensing Authority and which include:
 - (a) location of entrances and exits
 - (b) number and positions of Category D machines
 - (c) location of lighting inside and outside
 - (d) location of CCTV
 - (e) the amount of space around gaming machines to prevent jostling of players or intimidation
 - (f) location and supervision of Automated Teller Machines
 - (g) the location of appropriate clear and prominent notices and barriers, such notices to state:
 - (i) that no unaccompanied child will be permitted to remain on the premises if that person is required by law to attend school

- (ii) no smoking on the premises
- (iii) the need to play responsibly.

4. The application should normally also be accompanied by:

- (a) evidence that the applicant and staff have no relevant convictions (those that are in Schedule 7 of the Act)
- (b) insurance documents and any other such information the Licensing Authority will from time to time require.

10. Prize gaming permits: Statement of principles

10.1 Prize gaming permits allow the provision of facilities for gaming with prizes on specified premises. Prize gaming refers to gaming where the nature and size of the prize is not determined by the number of people playing or the amount for or raised by the gambling. The Act makes no provision for single site gaming machine permits such as fish and chip shops, minicab offices and cafes.

10.2 In determining the suitability of the applicant for a permit this Licensing Authority will expect the applicant to set out the types of gaming to be offered demonstrating:

- that they understand the limits to stakes and prizes that are set out in Regulations; and
- that the gaming offered is within the law
- that they meet the objective of carrying out gambling openly and fairly as set out at GLP3
- that the premises are mainly or wholly used for gambling purposes.

10.3 In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Guidance.

10.4 The Licensing Authority cannot attach conditions to a permit however, the permit holder must comply with the following statutory conditions:

- the limits on participation fees, as set out in Regulations
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if a non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

11. Alcohol licensed premises gaming machine permits

- 11.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines of categories C and/or D. The premises merely notify the Licensing Authority of this automatic entitlement. The only exception to this entitlement is where alcohol is provided ancillary to a table meal.
- 11.2 Once notice has been acknowledged, the Licensing Authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
 - gaming has taken place on the premises where the following conditions have not been met:
 - written notice has been provided to the Licensing Authority
 - the correct fee has been submitted and
 - any relevant code of practice issued by the Gambling Commission about the location and operation of the gaming machine has been complied with
 - the premises are mainly used for gaming or
 - an offence under the Act has been committed on the premises.
- 11.3 The Licensing Authority shall, before removing this automatic entitlement, give the licence holder 21 days' notice of its intention, consider any representations made by the licence holder and hold a hearing if requested.
- 11.4 If an alcohol licensed premises wishes to have 3 or more category C or D gaming machines, then it needs to apply for an alcohol licensed gaming machine permit specifying the premises in respect of which the permit is sought and the number and category of gaming machines. Where the application requirements are not met it will be deemed that the application has not been made correctly and will be returned to the applicant. The Licensing Authority must consider a valid application based upon the licensing objectives, any Guidance and Codes of Practice, comments from responsible authorities and "such matters as they think relevant."
- 11.5 The Licensing Authority considers "such matters" on a case by case basis and has produced policy considerations when determining such applications. This document entitled "Licensing Authority Policy Considerations for 3 or more Gaming Machines on Alcohol Licensed Premises" is available on request from the Licensing Service.

12 Club gaming and club machine permits

- 12.1 Members clubs and miners' welfare institutes may apply for a club gaming permit or a club machine permit.

- 12.2 Commercial clubs may only apply for a club machine permit.
- 12.3 The club gaming permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.
- 12.4 A club machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 12.5 Members clubs and commercial clubs must:
- have at least 25 members
 - be established and conducted “wholly or mainly” for purposes other than gaming, unless the gaming is permitted by separate regulations
 - be permanent in nature.
- 12.6 Members clubs must, in addition to the above:
- not be established to make a commercial profit
 - be controlled by its members equally.
- 12.7 Members clubs include bridge and whist clubs, working men’s clubs, branches of Royal British Legion and clubs with political affiliations.
- 12.8 Commercial clubs have the same characteristics as members clubs however, the key difference is that they are established with a view to making profit. An example of this would be a snooker club.
- 12.9 A Licensing Authority may only refuse an application on the grounds that:
- a) the applicant does not fulfil the requirements for a members’ club or miners’ welfare institute or commercial club and therefore is not entitled to receive the type of permit for which it has applied;
 - b) the applicant’s premises are used wholly or mainly by children and/or young persons;
 - c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - d) a permit held by the applicant has been cancelled in the previous ten years; or
 - e) an objection has been lodged by the Gambling Commission or the police.
- 12.10 There is also a ‘fast-track’ procedure available under the Act for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the police, and

the grounds upon which an authority can refuse a permit are reduced. The grounds for refusal are:

- a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12 of the Act;
- b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

12.11 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant Codes of Practice about the location and operation of gaming machines.

13 Temporary use notices (TUNs)

13.1 TUNs allow the holder of an operating licence to temporarily use a set of premises for gambling where there is no premises licence in place. Hotels, conference centres or sporting venues may typically utilise this permission. A set of premises can be subject to TUNs for up to 21 days in any 12 month period.

13.2 The notice must be lodged with the Licensing Authority no less than 3 months and one day from the event, and copies sent to the Gambling Commission, the police and HM Commissioner for Revenue and Customs.

13.3 There are a number of statutory limits regarding temporary use notices.

13.4 The definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place" and applicants will note paragraphs 6.2 which set out the expectations in this regard. In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership, occupation and control of the premises. For example, an exhibition centre may cover one set of premises. This compares to a shopping centre which may cover different sets of premises as it may be occupied and controlled by different people.

13.5 This is a new permission and the Licensing Authority will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

GLP14

Temporary use notices (TUNs)

The Licensing Authority will expect the licensee to demonstrate that measures have been taken to promote the licensing objectives having regard to GLP1 - GLP10 where relevant. The Licensing Authority, will require 3 months and one day written notice and copies sent to the Gambling Commission, the police and HM Commissioner for Revenue and Customs prior to the gambling event taking place.

14 Occasional use notices

14.1 This notice allows for betting on a track without the need for a premises licence on 8 days or less in a calendar year. The Licensing Authority has very little discretion regarding these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This Licensing Authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

15 Small society lotteries

15.1 Under the Act, a lottery is unlawful unless it runs with an operating licence or is an exempt lottery. The Licensing Authority will register and administer small society lotteries (as defined). Promoting or facilitating a lottery will fall within 2 categories:

- licensed lotteries (requiring an operating licence from the Gambling Commission) and
- exempt lotteries (including small society lotteries registered by the Licensing Authority).

15.2 Exempt lotteries are lotteries permitted to run without a licence from the Gambling Commission.

15.3 Societies may organise lotteries if they are licensed by the Gambling Commission or fall within the exempt category. The Licensing Authority recommends those seeking to run lotteries take their own legal advice on which type of lottery category they fall within. Guidance notes on all lotteries, limits placed on small society lotteries and information setting out financial limits is available by contacting the Licensing Service.

15.4 Applicants for registration of small society lotteries must apply to the Licensing Authority in the area where their principal office is located. Where the Licensing Authority believes that the Society's principal office is situated in another area it will inform the Society as soon as possible and where possible, will inform the other Licensing Authority.

15.5 Lotteries will be regulated through a licensing and registration scheme, conditions imposed on licences by the Gambling Commission, Codes of Practice and any Guidance. In exercising its functions with regard to small society and exempt lotteries, the Licensing Authority will have due regard to the Guidance.

- 15.6 The Licensing Authority will keep a public register of all applications and will provide information to the Gambling Commission on all lotteries registered by the Licensing Authority. As soon as the entry on the register is completed, the Licensing Authority will notify the applicant of their registration. In addition, the Licensing Authority will make available for inspection by the public the financial statements or returns submitted by societies in the preceding 18 months and will monitor the cumulative totals for each society to ensure the annual monetary limit is not breached. If there is any doubt, the Licensing Authority will notify the Gambling Commission in writing, copying this to the Society concerned. The Licensing Authority will accept return information either manually but preferably electronically by emailing licensing@hackney.gov.uk.
- 15.7 The Licensing Authority will refuse applications for registration if in the previous five years, either an operating licence held by the applicant for registration has been revoked, or an application for an operating licence made by the applicant for registration has been refused. Where the Licensing Authority is uncertain as to whether or not an application has been refused, it will contact the Gambling Commission to seek advice.
- 15.8 The Licensing Authority may refuse an application for registration if in their opinion:
- the applicant is not a non-commercial society
 - a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence or
 - information provided in or with the application for registration is false or misleading.
- 15.9 The Licensing Authority will ask applicants to complete an application form setting out the purposes for which the Society is established and will ask the Society to declare that they represent a bona fide non-commercial society and have no relevant convictions. The Licensing Authority may seek further information from the Society.
- 5.10 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration and supply evidence on which it has reached that preliminary conclusion. In any event, the Licensing Authority will make available its procedures on how it handles representations.
- 15.11 The Licensing Authority may revoke the registered status of a Society if it thinks that they would have had to, or would be entitled to refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the Society of the reasons why it is minded to revoke the

registration in the same manner it would be minded to refuse registration.

- 15.12 Where a Society employs an external lottery manager, they will need to satisfy themselves that they hold an operator's licence issued by the Gambling Commission and the Licensing Authority will expect this to be verified by the Society.

16 Enforcement and inspection

- 16.1 The Licensing Authority will investigate complaints against licensed premises in relation to matters for which it has responsibility. The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.

- 16.2 Where it is appropriate to follow an inspection and/or enforcement approach, the Licensing Authority's principles are that it will be guided by the Guidance and will endeavour to be:

- proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised
- accountable: regulators must be able to justify decisions, and be subject to public scrutiny
- consistent: rules and standards must be joined up and implemented fairly
- transparent: regulators should be open, and keep regulations simple and user friendly and
- targeted: regulation should be focused on the problem, and minimise side effects.

- 16.3 This Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

- 16.4 The Licensing Authority has adopted and implemented a risk based inspection programme based on:

- the licensing objectives
- relevant Codes of Practice
- Guidance
- the Policy.

- 16.5 The main enforcement and compliance role for this Licensing Authority is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences, dealing also

with concerns about manufacture, supply or repair of gaming machines.

- 16.7 Bearing in mind the principle of transparency, this Licensing Authority's enforcement protocol has been developed and is available upon request from the Licensing Service.

GLP15

Enforcement

The Licensing Authority will inspect premises that are the subject of a new premises licence application and reserves the right to inspect premises for which a permit or other permission has been sought from the Licensing Authority under the provisions of the Act.

- (a) Inspections will be undertaken by the Licensing Authority and/or a relevant responsible authority
- (b) Where the applicant has not allowed reasonable access permission will normally be refused.
- (c) The Licensing Authority and/or relevant responsible authority reserve the right to inspect premises at any time following the grant of a licence, permit or other permission, as permitted by the Act.

17 Licensing reviews

- 17.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. The Licensing Authority will then decide whether the review is to be carried out on the basis of whether the request for the review is relevant.

17.2 Due consideration will be given to all representations unless the grounds:

- a) Are frivolous
- b) Are vexatious
- c) Are irrelevant
- d) Will certainly not cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence
- e) Are substantially the same as the grounds cited in a previous application relating to the same premises; or the grounds are substantially the same as representations made at the time the application for a premises licence was considered.

17.3 The Authority will also consider whether the request for the review is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant Guidance

- reasonably consistent with the licensing objectives and
 - in accordance with the Statement.
- 17.4 Where a valid application for a licence to be reviewed has been received, the Licensing Authority may initially arrange a conciliation meeting to address and clarify the issues of concern. This process will not override the right of any interested party to ask that the licensing committee consider their valid representations, or for any licence holder to decline to participate in a conciliation meeting.
- 17.5 The Licensing Authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate or of its own volition.
- 17.6 Representations may include issues relating to the following:
- The use of licensed premises for:
- the sale and distribution of class A drugs and/or the laundering of the proceeds of drugs crimes
 - the sale and distribution of illegal firearms
 - prostitution or the sale of unlawful pornography, sexual exploitation and trafficking
 - organised crime activity
 - the organisation of racist, homophobic or sexual abuse or attacks
 - the sale of smuggled tobacco or goods or pirated DVDs
 - the sale of stolen goods
 - for the sale of items which require additional licences which are not in place, for example, for the sale of knives, alcohol and/or fireworks
 - Children and/or vulnerable persons being put at risk.
- 17.7 This is not an exhaustive list and other matters may be considered.

18 Revocation and cancellation

- 18.1 One of the possible outcomes of a review of premises licence is to revoke the licence where justified.
- 18.2 With regard to permits and registrations the Licensing Authority may seek to revoke these or cancel an annual renewal under certain circumstances. Generally this will be where the Licensing Authority thinks that they would have had to, or would be entitled to, refuse an application for a permit or registration if it were being made at that time.
- 18.3 However, no revocations or cancellations will take place unless the licensee or permit holders have been given the opportunity to make representations. The Licensing Authority will state reasons for why it is minded to revoke the authorisation and will provide an outline of the evidence on which it has reached that preliminary conclusion.

18.4 For FECs the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the licensing objectives.

19 Appeals

19.1 In relation to premises licences, club gaming permits, club machine permits, and alcohol licensed premises gaming machines, any party to a Licensing Authority decision who is aggrieved by that decision may lodge an appeal to the magistrates' court within 21 days of receiving notice of the Authority's decision.

19.2 In relation to decisions on FEC gaming machine permits and travelling fairs, the applicant can lodge an appeal against the Authority's decision with the magistrates' court within 21 days of receiving notice of the Authority's decision.

19.3 A person giving notice of a TUN or those entitled to receive a copy of a TUN may lodge an appeal within 14 days from receipt of decision to the magistrates' court.

20 Further information

20.1 Further information about the Gambling Act 2005, this Policy or the application process can be obtained from:

Licensing Service
Hackney Service Centre
1 Hillman Street
London
E8 1DY
Tel: 020 8356 2431
licensing@hackney.gov.uk
www.hackney.gov.uk/gambling

20.2 Information is also available from:
Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP.
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Appendix A: Glossary of useful terms

Applications	Applications for licences and permits
Authorisations	As defined in paragraph 1.3.3
Authorised Local Authority Officer	A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that authority's area.
Authorised Person	A Licensing Officer and an officer of an authority other than a Licensing Authority, both of whom have been authorised for a purpose relating to premises in that authority's area. The following are considered authorised persons: <ul style="list-style-type: none"> • Inspectors appointed under the Fire Precautions Act 1971; • Inspectors appointed under the Health and Safety at Work, etc. Act 1974 • Inspectors or Surveyors of ships appointed under the Merchant Shipping Act 1995; • A person in a class prescribed in regulations by the secretary of State.
Automated Roulette Equipment	2 types: a) Linked to a live game of chance, e.g. Roulette b) Plays live automated game, i.e. operates without human intervention
Automatic Conditions	Conditions attached automatically to premises licences or authorisations. The Licensing Authority has no discretion not to include or modify them.
AWP machines	Amusement with Prizes Machines e.g. certain fruit machines
BACTA	British Amusement Catering Trade Association
Betting Intermediary	Offers services via remote communication, such as the internet.
Betting Ring Betting Machines Bingo Casino	An area that is used for temporary 'on course' betting facilities. A machine designed or adapted for use to bet on future real events (not a Gaming Machine) where a bet can be placed on the shop floor without the need to visit the counter. A game of equal chance. An arrangement whereby people are given an opportunity to participate in one or more casino games.
Casino Games	Games of chance that are not equal chance gaming.
Casino Premises Licence Categories	a) Regional Casino Premises Licence b) Large Casino Premises Licence c) Small Casino Premises Licence d) Casinos permitted under transitional arrangements
Casino Resolution	Resolution not to issue casino premises licences
Child	Individual who is less than 16 years' old.

Club Gaming Permit	Enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.
Club Machine Permit	Permit to enable the premises to provide gaming machines (3 machines of Categories B, C or D)
Code of Practice	Means any relevant code of practice under section 24 of the Gambling Act 2005
Complex Lottery	An arrangement where: <ul style="list-style-type: none"> • Persons are required to pay to participate in the arrangement; • In the course of the arrangement, one or more prizes are allocated to one or more members of a class; • The prizes are allocated by a series of processes; and • The first of those processes relies wholly on chance.
Council	Hackney Council
Customer Lotteries	Lotteries run by the occupiers of business premises who sell tickets only to customers present on their premises. These lotteries may not be conducted on vessels.
Default Conditions	Conditions that will apply unless the Licensing Authority decide to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.
Delegated Powers	Decisions delegated either to a Licensing Committee, Sub-Committee or Licensing Officers.
Domestic Computer	Definition in forthcoming Regulations. Exempt from a Gaming Machine Permit.
Disorder	No set interpretation. However, likely to be connected to the way gambling is being conducted. In the case of gambling premises licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance.
Equal Chance Gaming	Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants
EBT	Electronic Bingo Ticket Minders. Electronic equipment operated by a Bingo Operators Licence for the purposes of playing bingo.
Exempt Lotteries	Lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are 4 types: <ul style="list-style-type: none"> • Small Society Lottery (required to register with Licensing Authorities. • Incidental Non Commercial Lotteries e.g. Raffle at a dance/church fair

	<ul style="list-style-type: none"> • Private Lotteries e.g. Raffle at a student hall of residence • Customer Lotteries e.g. Supermarket holding a hamper raffle 																												
External Lottery Manager	An individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.																												
Fixed Odds Betting	General betting on tracks.																												
Fixed Odds Betting Terminal	A category B2 gaming machine																												
Game of chance	A game of chance can include an element of chance and an element of skill. This does not include a sport.																												
Gaming	Playing a game of chance for a prize.																												
Gaming Machine	<p>Machine covering all types of gambling activity, including AWP machines and betting on virtual events</p> <p>Categories</p> <table border="1"> <thead> <tr> <th>Max. Stake</th> <th>Max Prize</th> </tr> </thead> <tbody> <tr> <td>A Unlimited</td> <td>Unlimited</td> </tr> <tr> <td>B1 £5</td> <td>£10,000</td> </tr> <tr> <td>B2 £100 (in multiples of £10)</td> <td>£500</td> </tr> <tr> <td>B3A £2</td> <td>£500</td> </tr> <tr> <td>B3 £2</td> <td>£500</td> </tr> <tr> <td>B4 £2</td> <td>£400</td> </tr> <tr> <td>C £1</td> <td>£100</td> </tr> <tr> <td>D (money prize) 10p</td> <td>£5</td> </tr> <tr> <td>D (non-money prize (other than a crane grab machine)) 30p</td> <td>£8</td> </tr> <tr> <td>D (- non-money prize (crane grab machine)</td> <td>£50</td> </tr> <tr> <td>D (money prize) £1</td> <td></td> </tr> <tr> <td>D - combined money and non-money prize (other than a coin pusher or penny falls machine) 10p</td> <td>£8 (of which no more than £5 may be a money prize)</td> </tr> <tr> <td>D - combined</td> <td>£20 (of which no more</td> </tr> </tbody> </table>	Max. Stake	Max Prize	A Unlimited	Unlimited	B1 £5	£10,000	B2 £100 (in multiples of £10)	£500	B3A £2	£500	B3 £2	£500	B4 £2	£400	C £1	£100	D (money prize) 10p	£5	D (non-money prize (other than a crane grab machine)) 30p	£8	D (- non-money prize (crane grab machine)	£50	D (money prize) £1		D - combined money and non-money prize (other than a coin pusher or penny falls machine) 10p	£8 (of which no more than £5 may be a money prize)	D - combined	£20 (of which no more
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than £10 may be a money prize)

Guidance	Guidance issued by the Gambling Commission.
Human Rights Act 1998 Articles: 1, 6, 8 and 10	Article 1: Protocol 1 – the right to peaceful enjoyment of possessions Article 6: - the right to a fair hearing Article 8: - the right of respect for private and family life Article 10: - the right to freedom of expression
Incidental Non-Commercial Lottery	A lottery promoted wholly for purposes other than private game, and which are incidental to non-commercial events, for example commonly charity fund raising events, lottery held at a school fete or at a social event such as a dinner dance.
Information Exchange	Exchanging of information with other regulatory bodies under the Gambling Act.
Interested Party	Interested parties can make representations about licence applications, or apply for a review of an existing licence. A person who: <ul style="list-style-type: none"> • Lives sufficiently close to the premises to be likely affected by the authorised activities • Has business interests that might be affected by the authorised activities • Represents persons in either of the above groups
Irrelevant Representations	<ul style="list-style-type: none"> • Where other legislation can cover the representation • Demand in premises licensing
Large Lottery	Where the total value of tickets in any one lottery exceeds £20,000 OR tickets in separate lotteries in one calendar year exceeds £250,000. This requires an Operating Licence.
Licences	As detailed in paragraph 6
Licensed Lottery	Large society lotteries and lotteries run for the benefit of local authorities which will be regulated by the Gambling Commission. Operating Licences will be required.
Licensing Authority	The London Borough of Hackney
Licensing Committee	A committee of 10 to 15 Councillors appointed by the Council to represent the Licensing Authority.
Licensing Objectives	As defined in paragraph 1.2

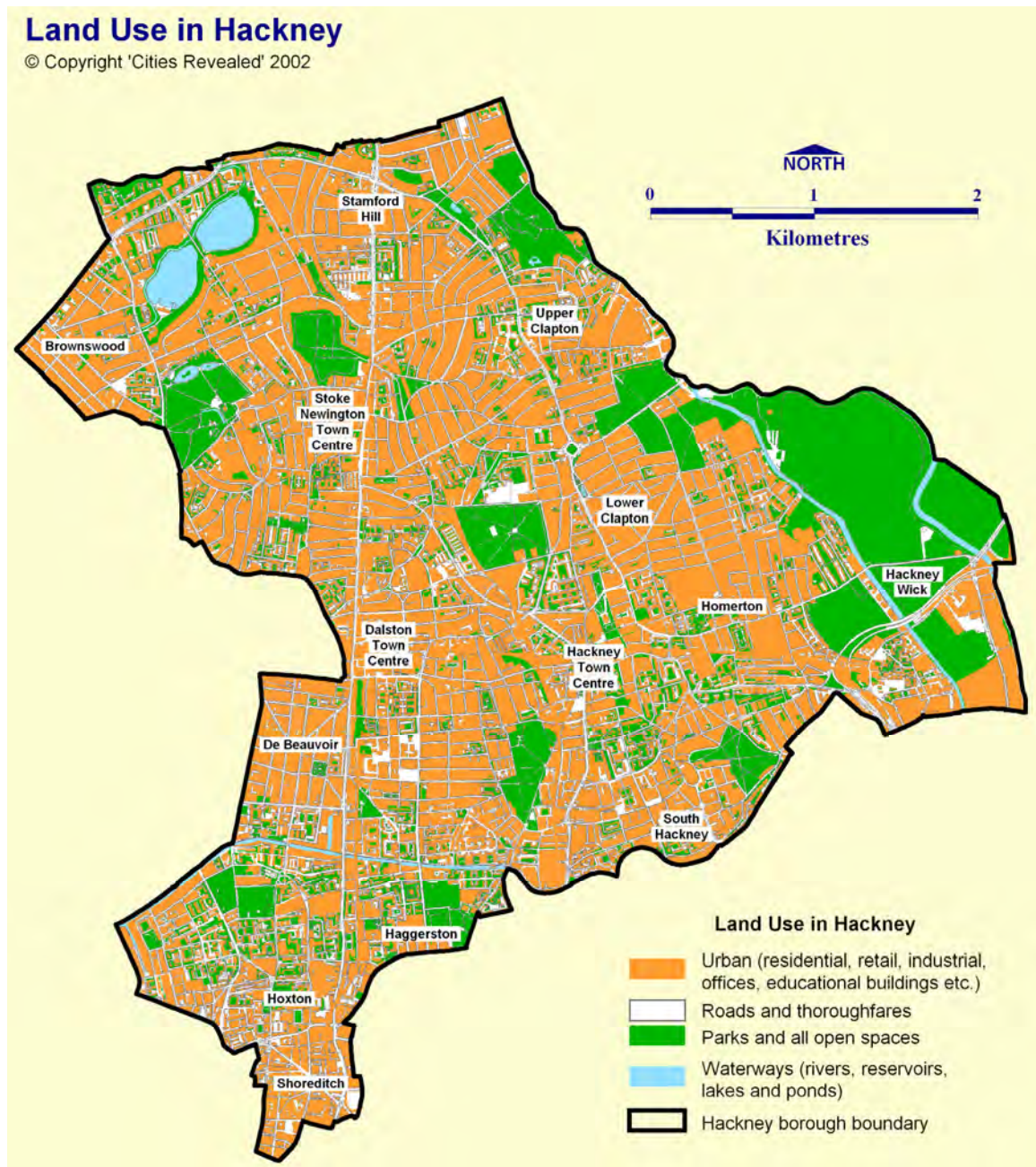
Licensing Sub Committee	A sub-committee of elected Council members appointed from the Licensing Committee to whom the functions of the Licensing Committee can be delegated under the Act to determine applications.
Live Gaming	Gambling on a live game as it happens.
Lottery	An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.
Lottery Tickets	Tickets that must: <ul style="list-style-type: none"> • Identify the promoting society • State the price of the ticket, which must be the same for all tickets • State the name and address of the member of the Society who is designated as having responsibility at the Society for the promotion of the lottery, or, if there is one, the external lottery manager; and • State the date of the draw, or enable the date of the draw to be determined.
Mandatory Conditions	Conditions that must be attached to a licence. This may apply to all Premises Licences, to a class of Premises Licence or licences for specified circumstances.
Members' Club	A club that must <ul style="list-style-type: none"> • have at least 25 members • be established and conducted 'wholly or mainly' for purposes other than gaming • be permanent in nature • not established to make commercial profit • controlled by its members equally.
Notifications	Notifications of temporary and occasional use notices
Non Commercial Event	An event where all the money raised at the event, including entrance fees, goes entirely to purposes that are not for private gain.
Non Commercial Society/ Small Society Lotteries	A society established and conducted: <ul style="list-style-type: none"> •for charitable purposes • for the purpose of enabling participation in, or of supporting, sport athletics or a cultural activity; or • for any other non-commercial purpose other than that of private gain
Occasional Use Notice	Betting may be permitted on a 'track' without the need for a full Premises Licence.
Off Course Betting	Betting that takes place other than at a track, i.e. at a licensed betting shop.
Off Course Betting – Tracks	Betting that takes place in self-contained betting premises within the track premises providing facilities for off course betting, i.e. on other events, not just those taking place on the track. Normally operate

	only on race days.
On Course Betting - Tracks	Betting that takes place on a track while races are taking place
Operating Licences	Licence to permit individuals and companies to provide facilities for certain types of gambling. They may authorise remote or non-remote gambling.
Permits	Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises.
Personal Licence	Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. These cannot be held by companies.
Pool Betting – Tracks	Betting offered at a horse racecourse by the Tote and at a dog track by the holder of the premises licence for the track
Premises	Defined as ‘any place’. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.
Premises Licence	Licence to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and family entertainment centres
Private Lotteries (For example, sweepstakes)	3 Types of Private Lotteries: <ul style="list-style-type: none"> • Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society • Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises • Residents’ Lotteries – promoted by, and tickets may only be sold to, people who live at the same set of premises;
Prize Gaming	Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.
Prize Gaming Permit	A permit to authorise the provision of facilities for gaming with prizes on specific premises.
Provisional Statement	Where an applicant can make an application to the Licensing Authority in respect of premises that he: <ul style="list-style-type: none"> • Expects to be constructed • Expects to be altered • Expects to acquire a right to occupy.
Racino	Casino located at a racecourse.
Regulations	Regulations made under the Gambling Act 2005

Relevant Representations	Representations that relate to the Licensing Objectives, or that raise issues under the Licensing Policy Statement or the Gambling Commission's Guidance or Codes of Practice.
Responsible Authorities	<p>Responsible authorities can make representations about licence applications, or apply for a review of an existing licence.</p> <p>For the purposes of this Act, the following are responsible authorities in relation to premises:</p> <ol style="list-style-type: none"> 1. The Council's Licensing Authority whose area the premises must wholly or mainly be situated; 2. The Gambling Commission; 3. Hackney Police; 4. London Fire Brigade; 5. Planning Authority, Hackney Council; 6. Environmental Health and Enforcement, Hackney Council; 7. City and Hackney Safeguarding Children's Board ; 8. HM Customs and Excise. <p>N.B. In accordance with the Gambling Commission's guidance for local authorities this authority designates the City and Hackney Safeguarding Children's Board for this purpose. The contact details for all responsible authorities under the Gambling Act 2005 will be available via the Council's website at www.hackney.gov.uk/licensing</p>
SIA	Security Industry Authority
Simple Lottery	<p>An arrangement where:</p> <ul style="list-style-type: none"> • Persons are required to pay to participate in the arrangement • In the course of the arrangement, one or more prizes are allocated to one or more members of a class; and • The prizes are allocated by a process which relies wholly on chance. <p>For example, a raffle.</p>
Skills with Prizes	A machine on which the winning of a prize is determined only by the player's skill and there is no element of chance, e.g. trivia game machine, Formula 1 simulators, shooting game. Skills Machines are unregulated.
Small Lottery	Where the total value of tickets in a single lottery is £20,000 or less and the aggregate value of the tickets in a calendar year is £250,000 or less.
Small Society Lottery	A lottery promoted on behalf of a non-commercial society, i.e. lotteries intended to raise funds for good causes.

Small Operations	Independent on course betting operators with only one or two employees or a bookmaker running just one shop.
Society	The society or any separate branch of such a society, on whose behalf a lottery is to be promoted.
Statement of Principles	Matters taken into account when considering an applicant's suitability for applications for FEC Permits.
Temporary Use Notice	To allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.
Totalisator or Tote	Pool betting on tracks.
Touch Bet Roulette	Where a player gambles on a live game of chance without actually being seated.
Track	Sites where races or other sporting events take place e.g. horse racing, dog racing or any other premises on any part of which a race or other sporting event takes place or is intended to take place.
Travelling Fair	A fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.
Vehicles	Defined as trains, road vehicles, aircraft, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted
Vessel	Anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water; a hovercraft; or anything, or part of any place, situated on or in water.
Vessel and Relevant Licensing Authority	The Licensing Authority for the area in which the vessel is usually moored or berthed.
Virtual Betting	Machine that takes bets on virtual races, i.e. images generated by computer to resemble races or other events.
Vulnerable Persons	Include people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to mental impairment, alcohol or drugs. For example, this may include those persons who are under the influence of alcohol and/or are drunk.
Young Person	An individual who is not a child but who is less than 18 years old.

Appendix B: Hackney land use map



Appendix C: List of consultees

Local Authorities are required by law to consult on their policies. Broadly, consultation included the following groups:

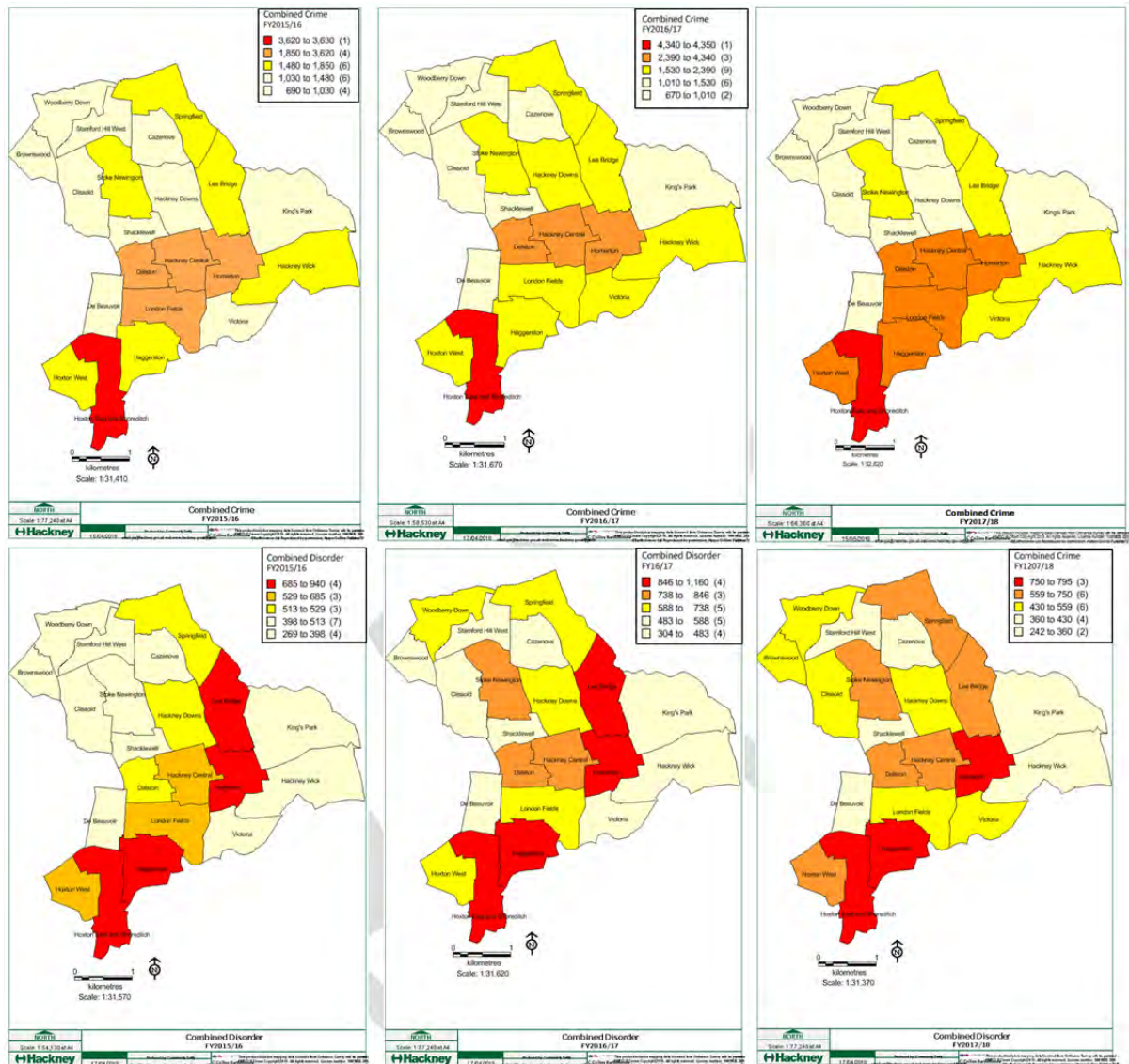
- The Chief Officer of Police
- City and Hackney Safeguarding Children Board
- Local residents, Resident Associations and Councillors
- Trade associations and businesses who hold premises licences
- Responsible Authorities
- Community and faith organisations and those working with problem gamblers and young people; and
- Neighbouring licensing authorities.

The summary of comments made on the Gambling Statement of Principles and their consideration by the Licensing Authority is available on request by contacting the Licensing Service.

Appendix D: Table of delegations of licensing functions

Matter to be dealt with	Full Council	Licensing Committee	Sub-committee	Officers
Three year licensing statement	X			
Resolution not to permit casinos	X			
Fee Setting - when appropriate		X		
Application for premises licences			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence			Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence			X	
Application for club gaming / club machine permits			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits			Where representations have been received and no hearing is requested	Where no request for a hearing is received
Application for other permits				X
Cancellation of licensed premises gaming machine permits				X
Consideration of temporary use notice				X
Decision to give a counter notice to a temporary use notice			X	

Appendix E: Crime and Disorder Maps



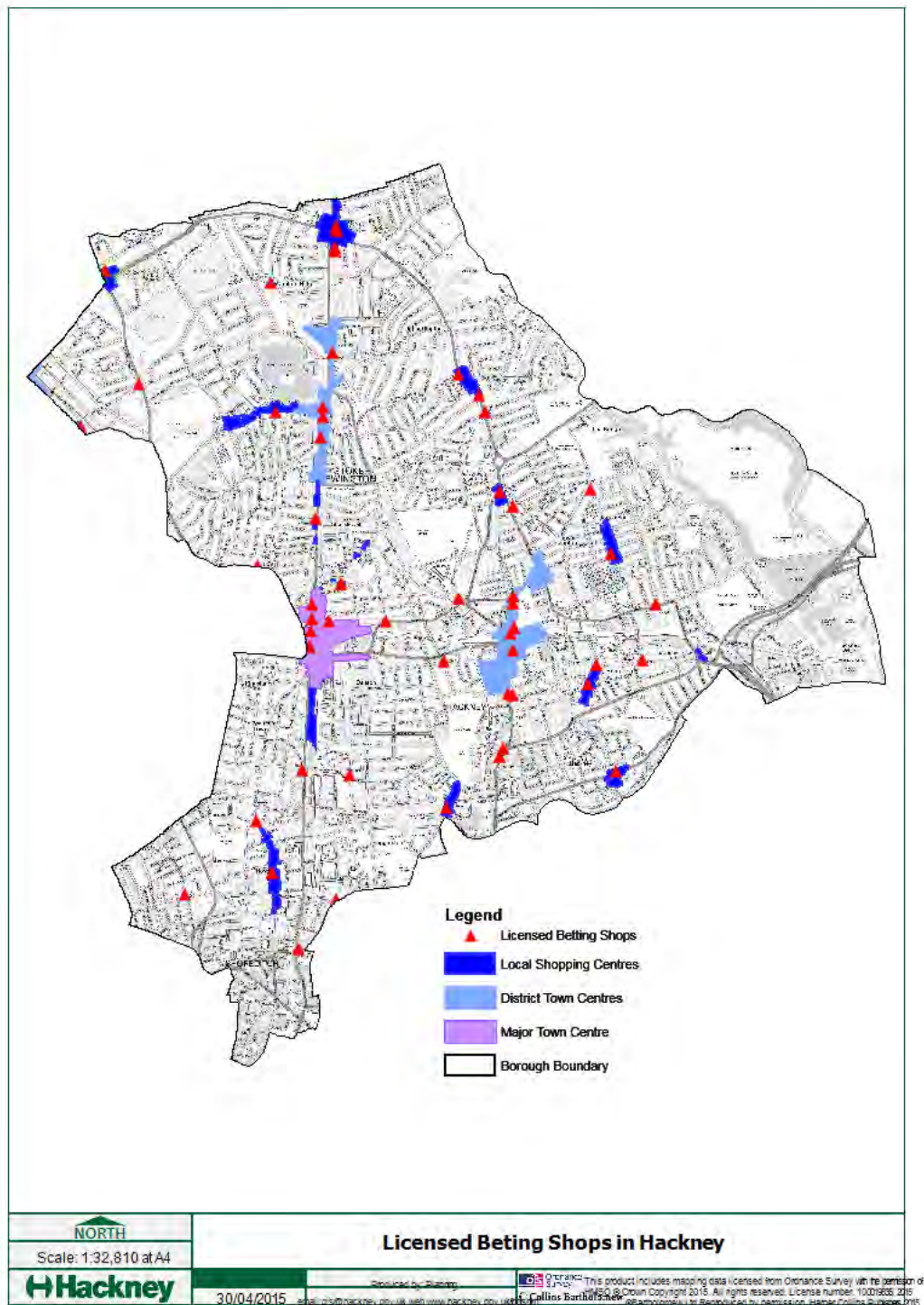
Appendix F: Schools, colleges and nurseries map



Appendix G: Table of exemptions

Exemptions from	Types of gambling and permissions
Operating Licence	<ul style="list-style-type: none"> • Small society lotteries • Incidental non-commercial lottery • Private lottery • Customer lottery
Premises Licence	<ul style="list-style-type: none"> • Occasional use notice • Football pools • Temporary use notice
Operating Licence and Premises Licence	<ul style="list-style-type: none"> • Family entertainment centre gaming machine permit • Club/miners' welfare institute: equal chance gaming • Club gaming permit • Club machine permit • Equal chance gaming, on licensed premises • Gaming machines: automatic entitlement, on licensed premises • Licensed premises gaming machine permit • Travelling fair gaming machine • Prize gaming permit • Other prize gaming • Ancillary equal chance gaming at travelling fairs • Private gaming and betting • Non-commercial prize gaming • Non-commercial equal chance gaming

Appendix H: Hackney map of the locations of betting premises licences



DRAFT

Consultation on Hackney's draft revised gambling Statement of Principles

<https://consultation.hackney.gov.uk/licensing/draft-gambling-statement-of-principles>

The consultation ran from 06/08/2021 to 29/08/2021

Responses to this survey: **20**

1. What is your name?

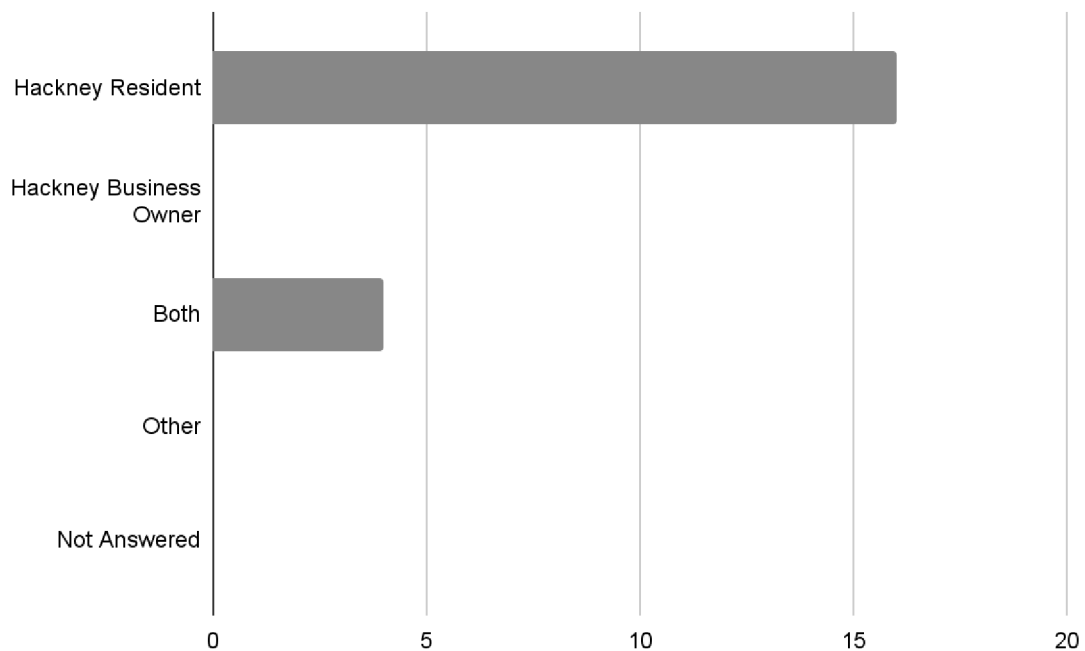
There were 20 responses to this part of the question.

2. What is your email address?

There were 20 responses to this part of the question.

3. Are you a resident or business owner?

There were 20 responses to this part of the question.



Option	Total	Percent
Hackney Resident	16	80%
Hackney Business Owner	0	0.00%
Both	4	20%
Other	0	0.00%
Not Answered	0	0.00%

If other, please specify below:

There were 0 responses to this part of the question.

4. Please use the space below to provide your feedback on the draft revised gambling Statement of Principles:

There were 20 responses to this part of the question.

Response 1: *"Hackney is largely residential, and there is no place for betting shops on residential streets. Gambling ruins lives. It should not be so easy for someone to step out their front door into a bet shop and then to cross the road into another bet shop. When I last passed Scriven Road shops there were two bet shops on the same row, it's unsightly and unnecessary. The area would benefit from coffee shops and social areas, not more bet shops."*

Response 2: *"I feel it's been a real shame (and somewhat a disgrace) to have the likes of BetFred, PaddyPower and William Hill dominating Hackney's high street. Until recently the center of town was packed full of these places - 2 William hills opposite each other on Mare st plus one more on Wilton Way. And the old Hackney town hall. What a blight and really not a credit to such a progressive ward. I would like to see very few brick and mortar gambling outlets."*

Response 3: *"For this consultation to be meaningful, a summary is needed of the key changes. There's no way I can wade through such a huge document!"*

Response 4: *"My key message is that gambling is seriously bad news, especially in areas of low income and poverty."*

Response 5: *"I am against and gambling development."*

Response 6: *"I agree with no casinos policy and with the strictest of measures possible to protect vulnerable people. I also support a policy of seeking to restrict the number of betting shops in Hackney."*

Response 7: *"There are too many betting shops in Hackney which seem to draw in drunken people to beg outside."*

Response 8: *"I would prefer betting shops to completely disappear from the borough's high streets. Betting shops suck money out of local economies and encourage a lot of crime and disorder. For example, around Stamford Hill crossroads, pretty much every*

other shop is a betting shop. This is far too many. One betting shop would be more than enough."

Response 9: *"What I have read seems more like a procedure and the GLP Boxes appear to contain guidelines for applicants. I would expect a statement of principles to encapsulate what the council thinks about gambling premises and the values it will use when granting a license."*

Response 10: *"I feel that there are too many new gambling premises in the borough. This is a deprived neighbourhood with an existing population with underdevelopment and high unemployment and high cases of mental illness. This does not enhance, benefit or help the community to thrive or develop. The gambling arcades do nothing to bring in new business and development to the area."*

Response 11: *"I would like Hackney to limit the number of betting shops in close proximity. This allows gamblers to move between Shops, losing more. I would like the borough to publish organisations who can support compulsive gamblers and those effected by their habit."*

Response 12: *"Less gambling premises please."*

Response 13: *"I agree with the no casino rule in principle."*

Response 14: *"I think there should generally be no betting shops at all. Regardless of what the operators say, these do exploit people's weak spots and end up destroying families and peoples' lives."*

Gambling is a drug that causes severe addiction. All other dangerous drugs are illegal.

In addition, gambling shops are horrible interior environments with no windows , aiming to let their customers forget the time and outside world. This is not a good and healthy addition to a high street.

In order to help Hackney residents socialise, what other replacement venues could be offered for the elderly or lonely people to meet in a more safe and positive way? How can we offer better employment for those who start gambling because they need money?

Often, gambling halls is where people go because they have no other option. Can we offer better options?

I'm very confident that people working in this industry can find other, more healthy, jobs."

Response 15: *"I agree with the principles. Whilst recognising how important and 'enjoyable' gambling is for some communities, I am appalled by the money lost by people who are struggling. Bingo however is slightly different and much more sociable."*

Response 16: *"no casinos in hackney please, and it would be great to reduce any other betting shop as they attract the usual crowd of losers."*

Response 17: *"I think Hackney should have limited betting shops - they are a blight on the streets! -and have no casinos."*

Response 18: *"I think gambling is becoming too common and has increased if you look at the stats during the pandemic. I speak as someone who has experienced the impact personally. More establishments encourage people. Simple as- with the online gaming rife it's easy to fall into the trap and it is a trap. I don't think Hackney or it's residents need any more temptation, it's a dangerous time after the pandemic to loosen restrictions."*

Response 19: *"There are too many gambling 'dens' in Green Lanes. Its like liking with the Turkish mafia on the streets. My friends and relatives hate visiting me as the area is full of drug users and gambling shops which spills onto the main road. These need shut down and cleaned up to allow residents a safe and prosperous place to live."*

Response 20: *"These businesses are an eye-sore & a negative presence & influence in the community. I don't want them in my neighbourhood. We need more wholesome outlets instead, like health stores, better food options, accessible & up-to-date libraries, gyms & outdoor spaces."*



ADOPTION OF NORTH LONDON WASTE PLAN	
COUNCIL 26 JANUARY 2022	CLASSIFICATION: OPEN
WARD(S) AFFECTED: All Wards	
GROUP DIRECTOR: Ajman Ali, Group Director Neighbourhood and Housing	

1. SUMMARY

- 1.1 Hackney, in partnership with the six other North London boroughs (Barnet, Camden, Enfield, Haringey, Islington and Waltham Forest) in their collective capacity as the North London Waste Authority (NLWA), have been working collaboratively for over ten years to produce the North London Waste Plan (NLWP).
- 1.2 The NLWP is a statutory planning framework document that supports the management of North London's waste. The purpose of the NLWP is to ensure there will be adequate land provision across all seven boroughs through to 2035 that is capable of supporting waste management facilities of the right type, in the right place and at the right time.
- 1.3 The NLWP also seeks to support the NLWA led delivery of sustainable waste management by promoting the principles of the waste hierarchy, alongside other measures such as improving resource management, promoting waste prevention, general waste reduction and increasing recycling rates.
- 1.4 The NLWP identifies a need for around 6.4 hectares of land across all seven boroughs and identifies areas suitable for waste management facilities to meet that requirement. The identified areas are in addition to the existing safeguarded waste sites in North London.
- 1.5 It should be noted that the NLWP identifies two existing waste sites and one area within the Hackney Planning Authority's area. All sites and areas are currently identified in Hackney's Local Plan, LP33, and designated as employment or industrial land assets. Two additional areas are identified in the NLWP that sit within the London Legacy

Development Corporation Planning Authority's area in Hackney Wick. The details for information only can be found in section 4.13 of this report.

2. RECOMMENDATIONS:

Council is recommended to:

- 1. Adopt North London Waste Plan (Appendix 1) in accordance with the Planning Inspector's Report and Schedule of Main Modifications (Appendix 2).**
- 2. Note that Cabinet has delegated authority to the Strategic Director for Sustainability and Public Realm to approve administrative alterations, typographical amendments, to improve cross referencing (e.g para numbering, page numbering) and typographical errors prior to the publication of the final plan.**

3. BACKGROUND

- 3.1** The seven planning authorities of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest have worked together to produce the North London Waste Plan (NLWP). The Plan forms part of the suite of documents that make up the Local Plan / Development Plan for each of the North London Boroughs.
- 3.2** The purpose of the NLWP is firstly to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2035 to manage waste generated in North London; and secondly to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance. The London Plan apportions an amount of waste to each borough that must be managed and states that boroughs may wish to collaborate by pooling their apportionments.
- 3.3** In 2013, the North London boroughs invited representations about the NLWP and a series of Focus Group events were held in 2014. The draft NLWP public consultation took place between July-September 2015. The Draft Plan provided an opportunity for stakeholders to make comments on the strategy for future waste management in North London, potential locations for new facilities across the area, and policies. Comments received on the Draft Plan as well as an updated Data Study and changes to national, regional and local policies were taken into consideration for the Proposed Submission NLWP.

- 3.4 The Proposed Submission NLWP was approved by the individual boroughs in the autumn of 2018 for consultation at Regulation 19 stage. The seven North London boroughs submitted the NLWP to the Secretary of State for examination in public on 8 August 2019. Hearing sessions were held on the 20 and 21 November 2019.
- 3.5 Following the hearings, consultation on main modifications were undertaken between October and December 2020. Representations were forwarded to the Planning Inspector for them to consider in the final stages of the examination and to inform the recommendations in his final report.
- 3.6 The Inspector's Report and Schedule of Main Modifications were received on the 27th October 2021 (Appendix 2) confirming that the plan is sound, subject to modifications.

Inspector's Report and Main Modifications

- 3.7 The main modifications do not significantly affect the objectives, aims and direction of the NLWP. There are three main reasons for the modifications as set out below;
- The modifications contribute to consistency, clarity and/or correct errors.
 - The modifications are required to ensure the wording in the NLWP is consistent with the London Plan.
 - The modifications are required to ensure clarity about the purpose of the Strategic Principles and Objectives of the NLWP.

4 POLICY CONTEXT

- 4.1 The chosen approach to future waste management in North London is to reduce waste exports by identifying land for facilities to manage the equivalent of all Local Authority Collected Waste (LACW), Commercial and Industrial (C&I), Construction and Demolition waste (C&D), including hazardous waste, generated in North London, while recognising that some imports and exports will continue (net self-sufficiency). The NLWP moves waste up the waste hierarchy by diverting as much waste as possible away from disposal to landfill by identifying land suitable for recycling and recovery facilities.

Spatial Principles

- 4.2 The NLWP is underpinned by the following spatial principles:
- Make use of existing sites
 - Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development
 - Encourage co-location of facilities and complementary activities

- Provide opportunities for decentralised heat and energy networks
 - Protect local amenity
 - Support sustainable modes of transport
- 4.3 There are eight development management policies which cover the following areas:
- Existing waste management sites
 - Locations for new waste management facilities
 - Windfall sites
 - Re-use and Recycling Centres
 - Assessment criteria for waste management facilities and related development
 - Energy recovery and decentralised energy
 - Waste water treatment works and sewage plant
 - Control of inert waste

Targets

- 4.4 The London Plan projects how much LACW and C&I waste is likely to be generated in the capital over the next 20 years and apportions an amount of these two waste streams to each borough. The North London boroughs have pooled their apportionments and will meet this collectively through existing sites and Priority Areas.
- 4.5 In addition, the London Plan sets recycling and recovery targets.

Capacity gap

- 4.6 The capacity gap is the difference between projected waste arisings and existing or pipeline capacity.
- 4.7 The capacity gap equates to a requirement of approximately 6.4 hectares of land, but the amount of land required depends on the type of facility and the technology being used. To meet the capacity gaps, the North London boroughs will seek opportunities for new capacity through intensification of existing sites and/or new facilities. New technologies may come forward during the plan period which require less land. The NLWP policies will help maximise the capacity of a site while mitigating any environmental impacts. The land required is indicative only and new capacity will be monitored rather than land.

Existing sites

- 4.8 The NLWP safeguards the waste management capacity of existing waste sites and permits expansion or intensification of operations at existing waste sites where the proposal is in line with the relevant aims and policies. Existing waste sites are safeguarded for waste use in the London Plan and also through the NLWP.

- 4.9 In Hackney the existing waste sites are 1a Downs Road¹ and the Millfields Depot. Both sites are safeguarded as waste facilities.

New areas suitable for waste management

- 4.10 The NLWP directs new waste facilities towards locations assessed and selected as the most suitable in North London which are identified as “Priority Areas”. The identification of Priority Areas allows for flexibility in bringing forward a range of locations across North London, allowing for a better geographic spread of opportunities for future waste development that is consistent with the spatial principles of the plan to meet North London’s requirement.
- 4.11 The following Priority Areas for new waste management facilities are identified in the NLWP:

Area ref	Area Name	Size (ha)	Borough
A02-BA	Oakleigh Road	0.99	Barnet
A03-BA	Brunswick Industrial Park	3.9	Barnet
A04-BA	Mill Hill Industrial Estate	0.9	Barnet
A05-BA	Connaught Business Centre	0.9	Barnet
A12-EN	Eley’s Estate	26.1	Enfield
A15-HC	Millfields LSIS	1.48	Hackney
A19-HR	Brantwood Road	16.9	Haringey
A21-HR	North East Tottenham	15.32	Haringey
A22-HR	Friern Barnet Sewage Works/ Pinkham Way	5.95	Haringey
A24-WF	Argall Avenue	26.91	Waltham Forest

- 4.12 For Hackney, only one new area is proposed - Millfields Locally Significant Industrial Site (LSIS). This area is designated in Hackney’s Local Plan as an LSIS, which are the preferred locations for waste management and recycling facilities, industrial, manufacturing and storage and distribution uses. The existing waste transfer depot sits within this wider LSIS designation.
- 4.13 An additional three areas are identified within the area of the London Legacy Development Corporation (LLDC) because they are the planning authority for small parts of Hackney and Waltham Forest. The boroughs cannot make planning allocations in their area but

¹ Planning permission 2015/0555 was granted for the demolition and redevelopment of the site for mixed use comprising residential, commercial, retail, community and a replacement waste facility. Work commenced in 2017, and is likely to be completed in late 2021/ early 2022.

under the Memorandum of Understanding that the boroughs have agreed with the LLDC, three areas have been identified as potentially suitable for waste use.

Area ref	Area Name	Size (ha)	Borough
LLDC1-HC	Bartrip Street	0.6	Hackney
LLDC2-HC	Chapman Road (Palace Close)	0.33	Hackney
LLDC3-WF	Temple Mill Lane	2.1	Waltham Forest

- 4.14 Both sites in Hackney are currently in commercial / industrial use and are designated as Locally Significant Industrial Sites in the LLDC Local Plan. The LLDC and the four boroughs (Hackney, Newham, Tower Hamlets and Waltham Forest) are working collaboratively to ensure that planning powers are transferred back to the boroughs by the end of December 2024.

Next Steps

- 4.15 It is anticipated that all seven boroughs will adopt the NLWP through their respective procedures by Spring 2022.
- 4.16 The roles and responsibility of different organisations required to deliver infrastructure, application of the policies to planning proposals, ongoing regulations and monitoring of the local waste management sector, and achieving performance levels are identified in the Plan. The Boroughs have agreed to monitor the NLWP annually through a lead Borough agreement, and review the NLWP every 5 years. Monitoring indicators include waste arisings, management capacity, location of new facilities and imports/exports.

5. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

- 5.1 There are no direct financial implications from the report's recommendations. There is continued contribution to the North London Waste Authority from the levy which is included in the budget.

6. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 6.1 The Council is authorised to approve the recommendations in Section 3 of this report pursuant to:
- Article 4.6(ii) of the Constitution which states that Full Council will among other things exercise functions on approving or

adopting the policy framework. Articles 4.7 and 4.8 of the Constitution define the policy framework, which includes ‘the Local Development Framework’ prepared pursuant to section 15 of the Planning and Compulsory Purchase Act 2004. Section 15 of this Act has been amended and now refers to ‘development plan documents’ instead and includes strategic planning policies such as the NWLP; and

- Clause 3.3.1 (3) of Part 3 of the Constitution which authorises Full Council to approve or adopt plans including the Local Development Framework (which includes the NWLP).

Statutory and Policy requirements to have an up to date Local Plan

6.2 The following statutory and national planning policy provisions emphasise the primacy of Local Plans (also termed as development plans) in planning decision making:

- Section 28 of the Planning and Compulsory Purchase Act 2004 and regulation 5(1)(a) of the Town and Country (Local Planning)(England) Regulations 2012 authorises two or more local planning authorities to agree to prepare one or more joint local development documents, which would include the NLWP;
- Section 17(6) of the Planning and Compulsory Purchase Act 2004 requires local authorities to keep their Local Plans under review;
- Regulation 10A(1) of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires local planning authorities to review their Local Plans every five years; and
- Paragraph 15 of the National Planning Policy Framework states the planning system should be genuinely plan-led and succinct and places an emphasis on plans being up to date in order to inform future development.

APPENDICES

Appendix 1	North London Waste Plan - Proposed Submission (January 2019)
Appendix 2a	Planning Inspector’s Final Report (October 2021)
Appendix 2b	Schedule of Main Modifications (October 2021)
Appendix 3	Interim North London Waste Plan 2035 (November 2021), including the main modifications

BACKGROUND PAPERS (as defined by Local Government (Access to Information) Act 1985)

None

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North London Waste Plan

Regulation 19

January 2019



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Albanian Ky dokument është pjesë e Planit të Mbeturinave të Londrës Veriore. Në qoftë se ju duhet ndihmë me përkthimin, lutemi shënoni (tick) këtë kuti, shkruani emrin dhe adresën tuaj tek kutia në fund të këtij formulari dhe dërgojeni tek adresa e dhënë.

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Bengali এই দলিলাটি (ডকুমেন্ট) 'নর্থ লন্ডন ওয়েস্ট প্ল্যান'এর একটি অংশ। উক্ত দলিলাটির অনুবাদের জন্য যদি আপনার কোন সহায়তার দরকার হয়, তাহলে দয়া করে এই বাক্সটিতে টিক দিন, তারপর এই ফর্মের নিচের দিকে দেওয়া বাক্সে আপনার নাম ও ঠিকানা লিখে ফর্মটি প্রদত্ত ঠিকানায় ফেরত পাঠিয়ে দিন।

Chinese 本文件是北倫敦廢物規劃的一部分。如果您需要翻譯方面的幫助，請在上面的小方格裏打鈎號，並在本表格底部的方格裏填上您的名字和地址，把表格寄到指定地址。

French Ce document fait partie du Programme de Gestion des Déchets du Nord de Londres. Si vous avez besoin d'une traduction, vous êtes prié de cocher cette case, d'inscrire votre nom et adresse dans la case au bas de ce formulaire et de nous le retourner à l'adresse indiquée.

Greek Αυτό το έγγραφο είναι μέρος, του Σχεδίου Αποβλήτων του Βορείου Λονδίνου στην εκθεση ζητημάτων και επιλο-γων του σχεδίου. Αν χρειάζεστε βοήθεια με την μεταφραση του, παρακαλώ βαλτε τικ σεαυτ ο το τετραγωνο, προσθεστε το ονομα και την διευθυνση σας στο κουτακι που βρισκεται στο κατω μερος αυτης της αιτησης και επιστρεψετε την στην διευθυνση που δινεται

Gujarati આ દસ્તાવેજ નોર્થ વેસ્ટ લંડન પ્લાનનો હિસ્સો છે. જો તમને તેના ભાષાંતરમાં સહાયતા જોઈતી હોય, તો કૃપા કરીને આ ખાનામાં ટિકની નિશાની કરો. આ ફોર્મમાં નીચે આપેલા ખાનામાં તમારું નામ અને સરનામું લખો અને તેમાં બતાવેલા સરનામે તે પાછું મોકલી આપો.

Punjabi ਇਹ ਦਸਤਾਵੇਜ਼ ਨੋਰਥ ਲੰਡਨ ਵੇਸਟ ਪਲੈਨ ਦਾ ਇਕ ਹਿੱਸਾ ਹੈ। ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸਦੇ ਅਨੁਵਾਦ ਵਾਸਤੇ ਮਦਦ ਦੀ ਲੋੜ ਹੈ ਤਾਂਕ੍ਰਿਪਾ ਕਰਕੇ ਇਸ ਖਾਨੇ ਨੂੰ ਟਿੱਕ ਕਰੋ, ਅਤੇ ਇਸ ਫ਼ਾਰਮ ਦੇ ਥੱਲੇ ਦਿੱਤੇ ਖਾਨੇ ਵਿਚ ਆਪਣਾ ਨਾਮ ਅਤੇ ਪਤਾ ਲਿਖੋ ਅਤੇ ਦਿੱਤੇ ਹੋਏ ਪਤੇ 'ਤੇ ਵਾਪਸ ਭੇਜ ਦਿਓ।

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Spanish Este documento forma parte del plan de desechos del norte de Londres [*North London Waste Plan*]. En caso de requerir traducción, marque esta casilla y escriba su nombre y dirección en el recuadro que aparece en la parte inferior de este formulario y envíelo a la dirección que se indica.

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Urdu

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1. Introduction and Background

What is the North London Waste Plan?

1.1. The seven North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest are working together to produce the North London Waste Plan (the 'NLWP'). The NLWP also covers part of the area of the London Legacy Development Corporation (LLDC), a Mayoral Development Corporation, which is the planning authority for a small part of Hackney and Waltham Forest¹. Figure 1 shows the North London Waste Plan area.

1.2. The NLWP has two main purposes:

- to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2035 to manage waste generated in North London; and
- to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

1.3. The key elements of the NLWP are:

The Aim and Objectives: These are overarching principles which have steered the development of the NLWP.

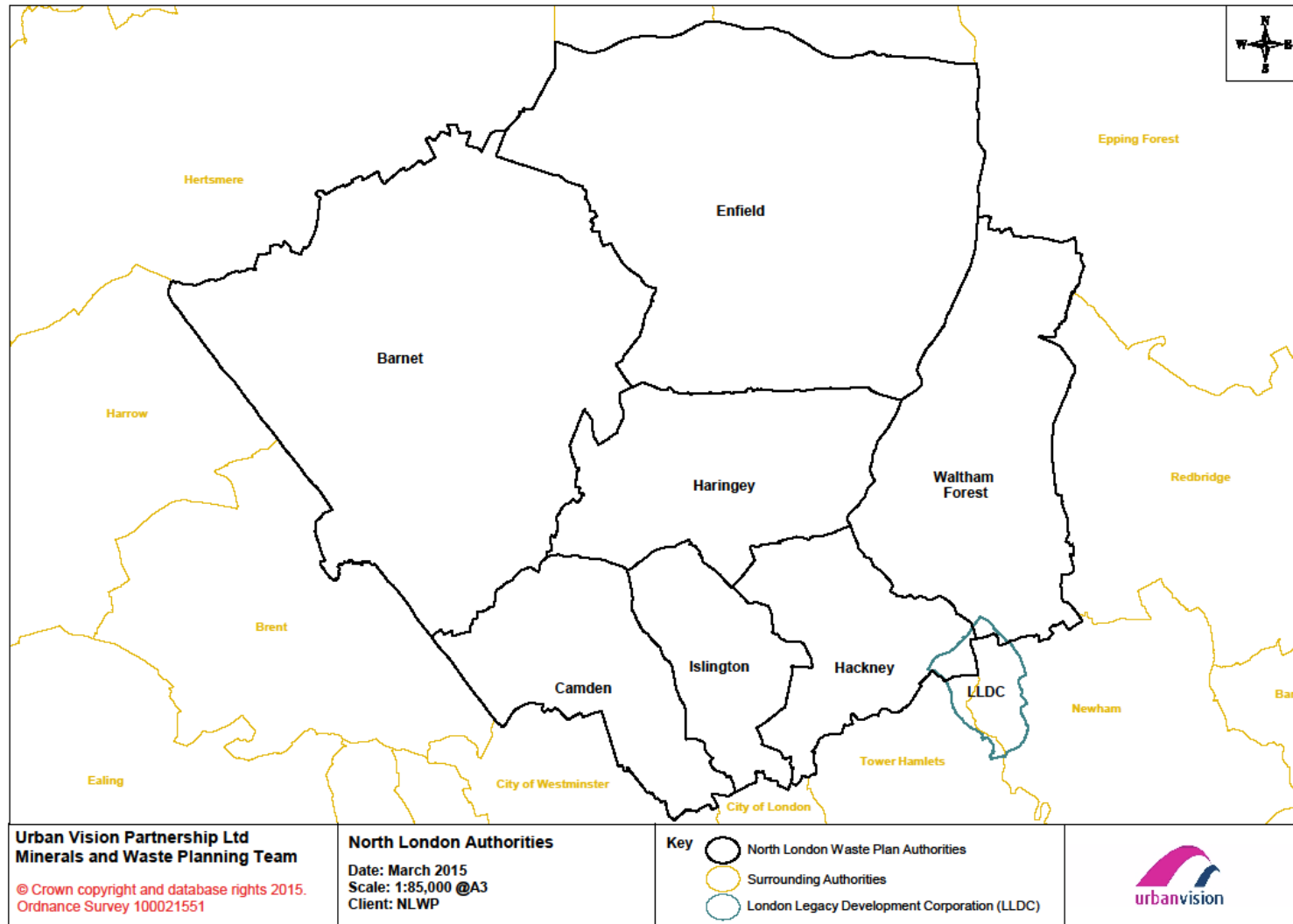
The Spatial Framework: This sets out the physical and planning components that influence the Plan and identifies opportunities and constraints for waste planning in North London.

The Provision for North London's Waste to 2035: This sets out the preferred option for how the waste management needs for North London will be met for each waste stream over the Plan period.

The Policies: These are policies through which the aims and objectives, waste management strategy and Spatial Framework will be delivered. The policies provide the waste planning framework against which applications for waste development will be assessed across the Plan area.

¹ The relationship of the NLWP to the LLDC is discussed further in para 1.15 below

Figure 1: North London Plan Area



1.4. The NLWP plans for all principal waste streams including:

- **Local Authority Collected Waste (LACW):** Waste collected by a Local Authority, including household and trade waste;
- **Commercial and Industrial (C&I):** Waste produced by businesses and industry;
- **Construction, Demolition & Excavation (CD&E):** Waste generated as a result of delivering infrastructure projects, building, renovation and the maintenance of structures;
- **Hazardous:** A sub category of all waste streams where the material produced is hazardous and requires specialist treatment;
- **Agricultural waste:** Waste produced by farming and forestry activity;
- **Waste Water / Sewage Sludge:** Waste produced from washing, cleaning and hygienic activities to create waste water and sewage effluents; and
- **Low level radioactive waste (LLW):** Waste associated with the undertaking of x-rays and laboratory testing using low level radioactive substances.

How does the North London Waste Plan fit with other plans and strategies?

- 1.5. The seven North London Boroughs, as Waste Planning Authorities (WPA) are required to prepare a Waste Local Plan. This requirement comes from Article 28 of the European Union (EU) Waste Framework Directive, the National Waste Management Plan for England and the National Planning Policy for Waste (NPPW).
- 1.6. The NLWP is prepared in line with the requirements of the Planning and Compulsory Purchase Act 2004, the Waste (England and Wales) Regulations 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012, The National Planning Policy Framework (NPPF) and supporting Planning Practice Guidance (PPG) direct how Local Plans should be prepared and the National Planning Policy for Waste (NPPW) provides detailed requirements specific to waste plan preparation and content.
- 1.7. Once adopted, the NLWP will form part of the 'Development Plan' for each of the North London Boroughs which comprises the London Plan² and borough Local Plans (see Figure 2). The NLWP must be in general conformity with the London Plan and consistent with other documents in borough Local Plans. The NLWP should be read alongside other relevant policies within the wider Development Plan. The Mayor published a draft London Plan for consultation in December 2017. The Examination in public is expected to begin in January 2019 with adoption scheduled for 2020. The London Plan sets the strategic framework for the NLWP

² At time of writing this is The London Plan March 2016

- 1.8. The London Plan projects how much LACW and C&I waste is likely to be generated in the capital over the next 20 years and apportions an amount of these two waste streams to each borough. The North London Boroughs have pooled their apportionments and will meet this collectively through existing sites and land allocated in the NLWP.
- 1.9. Each of the seven boroughs has a strategic waste policy as part of their Local Plan. The boroughs' strategic waste policies defer to the NLWP to provide a more detailed planning framework for waste development across the seven boroughs. Each borough's Local Plan may also include site allocation documents, development management policies and area action plans, as well as supplementary planning documents.

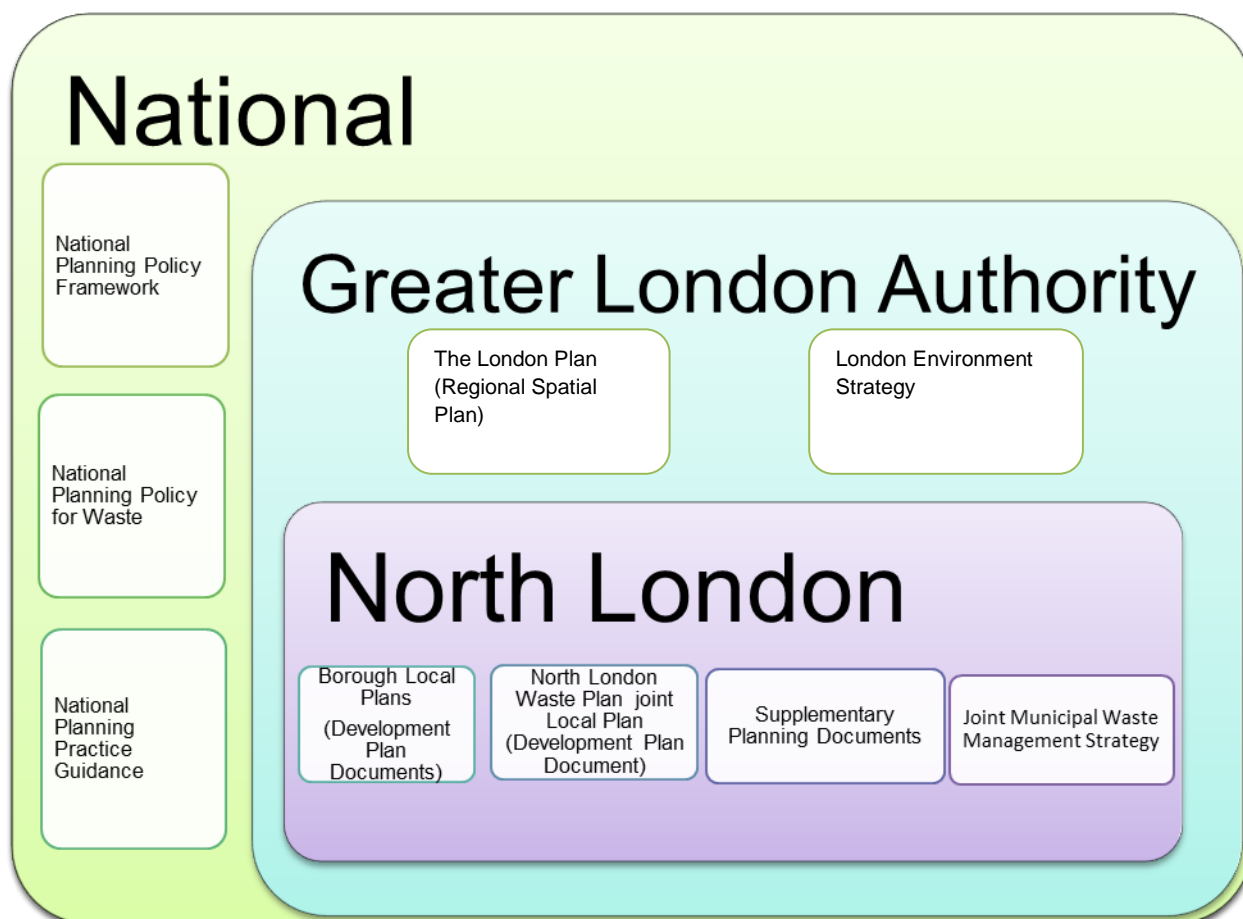
Figure 2: Documents making up the Development Plan for North London Boroughs



- 1.10. In addition to the national and regional planning policies, there are also waste strategies which impact on the development of the NLWP. The Mayor's London Environment Strategy (2018) contains recycling targets for Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) waste which inform policies within the London Plan.
- 1.11. The North London Waste Authority's (NLWA) has produced the Joint Municipal Waste Management Strategy (JMWMS) (2009). The NLWA, as the Waste Disposal

Authority for the NLWP area, is a key stakeholder. The NLWA is responsible for managing the waste collected by the North London boroughs, in particular household waste but also waste deposited at Reuse and Recycling Centres and some waste that the boroughs collect from local businesses; collectively this is known as Local Authority Collected Waste (LACW). The NLWP is required to ensure there is adequate provision for the disposal and recovery of this waste stream.

Figure 3: Hierarchy of Planning Guidance Policies and Strategies



1.12. Once adopted the NLWP will form part of the overarching planning framework used for the determination of planning applications relating to proposed or existing waste facilities in North London. These applications will be submitted to the Boroughs in which the facility is located. Developers will need to consider the documents highlighted in Figure 3 in making a planning application related to an existing or proposed waste facility:

- National planning policy and guidance;
- The London Plan and Supplementary Planning Guidance;
- The North London Waste Plan;

- Borough Local Plan documents

What is involved in preparing the North London Waste Plan?

- 1.13. As mentioned above, the NLWP must be prepared in line with European, national, regional and local policies and guidance. Before the NLWP can be adopted by each of the Boroughs it must be examined by an independent Inspector. The Inspector will determine whether the Plan has been prepared in accordance with the duty to co-operate, legal and procedural requirements and whether it is 'sound'.
- 1.14. The duty to co-operate, introduced by the Localism Act 2011, and requires local planning authorities and other public bodies to engage constructively, actively and on an ongoing basis to develop strategic policies. Meeting the requirements of the duty to co-operate is a key part of the plan making process for the NLWP and the North London Boroughs are working closely with other waste planning authorities that are critical for the delivery of an effective waste strategy for North London, in addition to prescribed public bodies such as the Environment Agency and the Mayor.
- 1.15. As previously highlighted, the North London Boroughs are working closely with the London Legacy Development Corporation (LLDC). The LLDC is a Mayoral Development Corporation with responsibility for securing the regeneration of an area of London focused on the former Olympic Park. The LLDC is the local planning authority, which includes waste planning, for small parts of Hackney and Waltham Forest (and other boroughs not part of the NLWP group). However, while all the Boroughs have an apportionment of waste from the Mayor under the London Plan for which they must plan and find land, the LLDC is not allocated a share of the borough apportionment. The NLWP is required therefore to plan for the quantity of waste generated across the seven boroughs including the parts of Hackney and Waltham Forest that lie within the LLDC area. In carrying out their responsibilities under the NPPW, the North London Boroughs are engaging with other planning authorities outside London which import waste from North London including the LLDC area. The NLWP cannot directly allocate sites/areas within the LLDC area as this is the responsibility of the LLDC as the local planning authority.
- 1.16. An agreement for the working relationship between the North London Boroughs and the LLDC has been drawn up. This agreement, or Memorandum of Understanding, identifies the Sites and Areas suitable for waste within the Hackney and Waltham Forest parts of the LLDC area. The LLDC's Local Plan also identifies sites and areas that are potentially suitable for waste related uses. For waste development proposals in the parts of Hackney and Waltham Forest which fall within the LLDC area, the LLDC Local Plan policies will apply. Policy IN2 of the LLDC Local Plan requires planning decisions to take full account of the policies within the adopted waste plans of the Boroughs.

Supporting Documents

- 1.17. The NLWP is accompanied by evidence base documents including a Data Study, Options appraisal, Sites and Areas report and Duty to Co-operate report. There are supporting assessments such as a Sustainability Appraisal (SA) (incorporating the requirements of the SEA Directive), Habitats Regulation Assessment (HRA), a Sequential Test Report)and Equalities Impact Assessment (EqIA). These assessments form a key element of the development of the Plan and help to ensure that the social, environmental and economic impacts of the policies developed in the Plan are assessed and taken into account in the decision making process. There are also reports on the outcomes of all consultations on the NLWP. The supporting documents can be viewed -on the NLWP website.

What stage is the NLWP at?

- 1.18. This is the Proposed Submission Plan (Regulation 19). It has been prepared following consideration of responses received to the consultation on the draft NLWP (Regulation 18) which took place from 30th July to 30th September 2015. The consultation provided an opportunity for stakeholders and communities to comment on the Draft Plan and proposed policies. A report on the outcomes of this consultation and separate reports of the previous consultation at the outset of plan preparation are also available to view on the NLWP website.
- 1.19. The Proposed Submission Plan is the version of the NLWP that the Boroughs intend to submit to the Secretary of State for examination. It is being published to allow the opportunity for stakeholders and communities to submit representations on the soundness and legal and procedural compliance of the Proposed Submission Plan.
- 1.20. At the heart of national policy (the NPPF) is the presumption in favour of sustainable development and policies in the NLWP must reflect this presumption. The NLWP must meet the soundness tests as set out in paragraph 182 of the NPPF. These require the NLWP to be:
- Positively prepared (meet objectively assessed development needs of the area);
 - Justified (set out the most appropriate strategy based upon the evidence);
 - Effective (deliverable and address cross boundary issues);
 - Consistent with national policy.

What happens next?

- 1.21. Representations made during consultation on the Proposed Submission Plan will be considered and any proposed changes will be submitted to the Inspector for examination along with supporting documents.
- 1.22. Once the Plan is submitted, an independent Inspector will be appointed (on behalf of the Secretary of State) to examine whether the NLWP meets the required legal and soundness tests, including duty to co-operate and procedural requirements. The indicative timetable for the Plan is as follows:

Table 1: NLWP Timetable

Consultation on Proposed Submission Plan (Regulation 19)	January – February 2019
Submission (Regulation 22)	June 2019
Public hearings	September 2019
Inspector's report	January 2020
Adoption	June 2020

2. Setting the Scene

2.1 Waste management has an important role in achieving sustainable development. There are a number of ways to define ‘sustainable development’. The most well-known definition is ‘*development which meets the needs of the present without compromising the ability of future generations to meet their own needs*’³. The UK Sustainable Development Strategy *Securing the Future* set out five ‘guiding principles’ of sustainable development:

- living within the planet’s environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance; and
- using sound science responsibly.

2.2 The National Planning Policy Framework (NPPF) references these definitions and goes on to set out three objectives to sustainable development: economic, social and environmental. The North London Waste Plan (NLWP) will help achieve sustainable waste management by providing a sound basis for the provision of waste management infrastructure, contributing to the conservation of resources by improving the efficiency of processing and making better use of the wastes created within North London.

Geographical Extent

2.3 The North London Boroughs cover a large swathe of London from the inner city into the Green Belt of outer London. The geographical extent takes in both the inner London Boroughs of Camden, Hackney and Islington, and the outer London Boroughs of Barnet, Enfield, Haringey and Waltham Forest (see Figure 4). The land within the North London Boroughs spans an area of 293 square kilometres. The geographical characteristics of North London are a key element in both the Spatial Framework (see section 4) and the sites/areas assessment criteria (see section 8).

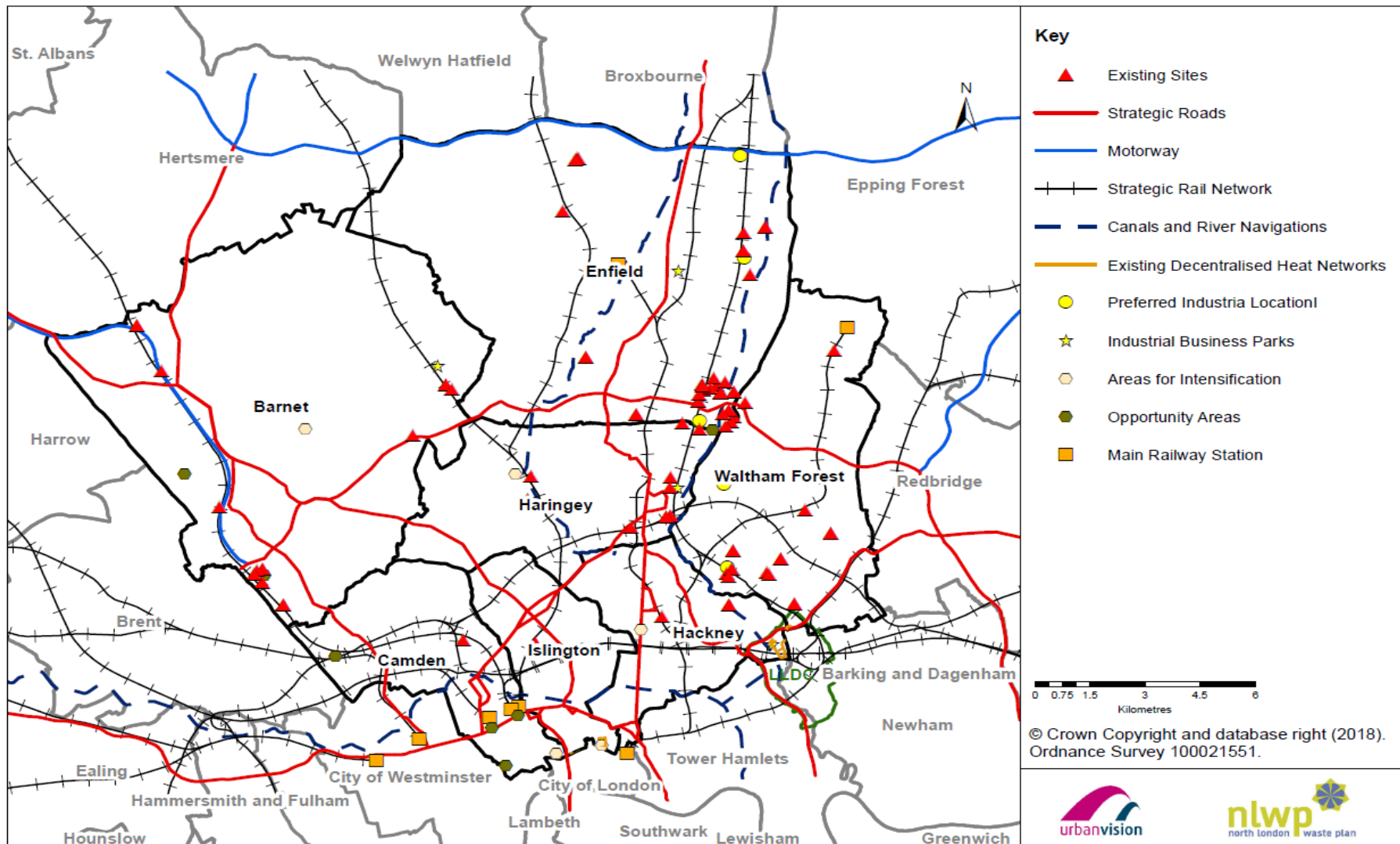
³ Brundtland Commission, 1987 (Resolution 42/187 of the United Nations General Assembly)

Population Characteristics

- 2.4 The North London area is one of the most densely populated areas in the UK. Recent statistics⁴ show that the population has risen from 1.6 million in 2002 to an estimated 2.0 million in 2017 and that the population continues to grow at a rate

⁴ Office for National Statistics

Figure 4: Main geographical and planning features of North London



above the national average. This population growth will also increase the amount of waste North London will need to manage in the future, even though the amount of waste generated per person may not increase (see section 6).

- 2.5 The highest density is in the inner boroughs of Islington (the most densely populated local authority in the UK according to the 2011 Census), Hackney and Camden, closely followed by Haringey. Waltham Forest, Barnet and Enfield are less densely populated, however these Boroughs are still substantially more densely populated than the rest of the country. Density of population and the built environment has an influence on the amount of waste generated but also on competition for land and the availability of sites suitable for new waste facilities (see section 7).
- 2.6 While the outer Boroughs are characterised by traditional detached, semi-detached and terraced housing, overall across the Plan area, there is a higher proportion of flats and similar multi-tenant properties. This is particularly the case in the inner Boroughs which, consequently, have fewer gardens (and green waste) than the outer Boroughs. The differing ability of types of housing stock to incorporate waste collection infrastructure (for example recycling bins) impacts on recycling rates in North London (see section 6).

Health

- 2.7 There are varying levels of life expectancy across North London. The outer boroughs of Barnet and Enfield report life expectancies higher than the national average, however significant inequalities exist within the boroughs. In contrast, the other Boroughs report male life expectancy lower than the average for England, while the same is true of females in Islington and Waltham Forest. Impact on human health has been a key consideration in the development of the NLWP and is discussed in more detail in the Sustainability Appraisal (SA) which supports the NLWP.

Socio-Economic

- 2.8 The average gross weekly earnings within each of the North London Boroughs is higher than the average for England. All of the Boroughs have a higher proportion of their working population employed than the national average. This is mirrored by the high cost of living in all Boroughs. Four Boroughs (Hackney, Haringey, Islington and Waltham Forest) contain wards amongst the 20 most deprived areas in England pointing to varying degrees of polarisation. All boroughs contain varying levels of deprivation within them. Maximising economic benefits by utilising waste as a resource is an objective of this plan. There are opportunities for job creation through the development of new waste facilities at both the construction and end

user stages. New technologies can also help to create ‘green collar’⁵ jobs in new waste management facilities as well as in sectors that receive recycled or reprocessed material, turning it into new products, thereby creating wealth from waste. Economic growth in North London is predicted to result in greater amounts of waste being generated. This is due to more people in jobs, although the amount of waste created per person is expected to stay the same.

Environment

- 2.9 The North London Waste Plan area includes important green space with many parks and larger areas such as Hampstead Heath, the Lee Valley Regional Park and part of Epping Forest. There are extensive areas of Green Belt in the outer areas and areas of agricultural land in Barnet and Enfield.
- 2.10 Enfield has identified Areas of Special Character where the Council will seek to preserve and enhance the essential character of the area, including landscape features such as woodlands, streams, designed parklands and enclosed farmland.
- 2.11 The Lee Valley contains an internationally important wetland habitat (Ramsar site and Special Protection Area (SPA)) as the reservoirs and old gravel pits support internationally important numbers of wintering birds as well as other nationally important species. In addition, the adjacent Epping Forest Special Area of Conservation (SAC), part of which lies in Waltham Forest, is important for a range of rare species, including mosses. There are six Sites of Special Scientific Interest (SSSI), 21 Local Nature Reserves and 307 Sites of Importance for Nature Conservation (SINC). The concentration of industrial land in the Lee Valley poses challenges for development to take into account key biodiversity issues set out in Borough Biodiversity Action Plans.
- 2.12 Throughout North London there are many areas and sites of historic interest including 172 conservation areas, over 14,000 listed buildings, registered landscapes, scheduled monuments, archaeological priority areas and as yet unknown archaeological remains. Protection for heritage assets is included in Local Plan policies and the sites/areas assessment criteria (see section 7) and policy 5.
- 2.13 The heavily developed and built up nature of North London coupled with differential values between competing land uses, and protected areas such as Green Belt presents a significant challenge in planning for waste. Expected development over the plan period will increase these pressures. For development which is perceived as likely to create more environmental risk and harm to the amenity of the local area,

⁵ Jobs in environmental sectors

through factors such as noise, dust and increased traffic, the planning constraints near areas protected for their environmental value are greater.

- 2.14 Protection of groundwater is vital to prevent pollution of supplies of drinking water, while secondary aquifers are important in providing base flows to rivers. The Environment Agency has designated areas of source protection zones in a number of locations, particularly in the Lee Valley as well as implementing groundwater protection measures around boreholes in the area.
- 2.15 Historically much of the employment land in North London has been in industrial use. Inevitably the restructuring from an industrial-based to a service based economy has affected land use priorities, creating a situation where the type of employment land available has changed, particularly in the inner boroughs where offices predominate. Such areas are now under pressure to help deliver high housing and employment targets. The previous use of these areas raises the risk of contamination and the need for remedial measures regardless of how the land will be used in the future.
- 2.16 Air quality within North London is uniformly poor as a result of high levels of nitrogen dioxide and dust (NO₂ and PM₁₀ respectively) that are mainly, but not exclusively, due to road traffic. As a result, all of the councils have declared Air Quality Management Areas (AQMA) covering each Borough.
- 2.17 The NLWP includes strategies and policies to protect environmental assets and amenity.

Transport

- 2.18 North London benefits from good access to the strategic road network such as the M1 and M11 and the M25. The local road network is dominated by important radial routes to the centre of London and also includes the key orbital North Circular Road (A406) which bisects the Plan area from east to west. Parts of this network experience high levels of congestion at off-peak as well as peak hours, despite the fact that part of the area lies within the London Mayor's congestion charging zone.
- 2.19 Three main train lines terminate at Euston, St Pancras and Kings Cross, all in Camden. The North London Line (NLL) is a commuter and nationally important freight route providing movement of material across the area. There is a planning application to replace the railhead at Hendon in Barnet that currently transports waste out of London by a new facility just to its north. Proposals for the West London Orbital line will improve rail access to the west of the area.
- 2.20 In March 2016, the National Infrastructure Commission recommended that Crossrail 2, a proposed new rail line serving six of the NLWP constituent Boroughs, should be

taken forward as a priority. Transport for London and Network Rail are currently developing the scheme. Whilst the final scheme and timetable is not yet known, there is a potential for Crossrail 2 to impact upon existing or future waste management sites during the NLWP period. This is discussed further in Section 8.

- 2.21 In addition the Grand Union Canal and the Lee Navigation run through the area and provide sufficient draught to allow light cargo movements to and from industrial and other facilities close to a number of wharves along each waterway.
- 2.22 Opportunities for using sustainable modes of transport are a key element of the Spatial Framework.

Land Use

- 2.23 Across North London as a whole the predominant land use is housing. There are also concentrated areas of commercial activity and town centres. Parts of Camden, Hackney and Islington fall into the Central Activities Zone which covers London's geographic, economic, administrative, and cultural core spanning ten boroughs in total. The Upper Lee Valley on the east of the NLWP area includes a concentrated area of industrial activity. Each borough contains areas of industrial or employment land that are designated for this purpose. The London Plan designates Strategic Industrial Locations (SILs) and provides the strategic direction for the identification of Locally Significant Industrial Sites (LSISs) and other industrial/employment designations in Local Plans.
- 2.24 There are a number of drivers for change in land use in London, in particular the need to boost housing numbers and make best and most efficient use of land around public transport modes. These pressures are likely to increase as a result of planned investment such as Crossrail 2, Stratford to Angel Road (STAR) Scheme and four-tracking on the West Anglia Mainline.
- 2.25 To deliver this change, the London Plan has identified Opportunity Areas and Housing Action Zones in parts of North London including parts of the Lee Valley and there may be future Opportunity Areas identified during the NLWP plan period. The Opportunity Areas overlap with land which contains existing facilities and also the areas identified in this Plan for new waste facilities. Therefore, alongside the opportunities for intensification and new homes, there will also be a need for Boroughs to consider existing waste operations and areas for new waste facilities, in light of NLWP Policies 1: and 2.
- 2.26 Some boroughs are beginning to review their Green Belt boundaries as a result of the review of Local Plans.

Climate Change

- 2.27 The North London Boroughs are all focused on the challenges posed by climate change. Borough strategies are driven by the requirements to mitigate and adapt to all effects of climate change. The NLWP aims to deliver effective waste and resource management which makes a positive and lasting contribution to sustainable development and to combating climate change.
- 2.28 All Boroughs have lower CO₂ emissions per capita than the national average, with the exception of Camden where levels are elevated by the concentration of commercial and other non-domestic activities. However all Boroughs have significantly lower per capita CO₂ emissions from road transport when compared to the national average. This is particularly apparent in Camden, Hackney, Haringey, Islington and Waltham Forest. Per capita CO₂ emissions from the domestic sector are below the national average.
- 2.29 The NLWP seeks to reduce the reliance on disposal to landfill sites outside London as this contributes to CO₂ emissions from transport. While it is recognised that waste management facilities will continue to generate CO₂ emissions, new waste facilities generating energy need to meet the Mayor's Carbon Intensity Floor. The priority of the NLWP will be to implement policies and direct new development to sites which deliver a better overall environmental outcome.
- 2.30 The NLWP site and area assessments take into account those parts of all Boroughs that are under threat from surface water (and potentially sewer) flooding because of the extensive urbanised areas.
- 2.31 The site and area assessments also take into account the greater occurrence of urban flood events over the last sixty years and the risk that climate change will lead to a greater threat from flooding in the future. On the east side of the area a number of tributaries flow into the River Lee while parts of Barnet drain into the River Brent to the west.

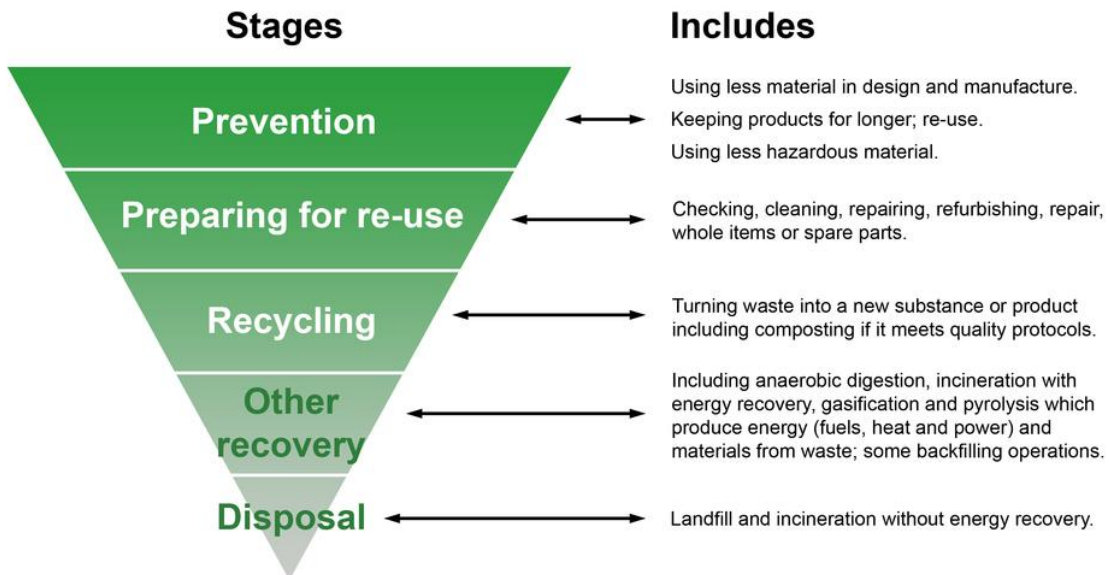
3. Aims and Objectives

Aim of the North London Waste Plan

- 3.1. Each of the seven Borough Local Plans contains a vision for their area, and the aim of the NLWP links to the delivery of that vision. The NLWP therefore includes a single overarching aim and a number of objectives to deliver that aim. The Aim meets the requirements of National Planning Policy for Waste (NPPW) through providing a set of agreed priorities for delivering sustainable waste management in North London
- 3.2. The NLWP treats waste as a resource rather than as a nuisance, promoting the principles of the waste hierarchy. The Aim acknowledges that the NLWP is part of a wider but integrated approach that will help to deliver sustainable waste management in North London, alongside such measures as improved resource management, and waste prevention and reduction spanning strategies which influence but are outside of the planning framework. The NLWP aim and objectives reference and integrate the Waste Hierarchy which is shown in Figure 5.

Figure 5: Waste Hierarchy

The Waste Hierarchy



3.3. The aim of the NLWP is:

Aim of the NLWP

“To achieve net self-sufficiency for LACW, C&I and C&D waste streams, including hazardous waste, and support a greener London by providing a planning framework that contributes to an integrated approach to management of materials further up the waste hierarchy. The NLWP will provide sufficient land for the sustainable development of waste facilities that are of the right type, in the right place and provided at the right time to enable the North London Boroughs to meet their waste management needs throughout the plan period”.

Strategic Objectives

3.4. The objectives of the draft NLWP are as follows:

SO1. To support the movement of North London’s waste as far up the waste hierarchy as practicable, to ensure environmental and economic benefits are maximised by utilising waste as a resource:

Met through Policies 2, 4, 6, 7 and 8

SO2. To ensure there is sufficient suitable land available to meet North London’s waste management needs and reduce the movements of waste through safeguarding existing sites and identifying locations for new waste facilities:

Met through Policies 1, 2, 3, 4, , 7 and 8

SO3. To plan for net self-sufficiency⁶ in LACW, C&I, C&D waste streams, including hazardous waste, by providing opportunities to manage as much as practicable of North London’s waste within the Plan area taking into account the amounts of waste apportioned to the Boroughs in the London Plan, and the requirements of the North London Waste Authority:

Met through Policies 1, 2, 3, 4, and 8

SO4. To ensure that all waste developments meet high standards of design and build quality, and that the construction and operation of waste management

⁶ Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue.

facilities do not cause unacceptable harm to the amenity of local residents or the environment:

Met through Policy 5

SO5. To ensure the delivery of sustainable waste development within the Plan area through the integration of social, environmental and economic considerations:

Met through Policies 2, 5 and 7

SO6. To provide opportunities for North London to contribute to the development of a low carbon economy and decentralised energy:

Met through Policy 6

SO7. To support the use of sustainable forms of transport and minimise the impacts of waste movements including on climate change:

Met through Policy 5

SO8. To protect and, where possible, enhance North London's natural environment, biodiversity, cultural and historic environment:

Met through Policy 5

4. Spatial Framework

- 4.1 The spatial framework flows from the Plan's objectives and takes account of the spatial context outlined in section 2 and the strategic and policy context outlined in section 1, alongside the Plan's technical evidence base, and the views of stakeholders. Figure 6 below shows the relationship between the key elements that form the spatial framework.
- 4.2 The spatial framework provides the strategic direction for the detailed policies of the NLWP and informs site/area selection. The spatial framework also guides the assessment of the suitability of windfall sites under Policy 3. It reflects the complexities and realities of planning at a sub-regional level taking into account varied characteristics and functions across the seven boroughs, from densely populated urban areas to stretches of Green Belt. Competing and changing land uses, especially release of industrial land for housing, is a key issue for the boroughs.
- 4.3 The spatial principles set out below represent the outcome of balancing various priorities, opportunities and constraints, in particular the availability of sites/areas to achieve a deliverable distribution of waste management locations to meet identified need, whilst bringing social, economic and environmental benefits of new waste management facilities to North London.
- 4.4 The NLWP is underpinned by the following spatial principles:
- A. Make use of existing sites
 - B. Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development.
 - C. Encourage co-location of facilities and complementary activities
 - D. Provide opportunities for decentralised heat and energy networks
 - E. Protect local amenity
 - F. Support sustainable modes of transport
- A. Make use of existing sites**
- 4.5 NPPW requires Boroughs to consider the capacity of existing operational facilities in meeting identified need. Further to this, Policy 5.17 *Waste Capacity* of The London Plan requires boroughs, when preparing plans, to protect and facilitate the maximum use of existing waste sites.
- 4.6 In line with this and in order to recognise the valuable contribution existing waste facilities make to managing waste effectively, existing waste management capacity has provided the baseline for identifying the waste management capacity gap and

the consequent need for expanded and new facilities. Existing waste management sites form an important part of the strategic waste plan for North London and are safeguarded for waste use through NLWP Policy 1 and the London Plan (see Schedule 1 in Appendix 1 for a full list of existing sites).

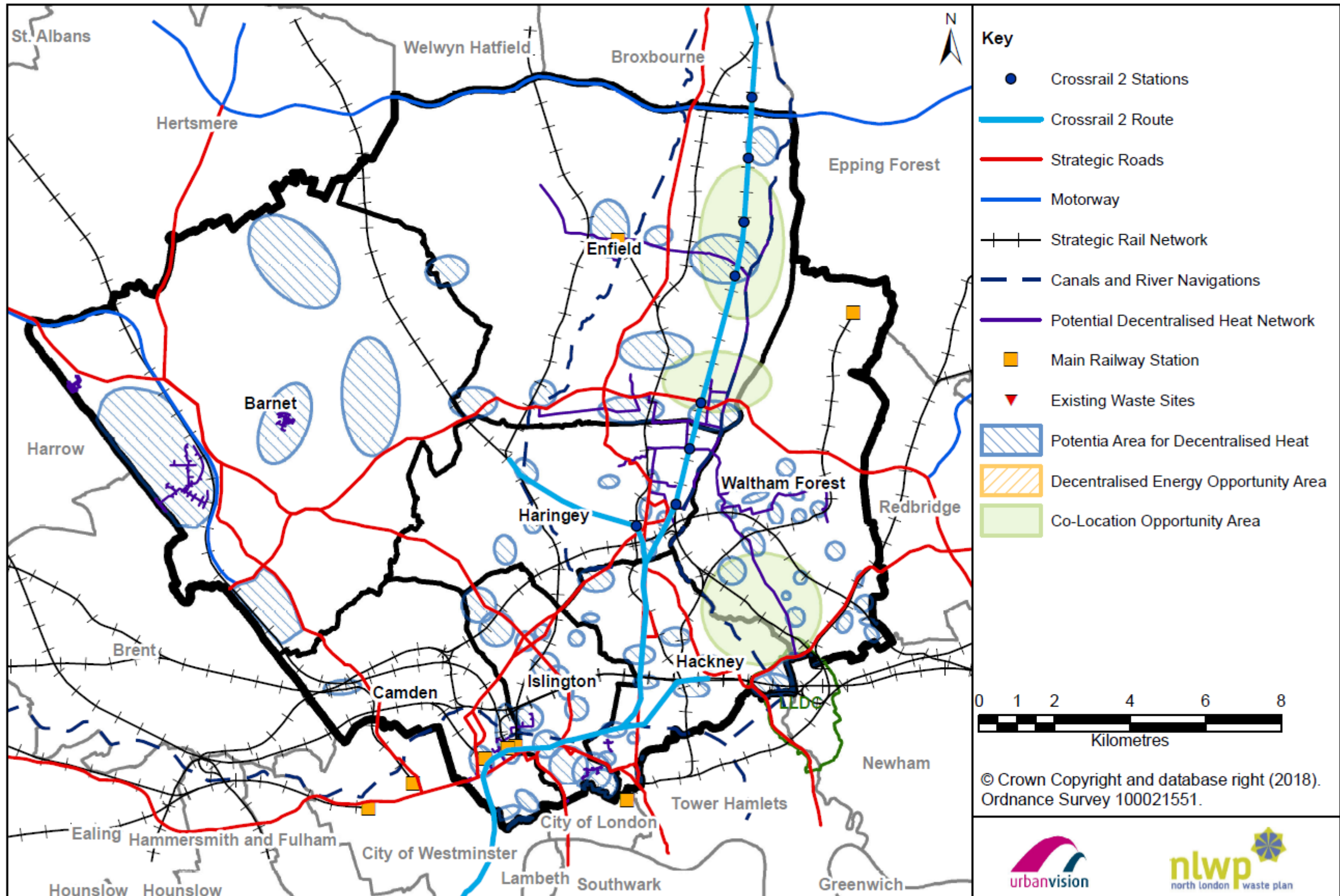
- 4.7 Figure 6 shows that the majority of existing waste sites are located to the east of the Plan area in the industrial parts of the Lee Valley corridor. These sites have developed over decades outside of a strategic plan for waste, and in locations which may have been suitable for waste uses but which did not create an even geographical spread across North London. This reflects the mixed function and character of the Plan area, notably in terms of significant differences among the boroughs in supply of industrial land where waste uses are generally more acceptable.
- 4.8 Three existing sites are known to be planning capacity expansion or upgrades to existing facilities (see Section 8). Most other existing sites do not have any current plans to expand capacity or change their operations but the North London Boroughs support, in principle, the expansion or intensification of operations at existing facilities and this is reflected in Policy 1.

B Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development.

- 4.9 The NLWP is underpinned by an aim to achieve net self-sufficiency for LACW, C&I, C&D waste streams, including hazardous waste. This will be achieved by identifying enough existing capacity and land in North London suitable for the development of new waste management facilities to manage the equivalent of 100% of this waste arising in North London. The objective is to reduce movements of waste, including waste exports, and increase the amount of waste managed in proximity to its source, in accordance with the principles of sustainable development. Waste is exported to a number of areas outside of North London, mainly in the south east and east of England and Figure 12 shows the estimated reduction of waste exports over the plan period. The strategy for achieving net self-sufficiency is set out in the Provision for North London's Waste to 2032 in section 7.
- 4.10 Net self-sufficiency does not mean that the North London Boroughs will deal solely with their own waste, nor promote use of the very closest facility to the exclusion of all other considerations. While it is desirable for waste to be treated as close as possible to its source in line with the proximity principle, the complexity of the waste management business poses challenges. Different types of waste require different types of management and facilities need to serve areas large enough to be economically viable. Consequently, the most suitable facility may not be the nearest and may well be outside of North London. In addition, facilities in North London will continue to manage waste from outside the area.

- 4.11 The current and changing character of each borough's industrial land is a consideration in identifying locations for new waste infrastructure. Larger and co-located facilities are more suited to areas with similar existing uses away from sensitive receptors. A future waste industry focused on resource management may derive positive cumulative impacts from a concentration of facilities. Conversely, the urban environments of NLWP boroughs are restricted by severe physical constraints limiting opportunities for some types of waste facilities. In addition, some areas, such as the protected Green Belt in the north, will be largely out of bounds for any built waste facilities. As population and densities in the plan area increase with projected growth, fewer areas away from sensitive receptors will be available. Continued development of waste facilities in areas which have, and continue to provide, significant waste capacity could have wider implications on the regeneration of the local economy. When choosing locations for future development, the benefits of co-location will need to be balanced against the cumulative impacts which can arise from an accumulation of facilities in one location. Cumulative impacts can include traffic levels, noise and odours. There may be times when the cumulative impacts of several waste developments operating in an area would be considered unacceptable. Any new waste development proposed in North London will be expected to be of a standard that is in keeping with and complements the existing and future planned development. By identifying suitable land across North London (Policy 2), the NLWP seeks to provide opportunities to manage waste as close to its source as possible, in line with the proximity principle. In promoting a geographic spread of facilities across the plan area consistent with the principles of sustainable development, the NLWP seeks to weigh the positive effects of co-location and economies of scale with the negative effects of excessive concentration of waste facilities in any one area. All North London Boroughs want to play their part in managing north London's waste and therefore support an equitable geographical distribution across the seven Boroughs.
- 4.12 Policy 2 seeks to extend the existing spread of locations for waste facilities by identifying locations which are suitable for new waste facilities, taking into account factors such as the character of different areas, changing land uses and availability of suitable industrial land. Where demand arises, opportunities to improve the spread of waste sites across the area are supported through Policy 3: Windfall Sites where they adhere to the site assessment criteria set out in section 8.
- 4.13 With local re-use and recycling centres (RRC) it is especially desirable to have a geographical spread that enables good access to residents. RRCs are facilities to which the public can bring household waste for free. Figure 7 shows the current network of local RRCs and a radius of two miles around them. Gaps in coverage have been identified by the NLWA in parts of the Plan area, namely Barnet and Enfield, shown outside of the two mile radius around each RRC. Any new RRC facilities will be assessed against Policy 4: Re-use and Recycling Centres.

Figure 6: Key diagram



C. Encourage co-location of facilities and complementary activities

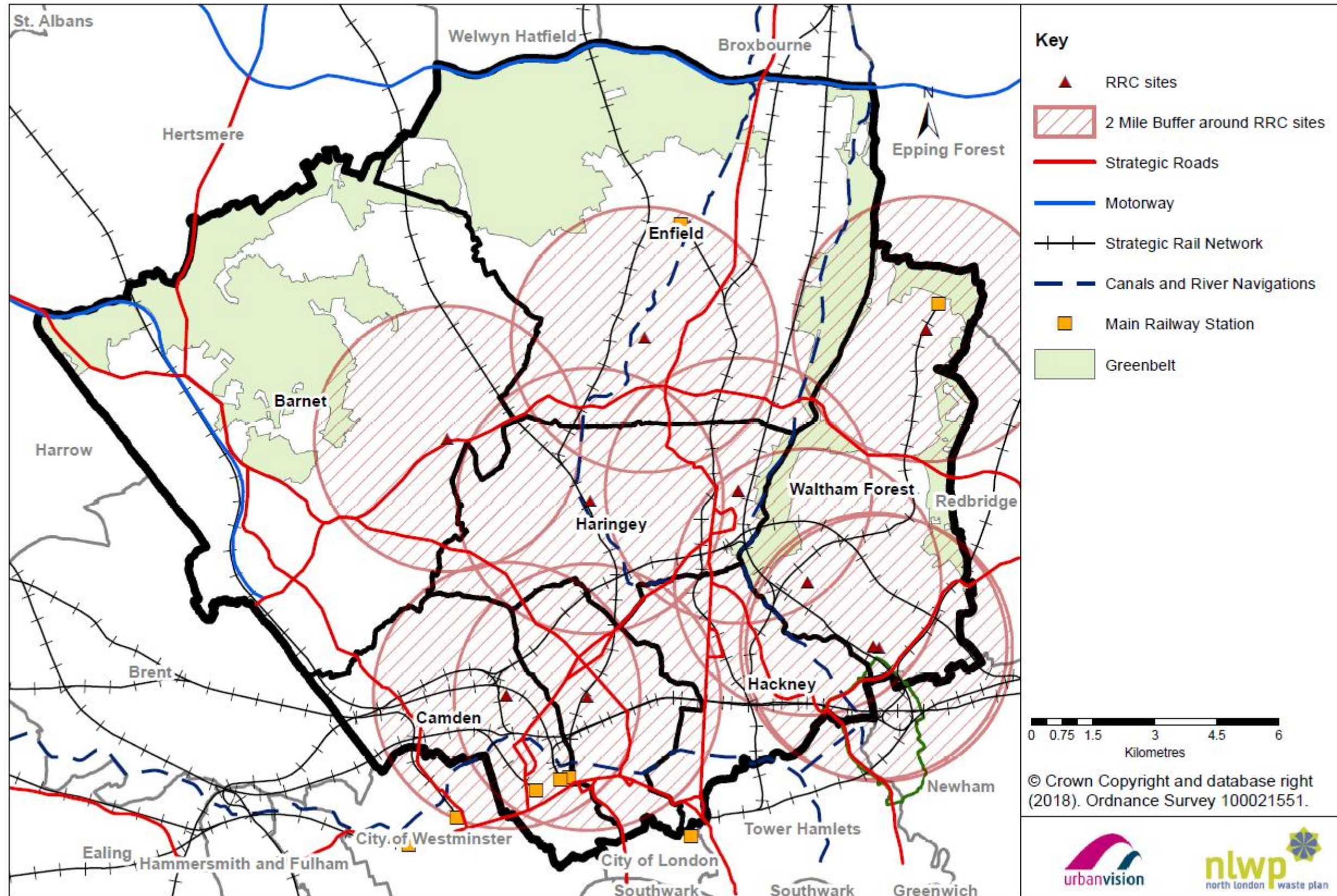
- 4.14 NPPW requires waste plans to identify opportunities to co-locate facilities together and with complementary activities, including end users of waste outputs such as users of fuel, low carbon energy/heat and recyclable wastes. These opportunities are also associated with a move towards a more circular economy. WRAP defines the Circular Economy as *an alternative to a traditional linear economy (make, use, dispose) in which we keep resources in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life*⁷. The European Commission has published its Circular Economy package⁸, while in London the London Waste and Recycling Board has published a Circular Economy route map⁹.
- 4.15 There are several benefits of co-location of facilities. Co-location has the potential to minimise environmental impacts, take advantage of ‘economies of scale’, share infrastructure, existing networks (e.g. the rail and highway network) and skilled workforces. The concentration of waste facilities in the Lee Valley corridor provides the most promising opportunities for co-location with existing facilities. Notwithstanding this, NPPW requires the Plan to take account of the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community.
- 4.16 There are also co-location opportunities related to other industrial activities synergistic with waste management, for example the manufacturing of products from recycled materials and the development of a more circular economy. Existing waste facilities are already employing this approach as exemplified by the industries developing around the Edmonton EcoPark (Enfield) and the Plan seeks to build on the momentum by supporting this approach as a key element of the spatial framework and identifying which areas have potential for co-location.
- 4.17 Opportunity Areas, Housing Zones and the route of Crossrail 2 could also be factors when considering co-location of facilities. These schemes are likely to intensify development, especially near to stations, and there are both resulting opportunities and threats for existing waste facilities and land identified as suitable for waste uses. The opportunities include waste facilities supplying energy to new developments and new waste facilities being incorporated into the schemes, for example an anaerobic digestion facility to deal with household food waste, and consolidation or relocation of waste uses. Risks include new uses displacing waste facilities due to

⁷ <http://www.wrap.org.uk/content/wrap-and-circular-economy>

⁸ Circular Economy Package http://ec.europa.eu/environment/circular-economy/index_en.htm

⁹ <https://www.lwarb.gov.uk/what-we-do/circular-london/circular-economy-route-map/>

Figure 7: Current Re-use and Recycling Centres (RRC) in North London



incompatibility or impacts of construction. Protection for waste capacity through safeguarding, the agent of change principle and re-provision policies in the London Plan, Local Plans and NLWP Policy 1 will be a key policy tool under these circumstances.

D. Provide opportunities for decentralised heat and energy networks

- 4.18 The NPPW recognises the benefits of co-location of waste facilities with end users of their energy outputs. The London Plan supports the development of combined heat and power systems and provision of heat and power to surrounding consumers.
- 4.19 The Key Diagram (Figure 6) shows where facilities could connect to a network ('decentralised heat opportunity area' and 'decentralised energy opportunity area'). There is already a relatively well-advanced plan for decentralised heat network in the Lee Valley and this offers the most promising and realistic possibility within the Plan area. The NLWP supports opportunities to develop combined heat and power networks on sites and areas, within the Lee Valley, south Barnet and elsewhere (see Figure 6), that not only have the ability to link in to the decentralised energy network but also have the potential for waste development with Combined Heat and Power. Policy 6 seeks to secure opportunities for the recovery of energy from waste where feasible.

E. Protect local amenity

- 4.20 The protection of amenity is a well-established principle in the planning system. The NPPW requires the Boroughs to consider the likely impact on the local environment and on amenity when considering planning applications for waste facilities. Amenity includes aural (noise) and visual amenity such as open space, flora, and the characteristics of the locality including historic and architectural assets. Negative amenity impacts also include odour arising from the processing and type of waste being managed.
- 4.21 The site selection criteria set out in section 8 effectively direct waste management development to the most suitable sites/areas taking into account environmental and physical constraints, including locations where potential amenity impacts can be mitigated to an acceptable degree as well as considering cumulative impacts of additional waste facilities in already well developed areas and areas with a history of waste development. All proposed sites and areas have been subject to assessment in the Sustainability Appraisal and the Habitats Regulation Assessment and the findings fed into the policy recommendations
- 4.22 The protection of local amenity has been considered during the assessment of sites/areas to identify those suitable for inclusion in the NLWP. Policy 5 sets out

assessment criteria for waste management facilities and deals with protection of local amenity including information requirements to support applications for waste facilities. The policy's presumption for enclosed as opposed to open air facilities is also important to the application of this principle in terms of air quality and protecting the health of residents.

- 4.23 As outlined within Policy 1, proposals for expansion or intensification of existing waste uses should not unacceptably harm the amenity of occupiers of any existing developments. The onus will be upon the developer of the new proposed development to ensure appropriate mitigation measures are put in place under the agent of change principle.
- 4.24 Policy 3 seeks to ensure that proposals for waste management facilities do not constrain areas undergoing development change, such as new transport or economic regeneration initiatives.

F. Support sustainable modes of transport

- 4.25 The NPPW and the London Plan require Boroughs to identify sites/areas with the potential to utilise modes of transport other than road transport. As Figure 6 shows, North London is well served by road, rail and waterway networks and waste is currently transported into, out of and around North London by both road and rail. But like many industry sectors, road is the main mode of transport for the movement of waste. There are potential opportunities for waste sites to better utilise sustainable modes of transport such as rail and waterways. Movement of waste via more sustainable transport methods is duly supported in line with Objective 7, although this may not always be practicable, especially when costs associated with investment in wharfs and rail sidings and other infrastructure which may be necessary before waste can be moved along the canal or rail network may not be economically viable, especially for smaller facilities. North London currently has one rail linked waste site (at Hendon) supporting the requirements of the NLWA, however this site is due to be redeveloped as part of the Brent Cross Cricklewood regeneration project and the NLWA's need for this railhead has changed. There is a planning application for replacement rail based depot with a different function under consideration. There is also a wharf on the Lee Navigation which potentially could provide future opportunities for transportation by water at Edmonton EcoPark.
- 4.26 Road transport will continue to be the principal method of transporting waste in North London, particularly over shorter distances where this is more flexible and cost effective. Access to transport networks including sustainable transport modes was considered when assessing the suitability of new sites and areas. Rail and road transport is particularly desirable when waste is travelling long distances. Policy 5 considers sustainable transport modes in planning decisions.

5. Current waste management in North London

- 5.1 This section looks at the current picture of waste management in North London, including the amount of waste generated; the current capacity, types and location of facilities; how each waste stream is managed, key targets and cross-boundary movements of waste.

North London Waste Data Study

- 5.2 The Waste Data Study was prepared in July 2014 and updated in July 2015 to inform the Draft NLWP. A further update in 2018 accompanies this Proposed Submission Plan. All versions of the Data Study are available to view on NLWP website (www.nlwp.net). The Waste Data Study is in three parts as shown below, with the date of the most recent version provided in brackets:

- Part One: North London Waste Arisings (2018)
- Part Two: North London Waste Capacity (2018)
- Part Three: North London Sites Schedule (2018)

- 5.3 The Waste Data Study includes the following information for the seven waste streams for which the NLWP plans:

- The amount of waste currently produced in North London;
- How and where the waste is managed;
- The capacity of existing waste infrastructure;
- The waste management targets the NLWP will support; and
- The amount of waste projected to be produced over the plan period (up to 2035) and the extent to which existing facilities can meet this future need.

Waste generated in North London

- 5.4 Table 2 below shows the amount of waste generated in North London for the main waste streams using the latest data from 2016. Waste arisings vary from year to year and these figures represent a snapshot in time. Figure 8 shows the proportion of each waste stream as a percentage of the total waste in North London¹⁰.

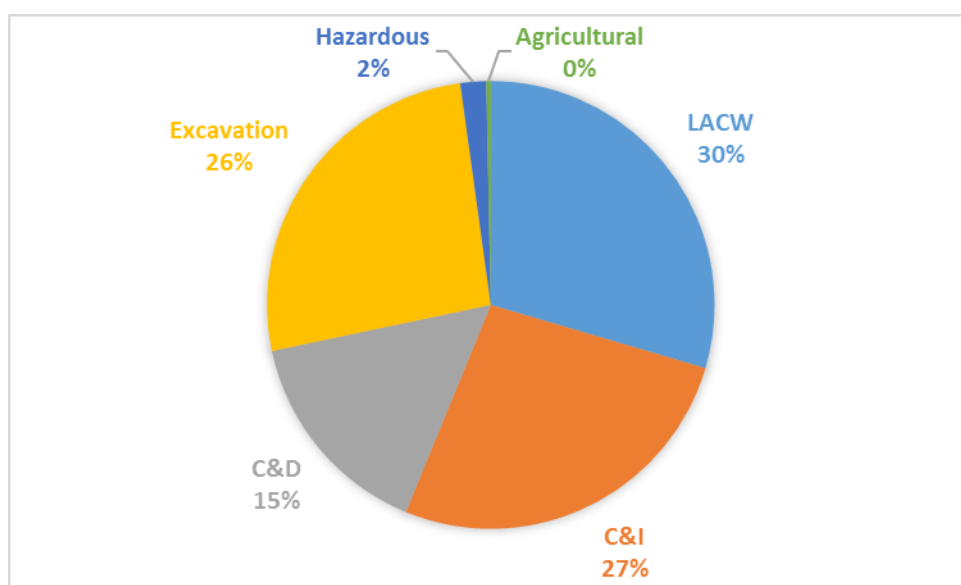
¹⁰ The data is taken from the Waste Data Study (2016)

Table 2: Amount of Waste Generated in North London, 2016

Local Authority Collected Waste (LACW)	845,776
Commercial and Industrial Waste (C&I)	762,301
Construction and Demolition Waste (C&D)	443,180
Agricultural Waste	9,223
Hazardous waste	54,420
Excavation Waste	747,242
TOTAL	2,861,062

Source: North London Waste Data Study Update 2016

Figure 8: Waste arisings in North London 2016



Source: North London Waste Data Study Update 2018

Existing facilities

5.5 Table 3 below shows the existing (2018) waste management facilities in North London by type and waste stream managed and changes in available capacity at known dates when facilities come on stream/close. It identifies an existing waste management capacity of around 4.4 million tonnes per annum, reducing to around 3.8 million tonnes by 2029 as a result of known closure of some existing sites up to

2028¹¹. Figure 9 shows the location of the facilities represented in Table 3 and a full list is in Appendix 1.

Table 3: Maximum Existing Annual Capacity at Licensed Operational Waste Management Facilities at the Start of the Plan Period and a key dates following changes in sites capacities

Waste stream	Facility Type	2018	2026	2029
LACW only	Transfer stations (non-hazardous)	621,222	416,864	416,864
LACW only	Household Waste Recycling Site	100,204	100,204	100,204
LACW only	Composting	35,241	0	0
LACW only	Recycling (MRFS)	276,855	276,855	276,855
LACW only	Incineration with Energy Recovery	550,000	0	0
LACW and CI	Transfer stations (non-hazardous)	206,748	206,748	206,748
LACW and CI	Incineration with Energy Recovery	0	700,000	700,000
LACW, CI and CDE	Transfer stations (non-hazardous)	26,545	26,545	26,545
LACW, CI and CDE	Recycling (MRFS)	16,277	16,277	16,277
CI only	Transfer stations (non-hazardous)	288	288	288
CI only	Recycling (MRFS)	54,632	54,632	54,632
CI only	Treatment facility	2,332	2,332	2,332
CI only	Treatment facility (Hazardous)	64,132	64,132	64,132
CI and CDE	Transfer stations (non-hazardous)	236,245	119,050	119,050
CI and CDE	Recycling (MRFS)	432,538	432,538	432,538
CDE only	Transfer stations (C&D)	364,097	328,014	328,014
CDE only	Recycling (aggregates, other C&D)	980,780	746,840	627,876
Hazardous	Transfer stations (hazardous)	5	5	5
Hazardous	Treatment facility (Hazardous)	3,622	3,622	3,622
CI Specialist	Treatment facility	112,419	112,419	112,419
CI Metals	Recycling (ELVs)	362	362	362
CI Metals	Recycling (Metals)	318,522	318,522	318,522
CI Metals	WEEE	18,657	18,657	18,657
	Total Capacity	4,421,723	3,944,906	3,825,942

¹¹ Some of the planned closures include sites affected by the redevelopment of Brent Cross. It is expected that Barnet will identify new sites for the relocation of these sites in line with the Planning Permission for this development

- 5.6 When considering the overall amount of waste generated identified in Table 2 against the current capacity of waste management facilities in North London identified in Table 3, there appears to be more than enough waste management capacity. However, this does not take into account the specialism of each type of facility or importantly, since North London is a net exporter of waste in terms of tonnage, imports to and exports from the area.
- 5.7 Some facilities in North London have a wider-than-local catchment area and manage waste from outside North London. This includes recycling and treatment facilities, in particular metal recycling and end of life vehicle (ELV) facilities as well as facilities for the processing of CDE in to recycled aggregate products for resale. The extra capacity contributes to achieving net self-sufficiency, or managing the equivalent of the overall quantity of waste within the main categories for North London and London as a whole.
- 5.8 Conversely, North London does not have all the types of facilities necessary to manage all the sub-types of waste arising within the main categories shown in Table 2. For example, there are few hazardous waste facilities and no landfill sites in North London. North London will therefore need to identify sufficient capacity to manage the equivalent amount of this exported waste within its boundary.

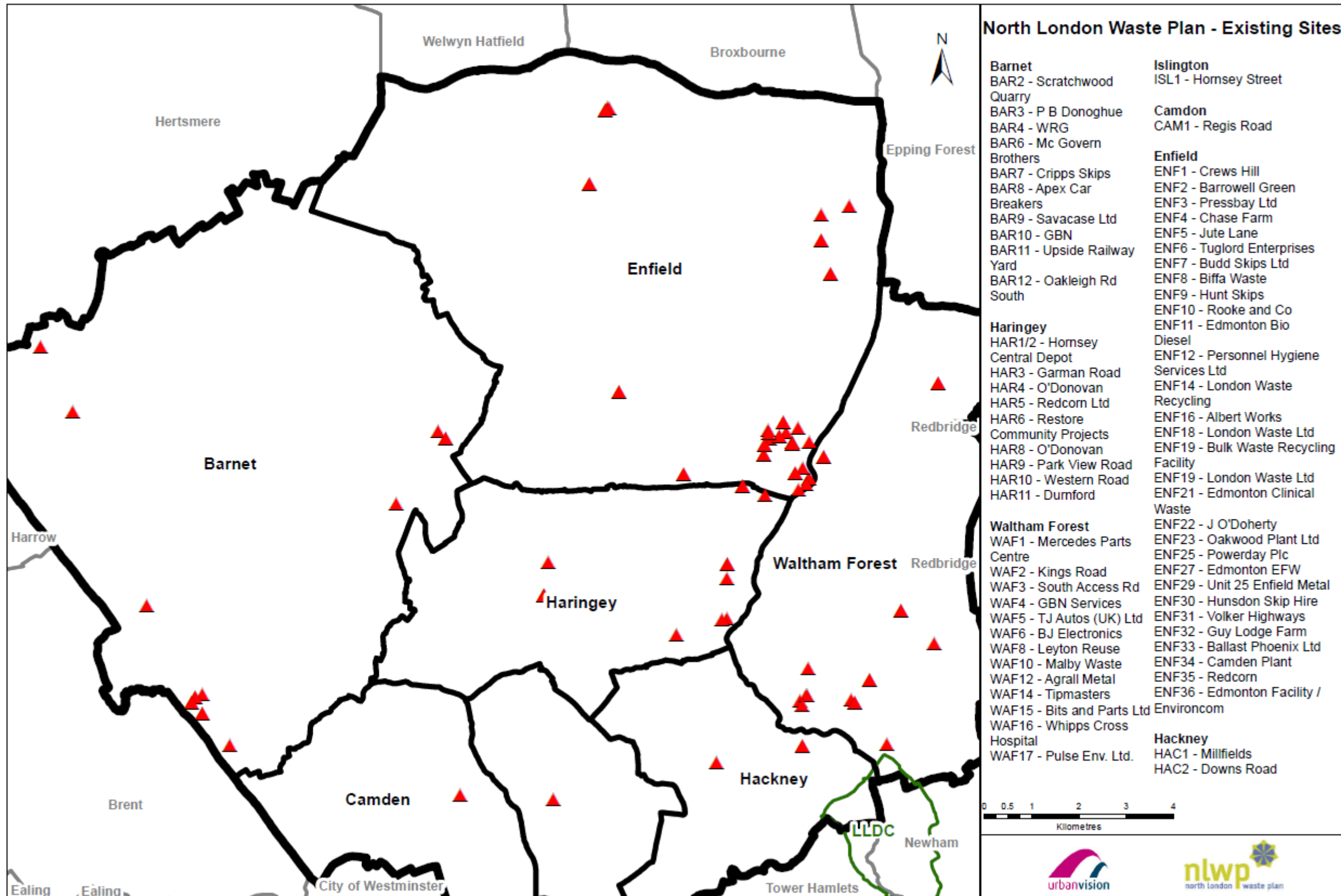
Local Authority Collected Waste

- 5.9 In North London, around 850,000 tonnes of LACW was collected in 2016/17¹². Of this, approximately 26% was recycled, reused or composted. Of the remaining LACW, 60% was sent to NLWA's energy-from-waste facility at Edmonton and 12% was sent to landfill outside of North London.
- 5.10 The NLWA has reported an increase in recycling performance from 23% in 2006/7 to 32¹³% by 2017/18. This is lower than the national average of 43.7% but in line with the London average of around 33%. There are a number of factors which contribute towards lower recycling rates in London than the country as a whole. These include: rapid population growth; a greater transient population than anywhere else in the UK; the greater proportion of flats compared to houses which presents challenges for setting up collection systems for recyclable waste; and proportionately fewer gardens generating lower level of green waste for recycling.

¹² Figures NLWA Annual Monitoring Report 2016-17

¹³ [North London Waste Authority Annual Report 2017/18](#)

Figure 9: Existing Waste Sites



- 5.11 The North London Boroughs and the NLWA are committed to achieving the 50% recycling target set out in the Joint Municipal Waste Management strategy and the London Plan. The North London Boroughs, together with the NLWA, are beginning a renewed drive to increase recycling including looking at ways to standardise collection regimes. In addition, the London Waste and Recycling Board (LWARB) works with London Boroughs to increase recycling rates and supports waste authorities in improving waste management services.
- 5.12 The NLWA's long term waste management solution is based upon the continued use of the existing Edmonton facility until 2025 and the development of a new energy recovery facility on the same site to be operational from 2025 onwards. Further information on how it has informed the NLWP is set out in section 8.
- 5.13 The European Commission has put forward a Circular Economy Package¹⁴. This includes a 65% recycling target for municipal waste (LACW and C&I) by 2030. Notwithstanding the UK leaving the EU, the UK has signed up to delivering these targets as part of Brexit. These revised targets have been built into NLWP waste modelling work as part of the revisions to the Data Study, however the new targets have only been applied to C&I waste as it is assumed no change to the projections of the NLWA at this time.
- 5.14 Waste minimisation seeks to reduce the amount of waste produced by targeting particular behaviours and practices. As shown in Figure 5 in section 3, preventing waste generation in the first place sits at the top of the waste hierarchy.
- 5.15 The London Environment Strategy prioritises resource efficiency to significantly reduce waste and promotes reuse and repair. LWARB's 'Circular Economy route map' exemplifies a move towards a more resource efficient waste service. The route map builds on the 5 focus areas (the built environment, food, textiles, electricals and plastics) and sets out 8 cross cutting themes to ensure the benefits of a circular economy can be achieved across a number of sectors.
- 5.16 The North London Boroughs co-ordinate waste prevention activity through the NLWA's waste prevention plan. The NLWA run waste minimisation activities for schools and communities. These are delivered through the NLWA's "Wise up to Waste" programme and currently focuses on three priority areas: reducing food waste, encouraging a reduction of furniture waste by increasing re-use, and reducing textile waste (both clothing and non-clothing).

¹⁴ European Commission Circular Economy Package http://ec.europa.eu/environment/circular-economy/index_en.htm

Commercial and Industrial Waste

- 5.17 The Waste Data Study has used two methods to identify and project C&I waste. The first is to use data from the Defra C&I Waste Survey 2009 in line with the London Plan to assess the management routes of North London's C&I waste. The second is to use the new method for calculating C&I waste as introduced following the withdrawal of the Defra C&I surveys which uses published data from the EA's WDI. This new method of calculation indicates that 44% of C&I waste is recycled, reused or composted while 33% of this waste stream is sent to landfill and land recovery. A small proportion (6%) of C&I is sent for non thermal treatment with the remainder (17%) sent for thermal treatment with energy recovery. It should be noted that potential reliance on landfill will drop to 10% by 2030 in order to achieve EU statutory targets with recycling and reuse levels increasing to 65%.
- 5.18 Through the London Environment Strategy, the Mayor is seeking to make London a zero waste city with no biodegradable or recyclable waste sent to landfill by 2030 and by aiming to achieve 65% recycling from London's municipal waste, this will be achieved through a 50% recycling rate from LACW by 2025 (Policy 7.2.1) and 75% from business waste by 2030 (policy 7.2.2). The Mayor has also said that he does not expect there to be a need for any new energy from waste capacity if existing planned sites are completed (policy 7.3.2.b). The Mayor has also indicated that he will use his powers to ensure there are sufficient sites to manage London's waste. The Environment Strategy embraces the ideals of the Circular Economy requiring manufacturers to design products to generate less waste and which can be easily repaired, reused and recycled, and the strategy encourages the development of business to facilitate this.
- 5.19 There are a number of national schemes which promote waste minimisation. This includes the [Courtauld Commitment](#) which aims to reduce food waste, grocery packaging and product waste, both in the home and the grocery sector by 20%, the Mayors Environment Strategy seeks to go further by setting a target of 50% reduction per head by 2030.
- 5.20 European Commission Circular Economy Package¹⁵ include increased recycling targets for packaging materials in the commercial and industrial sectors of 65% by 2025 and 75% by 2030. The UK has committed to delivering the Circular Economy targets as part of Brexit.

¹⁵ http://ec.europa.eu/environment/circular-economy/index_en.htm

Construction, Demolition and Excavation Waste

- 5.21 Local planning policies and development industry practice mean a lot of C&D material is managed on site and does not enter the waste stream. A total of 443,180 tonnes of C&D waste and 747,243 tonnes of excavation waste was produced in North London in 2016. The largest proportion of C&D waste arising in North London is managed via recycling (73%) and treatment (20%) facilities, with 7% sent directly to landfill. Recycling rates of C&D waste are high due to the nature and value of the material. Excavation materials are primarily disposed of directly to landfill (53%) with the remainder managed through transfer stations (28%) or sent for treatment (19%). The London Plan includes a target of 95% recycling of CD&E by 2020.

Hazardous Waste

- 5.22 FA total of 53,420 tonnes of hazardous waste was produced in 2016, of this waste 40% was managed at treatment facilities, of which the majority was exported for treatment outside of North London. The next most common method of management was recovery (20%), with a further 16% being managed at landfill. Of the total hazardous waste arisings, 53,107 tonnes (99.4%) of waste was exported out of North London for management. It is not unusual for hazardous waste to travel outside the area to specialist facilities which tend to have a wider catchment area.
- 5.23 There are a number of initiatives in place to ensure better implementation of EU waste legislation, including on hazardous waste. None of the circular economy proposals referred to 5.13 announced by the European Commission in December 2015 will affect the NLWP strategy for hazardous waste.

Agricultural Waste

- 5.24 A total of 9,223 tonnes of Agricultural waste was produced in 2016, with only 125 tonnes being identified as being managed off site. The majority of agricultural waste arisings are managed within the limited number of farm holdings within the Plan area, with a very small amount managed offsite through commercial waste facilities. As such, the NLWP does not seek to identify sites for additional facilities to manage this waste stream; any facilities which do come forward on farm land would be considered against Policy 3 'Windfall sites'.

Low Level Non-Nuclear Radioactive Waste

- 5.25 The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London, mainly from hospitals, is currently managed outside of the area in specialist facilities. Records of LLW in the sub-region indicate that there are currently 16 sites producing LLW as waste water, with a number of the amounts

generated being below the reporting threshold, which is measured in terms of radioactivity.

Waste Water and Sewage Sludge

- 5.26 Waste Water Treatment Works in North London are operated by Thames Water. The main Thames Water Waste Water/sewage treatment facility in North London is Deephams Sewage Treatment Works (STW), which is the ninth largest in England. The site is to be retained and improved for waste water use and planning permission has been granted for an upgrade to the sewage sludge treatment stream. Thames Water anticipates that the recently approved upgrade to Deephams STW will provide sufficient effluent treatment capacity to meet their needs during the plan period. Further details can be found in section 8.

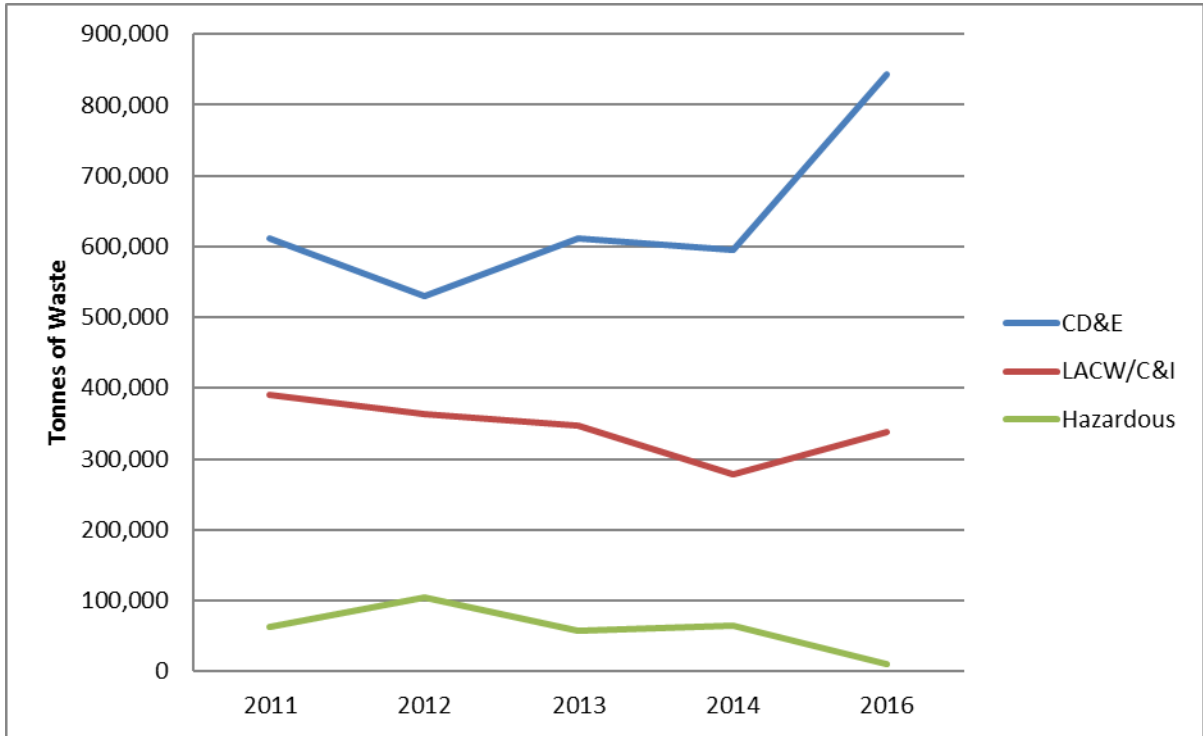
Cross Boundary Movements (exports and imports)

- 5.27 In 2016, 1,201.964 tonnes of waste was exported from North London, 56% of which went to landfill. Exports in the LACW/C&I category have been steadily declining in recent years, however an increase was shown in 2016. This is consistent with the waste strategies of the London Mayor and the North London Waste Authority which aim to reduce the amount of waste going to landfill. Exports of CD&E waste generally follow patterns of waste arising, so when more CD&E waste is generated, more is exported. This pattern is shown in Table 4 and Figure 10 below.

Table 4: Waste exported from North London 2011-2016

Type of waste	2011	2012	2013	2014	2016
CD&E	610,864	530,025	611,902	595,203	843,856
LACW/C&I	390,226	362,950	347,206	278,050	337,836
Hazardous	62,473	103,884	58,216	64,193	10,352
Total	1,063,563	996,859	1,017,324	937,446	1,201,964

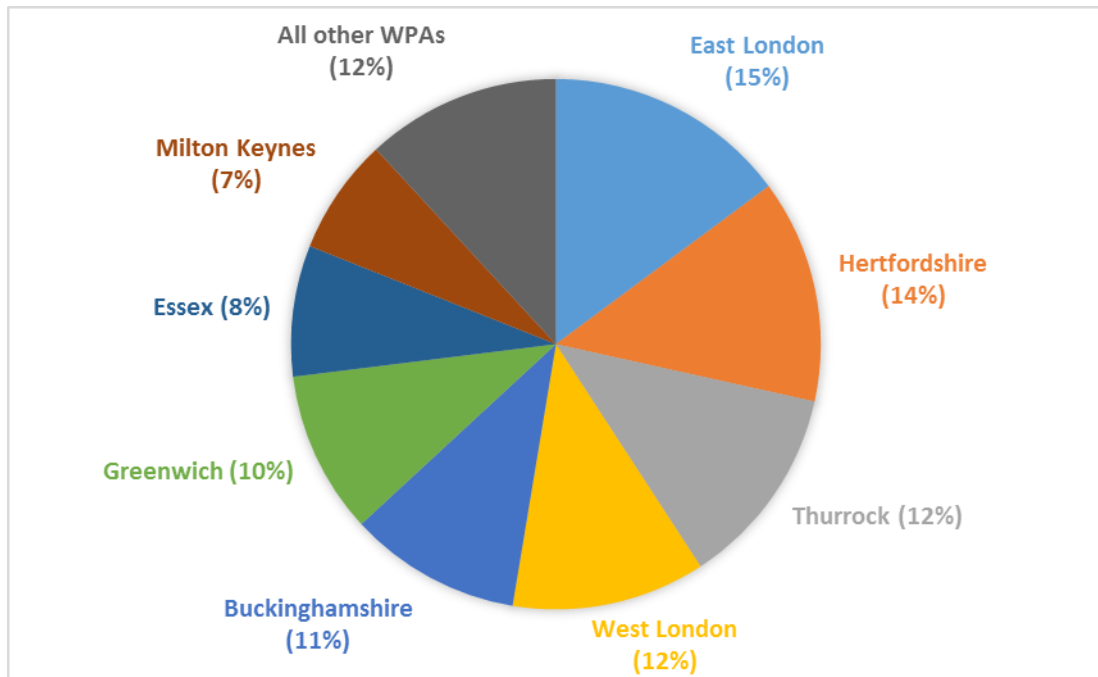
Figure 10: Waste exported from North London 2011-2016



Source: WDI 2011-2016

5.28 During 2013-2016 waste exports from North London were deposited in more than 70 different waste planning authority areas but the majority (88%) went to eight main destinations. These are shown in the Figure 11 below:

Figure 11: Distributions of Waste Exports from North London



Source: WDI 2013-2016

- 5.29 In 2016, around 1 million tonnes of waste was imported in to North London. Most of the imported waste comes from immediate neighbours in Greater London, the South East and East of England and is managed in transfer stations, treatment facilities and metal recycling sites
- 5.30 As part of discharging the 'duty to co-operate', the North London Boroughs have contacted all waste planning authorities (WPA) who receive waste from North London to identify any issues which may prevent waste movements continuing during the plan period. A Report on the duty to co-operate, issues identified and next stages accompanies this Plan and is available on the NLWP website.
- 5.31 Engagement to date has identified a constraint to the continuation of waste exports to landfill from North London relating to the scheduled closure of landfill sites during the plan period. Details can be found in the paper, Exports to Landfill 2017-2035, on the NLWP website (www.nlwp.net), though the operation of some of these sites may be extended beyond their currently permitted end date. The boroughs will continue to monitor this information throughout the preparation of the NLWP, and after it is adopted as reflected in the monitoring framework in section 10.
- 5.32 Nonetheless, as set out in the exports to landfill paper, alternative capacity at other potential destinations has been identified for the amount of waste currently being exported to those sites earmarked for closure during the plan period. The paper shows that there are both alternative sites and adequate void space in London, South East and East of England to take North London's 'homeless' waste between 2018 and 2035.
- 5.33 A further constraint for the continued export of waste has been identified with regard to hazardous waste, namely a lack of detailed data on where it ends up. This type of waste is managed in specialist facilities which have wide catchment areas and therefore may not be local to the source of the waste. North London has one hazardous waste treatment facility with a capacity of around 3,600 tonnes per annum and two recycling facilities; one for metals and one for end of life vehicles handling around 2,500 tonnes per annum between them. The treatment facilities handle a small proportion of North London's hazardous waste (less than 1% in 2016) while the rest (99.4%) is exported. In addition, some facilities, whilst not classified as hazardous waste facilities, are permitted to manage a certain amount of hazardous waste alongside non-hazardous wastes. These include car breakers and metal recycling sites, WEEE sites as well as RRCs which will accept, for example, paints and batteries which require specialist treatment and disposal.
- 5.34 While the export of the majority of hazardous waste to the most appropriate specialist facilities is likely to continue, current data collection methods do not identify the hazardous waste facilities in question. The boroughs will continue to

engage with the Environment Agency and waste planning authorities in receipt of hazardous waste from North London, including seeking to identify any constraints to the continued export of this waste. Should any constraints come to light, such as anticipated closure of a facility, the boroughs will seek to identify potential new destinations with capacity for managing compensatory amounts. The North London Boroughs will pursue agreement on this matter with recipient waste planning authorities through a statement of common ground.

- 5.35 The North London Boroughs will continue to co-operate with relevant authorities on matters of strategic waste planning throughout the preparation of the NLWP and once the Plan is adopted.

6 Future Waste Management Requirements

Context

- 6.1 In line with the NPPW and the London Plan, the NLWP must identify sufficient waste management capacity to meet the identified waste management needs of North London over the plan period.
- 6.2 It follows that a key part of the development of the NLWP is to identify how much waste will be produced during the plan period, how this will be managed, what capacity is required and whether there is sufficient capacity already available. The NLWP must also consider how changes in the waste management behaviours, practices and technologies may influence this.

Targets for waste managed within North London

- 6.3 The North London Boroughs have statutory duties to meet recycling and recovery targets and the NLWP will need to be ambitious in order to achieve European Union, national, regional and local targets. These targets are as follows:

Table 5: Recycling and Recovery Targets with 2016 Baseline

Waste stream	Target	2016 baseline
LACW	50% recycling for LACW by 2025 (contributing to 65% recycling of municipal waste by 2030)	29%
C&I	75% recycling by 2030 (contributing to 65% recycling of municipal waste by 2030)	52%
C&D	95% recycling by 2020	50-60%
Biodegradable or recyclable waste	Zero biodegradable or recyclable waste to landfill by 2026	Not known

Options for managing North London's waste

- 6.4 In accordance with the NPPF (paragraph 35) to ensure the NLWP is justified, a range of options were tested as part of the consideration of reasonable alternatives for managing North London's waste leading to selection of the preferred strategy. The scenarios considered looked at a range of options for recycling from maintaining the

status quo to seeking to maximise opportunities for recycling in line with the targets set out in Table 5 above, the latter option being the most popular option and taken forward. Along with this a number of options were also considered in relation to waste growth over the plan period and what impact that would have on waste growth, again 3 approaches were modelled looking at no growth, growth in line with the London Plan for C&I and CDE waste – with LACW growth being in line with that of the NLWA for all options, a minimised growth was also modelled but was not considered in line with the growth planned for in the London Plan, as such growth was modelled in line with the London Plan. An Options Appraisal Report (2018) has been prepared which provides more detail on each of the options considered and provides information on the different scenarios including how much waste would be generated over the plan period (incorporating economic and population growth assumptions), how much waste could be managed within North London (capacity strategy), and how this waste should be managed (management strategy) for each of the options considered. The preferred option identified in the Options Appraisal¹⁶ has been carried through to the NLWP. The preferred option seeks to achieve growth in line with the London Plan and to deliver the targets set out in the Mayor’s Environment Strategy.

Chosen Approach

- 6.5 The chosen approach for the NLWP following the option appraisal can be summarised as follows:

<p>Chosen Approach for planning for North London’s waste</p> <p>Population/Economic Growth in line with London Plan forecasts</p> <p>+ Maximising Recycling</p> <p>+ Net self-sufficiency for LACW and C&I by 2026 and C&D by 2035</p> <p>= Quantity of waste to be managed</p>
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- 6.6 It is considered that this approach provides the most robust modelling scenario to project future capacity gaps, taking account of existing/planned capacity, and waste management needs.

Meeting the Capacity Gap

- 6.7 Table 6 below sets out the capacity gap broken down in to 5 year periods over the NLWP plan period. The capacity gap is the difference between tonnage associated with existing and planned waste management capacity (see Table 3 – section 5) and

¹⁶ Available on the NLWP website

the quantity of waste to be managed over the plan period (see the chosen approach set out above). This method identifies whether there is adequate or surplus capacity, or a requirement for additional facilities. Table 6 sets out the capacity gaps for each management route. Negative figures indicate a capacity gap and therefore the type of management route for which capacity is sought over the plan period. The boxes that are not highlighted denote where 'surplus' capacity exists.

Table 6: Capacity gaps throughout the Plan period –chosen option

Waste function and stream managed	2018	2025	2030	2035
Landfill (C+I and LACW)	-114,496	-112,951	-114,726	-119,392
Landfill (Hazardous)	-12,741	-12,741	-12,741	-12,741
Landfill (C+D)	-26,534	-23,683	-24,664	-25,685
Landfill (E)	-405,634	-429,334	-447,106	-465,613
Energy from waste (LACW,C&I)	-47,167	-1,438*	3,280	-9,190
Energy from waste (Hazardous)	-53	-53	-53	-53
Thermal Treatment (without energy recovery) (AGR)	-32	-32	-32	-32
Thermal Treatment (Hazardous - no energy recovery)	-2,476	-2,476	-2,476	-2,476
Recycling (C+I and LACW)	-95,461	-207,611	-256,906	-288,570
Recycling (CD&E)	393,108	73,829	-72,993	-102,005
Recycling (specialist material)	331,997	331,673	331,430	331,177
Recycling (Hazardous)	-16,838	-16,838	-16,838	-16,838
Treatment plant (C&I CD&E)	-85,564	-50,667	-57,514	-64,645
Treatment Plant (Hazardous)	46,437	46,437	46,437	46,437
Land recovery	-9,098	-9,098	-9,098	-9,098
Transfer Station	1,555,349	1,233,796	1,233,796	1,233,796
Transfer Station (Hazardous)	5	5	5	5

Source: NLWP data study model 2016

6.8 The capacity gap figures in tonnage of waste have been converted to waste management land requirement using data from evidence gathered and evaluated on typical capacity and land take for each type of facility. The Data Study (2018) available on the website (www.nlwp.net) provides a fuller explanation. Table 7 below sets out the amount of land required within North London to meet the

capacity gaps identified in Table 6 for the chosen approach of net self-sufficiency for LACW, C&I and C&D waste streams.

Table 7: Land take requirements for meeting net self-sufficiency for LACW, C&I and C&D (requirements for London Plan apportionment in brackets)

Facility Type	Hectares				
	2018	2025	2030	2035	Total
Recovery (C&I/LACW)	1 (1)				1(1)
Recycling (C&I)	1(1)	1(1)		1	3(2)
Recycling (C&D)	0	0	2	0	2
Recycling (Hazardous)	2				2
Treatment HIC, CDE	1				1
TOTAL land required in North London	5 (2)	1 (1)	2 (0)	1 (0)	9 (3)

6.9 Although Table 7 identifies a need for recovery facilities for C&I waste, this need is immediate and declines over the plan period to when the Edmonton Energy Recovery Facility is completed. For this immediate need to be met facilities would need to be in place now, or at least in planning, which is not the case. Therefore it is highly probable that this need will not be met and that C&I waste requiring recovery will continue to be exported in the short term. As highlighted earlier the Mayor's Environment Strategy states that the Mayor does not want any additional energy from waste capacity over the plan period as existing sites should be able to meet the needs of all municipal waste arisings. The main need identified is for the provision of construction and demolition recycling facilities in order that the 95% recycling target for this waste stream can be achieved. There is also a requirement throughout for additional recycling facility to manage the increasing levels of recycled waste expected from the C&I waste stream reflecting the 75% recycling target in order to achieve the Environment Strategy target of 65% from municipal waste (LACW and commercial waste). A further 1ha is identified for additional treatment facilities for LACW, C&I and CDE.

6.10 A capacity gap equivalent to two hectares of land has been identified for meeting North London's hazardous waste management need over the plan period, a small requirement of less than 2,500 tonnes per annum has also been identified for recovery of hazardous waste, but this figure is considered too small to plan for. While the North London Boroughs support the provision of hazardous waste facilities in appropriate locations, it is acknowledged that these facilities generally operate for

a wider-than-local catchment area due to their specialist nature. The Boroughs will therefore work with the GLA and other boroughs across London to identify and meet a regional need.

- 6.11 The Data Study concludes that over the NLWP plan period there are capacity gaps for C&I, CD&E and Hazardous waste, and that North London will require additional facilities to meet these. In relation to the gap for Hazardous waste, the North London Boroughs will contribute to the planning for hazardous waste facilities at a regional level and through the identification of areas within North London that may be suitable for hazardous waste facilities. Additional land is not required to accommodate new facilities for Low Level Non-Nuclear Radioactive Waste (LLW), Agricultural Waste or Waste Water/Sewage Sludge during the plan period. More information about how each waste stream will be managed can be found in the Provision for North London's Waste to 2035 (section 7).

7. Provision for North London's Waste to 2035

- 7.1 The North London Boroughs have developed the following strategic policy which sets out in broad terms how the waste management needs in North London over the plan period are being planned for

Strategic Policy for North London's Waste

The North London Boroughs will identify sufficient capacity and land for the provision of waste facilities to manage the equivalent of 100% of waste arisings (net self-sufficiency) for Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) waste by 2026 and Construction & Demolition (C&D) waste by 2035, including hazardous waste. The North London Boroughs will plan to manage as much of North London's excavation waste arisings within North London as practicable. To achieve this, the North London Boroughs will plan to manage the quantities of waste set out in Table 8 over the next 15 years.

The North London Boroughs will encourage development on existing and new sites and that promotes the movement of waste up the waste hierarchy, increases management of waste as close to the source as practicable, and reduces exports of waste to landfill.

The North London Boroughs will continue to co-operate with waste planning authorities who receive significant quantities of waste exports from North London.

- 7.2 Existing capacity and additional new capacity will be needed to meet North London's identified need for waste management over the plan period (2020-2035). Existing waste capacity in North London is safeguarded and set out in Schedule 1 (see Appendix 1) and land for new waste facilities is set out in Schedule 2 (see Policy 3). The focus for new waste capacity in North London is for recycling and recovery facilities to manage the quantities of waste set out in Table 8, thereby reducing exports.
- 7.3 Table 8 sets out the quantities of waste, by waste stream, which need to be managed within North London in order to meet the policy for net self-sufficiency target for LACW and C&I waste by 2026 and C&D waste by 2035, including hazardous waste. Table 8 also takes account of the policy to manage as much of North London's excavation waste arisings within North London as practicable. The quantities of waste take into account population and economic growth and waste targets including net self-sufficiency, apportionment, recycling and landfill diversion, set out in the London Plan. The North London Boroughs are planning to meet more than their apportionment targets and to manage the waste arisings for North London set out in the London Plan. Further details of the methodology to estimate waste arisings is available in the NLWP Data Study (2018).

Table 8: Amount of waste to be managed within North London 2018-2035

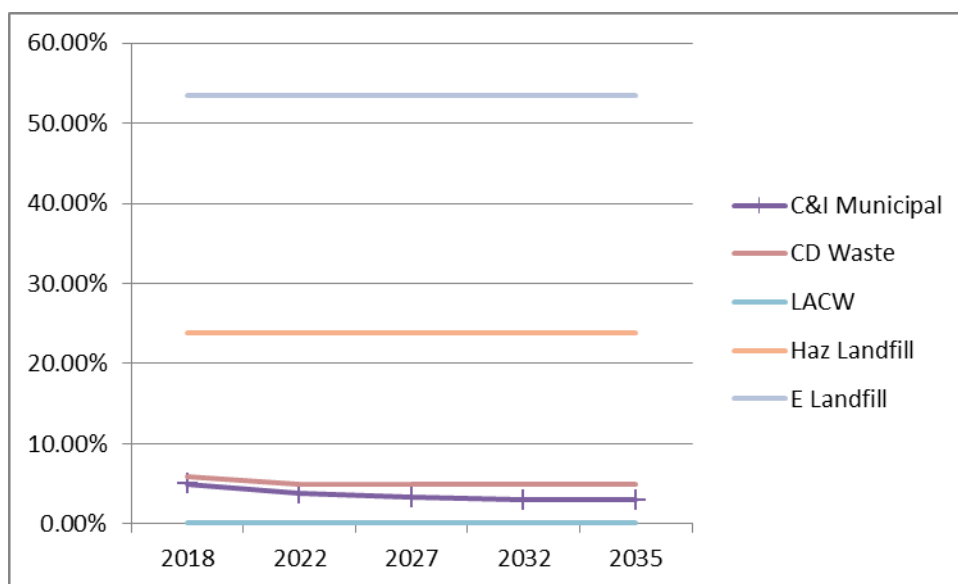
Waste Stream		2018 (tonnes)	2022 (tonnes)	2027 (tonnes)	2032 (tonnes)	2035
Estimated Waste arising		2,773,054	2,880,209	2,952,840	3,028,636	3,357,725
Net self-sufficiency	LACW	967,755	991,619	1,004,001	1,017,548	1,026,176
	C&I	774,768	800,321	833,451	867,949	889,332
	C&D	450,429	465,284	484,544	504,601	517,032
	Hazardous	53,421	53,421	53,421	53,421	53,421
Excavation		353,831	365,501	380,631	396,386	406,151
Agricultural		9,223	9,223	9,223	9,223	9,223

7.4 The North London Boroughs will monitor the NLWP against the quantities of waste set out in Table 8 to ensure the strategic policy is being delivered. Monitoring indicators are set out in Section 10 of this plan.

7.5 To enable waste planning authorities outside London to plan for North London's waste exports, Table 9 shows projected exports to landfill outside the North London area. The figures represent waste which cannot be prepared for reuse, recycled/composted, or used for other recovery and therefore has to be exported to landfill. The North London boroughs will plan to manage the equivalent amount of exported waste within North London through waste imports however, in reality, some of North London's waste will continue to cross borders to be managed or disposed of in facilities which North London does not or cannot accommodate, such as landfill or specialist hazardous waste facilities.

Table 9: Projected exports from North London to landfill 2018-2035

Waste Stream	2018 (tonnes)	2022 (tonnes)	2027 (tonnes)	2032 (tonnes)	2035
Excavation	405,634	419,012	436,356	454,419	465,613
C&I	112,496	109,868	111,666	114,569	117,392
C&D	26,534	23,114	24,071	25,067	25,685
LACW	2,000	2,000	2,000	2,000	2000
Hazardous waste	12,741	12,741	12,741	12,741	12,741
Total	559,405	566,735	586,834	608,796	623,431

Figure 12: Predicted Landfill Exports as a % total Waste Stream.

7.6 The North London Boroughs have engaged with each of the main recipients of North London's waste to landfill and identified if there are planning reasons why similar exports of waste cannot continue over the plan period, for example the planned closure of a site. This work is set out in *North London Exports to Landfill 2017-2032* (2018). The North London Boroughs have established that there are sites and available void space in London, South East and East of England to take North London's estimated waste exports to 2035. The Boroughs will continue to cooperate with waste planning authorities who receive North London's waste, and mechanisms for monitoring waste movements after the NLWP is adopted are set out in section 10.

7.7 The following section sets out how North London's will meet its strategy for waste to 2035 in more detail, setting out each waste stream and management method separately.

Local Authority Collected Waste (LACW) and Commercial & Industrial Waste (C&I)

7.8 Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste streams comprise similar types of waste. The NLWP identifies sufficient land to manage the equivalent of all LACW and C&I waste arising in North London by 2026.

Recycling/Composting

7.9 The North London Waste Authority (NLWA) is seeking to achieve a household waste recycling target of 50% by 2020 consistent with the targets set out in the North London Joint Waste Strategy. The Authority and partner boroughs will continue to seek to maximise recycling levels for LACW.

- 7.10 There is a need for additional capacity for recycling for both LACW and C&I waste streams throughout the plan period. As many facilities can manage both waste streams, the need for recycling is combined.
- 7.11 In addition to recycling, the existing composting facility at Edmonton will be displaced due to the development of the new Energy Recovery Facility. The NLWA are not intending to build a replacement facility to meet this requirement. Current contracts exist to export this waste outside the Plan area.

Recovery

- 7.12 Most LACW is managed at the Edmonton EcoPark facility which has an existing capacity of around 550,000tpa. It is intended that the existing Edmonton facility will be modified to enable connection to a heat network. The facility does not currently accept C&I waste from private operators.
- 7.13 The existing Edmonton facility will be replaced in 2025. The NLWA have gained consent for a new Energy Recovery Facility (ERF) with capacity of around 700,000 tonnes per annum to deal with all the residual waste under the control of the Authority from 2025 until at least 2050. The planning framework for this site includes the Edmonton EcoPark Supplementary Planning Document and emerging Central Leaside Area Action Plan.
- 7.14 As the existing EfW facility at Edmonton does not currently treat C&I waste, there is an immediate capacity gap for recovery of C&I waste amounting to 1ha of land as identified in Table 7. However, as no such facilities are currently in the pipeline, it is likely the waste will continue to be exported in the short to medium term until 2025. After this time, the recovery requirement of C&I waste can be met by the new Edmonton ERF to the end of the plan period in line with the objectives of the Mayors Environment Strategy 2018

Transfer

- 7.15 NLWA manage three waste transfer stations in North London namely the Hendon Rail Transfer Station (Barnet), Edmonton Ecopark Transfer Station (Enfield) and the Hornsey Street Transfer Station (Islington). The Hendon Rail Transfer Facility in Barnet is being relocated due to the Brent Cross Cricklewood development and a planning application is currently under consideration for the new location within Barnet.

Landfill

- 7.16 North London has no landfill sites and depends on capacity outside the Plan area. The NLWA intend to minimise the amount of LACW sent direct to landfill by maximising recycling and ensuring the existing EfW facility can sufficiently manage the expected tonnage of North London's residual waste up to 2025. Much less waste will be exported to landfill from 2017/18 due to changes in contractual arrangements and virtually no LACW will go to landfill by 2026.

- 7.17 It is anticipated that some C&I waste will continue to be exported to landfill throughout the plan period, although this will be a decreasing quantity as new facilities become operational and recycling levels increase.
- 7.18 The North London Boroughs have established that there are landfill sites in London, South East and East of England able to take North London's waste between 2017 and 2035. See Figure 12 for the anticipated decline in landfilling of North London's waste over the plan period.

Construction, demolition and excavation waste (CD&E)

- 7.19 The NLWP will identify sufficient land to manage the equivalent of all Construction and Demolition (C&D) waste arising in North London by 2035, while acknowledging that some exports will continue, particularly for Excavation waste.

Recycling

- 7.20 The majority of C&D waste is recycled on site or through transfer facilities. Each Borough Local Plan has a sustainable design and construction policy in place which seeks to minimise waste generated during the design and construction of development and re-use or recycling of materials on-site where possible.
- 7.21 North London has a number of transfer facilities which also recycle CD&E waste but a large quantity is still exported to landfill, mainly excavation waste. Recycling opportunities are likely to be mainly for C&D wastes although around 28% of excavation waste is also recycled within North London, with 53% being disposed of directly to landfill and 19% through treatment facilities. Taking account of the diversion of C&D waste away from landfill, the Data Study has identified a capacity gap of around 67,000 tonnes per annum from 2029, rising to around 102,000 tonnes per annum by 2035. Provision will be needed throughout the plan period.
- 7.22 A total of 2 hectares of land will be required to facilitate this provision. Opportunities to re-use CD&E waste locally will be supported, though this cannot be predicted with any certainty. Policy 8 'Inert Waste' seeks to ensure that any planning application for the recycling and reuse of inert waste for all types of development demonstrates that viable opportunities to minimise construction and demolition waste disposal will be taken, making use of existing industry codes of practice and protocols, site waste management plans and relevant permits and exemptions issued by the Environment Agency.

Landfill

- 7.23 North London has no landfill sites and depends on capacity outside the NLWP area. Some of the CD&E waste stream, particularly excavation waste, will continue to be exported to landfill unless opportunities materialise to re-use it locally. It is anticipated that C&D waste exports to landfill will reduce over the plan period while excavation waste exports will increase in line with growth.

- 7.24 The North London Boroughs, working with waste planning authorities who receive CD&E waste from North London, have identified constraints to the export of this waste and have established that there are both alternative landfill sites and adequate void space in London, South East and East of England to take North London's waste between 2017 and 2035. See Figure 12 for the anticipated decline in landfilling of North London's waste over the plan period.

Hazardous Waste

- 7.25 All the waste streams include some hazardous waste. Some facilities in North London, whilst not classified as hazardous waste management facilities, are permitted to manage a certain amount of hazardous waste alongside non-hazardous wastes. Hazardous waste is more commonly managed in specialist facilities which have and depend on wide catchment areas for their economic feasibility, and may not be local to the source of the waste. Planning for hazardous waste is a strategic issue (regionally and arguably nationally rather than sub-regional) and it is not anticipated that land for facilities would be identified to meet the requirements of North London alone, though the areas identified in the NLWP have been assessed for their potential suitability for such facilities.

Recycling and Recovery

- 7.26 North London has one hazardous waste treatment facility with a capacity of around 3,600 tonnes per annum and two recycling facilities; one for metals and one for end of life vehicles handling around 2,500 tonnes per annum between them. In addition, other facilities permitted to manage hazardous waste include car breakers and metal recycling sites, WEEE sites as well as RRCs which will accept, for example, paints and batteries which require specialist treatment and disposal. Such sites will continue to make a valuable contribution to managing North London's hazardous waste requirements.
- 7.27 There is a capacity gap for the recovery of around 2,500 tonnes per annum, this is considered too small a figure to plan for provision of a new facility and as such a specific land requirement is not identified for this management option. There is a requirement for recycling of around 17,000 tonnes per annum, requiring an estimated 2ha of land. The North London Boroughs support the provision of such facilities in appropriate locations and will work with the GLA and other Boroughs across London to meet this need. It is noted in the sites and area profiles in Appendix 2 of the NLWP where a site or area is not suitable for hazardous waste recycling and recovery facilities. Any applications for hazardous waste facilities in North London that do come forward will be considered on a case by case basis. However, in the short term it is likely that hazardous waste will continue to be exported to the most appropriate specialist facilities.

Landfill

- 7.28 The need for export to landfill of around 13,000 tonnes per annum, is expected to continue due to inability of the area for provide this type of facility. The North London Boroughs will continue to work with waste planning authorities who receive hazardous waste from North London to identify constraints to the continued export of this waste and identify potential new destinations if necessary.

Agricultural Waste

- 7.29 The small amount of agricultural waste generated in North London is not expected to increase over the plan period and there is no requirement to plan for additional facilities to manage this waste stream.

Low Level Radioactive Waste

- 7.30 The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London is produced as wastewater and disposed of through foul sewer and it is expected that this will continue Any more specialist waste which may be produced would need to be managed outside the area in specialist facilities. It is therefore not necessary to plan for additional facilities in North London for this waste stream.

Waste Water

- 7.31 The main Thames Water sewage treatment facility in North London is Deephams Sewage Treatment Works (STW), operated by Thames Water. Work to upgrade this facility was completed in 2017. Thames Water anticipates this will provide sufficient effluent treatment capacity to meet its needs during the plan period. Thames Water is also proposing an upgrade to the sewage sludge treatment stream at the site which will be sufficient to meet its needs during the plan period. It is therefore not necessary to identify additional land for this waste stream in the NLWP, however any new facility for waste water will be assessed against Policy 8.

8. Sites and Areas

Context

- 8.1 This section sets out the approach to identifying sufficient land for future waste management facilities in North London to ensure the delivery of the identified capacity requirements. Sections 3-6 of the NPPW set out the approach Local Plans should take to identify future waste requirements over the plan period and this has been used to help develop the approach to identifying future locations for waste development in North London. Assessment criteria have been developed using waste planning policy and in consultation with key stakeholders in a series of focus groups..
- 8.2 The NLWP identifies a number of areas to meet future waste needs. An 'area' comprises a number of individual plots of land, for example, an industrial estate or employment area that is in principle suitable for waste use but where land is not specifically safeguarded for waste. The NPPW and the draft London Plan endorse the identification of "sites and/or areas" in Local Plans. The approach is also supported by the waste industry and key stakeholder in consultation. It was initially intended to also identify sites within the NLWP, i.e. individual plots of land that would be safeguarded for waste use. However, only one site was brought forward by landowners during the call for sites exercises and no further sites are required for the management of LACW. As a result, only areas have been identified.

Expansion of existing Waste Management Facilities

- 8.3 Existing waste management facilities are also a key part of future provision. A call for sites exercise in 2014 targeted existing waste operators in North London, seeking information on any planned capacity expansion or upgrades to existing facilities. Three sites were put forward: Edmonton EcoPark, Deephams Sewage Treatment Works and Powerday in Enfield. Any applications for expansion or consolidation of existing waste management sites will be considered against NLWP policies and those of the Borough Local Plan in which the proposal is situated. A further exercise was also undertaken in 2018 but no new sites were put forward for expansion.

Edmonton EcoPark

- 8.4 In November 2014 the NLWA announced plans for the development of a new Energy Recovery Facility (ERF) - the North London Heat and Power Project - on their existing site at the Edmonton EcoPark in Enfield. This will replace the existing Energy from Waste (EfW) plant at the EcoPark that is coming to the end of its operational life.

- 8.5 A Development Consent Order (DCO) has been approved by the Secretary of State for the new ERF which will manage the treatment of the residual element of LACW during the NLWP plan period and beyond. The replacement facility, expected to be operational from 2025, will generate power for around 127,000 homes and provide heat for local homes and businesses as part of a decentralised energy network known as the Lee Valley Heat Network, trading as *energetik*.’
- 8.6 The NLWA’s DCO allows for the loss of the composting plant at the Edmonton EcoPark site in 2020 to make way for the new ERF facility to be built whilst maintaining the current EfW operation. The development also includes a Resource Recovery Facility (RRF) including a new Reuse and Recycling Centre (RRC), a relocated transfer hall and a bulky waste/fuel preparation facility on the site.
- 8.7 Once the new facility has been developed, the existing EfW facility will be demolished. The associated parcel of land, on which the current plant is located, will continue to be safeguarded for future waste use, and will become available towards the end of the plan period. The development of Edmonton EcoPark for the new ERF will provide a strategic facility for the NLWP and provide a solution for managing the non-recyclable element of LACW. Delivery of this facility will see the NLWA continue to manage LACW from the North London Boroughs and help reduce the reliance on disposal of waste to landfill. Enfield Council have adopted Edmonton EcoPark Supplementary Planning Document and have submitted the Central Leaside Area Action Plan for independent examination, both of which provide more detail on the planning framework and objectives for this site.

Deephams Sewage Treatment Works

- 8.8 Deephams Sewage Treatment Works is a waste water treatment facility in Edmonton. The works serves a large area of north east London, both inside and outside the M25 corridor. The Environment Agency has issued a significantly tighter environmental permit in respect of sewage treatment standards that came into force in March 2017 and requires Thames Water to make improvements to the quality of the discharged effluent. The need for an effluent upgrade to Deephams Sewage Treatment Works (STW) is highlighted in the National Planning Statement on Waste Water, and planning permission for this work was granted by Enfield Council on 20th February 2015. Work has started and is expected to continue for a minimum of 7 years.
- 8.9 Thames Water is also proposing an upgrade to the sewage sludge treatment stream at Deephams STW during its 2015 to 2020 business plan period by providing enhanced sludge treatment plant within the boundaries of the existing site. Enfield Council will continue work with Thames Water and the Environment Agency to

ensure that adequate and appropriate waste water treatment infrastructure is provided. Any new waste water facility will be assessed under Policy 7.

Powerday

- 8.10 Powerday in Enfield is an existing site currently operating as a Waste Transfer Station. Planning permission was granted for an upgrade to a Materials Recovery Facility (MRF) capable of handling 300,000 tonnes of C&I and C&D waste per annum and the new facility was opened in 2015.

Loss and re-provision of existing waste management facilities

- 8.11 Where existing sites need to be relocated, compensatory capacity is required in order to comply with the London Plan, Borough Local Plans and, once adopted, the NLWP. It is known that some capacity will be lost during the plan period. Some of this capacity will be replaced within North London, some outside North London with a net loss to North London but not to London as a whole, and some is as yet unknown. Where such issues are known and new sites have already been sought, this information has been fed in to the Plan process and information has been given in Schedule 1.
- 8.12 The North London Boroughs are aware that the regeneration of Brent Cross Cricklewood redevelopment (BXC) is likely to affect existing waste sites, comprising a NLWA transfer station and three commercial operations. These sites will be redeveloped under the approved planning permission for the regeneration of Brent Cross Cricklewood (Barnet planning application reference F/04687/13). The Hendon Rail Transfer Station (BAR 4) will be replaced as part of the BXC development with a new facility on site S01-BA to meet the NLWA's requirements. The existing facilities at BAR 6 and BAR 7 fall within the land required to deliver the first Southern phase of the BXC regeneration which is anticipated will commence in early 2018. Replacement capacity for these sites will not be provided prior to their redevelopment and therefore replacement capacity will be sought outside of the BXC regeneration area on alternative sites / areas to be identified by the London Borough of Barnet by 2025 in line with the planning permission.

The impact of Crossrail 2 on existing and proposed new areas

- 8.13 Transport for London has been consulting on Crossrail 2. The timetable for a Hybrid Bill submission is at present unknown. Depending on the route selected, some existing waste sites and proposed areas identified as suitable for new facilities might be affected by the scheme.
- 8.14 At the time of publication, only one location (A02-BA-Oakleigh Road) within an Area identified in Schedule 2 New locations for waste management has been identified in

the Crossrail 2 [safeguarding directions](#) issued in January 2015. This plot of land (shown in Appendix 2) has been safeguarded in order to deliver part of the construction of Crossrail 2 and will be released after this is completed. However, as the scheme develops and further information is made available on the preferred route, there could be locations within other Areas, which may be required for the purpose of constructing Crossrail 2, particularly along the West Anglia Mainline. Once known, should applications for waste uses come forward in these locations, they will need to be subject of consultation with TfL and Network Rail as necessary.

8.15 Furthermore, a number of the new Areas identified in Schedule 2 Areas suitable for waste management are in locations close to Crossrail 2 stations and could make a valuable contribution towards realising the wider benefits of Crossrail 2 in terms of both delivering additional homes and supporting wider regeneration. Those Areas which in part may have such a role in the longer term include:

- A12-EN – Eley’s Estate
- A22-HR – Friern Barnet Sewage Works
- A19-HR – Brantwood Road
- A21-HR – North East Tottenham

8.16 Known information on Crossrail2 is detailed further in the site profiles in Appendix 2 and in the proformas in the Sites and Areas Report.

8.17 In line with the NLWP approach to Opportunity Areas and Housing Zones as set out in section 2, any non-waste related development in these locations will need to be brought forward in a way that safeguards existing capacity (see Policy 1) and considers future waste management requirements alongside the need to deliver new homes and more intensive employment uses. Within these locations there is likely to be significant benefit in seeking opportunities to co-locate or consolidate existing waste uses so as to minimise potential conflict and ensure that they can coexist alongside residential and other more sensitive uses.

8.18 As required, the North London Boroughs will work proactively with the GLA and TfL to create proposals which address these issues ensuring that North London’s waste management needs can be met whilst helping to realise the significant opportunities associated with schemes such as Crossrail 2.

8.19 How the impact of Crossrail 2 on the NLWP will be monitored and managed is addressed under Indicator 2 of the monitoring arrangements in section 10.

Site and Area Search Criteria

8.20 The proposed site and area search criteria used in the NLWP site selection process were developed based on the requirements of national waste planning policy. Both

planning and spatial criteria were discussed with key stakeholders through a focus group session in spring 2014 . Following the introduction of the NPPW in October 2014, the site search criteria were reviewed to ensure compliance with this document.

Site and Area Search and Selection Process (Methodology)

- 8.21 An extensive site and area search and selection process has been undertaken. Full details of the site selection exercise are set out in the 'Sites and Areas Report' available on the NLWP website. In summary it has involved the following key stages:
- i. Survey of existing waste sites – this involved a detailed review of the existing waste sites, including obtaining information from the operators on their future plans and validation of existing information held regarding their sites. This work indicated that there was insufficient capacity within existing sites to meet the expected waste arisings over the plan period.
 - ii. Call for sites - a call for sites exercise was carried out in two stages. This included targeting existing operators, landowners and other interested parties requesting them to put sites forward for consideration.
 - iii. Land availability search – this was an initial search into the land available in North London that may be suitable for the development of waste management infrastructure. At this stage, all available sites and areas were included in the process in order that the site assessment process for the NLWP could then be applied. The result of this work was to identify a long list of potential sites.
 - iv. Desk based site and area assessment – the long list of sites and areas was then assessed against the selection criteria. As shown in Table 8 below, the assessment criteria were split into two levels, absolute criteria and screening criteria. The absolute criteria were applied first to determine if the identified constraints affected part of the proposed sites and areas, resulting in their removal. The remaining sites and areas were then subject to the screening criteria. The aim of using the absolute criteria was to ensure that those sites/areas which are wholly unsuitable are excluded from further consideration and to identify those which may be suitable.
 - v. Site visits were undertaken in August and October 2014 to check and refine information from the desk based assessment and make a visual assessment of the suitability for different types of waste management facilities as well as the relationship with adjoining development. The information was used to complete the criteria-based assessment to ultimately determine the

suitability of the sites/areas for future waste development as well as evaluate the potential facility types.

- vi. Areas identified as suitable for future waste management facilities were subject to an assessment to calculate the level of capacity they could reasonably be expected to provide. Firstly the proportion of North London's industrial land in waste use was established. This showed the ability of waste facilities to compete with other land uses in these areas was good and that waste is a growing sector in contrast to declining industries such as manufacturing. Secondly, a review of the vacancy rates and business churn for industrial land was used to estimate the proportion of land within these areas which are likely to become available over the plan period. Further information is available in the Sites and Areas Report.
- vii. Sustainability Appraisal¹⁷ and Habitats Regulation Assessment¹⁸ of sites/areas – all proposed sites have been subject to these assessments and the findings fed into the policy recommendations.
- viii. Consultation with Landowners – Following completion of the above, land owners for all the sites remaining were contacted to seek feedback on the inclusion of their land as a waste site allocation. The findings of this work have further refined the list of sites and further information can be found in the Sites and Areas Report.
- ix. Sequential test – any sites lying within a level 2 or 3 flood risk zone have been subject to sequential testing to assess the potential impact of a waste development in this zone. The results of this work can be found in the Sites and Areas Report.

8.22 The assessment criteria applied to all sites and areas is listed in Table 10 below. The criteria have been used in assessing sites and areas during both the desk based assessment and site visits.

Table 10: Sites and Areas Assessment Criteria

Absolute Criteria	Screening Criteria
<ul style="list-style-type: none"> • Metropolitan Open Land (MOL) 	<ul style="list-style-type: none"> • Sites of local importance for nature

¹⁷ Sustainability appraisal is the assessment of the potential impact against an agreed set of social, environmental and economic objectives. It encompasses the requirement of Strategic Environmental Assessment which is a requirement of Europe that all plans undergo.

¹⁸ HRA is a requirement of Europe that all plans are assessed against their potential impact of natura 2000 sites.

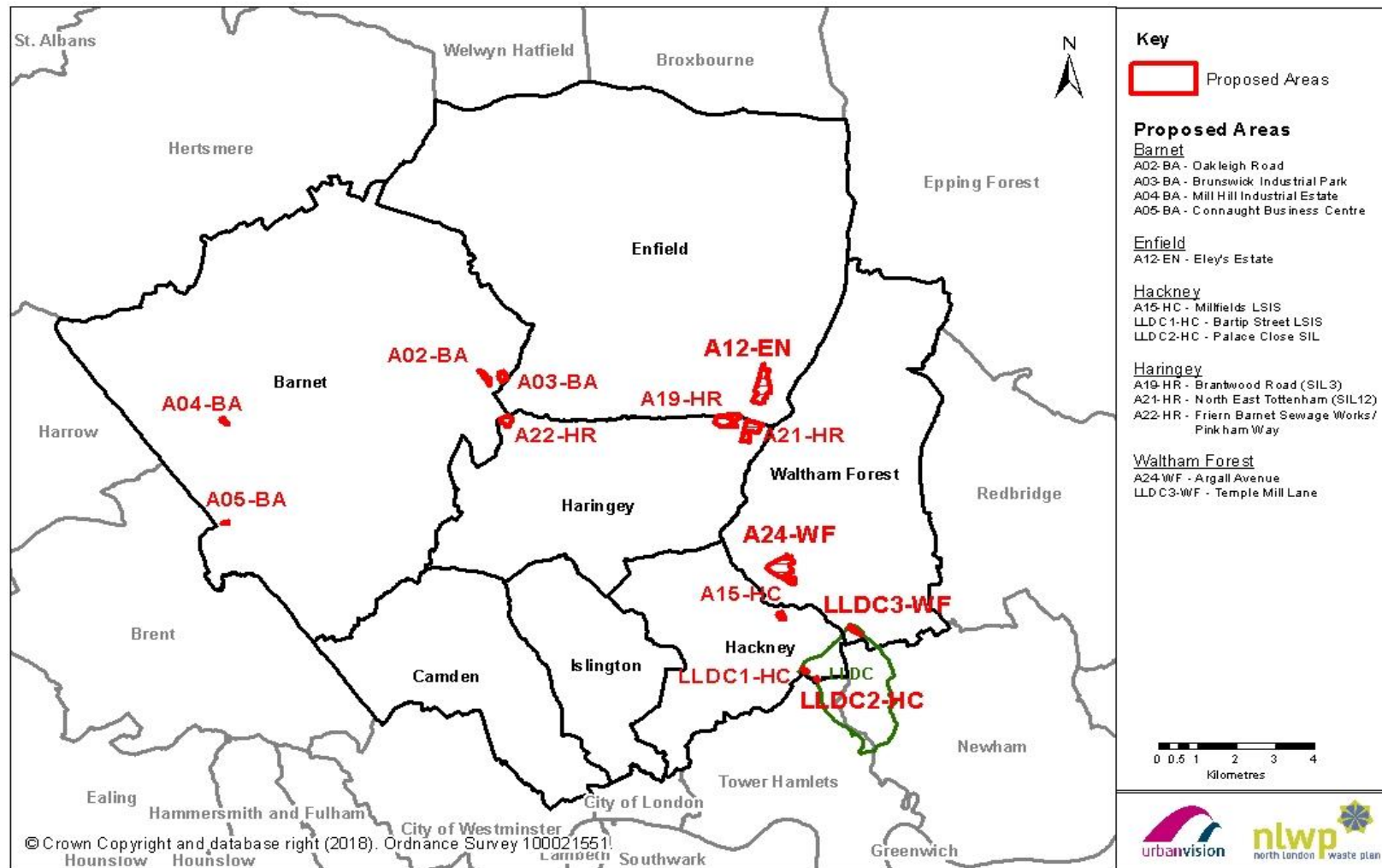
Absolute Criteria	Screening Criteria
<ul style="list-style-type: none"> • Green Belt (for built facilities) • Grade 1 & 2 agricultural land (part of the Green belt) • Sites of international importance for conservation e.g. Ramsar sites, Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) • Sites of national importance for conservation e.g. Sites of Special Scientific Interest and National Nature Reserves • Ancient Woodlands • Scheduled Ancient Monuments • Listed Buildings (grade I and II*) • Registered Parks and Gardens (grade I and II*) • Registered battle fields • Areas of Outstanding Natural Beauty (AONB) • Protected open spaces • Landscape designations such as Areas of Special Character (part of the Green Belt) 	<ul style="list-style-type: none"> conservation (SINCs) • Flood risk areas/flood plain • Accessibility (proximity to road, rail, canal/river) • Sites greater than 2km from the primary route network • Ground water protection zones • Surface waters • Major aquifers • Airfield safeguarding areas (Birdstrike zones) • Air Quality Management Areas • Unstable land • Green belt (for non-built facilities) • Local Plan designations • Settings of Scheduled Ancient Monuments • Settings of Listed Buildings • Settings of Registered Parks and Gardens (grade I and II*) • Neighbouring land uses • Proximity to sensitive receptors

Draft Plan Consultation

8.23 The sites and areas identified as a result of the methodology set out above were consulted on as part of the Draft Plan prepared under Regulation 18 of the Town and Country Planning Regulations 2012.

- 8.24 In preparing this (Proposed Submission) version of the NLWP, and deciding which sites and areas to take forward, the North London Boroughs took into account national and regional policy, the aims of the NLWP and consultation responses on the Draft Plan, including issues raised around deliverability and other constraints. Further work was undertaken to gather and assess additional information on the proposed sites and areas received during the consultation or as a result of new data being published.
- 8.25 The North London Boroughs developed a range of reasonable options for taking forward sites and areas in the Proposed Submission version of the plan. The preferred option was to take forward land designated as industrial land and high-performing (Band B) sites/areas, while achieving a better geographical spread by reducing the number of sites identified in Enfield. This focus on industrial land and the highest performing areas helps to locate waste facilities away from residential properties, as far as this is possible in an urban area like North London. Further details are set out in Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP (2018).
- 8.26 The areas, shown in Figure 13 (see also Schedule 2 in section 9), have been identified as suitable for built waste management facilities.. The areas are being put forward as they comply with the NLWP Spatial Framework which is reflected in the site selection criteria, as well as a range of environmental, social and economic criteria set out in the Sustainability Appraisal Scoping Report. During the course of the plan, it is expected that land will become available as part of the business churn. Any proposals for waste facilities within the areas will be subject to planning permission. No provision is made for landfill due to the inability of the Plan area to accommodate development of landfill.

Figure 13: Location of proposed new areas



9 Policies

- 9.1 The policies set out in this section will form part of each Borough's 'development plan' which also includes the Mayor's London Plan and individual borough Local Plans (see Figure 2). All planning applications for waste uses will be assessed against the following NLWP policies and other relevant policies in the development plan and any associated Supplementary Documents (SPD)/guidance. Any proposals for waste development will be expected to take account of the full suite of relevant policies and guidance.
- 9.2 The NLWP policies will help deliver the NLWP's aim and objectives (section 3), Spatial Framework (section 4) and the Strategy Policy for North London's Waste (section 7). The supporting text sets out why the particular policy approach has been chosen, any alternatives considered and how the policy will be implemented.
- 9.3 The policies are:
- Policy 1: Existing waste management sites
 - Policy 2: Locations for new waste management facilities
 - Policy 3: Windfall sites
 - Policy 4: Re-use & Recycling Centres
 - Policy 5: Assessment criteria for waste management facilities and related development
 - Policy 6: Energy recovery and decentralised energy
 - Policy 7: Waste Water Treatment Works and Sewage Plant
 - Policy 8: Control of Inert Waste

Policy 1: Existing waste management sites

Policy 1: Existing waste management sites

All existing waste management sites identified in *Schedule 1: Existing safeguarded waste sites in North London*, and any other sites that are given planning permission for waste use, are safeguarded for waste use.

Expansion or intensification of operations at existing waste sites will be supported where the proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and related guidance.

Applications for non-waste uses on safeguarded waste sites will only be permitted

where it is clearly demonstrated to the satisfaction of the relevant borough that compensatory capacity will be delivered in line with the spatial framework on a suitable replacement site in North London, that must at least meet, and, if possible, exceed, the maximum achievable throughput of the site proposed to be lost and help to promote the increased geographical spread of waste sites across the plan area.

Development proposals in close proximity to existing safeguarded waste sites or sites allocated for waste use which would prevent or prejudice the use of those sites for waste purposes will be resisted under the agent of change principle unless design standards or other suitable mitigation measures are adopted to ensure that the amenity of any new residents would not be significantly adversely impacted by the continuation of waste use at that location or suitable compensatory provision has been made for the waste use elsewhere within the Plan area.

This policy helps meet strategic objectives SO2 and SO3

This policy contributes towards Spatial Framework components A and C

- 9.4 The purpose of Policy 1 is to ensure that the existing waste capacity in North London is protected and is able to expand where appropriate. It applies to sites with existing operational waste facilities, and any other sites developed for waste use throughout the plan period.
- 9.5 *Schedule 1: Existing safeguarded waste sites in North London* is in Appendix 1. The London Plan requires boroughs to protect their existing waste capacity and each North London Borough is safeguarding this land through their Local Plan and Policies Map. The contribution currently made by these facilities, and their future contribution, is taken into account in the estimation of how much additional waste management capacity is needed throughout the plan period, so it is important to protect these existing facilities to ensure there is sufficient capacity available to meet identified needs over the plan period. If existing facilities were lost and the capacity not replaced elsewhere in North London, this would result in additional waste capacity being required to meet the identified need and achieve net self-sufficiency.
- 9.6 Planning applications for expansion of existing waste facilities will be supported where they are in alignment with policies in this Plan and with Borough Local Plans.
- 9.7 If, for any reason, an existing waste site is to be lost to non-waste use, compensatory provision will be required within North London. Replacement provision will be calculated using the maximum achievable throughput (tonnes per annum) that the site has achieved as set out in the EA Waste Data Interrogator. Maximum throughput for existing sites 2009-2016 can be found in the [Data Study Part 3: Sites Schedule Report](#) Tables 1-7: Assessment of existing waste management capacity.

This information is sourced from the Environment Agency's Waste Data Interrogator. Applicants will need to demonstrate that provision of replacement capacity is secured before permission is granted for an alternative use. This could be through a compensatory site of a suitable size to meet at least the maximum annual throughput or an increase of capacity in an existing facility. However, it may not be necessary for replacement sites to be on a 'like for like' basis, for example, a new site with a larger capacity might replace a number of sites with individually smaller, but combined equivalent, capacity.

- 9.8 Compensatory provision should be delivered in accordance with the spatial framework and such proposals will need to demonstrate compliance with Policy 3 (Windfall sites) and 5 (Assessment Criteria for waste management facilities and related development) of the NLWP. The area of search for a replacement site should be within North London. As set out within Section 4, a key Spatial Principle of the NLWP is to establish a geographical spread of waste sites across North London, consistent with the principles of sustainable development. The aim is to ensure that waste is managed efficiently and as close to its source as possible whilst minimising any negative cumulative impacts resulting from a high concentration of waste facilities. Avoiding an unduly high concentration of waste facilities in a location is consistent with the overarching objectives of sustainable development, identified within the NPPF and would leave land available for other uses. The most suitable location for the re-provision of a site lost to non-waste development may therefore not necessarily be within the same north London borough as the displaced site. Adequate evidence of compensatory provision will be required to the satisfaction of the local planning authority before planning permission for redevelopment proposing loss of a facility is granted.
- 9.9 Any sites that come forward and receive planning permission for waste development which are implemented in the lifetime of the NLWP will be regarded as existing waste sites in North London and safeguarded under the provisions of this Policy (1).
- 9.10 Policy 1 also seeks to protect existing and permitted waste sites from the influence of an incompatible use in close proximity prejudicing the continuation or further development of waste operations at that location. Waste facilities have an important role to play in ensuring that communities are sustainable. Identifying and safeguarding suitable sites for waste facilities is challenging with issues relating to public amenity, access, hydrology, and geology, amongst others, to consider. In addition, waste is a relatively 'low value' land use which, although capable of competing with other industrial type uses, cannot outbid higher value uses. The introduction of sensitive types of development nearby, such as housing, could have an adverse impact on the continued operation of the existing sites in North London and their ability to provide sufficient waste capacity as well as helping meet waste recycling, diversion and recovery targets. This would undermine the anticipated

capacity of the network of existing facilities across North London to manage waste and consequently the overall deliverability of the NLWP. The NPPF and the draft London Plan sets out the ‘Agent of Change’ principle. This principle places the responsibility of mitigating the noise impact (from existing noise-generating businesses) on the proposed new development. Developers proposing non-waste development in close proximity to existing waste sites should be aware of the potential impacts on existing waste operations and plan this into their development so as not to prevent or prejudice the continued waste use in that location, otherwise such developments will not be permitted. Accordingly proposed non-waste developments should be designed to protect both the amenity of potential new residential developments and the existing waste operation within that area.

Policy 2: Locations for new waste management facilities

Policy 2: Locations for new waste management facilities

Areas listed in *Schedule 2: Areas suitable for waste management* and *Schedule 3: Areas identified in LLDC Local Plan* are identified as suitable for built waste management facilities.

Applications for waste management development will be permitted on suitable land within the areas identified in Schedule 2 subject to other policies in the North London Waste Plan, the London Plan and Local Plans, and related guidance.

Development proposals will need to manage waste as far up the waste hierarchy as practicable.

Applications for waste management development within the areas identified in Schedule 3 will be assessed by the London Legacy Development Corporation.

This policy helps meet strategic objectives SO1, SO2, SO3 and SO5

This policy contributes towards Spatial Framework components B and F

Table 11: Schedule 2 Areas suitable for waste management

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
A02-BA	Oakleigh Road	0.99	Barnet	X		X		X
A03-BA	Brunswick Industrial Park	3.9	Barnet	X				X
A04-BA	Mill Hill Industrial Estate	0.9	Barnet	X				X

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
A05-BA	Connaught Business Centre	0.9	Barnet	X				X
A12-EN	Eley's Estate	26.1	Enfield	X	X	X	X	X
A15-HC	Millfields LSIS	1.48	Hackney			X		
A19-HR	Brantwood Road	16.9	Haringey	X			X	X
A21-HR	North East Tottenham	15.32	Haringey	X			X	X
A22-HR	Friern Barnet Sewage Works/ Pinkham Way	5.95	Haringey	X	X			X
A24-WF	Argall Avenue	26.91	Waltham Forest	X	X			X

Table 12: Schedule 3 Areas identified in LLDC Local Plan

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
LLDC1-HC	Bartrip Street	0.6	Hackney	X				X
LLDC2-HC	Chapman Road (Palace Close)	0.33	Hackney	X				X
LLDC3-WF	Temple Mill Lane	2.1	Waltham Forest	X	X			X

- 9.11 Policy 2 identifies areas and their suitability for a range of built waste management facilities. National and European requirements state that waste plans must identify locations where future waste development may take place. In addition, the London Plan requires boroughs to allocate sufficient land to provide capacity to manage apportioned waste.
- 9.12 The NLWP data study has identified capacity gaps for waste management during the plan period for the preferred option of net self-sufficiency. The purpose of Policy 2 is to ensure that sufficient land is identified to accommodate built waste management facilities to deal with these identified capacity gaps for North London.
- 9.13 The NLWP identifies several areas to provide land suitable for the development of waste management facilities. Each 'area' comprises a number of individual plots of land, for example, an industrial estate or employment area that is in principle suitable for waste use but where land is not safeguarded for waste. The identification of areas suitable for waste uses, subject to detailed site assessment at planning application stage, will help to achieve net self-sufficiency whilst encouraging co-location of facilities and complementary activities (an objective of the NPPW and Spatial Framework).
- 9.14 The areas are considered to be in the most suitable, sustainable and deliverable locations in North London for new waste management facilities when assessed

against a range of environmental, economic and social factors and the Spatial Framework.

- 9.15 The site profiles in Appendix 2, indicate the size of each area, the type of facility likely to be accommodated on the area, and any mitigation measures which may be required. Developers should be aware that any type of facility listed as potentially suitable is subject to consideration against the full suite of relevant local planning policies/guidance.
- 9.16 The ability of areas to accommodate a range of types and sizes of waste management facility is important to the flexibility of the Waste Plan. Table 13: Key to Waste Management Facility Types contains a full list of the types of facilities which were considered when assessing sites and which may be required over the plan period to meet the identified capacity gap. The facility types identified are broad categories which may come forward over the plan period. The order of facility types reflects their place in the waste hierarchy, with categories A and B at the 'recycling' level and C-E at the 'other recovery' level. Applicants should take account of this order when responding to the second criteria of Policy 2 which requires development proposals to manage waste as far up the waste hierarchy as practicable.
- 9.17 The NLWP recognises that currently emerging or unknown waste management technologies, not listed in Table 13 'Key to Waste Facility Types', may be proposed on allocated sites and within identified areas during the plan period as new ways of treating waste come to the fore. As with all proposals, those for waste management technologies not listed will be assessed against the relevant NLWP policies, policies in the London Plan, Borough Local Plan policies and related guidance.

Table 13: Key to Waste Management Facility Type

	Facility type
A	Recycling
B	Composting (including indoor / in-vessel composting)
C	Integrated resource recovery facilities / resource parks
D	Waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)
E	Waste transfer

- 9.18 A full assessment of the suitability of the area for a facility type should be prepared by the developer to inform any development application for waste use. This will allow for a more detailed analysis and consideration of potential impacts associated with a specific proposal at the planning application stage.

- 9.19 In North London the most likely options for waste management will be recycling and recovery. The test of whether the proposed management is acceptable in terms of the waste hierarchy will be based on the type of waste and the treatment proposed and demand.
- 9.20 It is not within the remit of the NLWP to directly allocate sites/areas within the London Legacy Development Corporation (LLDC) planning authority area; this falls to the LLDC Local Plan. Therefore Schedule 4 sets out separately those areas identified in the LLDC Local Plan as being potentially suitable for built waste management facilities.

Policy 3: Windfall Sites

Policy 3: Windfall Sites

Applications for waste development on windfall sites outside of the sites and areas identified in Schedules 1,2 and 3 will be permitted provided that the proposal can demonstrate that:

- a) the sites and areas identified in Schedules 1, 2 and 3 are not available or suitable for the proposed use or the proposed site would be better suited to meeting the identified need having regard to the Spatial Principles;
- b) the proposed site meets the criteria for built facilities used in the site selection process (see Table 10 of Section 8 of the NLWP) the proposal fits within the NLWP Spatial Framework, and contributes to the delivery of the NLWP aim and objectives;
- c) future potential development including Opportunity Areas identified in the London Plan, and transport infrastructure improvements such as West Anglia Main Line, Four Tracking and Crossrail 2 would not be compromised by the proposals,;
- d) it is in line with relevant aims and policies in the NLWP, London Plan, Opportunity Area Planning Frameworks, Local Plans and related guidance; and
- e) waste is being managed as far up the waste hierarchy as practicable

This policy helps meet strategic objectives SO2 and SO3

This policy contributes towards Spatial Framework components B

- 9.21 The purpose of this policy is to ensure that development for new waste facilities on sites which do not form part of the planned strategy in the NLWP make a positive contribution to managing waste in North London. Windfall sites refer to locations

which are not identified in Schedules 1-3 of this Plan. Windfall sites will cater for the needs of new waste facilities as well as those of displaced facilities lost under proposals considered under Policy 1. Windfall sites will also need to comply with Policy 5 which applies to all proposed waste developments.

- 9.22 The site search process for suitable potential locations for waste facilities has been extensive, thorough, and subject to public consultation, Equality Impact Assessment (EQIA), Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA). However, there remains a possibility that sites not identified in the plan i.e. windfall sites may be brought forward by operators or landowners for waste development over the plan period.
- 9.23 Developers of windfall sites are required to demonstrate why the sites and areas in Schedules 1, 2 and 3 are not available or suitable or that the proposed site would be better suited to meeting the identified need having regard to the Spatial Principles of the NLWP. There may be instances in the future where advances in waste technologies are such that the identified sites/areas do not meet the technical requirements of a proposed waste management facility, for example, the identified locations might be too small for the proposed development or the facility may need to be located near a specific waste producer or user of heat. Some of the areas identified in Policy 2 may become unavailable over the Plan period because they will be used for other purposes or affected by future development proposals such as Crossrail 2 and Opportunity Areas. Locating certain types of waste processing sites within large scale redevelopment areas may also have benefits for reducing need for waste transport especially during the construction phase for the management of CDE. In addition, it is also recognised that proposals on windfall site may come forward to provide capacity for displaced facilities from within the plan area where existing capacity needs to be re-provided locally and this need cannot be met through the existing allocations.
- 9.24 Proposals for waste development on windfall sites will be supported where the proposal would not compromise existing planning designations and where the impacts on communities and environment can be satisfactorily controlled. This should not work against the principle of balanced geographical distribution as set out in the Spatial Framework.
- 9.25 Proposals for waste development on windfall sites should be in line with the London Plan, the NLWP, and Local Plans adopted by the North London boroughs. Proposals for waste facilities on windfall sites will need to demonstrate compliance with the same planning and spatial criteria (Table 10, section 8) used for the identification of sites and areas in the NLWP, and any other relevant material considerations, including the assessment criteria as set out within policy 5. The windfall sites policy has been developed to ensure that any unplanned development contributes

positively to future waste capacity in the plan area while not undermining the approach to development set out in the NLWP, the London Plan and Local Plans. Any waste development brought forward on a windfall site must meet the same high level of sustainability as the areas identified through the site selection process.

- 9.26 Applications for waste developments on windfall sites will need to demonstrate how the application supports delivery of the NLWP and assists in the aim of net self-sufficiency by providing capacity that addresses the requirements of North London to manage more of its own waste or in providing replacement capacity for an existing facility which has been displaced. In line with the aim and objectives of the plan, planning applications will need to demonstrate that there will be social, economic and environmental benefits from the development and that amenity will be protected.
- 9.27 Historically, waste development has been concentrated within the east and west of North London. Policy 3 provides an opportunity to develop a wider network of sites across the area, in line with the Spatial Framework. This policy allows new sites to come forward across the area where demand and commercial opportunity arise helping to provide a wider spread of facilities across the plan area in future.
- 9.28 There will be mixed use developments across North London within the period of the NLWP. The revised London Plan sets out a framework for development of new housing and employment together with the ancillary development necessary to sustain that development. Crossrail 2 will impact considerably on north London as mixed use development is expected to accumulate around Crossrail 2 stations.
- 9.29 In large scale redevelopment areas across the boroughs there is opportunity to plan for waste uses to form part of the master-planning process. In this way it should be possible to design-out any potential land use conflicts with non-waste uses in close proximity and support the agent of change principle as promoted by the London Plan. In such areas it may also be beneficial to allow temporary sites that can manage CDE waste generated as part of the redevelopment, subject to licencing and planning requirements.
- 9.30 In areas which contain a mixed use of employment and housing, suitable waste uses are likely to be re-use, repair or recycling uses. The following issues need special considerations when designing waste facilities into a mixed use area as part of the master planning process.
- How to minimise visual and acoustic nuisance from the site to residential properties and other uses, including utilising suitable screening , building orientation including avoiding residential units overlooking waste operations or vehicle site access points, and use of appropriate building materials.

- Impact of odour, dust, litter on local amenity – An Environmental Management Plan to be submitted in support of a planning application to be applied to prevent such impacts from becoming a nuisance;
- Access and traffic – consider the most appropriate route and timing for vehicles to access the waste facility and separation of access to avoid conflict with traffic and access associated with neighbouring uses.

These issues are considered in more detail in policy 5 including a presumption that waste uses will be enclosed.

9.31 The test of whether the proposed operations are acceptable in terms of the waste hierarchy will be based on the type of waste and the treatment proposed and demand.

Policy 4 – Re-use & Recycling Centres

Policy 4 – Re-use & Recycling Centres

Proposals for Re-use & Recycling Centres will be permitted where:

- a) They are sited in an area of identified need for new facilities in Barnet or Enfield or elsewhere where they improve the coverage of centres across the North London Boroughs, and;
- b) They are in line with relevant aims and policies in the North London Waste Plan, London Plan, Local Plans and other related guidance.

This policy helps meet strategic objectives SO1, SO2 and SO3

This policy contributes towards Spatial Framework components B

9.32 Re-use & Recycling Centres (RRCs) provide members of the public with access to a wider range of recycling facilities and they also deal with bulky items. There are currently nine RRCs in North London of which eight are the responsibility of the North London Waste Authority (NLWA). They are safeguarded for waste use under Policy 1. The NLWA has identified areas of deficiency in coverage in parts of Barnet and Enfield and is seeking to address this by providing new or replacement sites so that 95% of residents live within two miles (measured as a straight line) of a facility¹⁹ - see Figure 7 in Section 4. The NLWA is also proposing a new RRC on the Edmonton EcoPark site as part of its current Development Consent Order (DCO) application on

¹⁹ Household Waste Recycling Centre Policy, North London Waste Authority (June 2010)

the site. The Spatial Framework seeks a network of waste sites across North London and, as part of this aim, to ensure residents have good access to RRCs where there is an identified need.

- 9.33 Re-use & Recycling Centres should be located where they can provide appropriate access for members of the public and for contractors and their vehicles. They are best sited on former waste sites or in areas of industrial or employment land and need to be of a sufficient size for the range and quantity of materials likely to be received. Sites within areas identified in Schedules 2 and 3 Areas suitable for waste management are likely to be suitable. There may be scope to provide localised recycling centres as part of major new development.

Policy 5: Assessment Criteria for waste management facilities and related development

Policy 5: Assessment Criteria for waste management facilities and related development

Applications for waste management facilities and related development, including those replacing or expanding existing sites, will be required to demonstrate to the satisfaction of the relevant Borough that:

- a) the amenity of local residents is protected;
- b) the facility will be enclosed unless justification can be provided by the developer as to why that is not necessary;
- c) adequate means of controlling noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants and other emissions are incorporated into the scheme;
- d) there is no significant adverse effect on any established, permitted or allocated land uses likely to be affected by the development;
- e) the development is of a scale, form and character in keeping with its location and incorporates appropriate high quality design;
- f) there is no significant adverse impact on the historic environment (heritage assets and their settings, and undesignated remains within Archaeological Priority Areas), open spaces or land in recreational use or landscape character of the area including the Lee Valley Regional Park;
- g) active consideration has been given to the transportation of waste by modes other than road, principally by water and rail;
- h) there are no significant adverse transport effects outside or inside the site as a result of

<p>the development;</p> <ul style="list-style-type: none"> i) the development makes the fullest possible contribution to climate change adaptation and mitigation; j) the development has no adverse effect on the integrity of an area designated under the Habitats Directive and no significant adverse effect on local biodiversity or water quality; k) there will be no significant impact on the quality of underlying soils, surface or groundwater; l) the development has no adverse impact on Flood Risk on or off site and aims to reduce risk where possible; m) appropriate permits are held or have been applied for from the Environment Agency; n) there is no adverse impact on health o) there are no significant adverse effects resulting from cumulative impact of any proposed waste management development upon amenity, the economy, the natural and the built environment either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of waste developments occurring concurrently or successively. p) There are job creation and social value benefits, including skills, training and apprenticeship opportunities²⁰. q) The proposal is supported by a Circular Economy Statement
<p>This policy helps meet strategic objectives SO4, SO5, SO7 and SO8</p> <p>This policy contributes towards Spatial Framework component E</p>

9.34 Policy 5 seeks to ensure that the construction and operation of waste facilities does not give rise to an unacceptable impact, or harm the **amenity** of local residents or the environment. Amenity is defined as any element providing positive attributes to the local area and its residents and impacts can include such issues as increased noise disturbance, light impacts including increased light or reduced light or sunlight, reduced privacy, loss of outlook and reduced visual amenity. Applicants will need to demonstrate that appropriate measures have been taken to minimise any potential impacts from the proposed waste development to ensure the protection of local

²⁰ This requirement is an issue for all development and waste applications should provide details as to how they will meet these objectives.

amenity. The specific requirements will vary from site to site, however issues to be addressed may include strict hours of operation, effective cladding on buildings to prevent noise pollution, and dust and odour suppression systems as appropriate. These issues are discussed in more detail below.

- 9.35 Waste facilities can be separated into '**enclosed**' facilities, where waste is processed inside a building and 'open' facilities, which largely deal with waste in the open air. Waste facilities are often seen as bad neighbours, due to problems associated with open air facilities. It is current best practice that the operations are carried out within a covered building enclosed on all vertical sides with access and egress points covered by fast acting doors which default close in order to minimise local public health and environmental impact. Such enclosed facilities are similar in appearance to modern industrial shed developments such as factories or logistics facilities and it is this type of facility that is the focus of the NLWP site allocations. 'Open' facilities are unlikely to be suitable for North London as outlined in the section 3 of the Plan except in exceptional circumstances. There are types of waste development for specific waste streams or waste types that may not need to or should not be enclosed but any activity likely to cause dust should be carried out within a building or enclosure. Enclosing waste management facilities not only results in less dust and particulate pollution but will also reduce the risk of pollution caused from other amenity issues such as noise, pests and odour. **Noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants**, other emissions and their potential health impacts have been a major concern raised through public consultation. However, well sited, and well managed facilities should not cause harm or disturbance. Details of controls for emissions (including bio aerosols) from the site need to be supplied with the application. Planning conditions and section 106 agreements will be used to secure measures to address any issues where necessary and where control is not already exercised through other consent regimes (i.e. the requirement for environmental permits, which is assessed by the Environment Agency). Applicants will be expected to comply with Borough policies on contaminated land. The North London boroughs require that any development can safely complement surrounding uses.
- 9.36 The North London boroughs expect well controlled and well-designed waste facilities capable of fitting in with **surrounding land uses** and acting as good neighbours. Where development is proposed close to residential areas, in line with the agent of change principle, the design must incorporate noise reduction measures as well as dust and odour suppression as necessary. It should be designed to minimise its impact on the local area and ensure it is compatible with existing surrounding land uses. When assessing planning applications for waste uses, in addition to Policy 5,

the boroughs will also have regard to the criteria in Appendix B of the NPPW and relevant London Plan and Local Plan policies. Applicants are required to submit sufficient information to enable the waste planning authority within which the subject site falls to assess the potential impact of the development proposal on all interests of acknowledged importance. Applicants are encouraged to contact the relevant borough prior to submitting a planning application to discuss relevant matters. Where new waste development is being sited near existing waste sites, developers will be expected to consider potential cumulative impacts as well as also demonstrating any possible benefits of co-locating waste development. **Good design** is fundamental to the development of high quality waste infrastructure and the North London boroughs seek approaches that deliver high quality designs and safe and inclusive environments. The documents submitted in support of the planning application should set out how the development takes on board good practice such as the Defra/CABE guidance on designing waste facilities²¹. The supporting documents should set out how the siting and appearance complements the existing topography and vegetation. Materials and colouring need to be appropriate to the location. The development should be designed to be in keeping with the local area and include mechanisms for reducing highway deposits²², noise and other emissions where necessary.

- 9.37 The supporting documents should set out how landscape proposals can be incorporated as an integral part of the overall development of the site and how the development contributes to the quality of the wider urban environment. The applicant will need to demonstrate that there will be no significant adverse effect on areas or features of landscape, historic or nature conservation value. Where relevant, the delivery of waste facilities (through construction to operation) should take account of the need to conserve and enhance the historic environment in line with the NPPF.
- 9.38 Where sites include, or are likely to have an impact on the setting of a **heritage** asset both designated (Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Registered Historic Parks and Gardens and Battlefields) and undesignated, including archaeology, it should be demonstrated that the development will conserve the significance of the asset. Where the site has potential to include assets with archaeological interest, such as if it is in an archaeological area

²¹ Designing waste facilities – a guide to modern design in waste, Defra & CABE, 2008

²²This can be achieved through provision of wheel wash facilities etc where required and placing conditions of the applications to ensure all vehicles are covered

identified in a Borough Local Plan or may affect a site recorded on the Greater London Historic Environment Record, an appropriate desk based assessment and, where necessary, a field evaluation, is required to accompany the planning application. Where such an assessment and evaluation confirms significant archaeological interest then appropriate mitigation by design or investigation is also required.

- 9.39 A large part of the Lee Valley Regional Park (1483 ha) falls within four of the North London Boroughs involved in the Plan; Waltham Forest, Haringey, Enfield and Hackney. New development should contribute to the protection, enhancement and development of the Regional Park as a world class visitor destination and the wider public enjoyment of its leisure, nature conservation, recreational and sporting resources. The Lee Valley is a significant resource for North London and developments should not have an adverse effect on the **open space** and character of the area, and should aim to contribute to its enhancement where appropriate.
- 9.40 Waste and recyclables require transportation at various stages of their collection and management and so opportunities to employ more sustainable options such as rail and river should be fully considered. North London is characterised by heavy traffic on all principal roads. That is why developers need to prioritise **non-road forms of transport** if at all possible and to set out their assessment in a Transport Assessment detailing transport issues to be submitted with any planning applications for waste facilities (see below). In North London there exists considerable potential for sustainable transport of waste as part of the waste management process. There are a number of railway lines and navigable waterways in North London including the Regents Canal and the Lee Navigation. It is existing practice to transport waste by train and pilot projects have taken place to transport waste by water. Developers are required to demonstrate that they have considered the potential to use water and rail to transport waste before reliance on transport of waste by road. Where the site lies adjacent to a wharf or waterway, capable of transporting waste, developers need to demonstrate that consideration has been given to the provision and/or enhancement of wharf facilities.
- 9.41 Applicants will need to submit a **Transport Assessment** in line with the relevant borough Local Plan policy and the London Plan. The Transport for London Best Practice Guide contains advice on preparing Transport Assessments when they are required to be submitted with planning applications for major developments in London. Consideration should be given to access arrangements, safety and health hazards for other road users, the capacity of local and strategic road networks, impacts on existing highway conditions in terms of traffic congestion and parking, on-site vehicle manoeuvring, parking and loading/unloading areas, and queuing of

vehicles. The statement should include a traffic management plan establishing the times of access for vehicles to minimise disruption on the local road network during peak hours, and setting out specific routes to ensure that vehicles are accessing the site via roads considered suitable by the Highways Authority and, where possible, avoid overlooking of the site access by residential properties.

- 9.42 The development of Servicing and Delivery Plans and Construction Logistic Plans (CLP) will be encouraged for all waste developments. Such Plans ensure that developments provide for safe and legal delivery and collection, construction and servicing including minimising the risk of collision with vulnerable road users such as cyclists and pedestrians. Consideration should be given to the use of Direct Vision Lorries for all waste vehicles and the use of freight operators who can demonstrate their commitment to TfL's Freight Operator Recognition Scheme (FORS) or similar.
- 9.43 Sustainable design, construction and operation of waste management development will be assessed against relevant borough Local Plan policies. Consideration should be given to how the development contributes to the mitigation of and adaption to **climate change**, promotes energy and resource efficiency during construction and operation with the aim of developments being carbon neutral, the layout and orientation of the site and the energy and materials to be used. Developments should achieve the highest possible standard under an approved sustainability metric such as BREEAM or CEEQUAL in line with the relevant borough's policies. Information supplied should enable the borough in question to assess the proposal against relevant planning policies by clearly setting out how the application complies with sustainable design and construction policies and guidance including measureable outputs where appropriate. Where appropriate, production of a site waste management plan should be provided prior to the commencement of construction of the development.
- 9.44 Waste developments should be designed to protect and enhance local **biodiversity**. Development that would have an adverse effect on any area designated under the Habitats Directive will not be permitted. Assessments undertaken for the Plan have identified sites of European Community importance within and nearby the Plan area. Sites at least partially within the Plan boundary are the Lee Valley Special Protection Area (SPA) and RAMSAR site and part of Epping Forest Special Area for Conservation (SAC). Additional sites at least partially within 10 km of the Plan area boundary are Wormley-Hoddesdon Park Woods SAC and Wimbledon Common SAC3. Developers need to be able to demonstrate that their proposals will not have an adverse effect on the integrity of any European site. In addition there are six Sites of Special Scientific Interest and 20 Local Nature Reserves as well as sites of importance to nature conservation (SINC). Developers should take note of existing Biodiversity

Action Plans, protect existing features and promote enhancement for example through the use of green walls where acoustic barriers are required. Where a development site is adjacent to a river the Environment Agency has advised that a setback of a minimum of 8 metres from the top of the bank should be incorporated into any redevelopment proposals. Consistent with this advice, setting back waste management development (not including wharf development) from watercourses and providing an undeveloped buffer zone free from built structures will be important for maintaining access to the river, to allow the landowner access for routine maintenance activities and for the Environment Agency to carry out Flood Defence duties. Maintaining a sufficient wildlife and riverside corridor is also important for minimising the potential adverse impacts to the **water quality** and riverine habitats. This will provide opportunities for flood risk management in line with the Environment Agency Catchment Flood Management Plans. Opportunities for river restoration through the development of sites should also be encouraged to ensure compliance with requirements under the Water Framework Directive and the Thames River Basin Management Plan.

- 9.45 There are a number of **groundwater** source protection zones in North London to protect drinking water supplies and prevent contamination of aquifers. Source protection zone 1 boundaries are defined in the immediate area of boreholes and other abstraction points. Waste facilities may be permitted in source protection zone 1 provided that any liquid waste they may contain or generate or any pollutants they might leach, especially if hazardous, do not pose an unacceptable risk to groundwater. A groundwater risk assessment will be required. Soil quality will need to be protected from potential adverse impact by certain operations, such as open windrow composting. The following waste facilities are considered lower risk and are more likely to be acceptable:
- Energy from Waste ;
 - In-Vessel Composting activities;
 - Mechanical Biological Treatment;
 - Materials Recycling Facility (dry wastes only), and;
 - Waste Electrical and Electronic Equipment (WEEE) sites that exclude potentially polluting wastes.
- 9.46 Higher risk waste uses are less likely to be acceptable in source protection zone 1. Early liaison with the Environment Agency is encouraged.
- 9.47 Source protection zone 2 covers a wider area around an abstraction point. Where developments are proposed in source protection zone 2, a risk assessment will be required and any waste operation apart from landfill may be considered. Where sites

are in source protection zones, developers are encouraged to engage in early discussions with the Environment Agency.

- 9.48 The North London Strategic Flood Risk Assessment (SFRA) and individual borough 'Level 2' SFRA's have demonstrated the risks from **flooding** from various sources across North London and site specific flooding assessments have been undertaken on new sites/areas in schedules 2 and 3. Where a site is near or adjacent to areas of flood risk, the development is expected to contribute through design to a reduction in flood risk in line with the NPPG. Waste facilities are often characterised by large areas of hardstanding for vehicles and large roof areas. Development proposals will be required to show that flood risk would not be increased as part of the scheme and, where possible, will be reduced overall through the use of Sustainable Drainage Systems (SuDS) and other techniques. Any proposed development should be reviewed by the Environment Agency at an early stage to discuss the reduction of flood risk on the site.
- 9.49 Developers of waste facilities should at the time they submit their planning application be engaged with the Environment Agency and hold or be in the process of applying for appropriate **permits from the Environment Agency** as the contemporaneous consideration of planning and environmental permit enables the application to be considered in the round.
- 9.50 Developers of waste facilities will need to fully identify the **health implications** of the development and plan the most appropriate scheme to protect the surrounding uses and community. Any proposed waste development which is required to have an Environmental Impact Assessment will also require a Health Impact Assessment.
- 9.51 Paragraph 5 of the National Planning Policy for Waste (NPPW) requires consideration be given to:
- "The cumulative effect of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential".*
- 9.52 **Cumulative impacts** relate to the way in which different impacts can affect a particular environmental resource or location incrementally, for example, combined noise, dust and traffic emissions on a dwelling from a new road scheme. In essence, cumulative impacts are those which result from incremental changes caused by other past, present or reasonable foreseeable actions together with the proposed development. Therefore, the potential impacts of the proposed development cannot be considered in isolation but must be considered in addition to impacts already arising from existing or planned development.

- 9.53 In determining an application for a new waste facility, account will normally be taken of the potential cumulative impact of waste management and other development within the locality and in particular the area's capacity to absorb that change. Factors to be taken into account will include; the nature of the waste and the process involved; the direction of the prevailing wind; the amount of enclosure for the processes; use of odour neutralisation and minimisation; measures for dust control; the number of persons affected by the development and its duration; the effects on amenity that pollution would cause; local topography providing natural screening; the extent of noise and vibration generated by the operations; the proposed hours of working; and the impact of flood-lighting. In some instances, the combined impact of development over a sustained period of time may be sufficient to warrant refusal of planning permission. However it is acknowledged that cumulative impacts can have positive impacts through synergies with other local waste uses and businesses in the area. Such synergies may lead to less road miles for waste as well as the potential development of green industry hubs attracting more highly skilled and technical jobs. Proposals should seek to make a positive contribution to improving issues of deprivation and inequality within local communities. Where an area has historically hosted significant waste infrastructure and is moving towards regeneration initiatives to improve its economic and investment potential, the cumulative impact on these regeneration activities should be considered when waste development is proposed, especially where the benefits of co-location and economies of scale are outweighed by a resultant reduction in land values, employment opportunities and regeneration potential. In these circumstances where development takes place, opportunities to address inequalities should be taken up in order to promote a better spatial distribution of facilities and avoid undue concentration of waste uses.
- 9.54 As stated throughout this document applications will be assessed against the full suite of relevant **national, London Plan and Local Plan policies** and guidance. However, given the status of the NLWP as a multi-Borough DPD which will form part of the Local Plan of each of the seven Boroughs, Policy 5 is a valuable signpost to impacts that will be considered in the determination of applications.
- 9.55 As part of the application, and in line with policies in the borough local plan, Developers should give details of the jobs created as a result of the new development, the level of skills required and the availability of **training and apprenticeship** opportunities. Developers should seek to meet the aspirations of borough economic and employment strategies and make a positive contribution to the local economy.
- 9.56 As part of the Circular London programme, LWARB published a **Circular Economy** Route Map in June 2017. The Route Map recommends actions for a wide range of

stakeholders, including London’s higher education, digital and community sectors as well as London’s businesses, social enterprises and its finance sector. Developers should submit a Circular Economy Statement in line with the London Plan and guidance issued by the Mayor.

Policy 6: Energy Recovery and Decentralised Energy

Policy 6: Energy Recovery and Decentralised Energy

Where waste cannot be managed at a higher level in the waste hierarchy and recovery of energy from waste is feasible, waste developments should generate energy and/or recover excess heat (including the recovery of energy from gas) and provide a supply to networks including decentralised energy networks.

Where there is no available decentralised energy network and no network is planned within range of the development, as a minimum requirement the proposal should recover energy through electricity production and be designed to enable it to deliver heat and/or energy and connect to a Decentralised Energy Network in the future.

Developers must demonstrate how they meet these requirements, or provide evidence if it is not technically feasible or economically viable to achieve them, as part of a submitted Energy Statement.

This policy helps meet strategic objectives SO1 and SO6

This policy contributes towards Spatial Framework component D

- 9.57 Tackling climate change is a key Government priority for the planning system and a critical new driver for waste management. The purpose of this policy is to ensure that applications for waste management facilities incorporate opportunities for sustainable energy recovery and combined heat and power (CHP) where feasible and practicable. The policy complements more detailed policies in borough Local Plans on financial contributions relating to feasibility, sustainable design, CHP and development of heat networks, against which applications will also be considered.
- 9.58 The NPPW and the London Plan both recognise the benefits to be gained from any energy from waste facility to capture both heat and power, and encourage all developments of this kind to achieve that end.
- 9.59 National policy for renewable energy says that Local Development Documents, such as the NLWP, should contain policies that promote and encourage, rather than

restrict, the development of renewable energy resources. The London Plan includes minimum performance for technologies for generating energy from London's waste, known as the carbon intensity floor. This has been set at 400 grams of CO₂ eq generated per kilowatt hour (kwh) of electricity generated.

- 9.60 The GLA has committed to working with London Boroughs and partners in the private sector to develop opportunities by providing assistance for commercialisation of large decentralised energy projects. Opportunities for district heating were identified across London as part of the Decentralised Energy Master Planning programme led by the GLA in 2008-2010²³. The programme initially focused on identifying opportunities for district heating networks through heat mapping and energy masterplanning with the London Boroughs.
- 9.61 Work is already underway to progress the delivery of a decentralised network in the Lee Valley known as the Lee Valley Heat Network (LVHN). The LVHN will capture affordable low carbon heat from waste to energy facilities and combined heat and power plants, supplying it to buildings and industry across the Lee Valley. The LVHN is requesting hot water to be supplied for the energy from waste facility (EfW) at Edmonton EcoPark. However, over time, the network will connect additional heat sources, including other waste developments, elsewhere in the Lee Valley.

Policy 7: Waste Water Treatment Works and Sewage Plant

Policy 7: Waste Water Treatment Works and Sewage Plant

Proposals for the provision of new facilities for the management, treatment and disposal of wastewater and sewage sludge will be permitted, provided that:

- it is demonstrated that there is an identified need for such a facility within the North London Waste Plan Area, which cannot be met through existing waste facilities; and
- the proposals meet the other policies of this North London Waste Plan together with all other relevant policies of the appropriate borough's Development Plan, and meet environmental standards set by the Environment Agency.

²³ London Heat Map – www.londonheatmap.org.uk

This policy helps meet strategic objectives SO1, SO2 and SO5

This policy contributes towards Spatial Framework component B

- 9.62 Waste Water Treatment Works in North London are operated by Thames Water, with the main facility being Deephams Sewage Treatment Works (STW), which is the ninth largest in England. Deephams STW serves a Population Equivalent (PE) of 891,000 (as at 2011). Works to Deephams STW are planned to commence in 2018 providing sufficient capacity to meet Thames Water's projections of future requirements into the next decade.
- 9.63 The Environment Agency has issued a significantly tighter environmental permit that came into force in March 2017 and requires Thames Water to make improvements to the quality of the discharged effluent. The need for an effluent upgrade to Deephams STW is highlighted in the National Planning Statement on Waste Water, and planning permission for this work was granted by Enfield Council in 2015. The site is to be retained for waste water use and Thames Water anticipates that the approved upgrade to Deephams STW will provide sufficient effluent treatment capacity to meet their needs during the plan period.
- 9.64 The boroughs will work with Thames Water and the Environment Agency to ensure that adequate and appropriate waste water treatment infrastructure is provided to meet environmental standards and planned demand. In September 2014 the Government approved plans to build the Thames Tideway Tunnel - a 25km conduit flowing beneath the Thames which would provide collection, storage and transfer capacity for waste water and rainwater discharge from a significant part of Central London. Construction is scheduled to begin in 2018 with completion scheduled for 2023. Once completed the new tunnel will be connected to the Lee Tunnel which will transfer sewage to the expanded Beckton Sewage Treatment complex. The proposal has indirect implications for the Plan area in that it will benefit from the additional capacity and this will relieve pressure for further expansion of local Waste Water Treatment Works.
- 9.65 Any other new waste water and sewage treatment plants, extensions to existing works, or facilities for the co-disposal of sewage with other wastes will be supported where the location minimises any adverse environmental or other impact that the development would be likely to give rise to, and the suitability of the site can be justified in accordance with this Plan. The Plan has a supporting role to identify suitable locations for additional infrastructure.

Policy 8: Control of Inert Waste

Policy 8: Control of Inert Waste

Proposals for development using inert waste will be permitted where the proposal is both essential for, and involves the minimum quantity of waste necessary for:

- a) The purposes of restoring former mineral working sites; or
- b) Facilitating an improvement in the quality of land; or
- c) Facilitating the establishment of an appropriate use in line with other policies in the Local Plan; or
- d) Improving land damaged or degraded as a result of existing uses and where no other satisfactory means exist to secure the necessary improvement.

Where one or more of the above criteria (a-d) are met, all proposals using inert waste should:

- a) Incorporate finished levels that are compatible with the surrounding landscape. The finished levels should be the minimum required to ensure satisfactory restoration of the land for an agreed after-use; and
- b) Include proposals for high quality restoration and aftercare of the site, taking account of the opportunities for enhancing the overall quality of the environment and the wider benefits that the site may offer, including biodiversity enhancement, geological conservation and increased public accessibility.

Proposals for inert waste disposal to land will not be permitted if it can be demonstrated that the waste can be managed through recovery operations and that there is a need to dispose of waste.

This policy helps meet strategic objectives SO1, SO2 and SO3

This policy contributes towards Spatial Framework component B

9.66 Construction, demolition and excavation waste is largely made up of inert construction waste, such as bricks and hardcore which can be used in site restoration and land reclamation projects.

9.67 Recycling and reuse of inert waste applications for all types of development should demonstrate that viable opportunities to minimise construction and demolition waste disposal will be taken, making use of existing industry codes of practice and

protocols, site waste management plans and relevant permits and exemptions issued by the Environment Agency.

- 9.68 Inert waste materials can be used for beneficial purposes, such as the restoration of mineral sites and in engineering works, or at other 'exempt sites' rather than disposed of at inert landfill sites. Increased use of recycled and secondary aggregates can reduce the need and demand for primary aggregates extraction.
- 9.69 Inert waste will continue to be deposited to land where it is reused for beneficial purposes, including within engineering schemes, for the restoration of mineral workings, and for agricultural improvement. Recycling and recovery are the preferred methods of management and inert waste should only be disposed of to land as a last resort, consistent with the waste hierarchy. Proposals on unallocated sites for the recycling of inert waste will be permitted where it can be demonstrated that there is a market need, consistent with the principle of net self-sufficiency.
- 9.70 There should be a clear benefit or benefits from the proposed development. This should be a benefit to the site itself, for example, the use of residual inert material associated with the restoration of an active or dormant mineral working the restoration of a former mineral working to agriculture or an engineering operation for the provision of a new leisure facility. However, given the likely disturbance to local communities and the local environment, for example, due to the movement of HGVs, there should be benefits for the wider area, for example, through environmental improvement or the creation of new public rights of way.

10. Monitoring and Implementation

Monitoring the Plan

- 10.1 The Planning and Compulsory Purchase Act (2004) requires planning authorities to monitor and report annually on whether the Aims and Objectives of all local plans (whether prepared individually or in conjunction with other authorities) are being achieved (paragraph 35). The NPPW identifies the need to monitor and report on the take-up of allocated sites and areas; changes in the available waste management capacity as a result of closures and new permissions; and the quantities of waste being created locally and how much is being managed at different levels in the waste hierarchy i.e. recycling/composting, recovery, and disposal.
- 10.2 Monitoring is also required to check on whether the intending policy outcomes of the NLWP are being delivered and whether the identified capacity gaps are being met through the allocated areas listed in Policy 2. Monitoring will also ensure that sufficient identified land remains available for new facilities during the plan period which is also likely to see intense competition for land for other uses especially housing. The results of monitoring will also play an important role in informing Development Management decisions when authorities determine planning applications for new waste facilities.
- 10.3 Responsibility for monitoring lies with the individual boroughs. Data will be collated by each borough and included in their Authority Monitoring Report, which is produced annually.
- 10.4 To supplement the boroughs' annual monitoring, it will be important for the GLA to monitor London Plan Policies 5.16 and 5.17 and gather data in partnership with the boroughs on waste arisings, waste management capacity, both within London and landfill outside of London.

Proposed monitoring framework

- 10.5 The aim of monitoring is to check whether the policy framework in the NLWP is working as intended. The proposed monitoring indicators reflect a number of National Indicators and also the statutory and non-statutory performance targets including those set by the EU, the Waste Policy for England and the London Plan. The list of indicators is not intended to be exhaustive and is intentionally focused on parameters where it is possible to evaluate the effect of the NLWP. For example, an indicator reporting on the number of times air quality thresholds were exceeded is of

little use if the contribution of waste management facilities and transport of waste cannot be differentiated from those of other activities.

- 10.6 Table 14 sets out the monitoring indicators proposed for each policy in the NLWP and identifies targets where appropriate. In some cases it will only be necessary to monitor (i.e. count the number of instances of) what has happened in the preceding year. In line with statutory requirements, the North London boroughs will review the plan every five years. If any targets are not being met the boroughs will assess where changes can and should be made.

Table 14: NLWP Monitoring Indicators

Indicator	Target(s)	What it monitors	Outcome(s) sought
1. Amount of Land within identified areas or on windfall sites brought forward for waste use during the plan period.	In line with Table 7: landtake requirements	SO2 (capacity provision) Policy 2: Area allocations Policy 3: Unallocated sites	To check that identified sites and areas are being taken up as anticipated.
2. Sites in Schedule 1 and Areas in Schedules 2 and 3 lost to other non-industrial uses through a major regeneration scheme or designated for non-industrial uses in a review of the London Plan or Local Plan	Less than 25% of land lost If 50% of land is lost this will trigger review of plan	SO2 (capacity provision) Policy 2: Area allocations	To check that identified land is sufficient to deliver the plan's aims To ensure sufficient existing capacity remains for managing the levels of waste expected across North London over the plan period as set out in Table 8.
3. Tonnage of waste capacity, including new waste capacity available by management type (recycling/composting, recovery and disposal) and type of wastes handled (LACW, C&I and CD&E)	Capacity sufficient to manage capacity requirements as set out in Table 6 Capacity Gaps. New waste facilities in line with Table 7: land take requirements	Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self-sufficiency) Meeting Future	Ensure that new waste facilities will close identified capacity gaps Support delivery of the London Plan apportionment and the additional capacity required to achieve a net self-sufficient outcome across the principal waste streams

Indicator	Target(s)	What it monitors	Outcome(s) sought
		Requirements as specified in the NLWP Policy 2: Area allocations Policy 3: Unallocated sites Policy 4. Reuse and Recycling Centres Policy 7 Waste Water Treatment Works and Sewage Plant Policy 8 Control of Inert Waste	
4. Loss of existing waste capacity and provision of replacement capacity	Zero loss Replacement locally, within the Borough, North London or London Replacement capacity for Brent Cross Cricklewood provided within Barnet	Strategic Aim (capacity supply and net self-sufficiency) SO2 (capacity provision and protection) Policy 1: Safeguarding existing waste management sites	Ensure sufficient capacity of the right type is available throughout the plan period Ensure that capacity is replaced locally unless valid planning reasons are provided for not doing so.
5. Total quantity of waste	In line with Table 8 in	Strategic Aim (capacity	Ensure the NLWP meets EU, national

Indicator	Target(s)	What it monitors	Outcome(s) sought
arisings managed by waste stream (LACW, C&I and CD&E) and management route (recycling/composting, recovery and disposal)	Section 7 and the Data Study	supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self-sufficiency) Meeting Future Requirements as specified in the NLWP % waste diverted and % landfilled	Waste Policy and London Plan targets Ensure the NLWP delivers a net self-sufficient waste management outcome for the principal waste streams
6. Amount of waste exported to landfill by waste stream (LACW, C&I and CD&E)	Exported waste to landfill in line with Table 9 of the NLWP	Net self-sufficiency	Waste exports are in line with those estimated in the NLWP and through the duty to co-operate
7. Number of approvals for new waste facilities which meet legislative requirements	100%	SO5 (sustainability) SO8 (protect the environment) Spatial framework (Reduce impact on amenity) Policy 5: Assessment Criteria	Avoid impact on sensitive receptors or maximise scope for effective mitigation

Indicator	Target(s)	What it monitors	Outcome(s) sought
		for waste management facilities and related development	
8. Number of new CHP facilities serving district heat networks in which the principal fuel source is residual waste or recovered waste fuel	Monitor only	Strategic Aim (green London) SO6 (decentralised energy) Spatial framework (Provide opportunities for decentralised heat and energy networks) Policy 6: Energy recovery and decentralised energy	Contribute to delivery of decentralised energy and incremental improvement in environmental performance with respect to climate change
9. Sufficient infrastructure in place for management of waste water	Monitor only – information to be obtained from Thames Water	Strategic Aim (capacity supply and self-sufficiency) SO5 (sustainability)	To ensure that Thames Water have sufficient capacity to management the levels of waste water generated in Noth London over the plan period
11. Number of developments permitted which include disposal of inert waste to land	To ensure that inert waste is managed in line with the waste hierarchy	Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy)	To ensure that proposals involving the importation and disposal of inert waste to land are achieving in line with waste hierarchy.

Indicator	Target(s)	What it monitors	Outcome(s) sought
		SO1 (resource efficiency) SO3 (net self-sufficiency) SO5 (sustainability) SO8 (protect the environment) Meeting Future Requirements as specified in the NLWP % waste diverted and % landfilled	

Implementing the Plan

- 10.7 Development and adoption of the Plan must be followed by actions by a range of agencies and other organisations to ensure that its Aims and Objectives are met. The section summarises proposals for how these outcomes will be delivered and who will be responsible for them.
- 10.8 Implementation has four components – infrastructure delivery; application of the policies to planning proposals for waste facilities; ongoing regulation and monitoring of the local waste management sector; and achieving performance levels – each of which involves different actors. Table 15 summarises the organisations involved in each component.

Table 15: Roles and responsibilities involved in implementing the Plan

Organisation	Role	Responsibilities
Local planning authorities (including London Legacy Development Corporation)	Apply Plan policies	Assessing suitability of applications against Plan policies and priorities Deliver the strategic objectives and policies of the NLWP alongside wider development and regeneration objectives
	Regulate / monitor	Inspect operating waste sites periodically Monitor Plan performance annually
	Performance delivery	Support / promote waste reduction initiatives through the planning system
Borough waste collection authorities	Infrastructure delivery	Bring forward new / replacement waste sites for recycling / composting LACW
	Performance delivery	Implement waste collection activities to deliver desired performance levels as appropriate Support / promote waste reduction initiatives
North London Waste Authority (NLWA)	Infrastructure delivery	Delivery of replacement Edmonton ERF plant Delivery of other facilities enabling achievement of desired performance levels

Organisation	Role	Responsibilities
	Performance delivery	<p>Prioritising infrastructure delivery that moves waste up the Waste Hierarchy</p> <p>Support / promote / deliver waste reduction initiatives</p>
Landowners	Infrastructure delivery	Propose new waste sites in line with NLWP policies that deliver capacity requirements
Waste industry	Infrastructure delivery	Propose new waste sites and deliver new waste facilities in line with NLWP policies that deliver capacity requirements
Environment Agency	Regulate / monitor	<p>Advise on planning applications according to the nature of the proposal</p> <p>Assess applications for Environmental Permits, issue licences where the proposal meets the necessary standards</p> <p>Inspect operating waste sites periodically</p> <p>Collect and publish information about waste movements for use in Plan monitoring</p> <p>Monitor water quality</p>
	Performance delivery	Promote waste reduction initiatives
Health & Safety Executive	Regulate	<p>Advise on planning applications according to the nature of the proposal</p> <p>Monitor</p>
Other statutory bodies (e.g. Natural England)	Regulate / monitor	<p>Advise on planning applications according to the nature of the proposal</p> <p>Monitor protected sites such as SSSI</p>
Greater London Authority	Performance delivery	<p>Promote waste reduction initiatives</p> <p>Promote carbon reduction initiatives</p>
	Apply Plan policies	Assessing suitability of applications against London Plan policies and

Organisation	Role	Responsibilities
		<p>priorities</p> <p>Regional coordination of waste planning</p>
London Waste and Recycling Board	Infrastructure delivery	Support to new waste infrastructure
	Performance delivery	<p>Support to waste collection authorities to deliver desired performance levels</p> <p>Support / promote waste reduction initiatives</p>

10.9 New commercial infrastructure required during the plan period will be funded by private funding through sources that cannot be identified at this time. In addition, there may be other sources of funding available such as public sector borrowing. Facilities required for the management of LACW will be funded by NLWA. The waste industry has been invited to take part in the development of the Plan through involvement in the various consultation processes and calls for them to propose suitable sites for waste management use. The NLWP identifies infrastructure priorities for the next 15 years and this will help to provide the industry with greater certainty about waste management priorities in the North London Boroughs that can inform future investment decisions.

10.10 Table 16 sets out how policies in the NLWP will be implemented and who will be involved in each action and which of the Strategic Objectives are addressed as a result.

Table 16: How the NLWP policies will be implemented

Mechanism	Stakeholders involved	Objectives implemented
Policy 1: Existing waste management sites		
<p>Planning permission for the expansion or intensification of operations at existing waste facilities.</p> <p>Refusal of planning permission for non-waste use on existing waste sites unless capacity is</p>	Local planning authorities/ Landowner/developers/NLWA	SO2, SO3

Mechanism	Stakeholders involved	Objectives implemented
<p>re-provided.</p> <p>Identifying compensatory provision when it is proposed to redevelop existing waste management facilities for non-waste uses.</p>		
Policy 2 Locations for new waste management facilities		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3, SO5
Policy 3: Windfall sites		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO2, SO3
Policy 4: Re-use & Recycling Centres		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3
Policy 5: Assessment criteria for waste management facilities and related development		
Planning permission and subsequent development	Local planning authorities / Environment Agency and other statutory bodies	SO4, SO5, SO7, SO8
Policy 6: Energy recovery and decentralised energy		
Planning permission and subsequent development	Landowners and developers / waste management companies / local planning	SO1, SO6

Mechanism	Stakeholders involved	Objectives implemented
	authorities / NLWA / Environment Agency and other statutory bodies	
Policy 7: Waste Water Treatment Works and Sewage Plant		
Planning permission and subsequent development	Thames Water / Environment Agency and other statutory bodies / local planning authorities	SO2, SO4, SO5, SO8
Policy 8: Control of Inert Waste		
Planning permission and subsequent development	Landowners and developers / waste management companies / local planning authorities / / Environment Agency and other statutory bodies	SO1, SO2, SO3, SO5, SO8

Appendix 1: Schedule 1: Existing safeguarded waste sites in North London**Table 17: Schedule 1: Existing safeguarded waste sites in North London**

Site ID	Site Name	Borough
BAR 2	Scratchwood Quarry	Barnet
BAR 3 ♦	P B Donoghue, Claremont Rd	Barnet
BAR 4 ♦	W R G, Hendon Rail Transfer Station	Barnet
BAR 5	Summers Lane Reuse and Recycling Centre	Barnet
BAR 6 ♦	Mc Govern Brothers, Brent Terrace, Hendon	Barnet
BAR 7 ♦	Cripps Skips Brent Terrace	Barnet
BAR 8	Apex Car Breakers, Mill Hill	Barnet
BAR 9	Railway Arches, Hendon Savacase Ltd	Barnet
BAR 10	G B N Services Ltd, New Southgate	Barnet
BAR 11	Mill Hill Depot	Barnet
CAM1	Regis Road Reuse and Recycling Centre	Camden
ENF 1	Crews Hill Transfer Station	Enfield
ENF 2	Barrowell Green Recycling Centre	Enfield
ENF 3	Pressbay Motors Ltd, Motor Salvage Complex	Enfield
ENF 4	Chase Farm Hospital, The Ridgeway (SITA)	Enfield
ENF 5	Jute Lane, Brimsdown	Enfield
ENF 6	Tuglord Enterprises (AMI Waste) Stacey Avenue	Enfield
ENF 7	Budds Skips, The Market Compound, Harbert Road	Enfield
ENF 8	Biffa Edmonton, Adra Road, Edmonton	Enfield
ENF 9	Hunt Skips, Commercial Road, Edmonton	Enfield
ENF 10	Rooke & Co Ltd, Edmonton	Enfield
ENF 11	Edmonton Bio Diesel Plant	Enfield
ENF 12	Camden Plant, Lower Hall Lane, Chingford	Enfield
ENF 13	Personnel Hygiene Services Ltd, Princes Road, Upper Edmonton	Enfield
ENF 15	Yard 10 - 12 Hastingwood Trading Est. A & A Skip Hire Limited	Enfield
ENF 17	Albert Works, Kenninghall Road, Edmonton	Enfield
ENF 19	London Waste Ltd Composting, Edmonton Eco Park, Advent	Enfield

- ♦ These sites will be redeveloped under the approved planning permission for the regeneration of Brent Cross Circlewood (Barnet planning application reference F/04687/13). The Hendon Rail Transfer Station (BAR 4) will be replaced as part of the BXC development with a new facility on site S01-BA to meet the NLWA's requirements. The existing facilities at BAR 6 and BAR 7 fall within the land required to deliver the first Southern phase of the BXC regeneration which is anticipated will commence in early 2018. Replacement capacity for these sites will not be provided prior to their redevelopment and therefore replacement capacity will be sought outside of the BXC regeneration area on alternative sites / areas to be identified within the London Borough of Barnet.

Site ID	Site Name	Borough
	Way	
ENF 20	London Waste Bulk Waste Recycling Facility, Edmonton EcoPark, Advent Way	Enfield
ENF 20	London Waste Ltd, Edmonton Ecopark, Advent Way	Enfield
ENF 22	Edmonton Clinical Waste Treatment Centre	Enfield
ENF 23	J O' Doherty Haulage, Nobel Road, Edmonton	Enfield
ENF 24	Oakwood Plant Ltd, Edmonton	Enfield
ENF 25	Envirocom Ltd, Stonehill Business Park, Edmonton	Enfield
ENF 26	Powerday Plant Ltd, Jeffreys Road	Enfield
ENF 27	Edmonton EFW	Enfield
ENF 31	Volker Highways Ltd	Enfield
ENF 32	Guy Lodge Farm	Enfield
ENF 33	Ballast Phoenix Ltd	Enfield
ENF 34	London & Metropolitan Recycling Facility	Enfield
ENF 35	Unit 25 Enfield Metal Kingswood Nursery, Theobalds Park road	Enfield
ENF 36	Greenstar Environmental	Enfield
HAC 1	Millfields Waste Transfer & Recycling Facility	Hackney
HAC 2	Downs Road Service Station (Braydon Motor Company), Clapton	Hackney
HAR 1/2	Hornsey Central Depot, Haringey LBC	Haringey
HAR 3	Garman Road, Tottenham	Haringey
HAR 4	O'Donovan, Markfield Rd, Tottenham	Haringey
HAR 5	Redcorn Ltd, White Hart Lane, Tottenham	Haringey
HAR 6	Restore Community Projects, Ashley Road, Tottenham	Haringey
HAR 7	Brantwood Auto Recycling Ltd, Willoughby Lane	Haringey
HAR 8	O'Donovan, Markfield Road, Tottenham	Haringey
HAR 9	Park View Road Reuse and Recycling Centre	Haringey
HAR 10	LondonWaste Ltd. Western Road H W R C	Haringey
ISL 1	Hornsey Household Re-use & Recycling Centre	Islington
WAF 2	Kings Road Household Waste Recycling Centre	Waltham Forest
WAF 3	South Access Road Household Waste Recycling Centre	Waltham Forest
WAF 4	G B N Services, Estate Way, Leyton	Waltham Forest
WAF 5	T J Autos (U K) Ltd	Waltham Forest
WAF 6	B J Electronics, Ravenswood road Industrial Estate, Walthamstow	Waltham Forest
WAF 8	Leyton Reuse & Recycling Centre	Waltham Forest
WAF 10	Malby Waste Disposal Ltd, Staffa Road, Leyton	Waltham Forest
WAF 11	Baseforce Metals, Unit 1 Staffa Road, Leyton	Waltham Forest

Site ID	Site Name	Borough
WAF 14	Tipmasters	Waltham Forest
WAF 15	Argall Metal Recycling, Staffa Road	Waltham Forest



Report to the Councils of the London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE
an Inspector appointed by the Secretary of State

Date: 27 October 2021

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the North London Waste Plan

The Plan was submitted for examination on 8 August 2019

The examination hearings were held between 20 and 21 November 2019



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Abbreviations used in this report

CEP	Circular Economy Package
C&D	Construction and Demolition Waste
CD&E	Construction, Demolition and Excavation Waste
C&I	Commercial and Industrial Waste
DCO	Development Consent Order
DtC	Duty to Co-operate
EqIA	Equality Impact Assessment
ERF	Energy Recovery Facility
GLA	Greater London Authority
HRA	Habitats Regulations Assessment
JWS	Joint Waste Strategy
LACW	Local Authority Collected Waste
LEA	Local Employment Area
LES	London Environment Strategy
LLDC	London Legacy Development Corporation
LLW	Low Level Radioactive Waste
LSIS	Locally Significant Industrial Land
MM	Main Modification
NLWA	North London Waste Authority
NPPF	National Planning Policy Framework
NPPW	National Planning Policy for Waste
ROCs	Renewable Obligations Certificates
RRCs	Recycling and Reuse Centres
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCIs	Statements of Community Involvement
SFRA	Strategic Flood Risk Assessment
SIL	Strategic Industrial Land
SINC	Sites of Importance for Nature Conservation
SPA	Special Protection Area

Non-Technical Summary

This report concludes that the North London Waste Plan (the Plan) provides an appropriate basis for waste planning within the London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest (the Borough Councils) provided that a number of main modifications [MMs] are made to it. The Borough Councils have specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Borough Councils prepared schedules of the proposed modifications and, where necessary, carried out Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) of the changes. The MMs were subject to public consultation over a six-week period. I have recommended the inclusion of the MMs in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Amending the Aims and Strategic Objectives of the Plan to ensure general conformity with the London Plan.
- Amendments to Section 4 of the Plan to ensure that the approach to the management of waste over the Plan period and the identification of the location for new facilities are consistent with Aims and Strategic Objectives.
- Ensuring that the evidence and the calculation methodology for the identified waste that needs to be managed in the Plan area and over the Plan period is fully justified and explained.
- Ensuring that the selection process to identify areas to manage the identified waste needs over the Plan period is consistent with the spatial principles of the Plan and fully justified and explained.
- Ensuring that the methodology and justification for the identification of Preferred Areas for the management of North London's waste over the Plan period are justified and explained.
- Ensuring that the Plan's policies ensure that waste management development proposals provide an adequate balanced approach to protect people and the environment whilst delivering the aims, strategic objectives and spatial principles of the Plan.
- Revising the monitoring and implementation framework to provide a more robust mechanism to assess the delivery of the Plan against its aims, strategic objectives and spatial principles.
- Revising the guidance in Appendix 2 regarding the detailed development requirements to accompany any future planning

applications for waste management development within the identified Priority Areas.

- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended) (the 2004 Act). It considers first whether the Plan is in general conformity with the Spatial Development Strategy i.e. the London Plan. It then considers whether the Plan's preparation has complied with the Duty to Co-operate (DtC), whether the Plan is compliant with the legal requirements and whether it is sound. Paragraph 35 of the National Planning Policy Framework 2021 (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Borough Councils have submitted what they consider to be a sound plan. The North London Waste Plan Regulation 19 Proposed Submission - January 19 (CD1/1), submitted in August 2019 is the basis for my examination. It is the same document as was published for consultation in March 2019.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act, the Borough Councils requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them. The MM schedule was subject to public consultation for six weeks in October-December 2020. I have taken account of the consultation responses in coming to my conclusions in this report.

Policies Map

5. The Plan when adopted will require changes to the Borough Councils Policies Maps. The Plan does not include its own Policies Map. Each of the Borough Councils have their own Policies Map that relates to all the planning documents in their Local Development Framework, including this Plan.

6. The Policies Maps are not defined in statute as development plan documents and so I do not have the power to recommend main modifications to them. However, to ensure that the Plan is effective, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the Policies Map of the relevant Borough Council. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Borough Councils will need to update the adopted Policies Maps to include all the changes proposed by the MMs.

Context of the Plan

7. The Plan is intended to provide the policy framework for decisions by the seven North London Boroughs on waste matters over the period to 2035. Each of the seven North London Boroughs have strategic waste policies contained within their adopted Local Plan. However, the strategic waste policies defer to this Plan to provide a more detailed planning framework for waste development.
8. One of the key tasks is to meet the apportionment set out in the London Plan (2021). This projects how much Local Authority Collected Waste (LACW) and Commercial and Industrial Waste (C&I) is likely to be generated in London up to 2041. It apportions a percentage share of these two waste streams to be managed by each London Borough with an objective that the equivalent of 100 per cent of London's waste should be managed within London (i.e. net self-sufficiency) by 2026.
9. Each of the seven North London Boroughs have pooled their apportionments and propose to meet this collectively through existing sites and land allocated in the Plan. The Plan has two main purposes:
 - to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2035 to accommodate the amount of waste required to be managed in North London; and
 - to provide policies against which planning applications for waste development will be assessed.
10. The majority of existing waste management sites are located in the east of the Plan Area, in particular in the Lee Valley corridor. The Plan is therefore underpinned by a need to secure a better geographical spread of waste management sites across North London and an objective to achieve net self-sufficiency for LACW, C&I, Construction and Demolition (C&D) waste and hazardous waste streams.
11. The Plan area also includes part of the London Legacy Development Corporation (LLDC), a Mayoral Development Corporation, which is the planning authority for a small part of Hackney and Waltham Forest and other Boroughs that are not part of the North London Borough Councils. The LLDC is not allocated a share of the waste apportionment and the

Plan is required to provide the planning policy framework for waste generated across the whole of the seven Borough's, including the parts of Hackney and Waltham Forest that lie within the LLDC Area.

12. The Plan cannot directly allocate sites/areas within the LLDC area as this is the responsibility of LLDC as local planning authority. However, a Memorandum of Understanding is in place that enables sites/areas identified as being suitable for waste management uses in the Plan in those parts of Hackney and Waltham Forest in the LLDC area to be allocated in the LLDC Local Plan.

General conformity with the London Plan

13. The Plan must be in general conformity with the Spatial Development Strategy i.e. the London Plan, under the terms of S24 of the Planning & Compulsory Purchase Act 2004 (as amended) (2004 Act). The London Plan 2016, which was in place at the time of the submission of the Plan and for most of the examination, has now been replaced by the London Plan published in March 2021 (the London Plan 2021).
14. Some of the proposed MMs and parts of the Data Study Addendum (CD1/23) are in response to the requirements of adopted London Plan 2021 Policies SI 7 (Reducing waste and supporting the circular economy), SI 8 (Waste capacity and waste net self-sufficiency) and SI 9 (Safeguarded waste sites). The relevant MMs are discussed later in this report.
15. Subject to the necessary MMs, the Mayor of London, in a letter dated 17 March 2021, confirmed that the Plan is in general conformity with the London Plan 2021 (CD1/16/MM).

Revised National Planning Policy Framework

16. On 20 July 2021 the Government published revisions to the NPPF. This was after the close of the consultation period on the MMs and before the issue of this report. In accordance with Paragraph 220, policies in the revised NPPF apply to all plans that were submitted for examination after 24 January 2019 and consequently its provisions apply to this Plan. The Boroughs and those parties who made representations at the consultation stage of the MMs were invited to submit any comments on the implications of the revised NPPF that may be relevant to the consideration of the soundness of the Plan.
17. Overall, the revised NPPF has no significant implications for the aims, strategic objectives or policies proposed in the Plan. However, the Boroughs have proposed minor revisions to supporting text provided in paragraphs 4.26, 9.41 and 9.48 of the Plan. These paragraphs are already subject to proposed MMs (**MM11**, **MM93** and **MM96** respectively). The proposed modifications as a consequence of the revised NPPF have been incorporated into these MMs.

18. The necessary changes to the MMs are limited to a reference to "ultra-low and zero emission vehicles", in the case of paragraphs 4.26 and 9.41, and reference for development to make "as much use as possible of natural flood management techniques and be appropriately flood resistant and resilient" in the case of paragraph 9.48.
19. I consider that the suggested changes to the MMs are minor and do not necessitate any further public consultation. I have discussed these changes in the context of the consideration of the relevant MMs below.
20. Any references to the NPPF in this report relate throughout to the revised NPPF published on 20 July 2021 unless otherwise stated.

Public Sector Equality Duty

21. Throughout the examination, I have had due regard to the equality impacts of the Plan in accordance with the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010. The Equality Impact Assessment (January 2019) (EqIA) (CD1/17) identifies that the Plan does not lead to any adverse impacts or cause discrimination to any particular groups within the Plan area.
22. I have detected no issue that would be likely to impinge upon the three aims of the Act to eliminate discrimination, advance equality of opportunity and foster good relations or affect persons of relevant protected characteristics of age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. Overall, I have no reason to question the conclusions of the submitted EqIA that the Plan is not expected to discriminate against any sections of the community.

Assessment of Duty to Co-operate

23. Section 20(5)(c) of the 2004 Act requires that I consider whether the Borough Councils have complied with any duty imposed on them by section 33A in respect of the Plan's preparation. When preparing the Plan the Borough Councils are required to engage constructively, actively and on an on-going basis with a range of local authorities and a variety of prescribed bodies in order to maximise the effectiveness of plan preparation with regard to strategic, cross-boundary matters.
24. Details of how the Borough Councils have met this duty are set out in the 'Duty to Co-operate Report (August 2019)' (CD1/12), the 'Consultation Statement (August 2019)' (CD1/3) and the Borough Councils' written responses to pre-hearing questions (CD5/9). These documents set out where, when, with whom and on what basis co-operation has taken place over all relevant strategic matters.
25. The evidence demonstrates that the Borough Councils have worked closely with neighbouring waste planning authorities, as well as some

further afield where a strategic relationship was identified, throughout the plan-making process.

26. Also evident is the effective relationship the Borough Councils have established and maintained with all of the relevant bodies listed in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). In addition, consultation has taken place with a wide range of organisations and bodies as part of the formal consultation process. It is clear that many of the pre-submission changes to the Plan that were brought forward by the Borough Councils were as a result of consultation with relevant parties to address their concerns in a constructive and active manner.
27. It should be emphasised that the Duty to Co-operate (DtC) is not a duty to agree. Consequently, it is quite possible for it to be complied with, but for there to be outstanding matters between the Borough Councils and other bodies. However, those matters do not lie with the DtC but with the content of the Plan which is addressed elsewhere in this report. Those disputes may relate to matters regarding the soundness of the Plan, but an unresolved dispute is not evidence of a failure in the DtC.
28. Overall, I am satisfied that, where necessary, the Borough Councils have engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Other Aspects of Legal Compliance

Local Development Scheme

29. The Plan has been prepared in accordance with the Local Development Schemes of the Borough Councils (CD1/15). All of these schemes share the same content and timetable for the production of the Plan.

Public consultation and engagement

30. During various stages of Plan preparation, consultation on the Plan and the MMs was carried out in compliance with the adopted Statements of Community Involvement (SCIs) for each of the Borough Councils. The requirements of these SCIs were reflected in the Plan Consultation Protocol (CD1/18). The Consultation Statement – August 2019 (CD1/3) and the Consultation Report – Main Modifications Consultation – March 2021 (CD1/3/MM) provide evidence of how community involvement has been achieved.

Sustainability Appraisal

31. The Plan was subject to Sustainability Appraisal (SA) during its preparation (CD1/2). Addendums to the SA were also produced to inform the proposed main modifications (CD1/2/Add and

CD1/2/Add-MM). No statutory consultees have raised any significant concerns about the sustainability appraisal process.

32. Overall, I am satisfied that the sustainability appraisal was proportionate, objective, underpinned by relevant and up to date evidence, and compliant with legal requirements and national guidance.

Habitats Regulations Assessment

33. The Plan was subject to a Habitats Regulations Assessment (HRA) during its preparation (CD1/14) as required by the Conservation of Habitats and Species Regulations 2017 (as amended). The HRA identifies that the Plan is compliant with the Habitats Regulations and will not result in likely significant effects on any of the Natura 2000 Sites identified, either alone or in combination with other plans and projects in the Plan area.
34. The assessment considered the effect of the implementation of the Plan on European protected sites within 10km of the Plan area which includes the Lea Valley Special Protection Area (SPA) and RAMSAR site, Epping Forest Special Area of Conservation (SAC) and the Wormley-Hoddesdon Park SAC.
35. A HRA Addendum – September 2020 (CD1/14/Add) assessed the MMs to consider whether they affect the conclusions set out in the main HRA of November 2019. This identified that the MMs do not have any implications for the HRA.
36. Both Assessments conclude that any potential harmful impacts on the nature conservation value of European sites that could arise from the implementation of the Plan can be avoided or mitigated and identifies that Policy 5 of the Plan provides an important safeguard for European sites in this regard. No statutory consultees or other relevant organisations dispute the findings of the HRAs. Therefore, I am satisfied that the relevant legal requirements relating to Habitats Regulations Assessment have been met.

Climate Change

37. Section 19(1A) of the 2004 Act requires that development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the Plan area contribute to the mitigation of, and adaptation to, climate change. The Plan includes objectives and policies designed to secure that waste development and use of land for such purposes within the Plan area contribute to the mitigation of, and adaptation to, climate change (Strategic Objectives 6 and 7 and Policies 5 and 6).
38. The Flood Risk Sequential Test Report (CD1/11) is informed by information contained within each of the Borough's Strategic Flood Risk

Assessments (SFRA) and Surface Water Management Plans which take into account all the sources of flooding within the Plan area. This report, and the Flood Risk Addendum (CD1/11/Add), demonstrate how the Sequential Test has been applied to the proposed waste management sites/areas in the Plan and identifies how the Plan has satisfied the NPPF's requirements in regard to flood risk and the consideration of the impact of flood risk elsewhere as a result of proposed development.

39. Subject to **MM4**, which is discussed below, Policies 5 and 6 will help to ensure that the development and use of land will contribute to the mitigation of, and adaptation to, climate change. Accordingly, the Plan, taken as a whole, achieves the statutory objective prescribed by Section 19(1A) of the 2004 Act.

Strategic priorities

40. The Plan's aims and strategic objectives set out the Borough Councils' high level strategic priorities. These are then addressed through the subsequent policies for waste development and use of land for such purposes in the Plan area.

Other legal requirements

41. The Plan complies with all other relevant legal requirements, including the 2004 Act (as amended) and the 2012 Regulations.

Conclusion

42. I therefore conclude that all relevant legal requirements have been complied with during the preparation of the Plan.

Assessment of Soundness

Main Issues

43. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified eight main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Whether the Aims and Strategic Objectives of the Plan are in general conformity with the London Plan, are appropriate and sound to provide a suitable basis for meeting the future waste management needs of North London sustainably.

44. The Plan sets out the preferred option for how the waste management needs of the seven North London Boroughs are to be met to 2035 for principal waste streams comprising LACW, C&I, Construction, Demolition and Excavation (CD&E), Hazardous, Agricultural, Waste Water/Sewage Sludge and Low level radioactive waste (LLW). It seeks the retention

and provision of a network of waste management facilities to enable the sustainable management of waste to achieve net waste self-sufficiency.

45. The Plan's purpose is to ensure an adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and the right time up to 2035 and to provide policies against which planning applications for waste development will be assessed. It includes a single overarching aim and a number of strategic objectives that provide the basis for waste management infrastructure, contribute to the conservation of resources by promoting improvements to the efficiency of processing and making better use of the waste created within North London.
46. The introductory chapter to the Plan explains that a number of spatial principles have informed the detailed policies and the site/area selection for new waste management facilities. However, the introductory text provided in paragraph 1.3 of the Plan does not adequately explain how the strategic objectives of the Plan have informed the spatial principles. **MM1** is therefore necessary to explain how the spatial principles flow from the strategic objectives. This is necessary to ensure that the Plan is effective. This MM also proposes similar modifications to paragraph 4.1 of the Plan which will be discussed later in this report.
47. The 'Aim' of the Plan is identified in paragraph 3.3. This explains the aim of achieving net self-sufficiency for LACW, C&I, C&D, including hazardous waste streams and a need for an integrated approach to move the management of waste further up the waste hierarchy. However, the Aim does not adequately explain what is meant by net self-sufficiency in the context of the management of waste. In addition, it does not promote the beneficial use of excavation waste nor does it recognise that the waste facilities that are required during the Plan period are necessary to meet the identified needs for waste management. Consequently, the Aim of the Plan is not in accordance with Chapter 9 of the London Plan. **MM2** addresses this matter and is necessary to ensure general conformity with the London Plan and that the Plan is effective.
48. Paragraph 9.8.18 of the London Plan identifies that hazardous waste makes up a component of all waste streams and is included in the apportionments for household, commercial and industrial waste. The Plan also identifies that hazardous waste is a sub type of LACW, C&I, C&D waste streams. However, it also identifies hazardous waste as a waste stream in its own right in the calculation of the capacity gap and the need for new hazardous waste facilities.
49. In this regard, the question arises whether there is a lack of clarity and consistency in the Plan regarding its approach to hazardous waste. Both the Plan and, to some extent, the London Plan recognise that hazardous waste can be a component of LACW, C&I and C&D waste streams. The Plan recognises that this component requires specialist management that is separate to the management of these waste streams.

50. The approach of the Plan is to therefore identify the capacity gap for the hazardous waste element of these waste streams and consider the need for new facilities to manage this as a waste stream in its own right. Whilst this can appear as being inconsistent, I am satisfied that the Plan adequately explains its approach to identifying the sources of hazardous waste, calculation of the capacity gap for the management of this as a waste stream, and the identification of new facilities needed, throughout the relevant sections of the Plan.
51. The Plan identifies eight strategic objectives that demonstrate how the Aim is to be met and identifies the relevant policies in the Plan through which each of the objectives will be delivered. The purpose of the strategic objectives is set out in paragraph 3.4 of the Plan. However, this does not adequately explain how these objectives are intended to deliver the Aim of the Plan or the relationship with policies that are identified. **MM3** addresses this matter and is necessary for the Plan to be effective.
52. Strategic Objective SO3 relates to the achievement of net self-sufficiency for LACW, C&I, C&D and hazardous waste streams. However, it does not identify the need for development to seek the beneficial use of excavation waste or that monitoring of waste exports is necessary to assess the effectiveness of the Plan in meeting this objective. In this context, SO3 is also partially inconsistent with the modifications made to the Plan as a consequence of **MM2**. In addition to the modifications identified above, **MM3** also addresses these matters and is necessary in order for the Plan to be effective.
53. Paragraph 2.27 of the Plan identifies how the respective strategies of each of the North London Boroughs are driven by the requirements to mitigate and adapt to the effects of climate change. Whilst this paragraph explains that the Plan aims to deliver effective waste management to combat climate change, it does not adequately explain how this is intended to be achieved. **MM4** proposes additional text to paragraph 2.27 to explain how the Plan seeks a reduction in disposal to landfill, lowering of emissions from road transport and direct new development to appropriate sites taking into account a greater occurrence of urban flood events. This MM is necessary to ensure that the Plan is positively prepared and is effective.

Conclusion on Issue 1

54. Subject to the identified MMs, I am satisfied that the Aims and Strategic Objectives of the Plan are in general conformity with the London Plan, are appropriate and sound to provide a suitable basis for meeting the future waste management needs of North London sustainably.

Issue 2 – Whether the Spatial Framework for waste management is appropriate, is fully justified by the evidence and is soundly based.

55. Section 4 of the Plan sets out the spatial framework, renamed as spatial principles, that have informed its approach to the management of waste over the Plan period and the proposed locations for new facilities. This culminates in the identification of six underpinning spatial principles (A to F) set out in paragraph 4.4. These seek to make better use of existing sites (A); seek a better geographical spread of waste sites across North London consistent with the principles of sustainable development (B); encourage co-location of facilities and complementary activities (C); provide opportunities for decentralised heat and energy networks (D); protect local amenity (E) and support sustainable modes of transport (F). Each of these spatial principles are further explained in Section 4.
56. Paragraph 4.2 provides part of the supporting text that identifies how the spatial principles flow from the Plan's Strategic Objectives. However, **MM5** is necessary to provide further clarity in paragraph 4.2 to explain that the spatial principles have taken into account the Plan's evidence base and the views of stakeholders. This is necessary for the Plan to be justified.
57. Paragraph 4.11 provides part of the explanatory text to Spatial Principle B. It identifies some of the factors that influence the location of new waste sites to achieve a better geographical spread of facilities in North London. However, it fails to recognise that part of the Plan area includes land allocated as Green Belt. **MM6** provides additional text to explain that most waste facilities would be regarded as inappropriate development in the Green Belt unless very special circumstances could be demonstrated. This MM is necessary in order for the Plan to be effective and consistent with national policy and the London Plan.
58. Although Spatial Principle B seeks a better geographical spread of waste sites across North London, the Plan does not adequately explain why the current location of facilities may not be of the right type and in the right place to meet waste management needs up to 2035. As such, there is insufficient justification to support the need for Spatial Principle B. **MM7** introduces a new paragraph describing the geographical spread of existing waste sites and referencing Figure 9, which has been revised and renumbered as Figure 5, showing the location of existing waste sites in the Plan area. This demonstrates that there is a concentration of existing waste sites in the Lee Valley corridor and mainly in the London Borough of Enfield.
59. **MM7** further explains that Enfield currently contributes 62% of land currently in waste use in North London, compared to 18% in Barnet, 12% in Haringey and 5% or less in the remaining constituent Boroughs. This MM also assists in justifying the need to create a more sustainable

pattern of waste development across North London and is necessary in order for the Plan to be effective and justified.

60. I recognise that the Plan could have adopted a more detailed analysis of waste arising to determine a more precise geographic location of new facilities needed by seeking to locate these in close proximity to the source. Instead, the approach adopted in the Plan predominantly relies on the use of administrative boundaries to help determine how a better geographical spread of sites across North London should be achieved. However, I consider the adopted approach to be sound, particularly given the strong competition for land in North Land and the difficulty this creates in defining precise locations, as will be explained later in this report.
61. Paragraph 4.12 also provides supporting text to Spatial Principle B. It identifies that Policy 2 (Priority Areas for new waste management facilities) of the Plan seeks to extend the existing spread of locations for waste facilities by identifying locations that are suitable for waste management use. However, it does not explain how the Plan intends to achieve a better geographical spread of waste facilities as set out in Spatial Principle B.
62. **MM8** proposes additional text to paragraph 4.12. This explains that Section 8 of the Plan sets out how 'Priority Areas' for new waste facilities in the Plan area have been identified. This includes limiting the number of Priority Areas in Enfield and introduces an area based approach that identifies certain industrial and employment areas as being the most suitable for waste management uses. It further explains that Policy 2 promotes an 'outside of Enfield first' approach in considering new proposals for waste management and identifies that the combination of existing waste sites and Priority Areas will provide a more sustainable and appropriately located network of waste facilities in the Plan area. This MM is necessary for the Plan to be effective.
63. Spatial Principle C seeks to encourage the co-location of facilities and complementary activities. This refers to the need to move towards a more 'circular economy' which is a European Commission (EU) initiative (Circular Economy Package) to which the Government has signed up to delivering the targets contained therein as part of the UK leaving the EU. In simple terms, a circular economy is an alternative to a traditional linear economy comprising make, use and dispose of goods to one in which they are retained in use for as long as possible, extracting the maximum value from them while in use, then recover and regenerate products and materials from them at the end of their service life.
64. The supporting text to Spatial Principle C sets out the benefits of co-location of facilities but does not explain how the Plan will achieve this. **MM9** is therefore necessary for effectiveness and provides additional text after paragraph 4.17 of the Plan. This explains that Policy 2 provides a spatial focus towards the encouragement of co-located activities on land with similar existing uses.

65. In addition, this MM explains that Policy 3 (Windfall Sites) allows for opportunities of locating recycling facilities near to a reprocessing plant that could use the recycled material. It also explains that Policy 5 (Assessment Criteria for waste management facilities and related development) requires waste development proposals to consider the possible benefits of the co-location of activities.
66. Spatial Principle D identifies that the Plan will provide opportunities for decentralised heat and energy networks. **MM10** proposes additional text to supporting paragraph 4.18 of this spatial principle and identifies how policies in the London Plan (Policies SI 8 and SI 3 Part D1e) also encourage waste management proposals where they contribute towards renewable energy generation, low emission heat/cooling combined heat and power and heat networks. This MM is necessary for the Plan to be effective and in general conformity with the London Plan.
67. Spatial Principle E identifies that the Plan will support sustainable modes of transport. The supporting text to this spatial principle explains that road is the main mode of transport for waste but identifies that North London is well served by rail and waterway networks that could be used to transport waste. Whilst the supporting text identifies the opportunities and benefits of using more sustainable methods of transportation other than road, it does not adequately explain how the Plan will achieve this.
68. **MM11** therefore provides additional text to paragraph 4.26 of the Plan to explain that Policy 5 requires the consideration of sustainable transport modes in waste development proposals. It also explains that traffic movements can have an impact on amenity along the routes used and that Policy 5 also seeks to minimise such impacts where possible with reference to the use of low emission vehicles. This MM is necessary for the Plan to be effective.

Conclusion on Issue 2

69. I am satisfied that the Spatial Framework for waste management contained within Section 4 of the Plan, when considered with the recommended MMs, is appropriate, is fully justified by the evidence and is sound.

Issue 3 – Whether the Plan provides an appropriate and robust basis to identify the waste that needs to be managed in the Plan area and over the Plan period and is fully justified by the evidence.

70. Section 5 of the Plan describes the current picture of waste management in the Plan area including the amount of waste generated, how and where it is currently managed. This section provides the baseline of how waste is currently managed in the Plan area. This is informed by the Waste Data Study, the last version prepared in 2019,

which is produced in three parts and uses 2016 as a baseline year. Part One considers the 'North London Waste Arisings' (CD1/6); Part Two considers the 'North London Waste Capacity' (CD1/7); Part Three is the 'North London Sites Schedule' (CD1/8) which provides information on existing waste management facilities in each of the constituent North London Boroughs and includes the maximum capacity for each facility and the waste types that they can manage.

71. Section 2 of the National Planning Policy Framework for Waste (NPPW) requires, amongst other things, that Plans should be based on a proportionate evidence base using a robust analysis of best available data and information. The issue arises whether the way waste data presented in the Plan is sufficiently clear and in a logical order to enable a reader to adequately determine waste needs, capacity gaps and the justification for the approach to the retention of existing facilities and the identification of new facilities.
72. A 'Data Study Addendum' (CD1/23) was prepared in 2020 that proposed amendments to the way waste data is presented in the Plan. **MM12** provides additional text to paragraph 5.3 to explain that the Data Study Addendum has been used to improve the clarity of data presented in the Plan. This MM is necessary for the Plan to be justified and consistent with national policy.
73. The Plan identifies that currently 30% (845,776 tonnes) of the waste generated in the Plan area comprises LACW, 27% (762,301 tonnes) comprises C&I waste, 26% (747,242 tonnes) excavation waste, 15% (443,180 tonnes) C&D waste, 2% (53,420 tonnes) Hazardous Waste and less than 1% (9,223 tonnes) Agricultural Waste. The total amount of waste generated being 2,861,062 tonnes.
74. Not all of the above waste is managed within the Plan Area. **MM13** provides additional text to the pie chart in Figure 8, renumbered as Figure 9, that shows the percentage waste arisings and identifies that 66% of waste generated is managed within the Plan area. This MM also introduces a revised Table 4 which identifies the amount of waste managed within the Plan Area and elsewhere. This MM is necessary for the Plan to be justified.
75. **MM14** provides for revisions to Table 4 to more clearly show the amount of waste for each of the waste streams identified above that is managed in the Plan area, managed elsewhere in London, exported to landfill outside London and exported to other facilities outside London. This MM is necessary for the Plan to be justified.
76. In considering the cross boundary movements of waste, paragraph 8 of the Plan identifies that North London does not have all the types of facilities necessary to manage all of the identified sub types of waste. In particular, there are few specialist hazardous waste facilities and no landfill sites in the Plan area so waste that requires to be managed at these types of facilities will need to continue to be exported. However,

the Plan also recognises that in order to achieve a net self-sufficiency in waste management capacity within the Plan area and move the treatment of waste up the waste hierarchy, exports of waste will need to be balanced out by an equivalent amount of additional capacity within the Plan area.

77. **MM15** provides for the existing paragraph 5.29 of the Plan to be brought forward to appear after paragraph 5.8. The current paragraph 5.29 identifies that in 2016 around 1 million tonnes of waste was imported into the Plan area for management within transfer stations, treatment facilities and metal recycling sites.
78. **MM15** also provides for revisions to the paragraph to explain that additional capacity that is necessary over the Plan period will be provided by existing facilities which already import waste from outside North London in line with market demands. The type of facilities that have catchment areas wider than the Plan area include metal recycling, end of life vehicle facilities and facilities for the processing of C&D and excavation waste into recycled aggregates. This MM is necessary for the Plan to be justified.
79. Paragraph 5.27 of the Plan considers waste that is exported from within the Plan area for disposal to landfill. **MM16** provides for revisions to the text in this paragraph that updates the amount of waste recorded as being exported from North London in 2016 to 1.4 million tonnes, 675,788 tonnes of which went to landfill. This MM also explains that most of the waste deposited to landfill was excavation waste (65%) followed by LACW/C&I (35%). The MM also identifies that the source data for hazardous waste exports to landfill is the 'Waste Data Interrogator' and the 'Hazardous Waste Data Interrogator'. This MM is necessary for the Plan to be justified.
80. **MM17** provides for three new paragraphs to provide additional text to explain the need and nature of cross-boundary movements of waste (imports and exports). These paragraphs further reinforce the fact the drive for net-sufficiency means that waste will still be imported and exported into North London. In addition, the MM refers to Table 6 of the Plan which, amongst other things, identifies the amount of waste which is expected to be disposed to landfill over the Plan period. This MM is necessary for the Plan to be effective.
81. Paragraphs 5.31 and 5.32 of the Plan further consider the continued need for some waste to be deposited to landfill but recognises that there will be a scheduled closure of some of the currently available landfill sites during the Plan period. **MM18** provides for additional text and some deletions to the current text of paragraph 5.32 to explain that landfill capacity is declining across the wider south east and no non-hazardous landfill sites are likely to be brought forward by waste operators. Whilst some capacity will remain, associated with the restoration of mineral working sites, the MM reinforces the need for the Plan to manage waste further up the waste hierarchy to help reduce the

need for landfill capacity. This MM is necessary for the Plan to be justified and effective.

82. Section 6 of the Plan identifies the future waste management requirements for each waste stream over the Plan period. Paragraph 6.3 and Table 5 of the Plan set out recycling and recovery targets up to 2030 from a 2016 baseline. However, these targets are not reflective of those provided in the recently adopted London Plan.
83. **MM19** therefore provides for the necessary revisions to the paragraph and table to provide consistency with the London Plan. These identify the aim of a 65% target of recycling of municipal waste from the LACW and C&I waste streams by 2030, 95% reuse/recycling/recovery of C&D waste by 2030, 95% beneficial use of excavation waste by 2030 and zero biodegradable or recyclable waste to landfill by 2026. This MM is necessary for the Plan to be consistent with the London Plan and effective.
84. Although the Plan explains that the UK has signed up to delivering the targets set out in the EU Circular Economy Package (CEP), the components of achieving a recycling target of 65% municipal waste by 2030 have been partially superseded by the London Environmental Strategy (LES) published in May 2018. This identifies that the 65% target will be achieved through a 50% recycling rate from LACW by 2025 and 75% from business waste by 2030 which are collective targets across the whole of London. The LES therefore goes further than the CEP by bringing forward London's LACW recycling target to 2025. **MM20** reflects the change in the recycling targets introduced as a consequence of the LES and is necessary for the Plan to be effective.
85. The question arises whether the Plan should be more explicit in identifying how the recycling targets should be met. However, the Plan is a land use planning document and one of its roles is to identify land suitable for waste management facilities. It is part of a range of strategy documents required to be prepared by a number of organisations across North London to demonstrate, in more detail, how the recycling targets are to be met. The Borough Councils, as waste collection authorities, are required to prepare 'Reduction and Recycling Plans'. In addition, the North London Waste Authority (NLWA) has a responsibility to prepare a strategy on how the Mayor's recycling targets are to be met.
86. The level of detail provided in the Plan to demonstrate the land use planning approach to meeting the recycling targets is sound. More detailed waste management actions are provided in other documents and strategies.
87. Whilst the Plan identifies the London Plan target of 95% beneficial use of excavation waste by 2030, it does not explain what is meant by 'beneficial use'. **MM21** provides some examples that this could include using excavated material within a development, habitat creation, flood

defence work or landfill restoration with a preference to using the material on-site or within local projects. This MM is necessary for the Plan to be effective.

88. Paragraph 6.4 explains that a range of options and alternatives were considered to model the predicted waste arisings in the Plan area over the Plan period. **MM22** proposes amendments and additions to this paragraph. These explain that the options considered leading to a preferred strategy included the effects of future activity, fiscal and legislative changes to landfill, financial incentives such as Renewable Obligations Certificates (ROCs) that increase the competitiveness of energy recovery, employment growth leading to an increase in C&I and CD&E waste streams and the proposed Energy Recovery Facility at Edmonton EcoPark from 2026.
89. **MM23** introduces a new Table which sets out the capacity options, growth options and management options for the LACW, C&I, C&D, Excavation, Hazardous and Agricultural waste streams. This takes into account various recycling, recovery, treatment and disposal scenarios and displays, in a summarised tabular form, some of the details provided in Part 2 of the Waste Data Study (CD1/7). This MM is necessary for the Plan to be justified and effective.
90. Amendments to paragraph 6.4 are provided by **MM24** and incorporate supporting text to the new Table provided by **MM23**. Amongst other things, these summarise that the preferred option is identified in Part 2 of the Waste Data Study and explains how a management option of net self-sufficiency was chosen based on growth of 0.81% over the Plan period. This preferred option is based on evidence provided by the Greater London Authority (GLA) and maximisation of recycling to move the management of waste further up the waste hierarchy. This MM is necessary for the Plan to be justified and effective.
91. Paragraph 6.5 of the Plan provides a simple formula that demonstrates the chosen approach to identify the projected waste arisings over the Plan period following the option appraisal as set out in Part 2 of the Waste Data Study. This takes into account population/economic growth, maximisation of recycling, net self sufficiency for LACW, C&I, and C&D waste by 2026 to give the quantity of waste to be managed for each waste stream to 2035. The actual quantities are identified in five yearly intervals from 2020 in Table 8 (to be renumbered as Table 5) which will be discussed later in this report.
92. **MM25** provides new paragraphs to explain and support Table 8 and is necessary for the Plan to be effective. It sets out that whilst some of North London's Waste will still be exported to landfill, the aim of the Plan is to deliver the equivalent capacity for LACW, C&I, C&D and hazardous waste within the Plan area with recovery and recycling playing the most substantial part.

93. **MM26** provides for revisions to Table 8 and identifies the amount of waste that needs to be managed over the Plan period for LACW, C&I, C&D, Excavation, Hazardous and Agricultural waste streams. It identifies the total waste arisings for each waste stream and the amount that will be required to be recycled, recovered (Energy from Waste), treatment and disposal to landfill in five yearly tranches from 2020 to 2035. The revisions to the table as a consequence of **MM26** are necessary for the Plan to be effective and consistent with national policy as they clearly identify the amounts of waste in each stream that the Plan needs to cater for over the Plan period and the necessary waste management method.
94. Revisions to paragraph 5.5 of the Plan, which will be moved to appear after Table 8, provide introductory text to the existing capacity of North London's waste management facilities by type of facility and waste stream managed as at 2016. These are provided by **MM27** which is necessary for the Plan to be justified. The MM identifies a capacity of just over one million tonnes per annum of recycling/composting for LACW and C&I waste, just under 600,000 tonnes per annum of energy recovery for LACW, around 630,000 tonnes per annum of recycling and treatment for CD&E waste, and around 4,250 tonnes per annum of hazardous waste capacity.
95. **MM28** provides for revisions to existing Table 3 of the Plan (to be renumbered Table 6) that shows the detailed figures, in tonnes per annum, of capacity for each waste stream and the type of facility that this capacity relates to. This MM is necessary for the Plan to be effective.
96. The London Plan defines the technologies and processes which constitute 'managing' waste. **MM29** introduces new text to existing paragraph 5.6, which will be moved after the new Table 6, which identifies that these definitions have been applied to North London's facilities when calculating capacity. It identifies that transfer stations are not included except where they undertake recycling and this element only has been added to the total capacity identified in the revised Table 3. This MM is necessary for the Plan to be justified and effective.
97. There are some known changes that will occur to some facilities over the Plan period that will affect their waste management capacity. However, these are not clearly identified in the Plan. **MM30** provides for a new section ('Changes to Capacity over the Plan Period') and an introductory paragraph to explain that some facilities are known to be moving or closing and some new facilities are proposed to be built. This MM is necessary for the Plan to be justified.
98. Additional planned capacity will be provided at the Edmonton EcoPark for which a Development Consent Order (DCO) has been approved by the Secretary of State for a new Energy Recovery Facility (ERF) that will manage the treatment of residual waste during the Plan period and beyond. Whilst this is referred to in paragraphs 8.5 and 8.6 of the Plan,

these paragraphs do not adequately identify the capacity that will be provided, or lost, by the additional new facility.

99. **MM31** and **MM32** therefore provide revisions to paragraphs 8.5 and 8.6 and are necessary for the Plan to be justified. **MM31** identifies that the current facility provides for just under 600,000 tonnes per annum capacity and that the new facility will increase this to approximately 700,000 tonnes per annum. The additional 100,000 tonnes per annum has been incorporated into the calculation of the 'capacity gap' which will be considered later in this report.
100. Paragraph 8.6 of the Plan identifies that the DCO for the Edmonton EcoPark provides for the loss of the existing composting plant to make way for the additional ERF facility. **MM32** proposes additional text to this paragraph that states that it is not intended to build a replacement composting facility and that this will result in a capacity loss of around 35,200 tonnes per annum which has been built into the capacity gap calculation. Whilst this represents a loss of a facility, compensatory provision is not required as the wider Edmonton EcoPark is not being developed for non-waste management uses and therefore there is no conflict with Policy 1 of the Plan.
101. The Plan also refers to the Powerday facility in Enfield which is an existing site currently operating as a Waste Transfer Station. Planning permission has been granted for this site to be used as a Materials Recovery Facility capable of handling 300,000 tonnes of C&I and C&D waste per annum. **MM33** proposes additional text to paragraph 8.10 of the Plan that identifies that it is not clear if the planning permission will be implemented and therefore this has not been added to the pipeline capacity figures in identifying the capacity gap. This MM is necessary for the Plan to be justified.
102. Paragraphs 8.11 and 8.12 of the Plan relate to the loss and re-provision of existing waste management facilities. These identify the London Plan requirement for compensatory capacity to be provided where existing waste management sites need to be redeveloped by non-waste management related uses.
103. It is known that some sites within the Plan area are to be subject to redevelopment but the Plan is not clear or specific regarding which facilities these may be or the effect this may have on future capacity. **MM34** provides for revisions to paragraph 8.11 that identifies that some sites will be redeveloped for other non-waste management uses as part of the Brent Cross Cricklewood Regeneration Scheme and the detailed information on this is set out in Schedule 1 of the Plan. This MM is necessary for the Plan to be justified.
104. **MM35** provides for revisions to paragraph 8.12 that identifies that the regeneration area includes four existing waste management sites. These are Site Reference BAR3 – PB Donoghue, BAR4 – Hendon Transfer Rail Station, BAR6 - McGovern and BAR7 – Cripps Skips. The

MM identifies that the Hendon Rail Transfer Station will be replaced by a new facility and that planning permission has been granted for a new waste transfer facility at Geron Way.

105. The conflict between some of the above existing waste sites and the effect the use has on the living conditions of nearby residents is recognised but is not a matter that can be addressed in the Plan. However, **MM35** identifies that the existing facilities at BAR6 and BAR7 fall within the area of land required to deliver the early phase of the regeneration scheme for which work has commenced. BAR3 is identified as for closure as part of phase 4. The capacity at sites BAR4, BAR6 and BAR7 and part of the capacity of BAR3 would be replaced by the new waste transfer facility.
106. **MM35** also identifies that the remaining capacity from site BAR3 will need to be identified prior to its redevelopment. As such, the Plan assumes that there will be no loss of capacity as a consequence of the redevelopment of these facilities.
107. A new paragraph is proposed by **MM36** which identifies that two facilities in Waltham Forest have recently closed and their capacity has been replaced by a new facility in Enfield. Consequently, there has been no loss of capacity within the Plan area as a consequence of the site closure. **MM35** and **MM36** are necessary for the Plan to be justified.
108. Part 2 of the Waste Data Study (CD1/7), updated by the Data Study Addendum (CD1/23), provide the evidence base that supports the calculation of the 'capacity gap' for the LACW/C&I, C&D and Hazardous waste streams. The capacity gap for these waste streams is introduced in paragraph 6.7 of the Plan. However, this paragraph does not explain how the capacity gap has been calculated.
109. Whilst the Plan refers to the 'capacity gap', it does not adequately explain what this term means. **MM37** provides amendments to paragraph 6.7 to explain that the capacity gap is the difference between the projected waste arisings and the existing capacity taking into account known changes to capacity over the Plan period. This MM also sets out that additional waste management capacity required will be for recycling and recovery in accordance with Strategic Objective 1 of the Plan. This MM is necessary for the Plan to be justified.
110. **MM38** provides for revisions to Table 6 of the Plan (to be renumbered as Table 7) that reflect the evidence in the Data Study Addendum and numerically sets out the capacity gap for the waste streams above in tonnes over five yearly intervals from 2020 to 2035. This table demonstrates that without additional sites or the expansion of existing facilities there will be a capacity gap for LACW/C&I and Hazardous waste streams throughout the Plan period. It also demonstrates that there will be a surplus in capacity for the management of C&D waste throughout the Plan period.

111. A new paragraph is provided by **MM39** which explains that to meet the identified capacity gaps identified in the Table, the approach will be to seek opportunities for new capacity through the intensification of existing sites and/or new facilities. **MM37**, **MM38** and **MM39** are necessary for the Plan to be effective.
112. In order to determine how much land is needed to be identified for waste management facilities to meet the capacity gap, paragraph 6.8 of the Plan sets out that the capacity gap has been converted into a land area requirement based on a typical throughput per hectare for various types of facilities. However, this paragraph does not adequately explain the evidence base which has been used to enable the land area required to be calculated.
113. **MM40** provides amendments to paragraph 6.8 to explain that Table 20 in section 7 of the Waste Data Study Part 2 (CD1/7) provides the evidence base that supports the calculation of the land required. This MM also explains that new technologies may be introduced during the Plan period that may enable some sites to have a higher throughput per hectare. Consequently, monitoring of site capacity, which will be discussed later in this report, will enable the land required to be reviewed. In addition, the MM also sets out that in order for net self-sufficiency to be achieved by 2026, in line with the London Plan, new capacity will need to be delivered by this date.
114. A new table showing the assumed tonnages per hectare that have been used to calculate the land take requirements for various recycling, energy from waste, re-use and composting facilities is provided by **MM41**. Revisions to Table 7 of the Plan (to be renumbered as Table 9) and the supporting text are provided by **MM42** and **MM43** respectively. These identify the indicative land take requirements to meet the identified capacity gap and that by 2026 an additional 1.5 hectares of land for the recycling of LACW/C&I waste and 4.9 hectares of land required for recycling/recovery/treatment of Hazardous waste will be required in the Plan area. Therefore, a total of 6.4 hectares of land for waste management uses will be required in the Plan area. These MMs (**MM40** to **MM43** inclusive) are necessary for the Plan to be effective.

Conclusion on Issue 3

115. I am satisfied that the Plan, when considered with the recommended MMs, provides an appropriate and robust basis to identify the waste that needs to be managed in the Plan area and over the Plan period and is fully justified by the evidence and is sound.

Issue 4 – Whether the selection process to identify areas to manage the identified waste needs over the Plan period is clear, robust and justified.

116. Sections 3 to 6 of the NPPW set out the approach that Local Plans should take to identify future waste requirements over the Plan period.

Paragraph 4 of the NPPW sets out criteria for identifying suitable sites and areas for waste management facilities. They include the consideration of a broad range of locations including industrial sites, opportunities to co-locate waste management facilities and giving priority to re-using previously developed land and sites identified for employment purposes.

117. The London Plan (Policy SI 8) requires Development Plans to plan for identified waste needs and "allocate sufficient sites, identify suitable areas, and identify waste management facilities to provide capacity to manage the apportioned tonnages of waste". The London Plan also identifies existing waste sites, Strategic Industrial Land (SIL) and Locally Significant Industrial Sites (LSIS) as a focus for new waste capacity.
118. The current Section 8 of the Plan (which will be swapped to precede Section 7) sets out the approach taken to identify sites/areas needed to meet the waste needs and capacity gap. It refers to the methodology assessment criteria that has been used in the Sites and Areas Report (CD1/9) to inform the identification of individual sites/areas that are suitable for future waste management use.
119. The introductory paragraphs to Section 8 do not adequately describe the policy context briefly described above that is provided in the NPPW and the London Plan that has influenced the approach to the identification of suitable sites and areas for waste management facilities. It is also not clear how the requirements of Strategic Objective 2 of the Plan, which requires that sufficient land is available to meet North London's waste management needs, is to be delivered. **MM44** provides additional text to explain these matters and is necessary for the Plan to be effective.
120. During the 'call for sites' exercise only one site was put forward by landowners as being possibly suitable for waste management uses. As a result, the Plan proposes an 'area' approach to the identification of potential locations for waste management uses. Whilst the Plan refers to new future areas for waste management it does not adequately explain these. **MM45** provides amendments to paragraph 8.2 of the Plan. This explains that an 'area' comprises a number of individual plots of land, such as an industrial estate or employment area that is in principle suitable for waste use but where land is not specifically safeguarded for such use. This MM is necessary for the Plan to be effective.
121. Although Policy SI 8 of the London Plan identifies that SIL/LSIS are suitable locations for waste management, the assessment criteria adopted in the Plan has sought to refine this approach in the Sites and Areas Report by the application of an assessment methodology to locational areas that are the most suitable for waste management use in the Plan area. These are identified as 'Priority Areas'. However, paragraph 8.2, which introduces the area search criteria, does not

- provide any explanation of what is meant by a 'Priority Area'. **MM46** addresses this matter and is necessary for effectiveness.
122. The Sites and Areas Report (CD1/9) identifies areas potentially suitable for waste management use. The methodology for identifying new areas is broadly supported by technical consultees and the waste management industry. However, the Sites and Areas Report does not adequately identify how the best performing areas and existing industrial areas should be identified as the focus for new waste facilities or how a wider geographical distribution of facilities should be sought.
123. The Draft Plan initially identified that approximately 352 hectares of land within the Plan area was suitable for waste management uses. An 'Options Appraisal for Sites and Areas' informed the identification of the most appropriate sites and areas shown in the Publication Plan. This resulted in a reduction in the area of land within the Plan area that could be potentially suitable for waste management uses to approximately 102 hectares. However, despite this latter figure being used in the Plan, the 'Options Appraisal for Sites and Areas' document was not published nor are its outputs adequately reflected in the Plan. Consequently, the issue arises whether the Plan provides a robust rationale that clearly demonstrates why 102 hectares of land is identified as being deemed suitable for waste management uses compared with an identified need of just 6.4 hectares.
124. The 'Options Appraisal for Sites and Areas' was updated in 2020 (CD1/24). **MM47** explains that this has been used to inform the areas that have been identified in the Plan as being suitable for waste management uses. This MM is necessary for the Plan to be justified.
125. Table 10 of the Plan identifies the assessment criteria that was used in the Sites and Areas Report to identify areas potentially suitable for waste management use. However, this is based predominantly on the 2015 version of the Sites and Areas Report and does not identify the further refinement that was applied through the 2019 version and by the Options Appraisal for Sites and Areas. **MM48** provides amendments to paragraph 8.24 of the Plan to explain that further work was undertaken, including re-appraisal of areas, impacts and the geographical location of sites.
126. I have carefully considered the concerns that this later re-appraisal work should be discounted as it was not wholly available at the submission stage. Nonetheless, the additional work and re-appraisal exercise that was undertaken after the examination hearings was in response to matters raised in those hearings and was made publicly available. It reflects the outputs from the Data Study Addendum and informs the relevant subsequent MMs. There is nothing unusual in this approach or the sequence of events. Overall, I find that the methodology used to evaluate the areas is sound.

127. Additional new paragraphs and amendments to paragraph 8.25 are provided by **MM49**, **MM50** and **MM51**. These further explain the assessment criteria and that the Options Appraisal for Sites and Areas considered five different options to evaluate the location and area of land required for waste management uses in the Plan area over the Plan period. The options include and exclude areas based on their performance against qualitative assessment criteria, detailed in the Sites and Areas Report.
128. The preferred option used in the Plan is Option 5. This identifies that areas with 'Band B' sites (Site is suitable for waste uses following appropriate mitigation), SIL and LSIS areas with a cap on land in Enfield. This option identifies only one industrial area in Enfield as being suitable for waste management uses and provides a more appropriate geographical spread of sites across the Plan area.
129. Overall, I find that the methodology used to identify the preferred option and the approach taken to evaluate the most appropriate locations for waste management development to be sound. However, none of the options considered resulted in a reduction of the total land area required in the Plan for potential waste management uses to be less than the 102 hectares identified.
130. The justification for such a large area being identified in the Plan, against an identified requirement of just 6.4, is also provided by **MM51**. This explains the strong competition for the use of any vacant industrial land in North London which already has low vacancy rates (4.8%) and that the Sites and Areas Report analyses churn and vacancy rates in detail. Taking into account this analysis, the Plan identifies that 20% (20.5ha) of the allocated land could become available over the Plan period as a result of business churn.
131. Given the competition for industrial land in the London market, the absence of sites coming forward in the call for sites exercise, the low vacancy rates and the identified rate of churn, the approach adopted in the Plan to identify more land than is required to meet the waste needs of North London over the Plan period is justified. I find that this aspect of the Plan's approach provides flexibility over the Plan period and recognises the competitive nature of land use economics in North London. Identifying a range of land suitable for new waste facilities is a reasonable way of creating "sufficient opportunities to meet the identified needs of their area" as required by the NPPW.
132. **MM51** also recognises that there is a risk that the identified area in Enfield, comprising 26ha, could accommodate all new waste capacity that is required over the Plan period. Furthermore, the possibility that planning applications for new waste management facilities on other industrial land in Enfield, cannot be ruled out. Both of these scenarios would be contrary to Spatial Principle B of the Plan.

133. In response to the above, **MM51** explains that the Plan promotes a 'Priority Areas' sequential approach to ensure that waste management proposals demonstrate that consideration has been given to siting a facility within the areas set out in Schedules 2 and 3 of the Plan before other locations. This approach is set out in Policies 2 and 3 of the Plan, which are considered later in this report, and which also require that Priority Areas outside of Enfield should be considered first before a new waste site in Enfield is proposed.
134. These MMs (**MM48** to **MM51** inclusive) are necessary for the Plan to be justified and effective.
135. The Plan identifies thirteen Priority Areas to provide land suitable for the development of waste management facilities. Each Priority Area comprises an industrial estate or employment area that is in principle suitable for waste uses, subject to detailed assessment at the planning application stage.
136. Area profiles for each of the Priority Areas are provided in Appendix 2 of the Plan. These provide an indication of the types of facilities likely to be acceptable and could be accommodated on the Priority Area, identify planning and land use constraints and any mitigation measures that may be required.
137. Paragraph 8.26 identifies that the Priority Areas identified in Schedules 2 and 3 of the Plan are those which meet the selection criteria, as discussed above, and comply with the spatial principles of the Plan. **MM52** provides additional text to paragraph 8.26 to explain that in order to ensure that Priority Areas are the focus of new waste capacity, the location of new facilities will be monitored through Monitoring Indicator IN3. **MM53** provides for an updated Figure 13, to be renumbered Figure 11, that comprises a plan showing the locations of the Priority Areas for new waste management facilities. These MMs are necessary for the Plan to be effective.
138. The question arises whether the allocated area A22-HR (Friern Barnet Sewage Works/Pinkham Way) should be deleted as a Priority Area. I have carefully considered the written and oral evidence provided regarding this proposed allocation.
139. Priority Area A22-HR has a dual designation as Site of Importance for Nature Conservation (SINC) and Local Employment Area (LEA) in the Haringey Local Plan Strategic Policies (2013) and is protected for employment use, subject to consistency with its nature conservation status. Where a site has more than one designation, the Local Plan Strategic Policies document identifies that appropriate mitigation measures must be taken and where practicable and reasonable, additional nature conservation space must be provided.
140. Notwithstanding the evidence provided with regard to previous local plan examinations in Haringey, the dual designation of Priority Area

A22-HR is a matter of fact and it is not the purpose of the North London Waste Plan Examination to determine if both, or either, of these designations should continue to apply. The consideration is whether the evidence justifies, or otherwise, its identification as a Priority Area in the Plan and that the Plan is sound in this regard.

141. Appendix 2 of the Plan, which is considered later in this report, clearly identifies the planning constraints applicable to the area and sets out the need for ecological/nature conservation mitigation and enhancement to be considered as part of any development proposals.
142. The question also arises whether the evidence has appropriately considered the flood risk issues that are relevant to the site. In this regard, I have carefully considered the Flood Risk Sequential Test and Report (CD1/11 and CD1/19), the Flood Risk Addendum (CD1/11/Add) and the Sustainability Appraisal Addendum and update (CD1/2/Add and CD1/2/Add-MM). Taking into account **MM113**, which is considered later in this report, I am satisfied that these documents collectively provide sufficient evidence to confirm that the Plan's approach to the consideration of flood risk in respect of site A22-HR is sound. I am also satisfied that appropriate engagement has taken place with the Environment Agency to inform the flood risk evidence.
143. The above documents indicate that of the 5.95ha comprising the Priority Area (which includes land owned by both the North London Waste Authority and Barnet Council), approximately 76.3% is shown to be within Flood Zone 1, approximately 11.6% within Flood Zone 2 and approximately 12.1% within Flood Zone 3a. The eventual, if any, location of new waste development would be assessed against the flood risk criteria of the NPPF with the objective of avoiding development on land that is at risk of flooding by directing development away from areas of high risk (whether existing or future). In this regard a site-specific flood risk assessment would be required for any waste management development on this area.
144. Notwithstanding the former land uses on the area, a considerable part has revegetated over time. The question arises whether Priority Area A22-HR should be identified as previously developed land or whether it has revegetated to the extent that the remains of the former activities and structures have blended into the landscape to become part of the natural surroundings. Whilst the Plan recognises the current revegetated condition of the site it understandably does not provide any conclusion on the extent to which it may, or may not, have blended into the landscape, or indeed will do so overtime.
145. It is not necessary for Priority Areas to comprise previously developed land. Consequently, I do not consider it necessary for the purposes of soundness to firmly conclude the extent to which the site may or may not be considered as previously developed land. However, this is a

matter that may be relevant in the consideration of any subsequent planning application for future waste management development.

146. Overall, I am satisfied that the site selection process is sound with regard to the identification of Priority Areas and that the relevant constraints for the areas identified have been appropriately considered and taken into account.

Conclusion on issue 4

147. I am satisfied that the Plan demonstrates, when considered with the recommended MMs, that the selection process to identify areas to manage the identified waste needs over the Plan period is clear, robust and justified by the evidence and is sound in this respect.

Issue 5 – Whether the Plan makes appropriate provision for the future management of waste.

148. Section 6 of the Plan sets out the future waste management requirements and Section 8 (to be moved and renumbered Section 7) sets out the selection process to identify Priority Areas required to manage the identified waste needs over the Plan period. The current Section 7 of the Plan (to be moved and renumbered Section 8) brings this information together to explain how North London's waste needs are intended to be managed over the Plan period. It identifies the waste management processes to be used for each waste stream.
149. This Section sets out an 'Over-arching Policy for North London's Waste' which reflects the achievement of net self-sufficiency for LACW, C&I, C&D and Hazardous waste streams by 2026. It sets out the need for excavation waste to be put to beneficial use and the encouragement of development on existing sites and in Priority Areas that promote the management of waste up the hierarchy, reflect the proximity principle by increasing the management of waste as close to the source as practicable and reducing exports to landfill.
150. Paragraph 7.2 provides supporting text to the over-arching policy. **MM54** provides additional text to this paragraph to explain that most capacity will be met through existing facilities and that Policy 1 of the Plan supports the intensification of existing sites whilst also enabling relocation to more sustainable locations for replacement capacity subject to assessment as required by Policy 5.
151. Paragraph 7.4 refers to the monitoring of the projected quantities of waste to ensure that the over-arching policy is being delivered. **MM55** provides additional text to explain there are four particular monitoring indicators in the Plan to assess this. These are outlined as being IN1 which monitors waste arising compared with the projected quantities; IN2 which monitors new waste management capacity delivered; IN3 monitors the location of new waste facilities and compensatory

provision; IN7 monitors the amount of waste exported from the Plan area.

152. These MMs provide amendments to the supporting text of the over-arching policy and are necessary to ensure that the Plan is effective.

LACW and C&I waste

153. Paragraph 7.8 introduces the Plan's approach to the management of LACW and C&I waste. **MM56** provides amendments to this paragraph to explain that these waste streams comprise similar types of waste and that most of the facilities that manage these waste streams do not differentiate between these waste types. Consequently, the Plan groups the management of these waste streams together when assessing existing capacity and planning for additional capacity.
154. **MM57** provides new text to explain that there is a capacity gap of approximately 174,500 tonnes for LACW and C&I waste over the Plan period which equates to a requirement for 1.5 hectares of land, subject to the technology that facilities may use in the future. **MM56** and **MM57** are necessary for the Plan to be justified.
155. The Plan sets out the approach to the recycling/composting of LACW and C&I waste in paragraphs 7.9 to 7.11. **MM58**, **MM59** and **MM60** provide amendments and new text to these paragraphs. These amendments explain the role of the NLWA in preparing a Joint Waste Strategy (JWS). A key element of the most recent JWS, which expired in December 2020, has been met through the granting of consent under the Development Consent Order (DCO) process for a replacement energy recovery facility at the Edmonton EcoPark to treat residual waste. The new JWS will be developed in 2021/22 and will set out how North London will contribute to the Mayor's recycling targets.
156. The new text in **MM60** explains that there is an opportunity to bring forward new waste recycling/composting capacity on the part of site A22-HR (Friern Barnet / Pinkham Way site) which is owned by the NLWA. There is also opportunity to bring forward commercial recycling in all but one of the Priority Areas identified in Schedule 2 and 3 of the Plan and composting capacity on four of the Priority Areas. **MM58**, **MM59**, **MM60** and **MM61** are necessary for the Plan to be effective.
157. Paragraph 7.14 is one of a number of paragraphs that explains the Plan's approach to the recovery of LACW and C&I waste. Amendments to this paragraph and the inclusion of a new paragraph are provided by **MM61** and **MM62**. The amendment to paragraph 7.14 deletes reference to additional land being required for the recovery of C&I waste as after 2025 the recovery element of this waste stream can be met by the new Edmonton Energy Recovery Facility. However, notwithstanding this, the new paragraph explains that there are opportunities for additional recovery capacity to be brought forward on

three of the proposed Priority Areas. **MM61** and **MM62** are necessary for the Plan to be justified and effective.

CD&E waste

158. The approach to the recycling of CD&E waste is set out in paragraphs 7.19 and 7.20. **MM63** and **MM64** are necessary for the Plan to be justified and provide amendments to these paragraphs. These explain that North London has sufficient capacity over the Plan period to manage construction and demolition waste but some exports of excavation waste will continue. Monitoring Indicator IN1 will provide the annual monitoring of recycling rates for these waste streams.
159. Paragraph 7.23 explains that the Plan depends on landfill capacity being available outside of the Plan area over the Plan period. However, **MM65** is necessary for the Plan to be justified and provides amended text to explain that the majority of C&D waste (95%) will be reused, recycled and recovered and that the majority of excavation waste (95%) will be put to beneficial use.

Hazardous Waste

160. Paragraphs 7.26 and 7.27 set the Plan's approach to the recycling and recovery of hazardous waste. **MM66** and **MM67** provide amendments to these paragraphs to reflect the fact that there are a number of facilities in the Plan area that manage this waste with the majority being car breakers and metal recovery facilities. However, the capacity for the management of hazardous waste is 49,000 tonnes per annum which requires approximately 4.9 hectares of land. New facilities, in principle, are supported in the Priority Areas. The Area Profiles in Appendix 2 of the Plan identify where a Priority Area is not suitable for hazardous waste and recycling and recovery activities. These MMs are necessary for the Plan to be justified and effective.

Conclusion on Issue 5

161. I am satisfied that the Plan demonstrates, when considered with the recommended MMs, that appropriate provision is made for the future management of waste in the Plan area over the Plan period and that it is sound in this respect.

Issue 6 - Whether the Plan's policies make appropriate provision for waste management development over the Plan period and provide an adequate balanced approach to protect people and the environment whilst delivering the Plan's aims and strategic objectives.

162. Section 9 sets out the Plan's policies to deliver the aims and strategic objectives, spatial principles and the overarching policy for waste management in the Plan area.

Policy 1: Existing Waste Management Sites

163. The existing waste management sites by site name are identified in Schedule 1 of the Plan. Policy 1 seeks to safeguard these, and any other sites that are granted planning permission, for waste uses. The policy supports the expansion or intensification of operations on existing waste sites. The policy sets out that non-waste uses on these safeguarded sites will only be permitted where it is clearly demonstrated that compensatory capacity can be provided. However, it does not identify how this is to be achieved or that such compensatory provision should also accord with the spatial principles of the Plan.
164. Whilst Schedule 1 identifies the site name of existing sites it provides no information on the site address, details of the waste streams that are managed or information on the annual tonnage of waste managed by the individual sites shown in the schedule. **MM105a** provides for this additional information to be provided in Schedule 1 and is necessary for the Plan to be justified.
165. **MM105b** provides for a change to the site area identified to be safeguarded on the Haringey Policies Map for site HAR 7 of Schedule 1. This corrects a mapping error and is necessary for the Plan to be effective.
166. The policy also refers to the 'agent of change principle' in respect of new non-waste development that may prejudice the use of a waste site. It applies this principle to the Priority Areas allocated for waste management, as well as existing sites. The effect of applying this principle to allocated areas could significantly prejudice the delivery of non-waste management development on sites in proximity to the 109 hectares of land identified as Priority Areas, particularly as less than 10% of this area is likely to be developed for waste management uses. **MM68** addresses these matters and is necessary for the Plan to be effective. Amongst other things, the MM makes it clear that consideration of the agent of change principle only applies to existing sites.
167. Paragraphs 9.4 to 9.10 provide the supporting text to Policy 1. However, these paragraphs do not adequately explain that safeguarding of an existing waste site for waste use does not preclude changes of ownership or that planning applications for the intensification or expansion of operations will be permitted providing they align with other policies in the development plan.
168. In addition, the supporting text does not adequately explain that compensatory capacity must be above or at the same level of the waste hierarchy and at least meet the maximum achievable throughput of the existing site by reference to the throughput achieved over the last five years. Also, the text does not adequately explain that compensatory provision should also accord with the Plan's spatial principles and should be provided within the Plan area, unless the Plan's Annual

Monitoring Report clearly demonstrates that remaining capacity is sufficient to meet net self-sufficiency for LACW, C&I, C&D and hazardous wastes. **MM69, MM70, MM71, MM72** and **MM73** address these matters and are necessary for the Plan to be effective.

169. Paragraph 9.10 provides further supporting text to explain the agent of change principle. However, it does not adequately explain the responsibilities placed on new development with regard to the mitigation of the impacts that may arise from locating new development in the proximity of an existing waste site. **MM74** addresses this matter and is necessary for the Plan to be effective.
170. In considering the impacts from waste management activities, the Plan does not explain the relationship between the planning policy considerations of the Plan and the Environmental Permitting Regulations. **MM75** addresses this matter in the interests of effectiveness and provides additional supporting text to Policy 1.

Policy 2: Priority Areas for new waste management facilities

171. This policy sets out the Plan's support for new waste management facilities but refers to these as being locations as opposed to 'Priority Areas'. The policy does not adequately reflect Spatial Principle B which seeks a better geographical location of sites. In addition, for consistency and effectiveness, it should reflect the modifications provided by **MM8** requiring that new sites should be in Priority Areas outside of Enfield and that development proposals will need to demonstrate that no other sites are available before considering sites within Enfield's Priority Area. Furthermore, the Policy does not provide support for the co-location of complementary activities as required by spatial principle C. **MM76** addresses these matters and is necessary for the Plan to be positively prepared and effective.
172. Tables 11 and 12 identify the Schedule 2 and Schedule 3 areas respectively to which Policy 2 relates. Schedule 3 areas are those located within the LLDC area which are to be identified in the LLDC Local Plan and for which LLDC will be the relevant waste planning authority for the determination of planning applications on those areas. However, Tables 11 and 12 do not refer to the areas identified as being 'Priority Areas' to which the modified Policy 2 relates. **MM77** addresses this matter and is necessary for the Plan to be effective.
173. Paragraph 9.11 of the Plan provides part of the supporting text to Policy 2. However, it does not adequately explain how the Priority Areas identified meet the Strategic Objectives and Spatial Principles of the Plan. In addition, the text does not explain that the sequential Priority Area approach applies to additional capacity in Enfield only and not to the expansion or intensification of existing waste sites or providing compensatory capacity for sites already in the Borough. Furthermore, it does not explain that there is an exception to the sequential Priority Area approach in Enfield where proposals are for Recycling and Reuse

Centres (RRCs) as there is an identified need in Enfield and Barnet to improve coverage across North London. **MM78** addresses these matters and is necessary for the Plan to be effective.

174. Paragraphs 9.13 to 9.16 also provide supporting text to Policy 2. However, these do not adequately explain that the Priority Areas will be identified as the most suitable locations for waste uses in the relevant Borough Council Policies Maps. In addition, this supporting text does not explain how the Priority Areas identified meet Strategic Objectives 1 and 5 and that for each area there is an 'Area Profile' in Appendix 2 of the Plan which indicates the constraints that may be applicable in considering development proposals within such areas. Furthermore, the text does not explain that the Priority Areas are also suitable to consider for compensatory capacity. **MM79, MM80, MM81** and **MM82** provide the necessary modifications in order for the Plan to be effective.

Policy 3: Windfall Sites

175. This policy provides support for waste management development on windfall sites. However, it does not adequately explain that the policy relates to development proposals on sites that are located outside of the existing sites, identified in Schedule 1, or outside of Priority Areas as identified in Schedules 2 and 3. Furthermore, it does not adequately reflect Spatial Principle B and fails to identify that sites outside of Enfield should be considered first. **MM83** addresses these matters and is necessary for the Plan to be effective.
176. Corresponding changes to the supporting text of Policy 2 in paragraphs 9.23 and 9.24 are necessary to reflect the changes made to the policy but to also explain that the exception to this is for development proposals for RRCs in Enfield and Barnet. This is necessary improve the geographical coverage of RRCs across North London. These are provided by **MM84** and **MM85** which are necessary for the Plan to be effective.

Policy 4: Re-use & Recycling Centres (RRCs)

177. This policy provides support for RRCs across the Plan area but does not identify the fact that these are particularly needed in Enfield and Barnet in order to improve the coverage across the Plan area. **MM86** provides the modification to address this matter and is necessary for the Plan to be effective.
178. Paragraph 9.33 provides part of the supporting text to Policy 4 and identifies that existing Sites and the Priority Areas identified in Schedules 1, 2 and 3 are likely to be the most suitable for RRCs. However, the paragraph does not explain the relationship with Policy 3 and how this policy will apply to a proposal for a RRC outside of these

areas. **MM87** provides the text to address this matter and is necessary for the Plan to be effective.

Policy 5: Assessment Criteria for waste management facilities and related development

179. This policy sets out the environmental and amenity matters that will need to be addressed in the submission of planning applications for waste management development. However, the policy fails to recognise the need for the efficient use of urban land in North London and as such does not identify that proposals should maximise the waste capacity of the site. In addition, the policy is unduly restrictive in requiring all facilities to be enclosed which is unnecessary if an equivalent level of amenity or environmental protection can be permanently achieved by other means.
180. The protection afforded to heritage assets in the policy by seeking to avoid significant adverse impact is inconsistent with the advice provided in Section 16 of the Framework. Furthermore, the policy does not require any consideration of the effect of development proposals on the mitigation or adaptation to climate change. **MM88** addresses these matters and is necessary for the Plan to be effective and consistent with national policy.
181. Part of the supporting text to the policy is provided by paragraphs 9.34, 9.37, 9.40 and 9.41. **MM89**, **MM91**, **MM92** and **MM93** are necessary to the supporting text of these paragraphs respectively to reflect the modifications made to the policy by virtue of **MM88**. Additional text is also necessary to reflect the fact that Policy SI 8 of the London Plan also promotes capacity increases at waste sites to maximise their use to demonstrate that London's land is being used to its highest potential. Consequently, **MM90** explains that applications for waste management development will be required to demonstrate that the waste management capacity on a site has been optimised. These MMs are necessary for the Plan to be effective and in general conformity with the London Plan.
182. The supporting text provided in paragraph 9.42 refers to the need for development proposals to be accompanied by a transport 'Servicing and Delivery Plan' and a 'Construction Logistics Plan' and that consideration should be given to the use of Direct Vision Lorries for all waste vehicles. However, the text does not recognise the relationship with these requirements and the Mayor's 'Vision Zero Action Plan' nor does it refer to the need to give consideration to efficient and sustainable transport movements. **MM94** addresses these matters and is necessary for the Plan to be effective.
183. Criterion (i) of Policy 5 (to be renumbered as criterion 'j') relates to the protection and enhancement of biodiversity. Paragraph 9.44 provides supporting text to explain how this aspect of the policy should be taken into account in the submission of development proposals. However, it

does not identify that Borough Council Local Plans also contain detailed local policies relating to biodiversity which, in addition to the advice provided in the Framework, will also need to be taken into account.

MM95 provides modifications to this supporting text and is necessary for effectiveness.

184. Criterion 'k' of the policy (to be renumbered 'l') requires that development should have no adverse impact on flood risk on and off the site. Supporting text to this criterion is provided by paragraph 9.48. However, the paragraph does not adequately explain that development proposals will be required to consider the impact of climate change using the latest published climate change allowances and that a sequential approach to the layout of the site should be adopted to locate development in those parts of a site that is at a lower risk of flooding. **MM96** is necessary to address this matter and is necessary for the Plan to be effective.

Policy 6: Energy Recovery and Decentralised Energy

185. This policy requires that where waste cannot be managed at a higher level in the waste hierarchy it should be used to generate energy, recover excess heat and to provide supply to networks including decentralised energy networks. However, the policy fails to adequately recognise that this may not always be technically feasible or financially viable to do so. **MM97** provides modifications to the policy to require proposals to demonstrate how they meet, or do not meet, the requirements of the policy through the submission of an Energy Statement. This MM is necessary for the Plan to be effective.
186. Part of the supporting text to Policy 6 is provided by paragraph 9.61. This identifies that work is underway to progress the delivery of the Meridian Water decentralised network in the Lee Valley and that this will connect with other heat sources from waste developments in the Lee Valley including the Edmonton EcoPark. However, the text does not recognise the occurrence of Green Belt in proximity to the Lee Valley. **MM98** is therefore necessary for the Plan to be effective and consistent with national policy to ensure that the openness and permanence of the Green Belt is maintained.

Policy 7: Waste Water Treatment Works and Sewage Plant

187. This policy, amongst other things, identifies that proposals for waste water treatment and sewage plant should meet environmental standards set by the Environment Agency. However, this aspect of the policy is not related to land use planning nor is its compliance in the control of the relevant waste planning authority. Therefore, this part of the policy is inappropriate for inclusion within a development plan document. **MM99** provides for the deletion of this part of the policy and is necessary for the Plan to be consistent with national policy.

Policy 8: Inert Waste

188. This policy identifies the developments for which the use of inert waste will be permitted and includes the restoration of mineral workings and facilitating improvement in the quality of land. However, the policy fails to define these as beneficial uses and is partially inconsistent with the modifications provided by **MM21**. In addition, the policy does not identify the need to ensure that inert waste is also managed as far up the waste hierarchy as possible, including on-site recycling and use, and is therefore inconsistent with Strategic Objective 1 of the Plan. **MM100** provides modifications to the policy to address these matters and is necessary for the Plan to be effective.
189. Corresponding modifications to the supporting text in paragraph 9.68 as a consequence of **MM100** are necessary and are provided by **MM101**.

Conclusion on Issue 6

190. Subject to the recommended MMs, I am satisfied that Plan's policies make appropriate provision for waste management development over the Plan period and provide an adequate balanced approach to protect people and the environment whilst delivering the Plan's aims and strategic objectives. Accordingly, with those MMs in place, I find this part of the Plan to be sound.

Issue 7 - Whether the monitoring and implementation framework of the Plan will be effective.

191. Section 10 of the Plan comprises the monitoring framework that lists the key indicator targets, links with strategic aims and policies and progress towards the delivery of outcomes to monitor the effectiveness of the Plan. It also identifies in tabular form the roles and responsibilities for organisations that have an input into the implementation of the Plan.
192. Paragraph 10.3 identifies that the responsibility for monitoring the achievement of the aims and objectives of the Plan lies with the individual North London Borough Councils. However, the Borough Councils have agreed to monitor the Plan jointly through a lead Borough Agreement and a joint Annual Monitoring Report will be produced. **MM102** provides for these modifications to the Plan's monitoring arrangements in the interests of effectiveness.
193. As a consequence of the modifications made to the tables in Sections 5 and 6 of the Plan, corresponding changes are necessary to the monitoring indicators provided in Table 14. **MM103** provides the necessary modifications.
194. Table 15 of the Plan identifies the roles and responsibilities involved in implementing and monitoring the Plan. In order to be consistent with

the modification provided by **MM103**, in respect of the appointment of a lead Borough Council to monitor the Plan, **MM104** is necessary for effectiveness.

Conclusion on Issue 7

195. Subject to the recommended MMs, the monitoring and implementation framework is effective and provides a robust framework for monitoring the delivery of the Plan and is sound.

Issue 8 – Whether the Area Profiles for the Priority Areas as set out in Appendix 2 of the Plan provide appropriate guidance for the submission of development proposals.

196. Appendix 2 to the Plan identifies the planning constraints, potential waste management uses and potential mitigation measures that need to be considered in any planning applications for waste management development proposals on the Schedule 2 and 3 Priority Areas identified in Table 11.
197. Modification is required to the 'Historic Environment' theme of Area A05 -BA (Connaught Business Centre) to identify that the Area is within the Watling Street Archaeological Priority Area and there is a potential for archaeological remains to be found. Consequently, an archaeological assessment should be undertaken as part of any development proposal. This modification is provided by **MM106** and is necessary for the Plan to be effective and to ensure that the archaeological implications of waste management development within the allocated Priority Area are properly taken into account in accordance with national policy.
198. Similarly, modifications are required to the Historic Environment theme of Areas A12-EN (Eleys Estate, Enfield), Area A15-HC (Millfields LSIS) and A21-HR (North East Tottenham) to reflect the fact that these Areas are within the Lee Valley West Bank Archaeological Priority Area, (Area 12-EN) and Lee Valley Archaeological Priority Area (Areas A15-HC and A21-HR). As such, archaeological assessment should be undertaken as part of any development proposals. A further addition is also required to Area A15-HC to reflect the fact that the Hackney Borough Disinfecting Station, which is a Grade II listed building, is also shown on the Heritage at Risk Register. These modifications are provided by **MM107**, **MM108** and **MM112** and are necessary for the Plan to be effective.
199. **MM109** is necessary to modify the 'Flood Risk' theme for Area LLDC1-HC (Bartrip Street) to reflect the fact that the area is largely within Flood Zone 1 with the southernmost part falling partially within Flood Zones 2 and 3. However, the proposed waste use is considered to be 'Less Vulnerable' and the site has been subject to a Sequential Test in the Flood Risk Sequential Test Report (CD1/11) and found to be appropriate for waste management development. As such the exception

test would not be applicable. This MM is necessary for the Plan to be effective.

200. Similarly, modifications are required to the Flood Risk theme for Areas LLDC2-HC (Chapman Close) and A19-HR9 (Brantwood Road) to identify that a site-specific flood risk assessment would be required for any waste management redevelopment which will need to incorporate the current climate change allowance at the time of submission. These modifications are provided by **MM110** and **MM111** and are necessary for the Plan to be effective.
201. Similar modifications are also required to the Historic Environment and Flood Risk Themes of Areas A24-WF (Argall Avenue) and LLDC3-WF (Temple Mill Lane) requiring archaeological assessment and site-specific flood assessment to be provided as part of a planning application. These are provided by **MM114** and **MM115** and are necessary for the Plan to be effective.
202. Modifications are necessary to the Area Profile of A22-HR Pinkham Way to reflect the relevant land use designations and policy implications of the development plan. Modifications are also necessary to the Flood Risk theme to reflect the fact that a site-specific flood risk assessment would be required for any waste management redevelopment.
203. In addition, new text is required to the 'potential mitigation theme' to reflect the fact that the number of land use designations affecting the site mean that only a proportion of the site would be suitable for waste management development. The text identifies that a smaller part of the site is in the ownership of the NWLA and therefore most likely to accommodate waste management development and that the site footprint should be minimised. Any development on the site will need to consider the impacts on biodiversity and how public access to the remainder of the site can be achieved. These modifications are provided by **MM113** and are necessary for the Plan to be effective.

Conclusion on Issue 8

204. Subject to the recommended MMs, the Area Profiles, as set out in Appendix 2, provide appropriate guidance for the submission of development proposals for waste management uses on those areas.

Overall Conclusion and Recommendation

205. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
206. The North London Borough Councils have requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that

the Duty to Cooperate has been met and that, with the recommended main modifications set out in the Schedule of Main Modifications, the North London Waste Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Stephen Normington

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining and bold font for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	1	Paragraph 1.3 and 4.1 (part)	<p>The Aim and Strategic Objectives:</p> <p>[...]</p> <p>The Spatial Principles Framework: The spatial principles flow from the Plan’s Strategic Objectives and provide the strategic direction for the detailed policies of the NLWP and inform site/area selection. This sets out They reflect the physical and planning components that influence the Plan and guide the identifies identification of opportunities and constraints for waste planning in North London.</p>
MM2	18	Paragraph 3.3	<p>Aim of the NLWP</p> <p>“To achieve net self-sufficiency* for LACW, C&I and C&D waste streams, including hazardous waste, seek beneficial use of excavation waste, and support a greener London by providing a planning framework that contributes to an integrated approach to management of materials further up the waste hierarchy. The NLWP will provide sufficient land for the sustainable development of waste facilities that are of the right type, in the right place and provided at the right time to enable the North London Boroughs to meet their identified waste management needs throughout the plan period”.</p>

			* Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue. Equivalent capacity will be measured by the amount (tonnes) managed for each waste stream against the projected waste arisings in Table 5.
MM3	18	Paragraph 3.4	<p>The Strategic Objectives are the steps needed to achieve the Aim of the draft NLWP. They are delivered through the policies in the Plan and each Strategic Objective signposts the policy or policies through which it will be met. The Strategic Objectives are as follows:</p> <p>[...]</p> <p>SO3. To plan for net self-sufficiency in LACW, C&I, C&D waste streams, including hazardous waste, by providing opportunities to manage as much as practicable of North London’s waste within the Plan area taking into account the amounts of waste apportioned to the Boroughs in the London Plan, and the requirements of the North London Waste Authority, to seek beneficial use of excavation waste, and to monitor waste exports as part of the ongoing duty to co-operate. Met through Policies 1, 2, 3, 4, and 8</p> <p>[footnote] Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue.</p>
MM4	15	2.27 [Moved here after 2.25]	The North London Boroughs are all focused on the challenges posed by climate change. Borough strategies are driven by the requirements to mitigate and adapt to all effects of climate change. The NLWP aims to deliver effective waste and resource management which makes a positive and lasting contribution to sustainable development and to combating climate change. In particular this includes reducing the reliance on disposal to landfill sites outside London, lowering emissions from road transport, ensuring new waste facilities generating energy meet the Mayor’s Carbon Intensity Floor, directing new development to the most appropriate sites and taking into account the greater occurrence of urban flood events.

MM5	20	4.2	<p>The Spatial Principles Framework flow from the Plan's Strategic Objectives and provides the strategic direction for the detailed policies of the NLWP and informs site/area selection. The principles take account of the spatial and wider policy context, the Plan's evidence base and the views of stakeholders. The Spatial Principles Framework also guides the assessment of the suitability of windfall sites under Policy 3. ItThey reflects the complexities and realities of planning at a sub-regional level taking into account varied characteristics and functions across the seven boroughs, from densely populated urban areas to stretches of Green Belt. Competing and changing land uses, especially release of industrial land for housing, is a key issue for the boroughs.</p>
MM6	22	4.11 (part)	<p>The current and changing character of each borough's industrial land is a consideration in identifying locations for new waste infrastructure. Larger and co-located facilities are more suited to areas with similar existing uses away from sensitive receptors. A future waste industry focused on resource management may derive positive cumulative impacts from a concentration of facilities. Conversely, the urban environments of NLWP boroughs are restricted by severe physical constraints limiting opportunities for some types of waste facilities. In addition, some areas, such as most waste facilities would be regarded as inappropriate development in the protected Green Belt in the north, will be largely out of bounds for any built waste facilities unless very special circumstances justifying the use of Green Belt land have been demonstrated. As population and densities in the plan area increase with projected growth, fewer areas away from sensitive receptors will be available. Continued development of waste facilities in areas which have, and continue to provide, significant waste capacity could have wider implications on the regeneration of the local economy. When choosing locations for future development, the benefits of co-location will need to be balanced against the cumulative impacts which can arise from an accumulation of facilities in one location. Cumulative impacts can include traffic levels, noise and odours. There may be times when the cumulative impacts of several waste developments operating in an area would be considered unacceptable.</p>
MM7	22	New after 4.11	<p>Figure 9 shows that there is a concentration of existing waste sites in the Lee Valley corridor, mainly in Enfield. Indeed, Enfield contributes 62% of the land currently in waste use in North London, compared to 18% in Barnet, 12% in Haringey and 5% or less in the remaining Boroughs. The NLWP has the opportunity to address concerns that there is an over-concentration of waste facilities in Enfield by promoting a better</p>

			geographic spread of sites across North London and create a more sustainable pattern of waste development.
MM8	22	4.12	<p>While all industrial land in North London is suitable 'in principle' for waste uses, there are certain locations which are more suitable than others to provide the waste capacity needed. Section 8 of the NLWP sets out how 'Priority Areas' for new waste facilities in North London were identified. One of the considerations was creating a better geographical spread, and this has been sought by limiting the number of Priority Areas within Enfield. The NLWP takes an area-based approach to waste planning and identifies certain industrial and employment areas as in principle more suitable for waste use but where the land is not specifically safeguarded for waste. The area-based approach allows for flexibility in bringing forward a range of locations across North London which is combined with policy to promote areas outside Enfield first (see Policy 2). This is supported by annual monitoring to check that land for waste capacity is being taken up as anticipated (see Chapter 10 monitoring indicator IN3). In addition, the NLWP supports the intensification of existing waste facilities where appropriate to optimise their throughput (see Policy 1).</p> <p>[separate here to new para]</p> <p>Policy 2 seeks to extend the existing spread of locations for waste facilities by identifying locations which are suitable for new waste facilities, taking into account In combination, existing waste sites and the 'Priority Areas' are considered a sustainable network of waste facilities because they present sufficient opportunity to meet North London's waste capacity needs and net self-sufficiency targets while promoting a better geographical spread. They will help reduce movements of waste, including waste exports and increase opportunities for waste to be managed in proximity to its source. New waste facilities will be directed towards the most suitable land in North London when assessed against the planning criteria (see Table 10) as well as factors such as the character of different areas, changing land uses and availability of suitable industrial land. Policy 2 identifies these Priority Areas in Schedules 2 and 3. Outside of the Priority Areas, where demand arises, opportunities to improve the spread of waste sites across the area are supported through Policy 3: Windfall Sites where they adhere to the site assessment criteria set out in section 8.</p>

MM9	25	New after 4.17	Co-location of facilities with complementary activities will be encouraged through Policy 2, which directs new waste uses to Priority Areas and provides a spatial focus towards land with similar existing uses away from sensitive receptors. Policy 3: Windfall Sites allows for opportunities of locating recycling facilities near to a reprocessing plant that could use the recycle material. Policy 5 requires developers to consider the possible benefits of co-locating waste development as well as any potential cumulative impacts.
MM10	27	4.18	The NPPW recognises the benefits of co-location of waste facilities with end users of their energy outputs. The London Plan supports the development of combined heat and power systems and provision of heat and power to surrounding consumers Policy SI8 encourages proposals for materials and waste management sites where they contribute towards renewable energy generation and/or are linked to low emission combined heat and power and/or combined cooling heat and power (CHP is only acceptable where it will enable the delivery or extension of an area-wide heat network consistent with Policy SI3 Part D1e). The same policy requires expects facilities generating energy from waste to meet, or to demonstrate that steps are in place to meet in the near future, a minimum performance of 400g of CO2 equivalent per kilowatt hour of electricity produced.
MM11	28	4.26	Road transport will continue to be the principal method of transporting waste in North London, particularly over shorter distances where this is more flexible and cost effective. The efficient use of transport networks combined with good logistics and operational practices can make a significant contribution towards the level of transport sustainability achieved. The transportation of waste as well as other traffic movements to and from sites can impact on amenity along the routes used. Policy 5 will seek to minimise such impacts where possible, for example through the use of ultra-low and zero emission vehicles. Access to transport networks including sustainable transport modes was considered when assessing the suitability of new sites and areas. Rail and water road transport is particularly desirable when waste is travelling long distances. Policy 5 considers sustainable transport modes in planning decisions.
MM12	29	New after 5.3	A Data Study Addendum (2020) was prepared to support the Main Modifications to the NLWP. The Data Study Addendum proposes modifications to the way data is presented

			in the NLWP so that the reader can more readily follow the line of justification and reasoning behind the approach to waste management in North London.																																																
MM13	30	New after Fig 8	<p>How North London’s waste is currently managed</p> <p>Around 66% of waste generated in North London is managed in North London, excluding excavation waste. The amounts of North London’s waste managed within North London and elsewhere is set out in Table 2. This section sets out how and where each waste stream is currently managed.</p>																																																
MM14	37	Revised Table 4	<p>Revised Table 4 : The amount of North London’s waste managed in North London and elsewhere (2016) Waste recorded as exported from North London to landfill 2011-2016</p> <table border="1"> <thead> <tr> <th>Waste Stream</th> <th>Waste arising</th> <th>Amount managed in North London</th> <th>Amount managed elsewhere in London</th> <th>Amount exported to landfill outside London</th> <th>Amount exported to other facilities outside London</th> </tr> </thead> <tbody> <tr> <td>LACW</td> <td>845,776</td> <td>718,900</td> <td>1,000</td> <td>68,900</td> <td>56,900</td> </tr> <tr> <td>C&I</td> <td>762,301</td> <td>402,900</td> <td>34,600</td> <td>251,600</td> <td>73,000</td> </tr> <tr> <td>C&D</td> <td>443,180</td> <td>248,000</td> <td>108,225</td> <td>30,200</td> <td>31,000</td> </tr> <tr> <td>Hazardous (HWDI)</td> <td>53,420</td> <td>313</td> <td>12,663</td> <td>8,557</td> <td>31,887</td> </tr> <tr> <td>Proportion</td> <td></td> <td>66%</td> <td>7.5%</td> <td>17%</td> <td>9%</td> </tr> <tr> <td>Excavation</td> <td>747,242</td> <td>52,523</td> <td>335,862</td> <td>265,415</td> <td>82,463</td> </tr> <tr> <td>Proportion</td> <td></td> <td>7%</td> <td>45%</td> <td>35.5%</td> <td>11%</td> </tr> </tbody> </table>	Waste Stream	Waste arising	Amount managed in North London	Amount managed elsewhere in London	Amount exported to landfill outside London	Amount exported to other facilities outside London	LACW	845,776	718,900	1,000	68,900	56,900	C&I	762,301	402,900	34,600	251,600	73,000	C&D	443,180	248,000	108,225	30,200	31,000	Hazardous (HWDI)	53,420	313	12,663	8,557	31,887	Proportion		66%	7.5%	17%	9%	Excavation	747,242	52,523	335,862	265,415	82,463	Proportion		7%	45%	35.5%	11%
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MM15	39	5.29 [moved here after 5.8]	<p>Some of this capacity will be provided by existing facilities which import waste from outside North London. In 2016, around 1 million tonnes of waste was imported in to North London. Most of the imported waste comes from immediate neighbours in Greater London, the South East and East of England and is managed in transfer stations, treatment facilities and metal</p>																																																

			<p>recycling sites. SomeThe type of facilities in North London have with a wider-than-local catchment area and manage waste from outside North London. This include recycling and treatment facilities, in particular metal recycling and end of life vehicle (ELV) facilities as well as facilities for the processing of CDE in to recycled aggregate products for resale. Waste will continue to be imported into North London over the plan period in line with market demands. The extra capacity contributes to achieving net self-sufficiency, or managing the equivalent of the overall quantity of waste within the main categories for North London and London as a whole.</p>
MM16	37	5.27	<p>In 2016, 1,201,964 1.4 million tonnes of waste was recorded as exported from North London, 56% 675,788 tonnes of which went to landfill. Most of the waste deposited to landfill was excavation waste (65%) followed by LACW/C&I (35%). Exports of LACW to landfill in the LACW/C&I category have been steadily declining in recent years, however an increase was shown in 2016. This is consistent in line with the waste strategies of the London Mayor and the North London Waste Authority which aim to reduce the amount of waste going to landfill. Therefore the increase in 2016 of exports to landfill in this category can probably be attributed to commercial and industrial waste, although the data does not identify why this has occurred. Data for hazardous waste exports to landfill is shown from both the Waste Data Interrogator (WDI) and the Hazardous Waste Data Interrogator (HWDI). The HWDI is the more accurate of the two for hazardous waste, but the total exports to landfill figure is taken from the WDI only. Exports of CD&E waste generally follow patterns of waste arising, so when more CD&E waste is generated, more is exported. This pattern is shown in Table 4 and Figure 10 below.</p>
MM17	37	New [after 5.27]	<p>Local planning authorities have a duty to cooperate with each other on strategic matters that cross administrative boundaries. Exports of waste from one waste planning authority to another is a strategic cross-boundary matter and is an important consideration in assessing the effectiveness of the NLWP. It is therefore important to understand the destination of North London's waste exports and to understand any issues which could prevent similar amounts of waste being exported in the future.</p> <p>Although North London is planning for capacity to meet the equivalent of 100% of its waste arisings, North London has no landfill sites and is not planning to open any</p>

			<p>landfill sites. This means that waste arising in London which cannot be recycled or recovered and can only be disposed of to landfill will continue to do so. Table 5 identifies the amount of waste which is expected to be disposed of to landfill over the plan period and this will form part of the annual monitoring to ensure that duty to co-operate engagement takes place if there are significant changes from current and anticipated waste exports to landfill.</p> <p>It should be noted that exports from and imports into North London are not a measure of North London's net self-sufficiency. Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste need in North London, while recognising that some imports and exports will continue. For most waste streams, the market dictates where the waste is managed, however the more capacity there is within North London, the more opportunity for North London's waste to be managed within its own boundaries.</p>
MM18	39	5.32	<p>Nonetheless, as set out in the exports to landfill paper, alternative capacity at other potential destinations has been identified for the amount of waste currently being exported to those sites earmarked for closure during the plan period. It is recognised that non-hazardous landfill capacity in the wider south east is declining and no new non-hazardous landfill sites are being put forward by waste operators. A small number of new inert waste sites are being put forward in former mineral works. The lack of landfill capacity in the wider south east is an issue for all WPAs preparing plans and there is a continuing need to plan to manage waste further up the waste hierarchy to help reduce the need for landfill capacity. The paper shows that There is opportunity for the market to find are both alternative destinations sites and adequate void space in London, South East and East of England for to take North London's 'homeless' waste in the short term between 2018 and 2035. In the longer term, beneficial use of excavation waste and the Circular Economy Statements will assist the North London Boroughs to reduce exports of waste to landfill and monitor the destinations of waste exports.</p> <p>[Moved from 5.31]</p>

			<p>The destination of waste is largely dependent on market forces and therefore it is not possible to identify specific alternative destinations where North London's waste will go after the closure of landfill sites during the plan period.</p> <p>[Moved from 7.6]</p> <p>The North London Boroughs have established that there is opportunity for the market to find alternative destinations in the wider south east for any of North London's 'homeless' waste in the short term. In the longer term, beneficial use of excavation waste and the Circular Economy Statements will assist the North London Boroughs to reduce exports of waste to landfill and monitor the destinations of waste exports.</p>																		
MM19	41	6.3 and Table 5 renumbered Table 3	<p>Targets for North London's waste management managed within North London</p> <p>The North London Boroughs have statutory duties to meet recycling and recovery targets and the NLWP will need to be ambitious in order to achieve European Union, national, regional and local targets. These targets taken from the London Plan (March 2021) are as follows:</p> <p>Table 35: Recycling and Recovery Targets with 2016 Baseline</p> <table border="1"> <thead> <tr> <th>Waste Stream</th> <th>Target</th> <th>2016 baseline</th> </tr> </thead> <tbody> <tr> <td>LACW</td> <td>50% recycling for LACW by 2025 (e Contributing towards 65% recycling of municipal waste by 2030)</td> <td>279%</td> </tr> <tr> <td>C&I</td> <td>75% recycling by 2030 (e Contributing towards 65% recycling of municipal waste by 2030)</td> <td>4452%</td> </tr> <tr> <td>C&D</td> <td>95% reuse/recycling/recovery by 2020</td> <td>9350-60%</td> </tr> <tr> <td>Excavation</td> <td>95% beneficial use</td> <td>Not known</td> </tr> <tr> <td>Biodegradable or recyclable waste</td> <td>Zero biodegradable or recyclable waste to landfill by 2026</td> <td>Not known</td> </tr> </tbody> </table>	Waste Stream	Target	2016 baseline	LACW	50% recycling for LACW by 2025 (e Contributing towards 65% recycling of municipal waste by 2030)	279%	C&I	75% recycling by 2030 (e Contributing towards 65% recycling of municipal waste by 2030)	4452%	C&D	95% reuse/recycling/recovery by 2020	9350-60%	Excavation	95% beneficial use	Not known	Biodegradable or recyclable waste	Zero biodegradable or recyclable waste to landfill by 2026	Not known
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			Hazardous	Included in LACW, C&I and C&D targets	N/A
MM20	34	5.13	<p>The European Commission has put forward a Circular Economy Package'. This includes a 65% recycling target for municipal waste (LACW and C&I) by 2030. Notwithstanding the UK leaving the EU, the UK has signed up to delivering these targets as part of Brexit. The Circular Economy Package (CEP) recycling target of 65% municipal waste by 2030 has been superseded by the London Environment Strategy (LES) published in May 2018 in time to be incorporated into the NLWP. The LES aims to achieve 65% recycling from London's municipal waste by 2030; this will be achieved through a 50% recycling rate from LACW by 2025 (LES Policy 7.2.1) and 75% from business waste by 2030 (LES policy 7.2.2). The LES therefore goes further than the CEP by bringing forward London's LACW recycling target to 2025. The LES states that the Mayor expects waste authorities to collectively achieve a 50 per cent LACW recycling target by 2025 and aspire to achieve 45% household waste recycling by 2025 and 50% by 2030. Responsibility falls largely to London Boroughs in their capacity as waste collection and waste disposal authorities. The NLWA are expected to contribute to the Mayor's targets and produce a waste strategy to show they are acting in conformity with the LES policies and proposals (see LES Box 36). These revised targets have been built into NLWP waste modelling work as part of the revisions to the Data Study, however the new targets have only been applied to C&I waste as it is assumed no change to the projections of the NLWA at this time.</p>		
MM21	36	5.21	<p>[Part of 5.21 moved here]</p> <p>The London Plan (March 2021) includes a target of 95% reuse/recycling/recovery of C&D waste CD&E by 2020 and 95% beneficial use of excavation waste. Beneficial use could include using excavated material within the development, or in habitat creation, flood defences or landfill restoration. Preference should be given to using the materials on-site or within local projects.</p>		
MM22	41	6.4 (part)	Options for managing modelling North London's future waste arisings		

In accordance with the NPPF (paragraph 35) to ensure the NLWP is justified, a range of options were tested as part of the consideration of reasonable alternatives for managing ~~modelling~~ North London's waste **arising over the plan period. Analysis of and consultation on these options led** leading to the selection of the a preferred strategy. **These options seek to reflect the effects of future economic activity, including fiscal, financial and legislative factors such as landfill tax charges driving waste away from landfill, and financial incentives such as ROCs (Renewable Obligations Certificates) increasing the competitiveness of energy recovery. Employment growth is based on demographic projections of employment in the London Plan using North London Borough employment projections and is applied to the growth rates for the C&I and CD&E streams. For the LACW stream, the NLWA have provided the projections which have been used to inform the application for a Development Consent Order to enable them to develop and operate an Energy Recovery Facility (ERF) at the Edmonton EcoPark from 2026. The scenarios considered are summarised in Table 4, with the preferred scenarios highlighted.** ~~looked at a range of options for recycling from maintaining the status quo to seeking to maximise opportunities for recycling in line with the targets set out in Table 5 above, the latter option being the most popular option and taken forward. Along with this a number of options were also considered in relation to waste growth over the plan period and what impact that would have on waste growth, again 3 approaches were modelled looking at no growth, growth in line with the London Plan (March 2016) for C&I and CDE waste — with LACW growth being in line with that of the NLWA for all options, a minimised growth was also modelled but was not considered in line with the growth planned for in the London Plan (March 2016), as such growth was modelled in line with the London Plan (March 2016).~~

[Moved down to after new Table 5]

[An Options Appraisal Report (2018) has been prepared which provides more detail on each of the options considered and provides information on the different scenarios including how much waste would be generated over the plan period (incorporating economic and population growth assumptions), how much waste could be managed within North London (capacity strategy), and how this waste should be managed (management strategy) for each of the options considered. The preferred option identified in the Options Appraisal has been carried through to the NLWP. The preferred option seeks to achieve growth in line with the London Plan (March 2016) and to deliver the targets set out in the Mayor's Environment Strategy.]

MM23	41	New Table after 6.4	Table 4: Options considered for forecasting North London's waste arisings and need					
			LACW	C&I	C&D	Excavation	Hazardous	Agricultural
			Capacity options					
			Meeting the London Plan apportionment	Meeting the London Plan apportionment	Baseline (no change)	Baseline (no change)	Baseline (no change)	Baseline (no change)
			Net self-sufficiency	Net self-sufficiency	Net self-sufficiency	Managing as much as possible in North London	Net self-sufficiency	
			Self-sufficiency	Self-sufficiency	Self-sufficiency		Self-sufficiency	
			Growth Options					
				No growth (0% pa)	No growth (0% pa)	No growth (0% pa)	No growth (0% pa)	No growth (0% pa)
				Minimised growth (0.40% pa)	Minimised growth (0.40% pa)	Minimised growth (0.40% pa)	Minimised growth (0.40% pa)	
			NLWA Waste Forecasting Model3	Growth (0.81% pa)	Growth (0.81% pa)	Growth (0.81% pa)	Growth (0.81% pa)	
			Management Options					
				Baseline (no change)	Baseline (no change)	Baseline (no change)	Baseline (no change)	Baseline (no change)
				Median 80% recycling by 2035 16% Energy Recovery by 2035 4% to	Median 85% recycling 9% treatment 6% landfill			

				Landfill by 2035				
			NLWA Forecasting model Central Scenario 44% recycling by 2035 (50% HH recycling by 2035) 55% Energy Recovery by 2035 1% landfill	Maximised 85% Recycling by 2035 12% Energy Recovery by 2035 3% to Landfill by 2035	Maximised 95% recycling / recovery / reuse 5% landfill	Maximised 95% beneficial use 5% landfill		
MM24	41	6.4 (part) [Moved to after new Table 5]	<p>Further details of these options is available in NLWP Data Study 2. An Options Appraisal Report (20198) has also been prepared which provides more detail on each of the options considered and provides information on the different scenarios including how much waste would be generated over the plan period (incorporating economic and population growth assumptions), how much waste could be managed within North London (capacity strategy net self-sufficiency options), and how this waste should be managed (management strategy options) for each of the options considered. Meeting North London’s LACW, C&I and C&D waste arisings, including hazardous waste, was the preferred net self-sufficiency option because it is compliant with national legislation on managing all main waste streams. In addition, it demonstrates to neighbouring authorities outside London that North London intends to manage as much of its own waste as possible and reduce exports. Growth of 0.81% was chosen as the preferred option because GLA evidence and projections anticipate substantial population and economic growth in London over the next few decades. Maximised Recycling was chosen as the preferred option for the management strategy because it aligns with national, regional and local recycling targets. This option also means that more waste will be managed further up the waste hierarchy with more opportunity to divert waste away from landfill. The preferred option identified in the Options Appraisal has been carried through to the NLWP. The preferred option seeks to achieve growth in line with the London Plan (March 2016) and to deliver the targets set out in the Mayor’s Environment Strategy.</p>					

MM25	42	New below 6.6	<p>The results of the modelling of the preferred strategy for waste arisings over the plan period is set out in Table 5 below. The baseline data for these projections are the waste arisings figures set out in Table 1 of this plan. These figures represent two sets of projections. The first is how North London’s waste is most likely to be managed over the plan period, aligned with the levels in the waste hierarchy (see STRATEGIC OBJECTIVE 1). While some of North London’s waste will still be exported for management or disposal to landfill, the aim of the NLWP is to deliver the equivalent capacity for LACW, C&I, C&D and hazardous waste within its administrative borders. Therefore Table 8 also shows the total amount of waste arising in North London which the Boroughs need to provide capacity for (net self-sufficiency). This is in line with STRATEGIC OBJECTIVE 3 which is to plan for net self-sufficiency by providing opportunities to manage as much as practicable of North London’s waste within the Plan area. Prevention and re-use also have a part to play, but in terms of waste management capacity in North London, recovery and recycling will play the most substantial part.</p> <p>Table 8 sets out waste arisings over the plan period and how much of the total will need to be recycled to meet the Mayor’s targets shown in Table 3. The LACW figures in Table 5 are taken from the NLWP data study which reflects the NLWA modelling. The NLWA model is based on achieving 50% household waste recycling. Over 80% of total LACW is household waste and the remainder is mostly business waste. The NLWA model assumes business waste recycling improves gradually over time as business waste recycling continues to be encouraged and recycling behaviours change. The combined household and business waste recycling rate in the NLWA model is 44%. In order to meet the Mayor’s target of 65% recycling of municipal waste by 2030, around 85% of the ‘municipal’ portion of the C&I waste stream needs to be recycled. The ‘municipal’ portion of the C&I waste stream is estimated to be around two thirds of the total [footnote]. The recycling rates for the municipal portion of the C&I waste stream rise to 85% by 2030 which, together with household and business waste recycling in the LACW waste stream, achieves 65% recycling of municipal waste by 2030 in line with the Mayor’s target. The C&D waste stream has a recycling rate of 95% and excavation waste a beneficial use rate of 95% in line with the London Plan targets.</p>
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			[footnote] Separate figures for municipal and other C&I waste are set out in the Data Study Addendum Appendix A: Waste arisings forecast scenario taken forward in the NLWP.																																																																																																																		
MM26	48	Table 8 renumbered Table 5 [revised and moved here]	<p>Table 5: Projected arisings and management of North London's waste 2020-2035</p> <table border="1"> <thead> <tr> <th>Waste Stream</th> <th>Facility Type</th> <th>2020</th> <th>2025</th> <th>2030</th> <th>2035</th> </tr> </thead> <tbody> <tr> <td>LACW</td> <td>Recycling</td> <td>418,169</td> <td>424,049</td> <td>430,280</td> <td>436,824</td> </tr> <tr> <td>LACW</td> <td>Recovery (EfW), Treatment</td> <td>566,872</td> <td>572,856</td> <td>579,725</td> <td>587,352</td> </tr> <tr> <td>LACW</td> <td>Landfill</td> <td>2,000</td> <td>2,000</td> <td>2,000</td> <td>2,000</td> </tr> <tr> <td colspan="2">Total LACW arisings (capacity required for net self-sufficiency)</td> <td>987,041</td> <td>998,905</td> <td>1,012,005</td> <td>1,026,176</td> </tr> <tr> <td>C&I</td> <td>Recycling</td> <td>525,853</td> <td>566,563</td> <td>609,743</td> <td>634,983</td> </tr> <tr> <td>C&I</td> <td>Recovery (EfW), Treatment</td> <td>152,448</td> <td>142,523</td> <td>131,513</td> <td>136,957</td> </tr> <tr> <td>C&I</td> <td>Landfill</td> <td>109,139</td> <td>110,951</td> <td>112,726</td> <td>117,392</td> </tr> <tr> <td colspan="2">Total C&I waste arisings (capacity required for net self-sufficiency)</td> <td>787,440</td> <td>820,037</td> <td>853,982</td> <td>889,332</td> </tr> <tr> <td>C&D</td> <td>Recycling</td> <td>435,054</td> <td>453,063</td> <td>471,816</td> <td>491,347</td> </tr> <tr> <td>C&D</td> <td>Landfill</td> <td>22,742</td> <td>23,683</td> <td>24,664</td> <td>25,685</td> </tr> <tr> <td colspan="2">Total C&D waste arisings (capacity required for net self-sufficiency)</td> <td>457,796</td> <td>476,746</td> <td>496,480</td> <td>517,032</td> </tr> <tr> <td>Hazardous</td> <td>Recycling</td> <td>16,838</td> <td>16,838</td> <td>16,838</td> <td>16,838</td> </tr> <tr> <td>Hazardous</td> <td>Recovery, Treatment</td> <td>23,846</td> <td>23,846</td> <td>23,846</td> <td>23,846</td> </tr> <tr> <td>Hazardous</td> <td>Landfill</td> <td>12,737</td> <td>12,737</td> <td>12,737</td> <td>12,737</td> </tr> <tr> <td colspan="2">Total Hazardous waste arisings (capacity required for net self-sufficiency)</td> <td>53,421</td> <td>53,421</td> <td>53,421</td> <td>53,421</td> </tr> <tr> <td>Excavation</td> <td>Beneficial use, Recycling, Treatment</td> <td>733,294</td> <td>763,647</td> <td>795,257</td> <td>828,176</td> </tr> <tr> <td>Excavation</td> <td>Landfill</td> <td>38,594</td> <td>40,192</td> <td>41,856</td> <td>43,588</td> </tr> <tr> <td colspan="2">Total Excavation waste arisings</td> <td>771,888</td> <td>803,839</td> <td>837,113</td> <td>871,764</td> </tr> </tbody> </table>	Waste Stream	Facility Type	2020	2025	2030	2035	LACW	Recycling	418,169	424,049	430,280	436,824	LACW	Recovery (EfW), Treatment	566,872	572,856	579,725	587,352	LACW	Landfill	2,000	2,000	2,000	2,000	Total LACW arisings (capacity required for net self-sufficiency)		987,041	998,905	1,012,005	1,026,176	C&I	Recycling	525,853	566,563	609,743	634,983	C&I	Recovery (EfW), Treatment	152,448	142,523	131,513	136,957	C&I	Landfill	109,139	110,951	112,726	117,392	Total C&I waste arisings (capacity required for net self-sufficiency)		787,440	820,037	853,982	889,332	C&D	Recycling	435,054	453,063	471,816	491,347	C&D	Landfill	22,742	23,683	24,664	25,685	Total C&D waste arisings (capacity required for net self-sufficiency)		457,796	476,746	496,480	517,032	Hazardous	Recycling	16,838	16,838	16,838	16,838	Hazardous	Recovery, Treatment	23,846	23,846	23,846	23,846	Hazardous	Landfill	12,737	12,737	12,737	12,737	Total Hazardous waste arisings (capacity required for net self-sufficiency)		53,421	53,421	53,421	53,421	Excavation	Beneficial use, Recycling, Treatment	733,294	763,647	795,257	828,176	Excavation	Landfill	38,594	40,192	41,856	43,588	Total Excavation waste arisings		771,888	803,839	837,113	871,764
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Excavation	Beneficial use, Recycling, Treatment	733,294	763,647	795,257	828,176																																																																																																																
Excavation	Landfill	38,594	40,192	41,856	43,588																																																																																																																
Total Excavation waste arisings		771,888	803,839	837,113	871,764																																																																																																																

			<table border="1"> <tr> <td>Agricultural</td> <td>Recycling</td> <td>89</td> <td>89</td> <td>89</td> <td>89</td> </tr> <tr> <td>Agricultural</td> <td>Recovery, Treatment</td> <td>9,130</td> <td>9,130</td> <td>9,130</td> <td>9,130</td> </tr> <tr> <td>Agricultural</td> <td>Landfill</td> <td>4</td> <td>4</td> <td>4</td> <td>4</td> </tr> <tr> <td colspan="2">Total Agricultural waste arisings</td> <td>9,223</td> <td>9,223</td> <td>9,223</td> <td>9,223</td> </tr> </table>	Agricultural	Recycling	89	89	89	89	Agricultural	Recovery, Treatment	9,130	9,130	9,130	9,130	Agricultural	Landfill	4	4	4	4	Total Agricultural waste arisings		9,223	9,223	9,223	9,223
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Total Agricultural waste arisings		9,223	9,223	9,223	9,223																						
MM27	30	5.5 [Moved here after Table 8]	<p>Existing capacity</p> <p>Table 63 below summarises shows the existing (20168) capacity of North London's waste management facilities in North London by type of facility and waste stream managed and changes in available capacity at known dates when facilities come on stream/close. It identifies an existing waste management capacity of around 4.4 just over a million tonnes per annum of recycling/composting for the LACW and C&I waste streams, just under 600,000 tonnes per annum of energy recovery for LACW, around 630,000 tonnes per annum of recycling and treatment for CD&E waste, and about 4,250 tonnes of hazardous waste capacity reducing to around 3.8 million tonnes by 2029 as a result of known closure of some existing sites up to 2028. Figure 59 shows the location of the facilities represented in Table 63 and a full list is in Appendix 1.</p>																								

MM28	31	Table 3 renumbered Table 6 [Revised and moved here after 5.5]	<p>Table 63: Maximum Existing Annual Capacity at Licensed Operational Waste Management Facilities at the Start of the Plan Period and a key dates following changes in sites capacities</p> <table border="1" data-bbox="645 217 2040 651"> <thead> <tr> <th colspan="2">Type of capacity</th> <th>Waste stream</th> <th>Existing capacity (2016)</th> </tr> </thead> <tbody> <tr> <td rowspan="3">M a n a g e m e n t</td> <td rowspan="3">Recycling/Composting/Treatment</td> <td>LACW / C&I</td> <td>1,062,424</td> </tr> <tr> <td>CD&E</td> <td>663,436</td> </tr> <tr> <td>Hazardous</td> <td>4,252</td> </tr> <tr> <td></td> <td>Energy Recovery</td> <td>LACW / C&I</td> <td>597,134</td> </tr> <tr> <td></td> <td>Transfer</td> <td>All</td> <td>1,225,068</td> </tr> <tr> <td></td> <td>Landfill</td> <td>All</td> <td>0</td> </tr> </tbody> </table> <p>Source: Waste Data Interrogator and Hazardous Waste Data Interrogator 2012-2016</p>	Type of capacity		Waste stream	Existing capacity (2016)	M a n a g e m e n t	Recycling/Composting/Treatment	LACW / C&I	1,062,424	CD&E	663,436	Hazardous	4,252		Energy Recovery	LACW / C&I	597,134		Transfer	All	1,225,068		Landfill	All	0
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MM29	32	5.6 [Moved here]	<p>The London Plan defines the technologies and processes which constitute 'managing' waste and these have been applied to North London's facilities when calculating capacity. Only facilities which recycle and compost waste or recover energy from waste count towards waste 'management' in North London. Transfer Stations are therefore excluded from this total, although many facilities categorised as 'transfer stations' do some recycling and where recycling takes place at transfer stations this has been noted in the site profiles and added to the total in Table 6. When considering the overall amount of waste generated identified in Table 2 against the current capacity of waste management facilities in North London identified in Table 3, there appears to be more than enough waste management capacity. However, this does not take into account the specialism of each type of facility or importantly, since North London is a net exporter of waste in terms of tonnage, imports to and exports from the area.</p>																								

MM30	32	New paragraph after repositioned 5.6	<p>Changes to Capacity over the Plan Period</p> <p>Waste management capacity in North London will change over the plan period with some facilities moving or closing down and new facilities being built. This section sets out what we currently know about such changes.</p>
MM31	55	8.5 Moved here	<p>Edmonton EcoPark</p> <p>A Development Consent Order (DCO) has been approved by the Secretary of State for a the new Energy Recovery Facility (ERF) which will manage the treatment of the residual element of LACW during the NLWP plan period and beyond. The existing Edmonton EfW provides just under 600,000 tonnes of waste management capacity per annum and the new facility will provide around 700,000 tonnes per annum. This is an additional 100,000 tonnes which has been built into the calculation for the capacity gap. The replacement facility, expected to be operational from 2025, will generate power for around 127,000 homes and provide heat for local homes and businesses as part of a decentralised energy network known as the Lee Valley Heat Network, trading as energetik.</p>
MM32	55	8.6 Moved here	<p>The NLWA's DCO allows for the loss of the composting plant at the Edmonton EcoPark site in 2020 to make way for the new ERF facility to be built whilst maintaining the current EfW operation and the NLWA are not intending to build a replacement facility. This will result in a capacity loss of around 35,200 tonnes per annum. This has also been built into the calculation of the capacity gap. The development also includes a Resource Recovery Facility (RRF) including a new Reuse and Recycling Centre (RRC), a relocated transfer hall and a bulky waste/fuel preparation facility on the site.</p>
MM33	56	8.10 Moved here	<p>Powerday</p> <p>Powerday in Enfield is an existing site currently operating as a Waste Transfer Station. Planning permission was granted for an upgrade to a Materials Recovery Facility (MRF) capable of handling 300,000 tonnes of C&I and C&D waste per annum and the new facility was opened in 2015. However, this increase in capacity has not yet happened and it is not clear if the planning permission will be implemented. Therefore this has not been added to the</p>

			pipeline capacity, however throughput for the site will be monitored and if additional capacity comes online it will be used to close the capacity gap.
MM34	56	8.11 Moved here	<p>Loss and re-provision of existing waste management facilities</p> <p>Where existing sites need to be relocated, compensatory capacity is required in order to comply with the London Plan, Borough Local Plans and, once adopted, the NLWP. It is known that some waste sites in North London will be redeveloped for other uses as part of the Brent Cross Cricklewood Regeneration scheme. capacity will be lost during the plan period. Some of this capacity will be replaced within North London, some outside North London with a net loss to North London but not to London as a whole, and some is as yet unknown. Where such issues are known and new sites have already been sought, this information has been fed into the Plan process and This information has been given highlighted in Schedule 1.</p>
MM35	56	8.12 Moved here	<p>The North London Boroughs are aware that the regeneration of Brent Cross Cricklewood Regeneration Area redevelopment (BXC) is likely to affect includes four existing waste sites, comprising a NLWA transfer station and three commercial operations. These are BAR3 PB Donoghue, BAR4 Hendon Transfer Station, BAR6 McGovern, and BAR7 Cripps Skips. These sites will be redeveloped under the approved planning permission for the regeneration of Brent Cross Cricklewood (Barnet planning application reference F/04687/13). The Hendon Rail Transfer Station (BAR 4) will be replaced as part of the BXC development with a new facility on site S01-BA to meet the NLWA's requirements; planning permission for a new Waste Transfer Station (WTS) at Geron Way was granted by Barnet Council in September 2018 (Barnet planning application reference 17/6714/EIA). The existing commercial facilities at BAR 6 and BAR 7 fall within the land required to deliver the early first Southern phase of the BXC regeneration which has commenced is anticipated will commence in early 2018. Replacement capacity for these sites will not be provided prior to their redevelopment and therefore replacement capacity will be sought outside of the BXC regeneration area on alternative sites / areas to be identified by the London Borough of Barnet by 2025 in line with the planning permission. The BAR3 site is currently identified for redevelopment in Phase 4 of the BXC regeneration. It is planned that capacity at the waste facilities of BAR 4, BAR 6 and BAR 7 and part of the capacity of BAR 3 would be replaced by the new Waste Transfer Station (WTS) delivered as part of the Brent Cross Cricklewood Regeneration. The</p>

			<p>balance of replacement capacity for BAR3 would need to be identified prior to its redevelopment and the London Borough of Barnet will seek to provide replacement capacity within the borough. The Barnet Local Plan will identify potential sites. For the purposes of the NLWP, therefore, it is assumed there will be no loss of capacity for these facilities.</p>
MM36	56	New para after repositioned 8.12	<p>Two facilities in Waltham Forest (GBN Services and Pulse Environmental) have closed and their capacity has been replaced in a new facility operated by GBN services in Enfield. While the capacity has moved to a different Borough, there is no loss of capacity for North London as a whole. The new GBN facility is newly built but has been designed with sufficient capacity to replace that lost at the two Waltham Forest facilities and therefore, for the purposes of the plan the capacity of these facilities is assumed to remain the same. The new facility may also be able to provide capacity on top of what has been replaced, and this will be monitored.</p>
MM37	42	6.7	<p>Meeting the Capacity Gap</p> <p>The capacity gap is the difference between projected waste arisings (Table 5) and existing capacity (Table 6). Table 76 below sets out the capacity gap broken down in to 5 year periods over the NLWP plan period. It takes account of the known changes to capacity over the plan period, including the upgrading and loss of existing facilities. The capacity gap is the difference between tonnage associated with existing and planned waste management capacity (see Table 3 – section 5) and the quantity of waste to be managed over the plan period (see the chosen approach set out above). North London can accommodate recycling, composting, treatment and recovery facilities to manage waste and so additional waste management capacity will be in the ‘recycling’ and ‘recovery’ tiers of the waste hierarchy. This method identifies whether there is adequate or surplus capacity, or a requirement for additional facilities. Table 6 sets out the capacity gaps for each management route. Negative figures indicate a capacity gap and therefore the type of management route for which capacity is sought over the plan period. The boxes that are not highlighted denote where ‘surplus’ capacity exists.</p>

MM38	43	Table 6 renumbered Table 7	[Revised] Table 76 : Capacity gaps throughout the Plan period (tonnes) –chosen option																														
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MM39	43	New para after Revised Table 6, now Table 7	To meet the capacity gaps identified in Table 7, the North London Boroughs will seek opportunities for new capacity through intensification of existing sites and/or new facilities. The North London Boroughs contacted existing waste operators to find out if there are any current plans to upgrade or intensify their facilities (see chapter 8 and Policy 1).										
MM40	43	6.8	<p>The capacity gap figures in tonnage of waste have been converted to waste management land requirement using data from evidence gathered and evaluated on typical capacity and land take In order to estimate how much land is required for plan-making purposes, the capacity gap has been converted into a land area requirement based on a typical throughput per hectare for each type of facility. The amount of land required depends on the type of facility and the technology being used. New technologies may come forward during the plan period which have a higher throughput per hectare and so will require less land. The North London Boroughs want to ensure the best use of land in the area and this means maximising the capacity of a site while mitigating any environmental impacts. The land required is indicative only and new capacity will be monitored rather than land. Reference capacities are set out in the table Table 8 below. Table 20 in section 7 of the Data Study Part 2 (20198) available on the website (www.nlwp.net) provides a fuller explanation. Table 9 below sets out the amount of land required within North London to meet the capacity gaps identified in Table 7 for the chosen approach of net self-sufficiency for LACW, C&I and C&D waste streams. In order for net self-sufficiency to be achieved by 2026, in line with the London Plan, new capacity will need to be delivered by this date.</p>										
MM41	44	New Table numbered Table 8	<p>Table 8: Reference Capacities for Land Take for New Waste Facilities</p> <table border="1" data-bbox="719 1050 1644 1319"> <thead> <tr> <th data-bbox="719 1050 1323 1134">Facility Type</th> <th data-bbox="1323 1050 1644 1134">Assumed tonnes per hectare</th> </tr> </thead> <tbody> <tr> <td data-bbox="719 1134 1323 1182">Energy from waste (large scale)</td> <td data-bbox="1323 1134 1644 1182">165,000</td> </tr> <tr> <td data-bbox="719 1182 1323 1230">Energy from waste (small scale)</td> <td data-bbox="1323 1182 1644 1230">50,000</td> </tr> <tr> <td data-bbox="719 1230 1323 1278">Recycling (C+I & LACW)</td> <td data-bbox="1323 1230 1644 1278">128,000</td> </tr> <tr> <td data-bbox="719 1278 1323 1319">Recycling (C+D)</td> <td data-bbox="1323 1278 1644 1319">100,000</td> </tr> </tbody> </table>	Facility Type	Assumed tonnes per hectare	Energy from waste (large scale)	165,000	Energy from waste (small scale)	50,000	Recycling (C+I & LACW)	128,000	Recycling (C+D)	100,000
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MM42	45	Table 7 revised and renumbered Table 9	<p>[Table 7 revised]</p> <p>Table 79: Indicative land take requirements for meeting the capacity gap net self-sufficiency for LACW, C&I and C&D (requirements for London Plant apportionment in brackets)</p> <table border="1"> <thead> <tr> <th rowspan="2">Waste Stream</th> <th rowspan="2">Management type</th> <th>Hectares</th> </tr> <tr> <th>2026</th> </tr> </thead> <tbody> <tr> <td>C&I/LACW</td> <td>Recycling</td> <td>1.5</td> </tr> <tr> <td>Hazardous</td> <td>Recycling/recovery/treatment</td> <td>4.9</td> </tr> <tr> <td>TOTAL land required in North London</td> <td></td> <td>6.4</td> </tr> </tbody> </table>	Waste Stream	Management type	Hectares	2026	C&I/LACW	Recycling	1.5	Hazardous	Recycling/recovery/treatment	4.9	TOTAL land required in North London		6.4
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Hazardous	Recycling/recovery/treatment	4.9														
TOTAL land required in North London		6.4														
MM43	45	6.10	<p>A capacity gap equivalent to two around 4.9 hectares of land has been identified for meeting North London’s hazardous waste management need over the plan period, a small requirement of less than 2,500 tonnes per annum has also been identified for recovery of hazardous waste, but this figure is considered too small to plan for. While the North London Boroughs support the provision of hazardous waste facilities in appropriate locations, it is acknowledged that these facilities generally operate for a wider-than-local catchment area due to their specialist nature.</p>													

			The Boroughs will therefore work with the GLA and other boroughs across London to identify and meet a regional need.
MM44	54	New paragraphs after 8.1	<p>At the core of waste planning is the requirement for waste planning authorities to “prepare Local Plans which identify sufficient opportunities to meet the identified needs of their area for the management of waste streams” (NPPW 3). In particular, waste planning authorities should “identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations” (NPPW 4).</p> <p>The London Plan (Policy SI8) requires Development Plans to plan for identified need and “allocate sufficient sites, identify suitable areas, and identify waste management facilities to provide the capacity to manage the apportioned tonnages of waste”. The London Plan also identifies existing waste sites, Strategic Industrial Land (SIL) and Locally Significant Industrial Sites as a focus for new waste capacity.</p> <p>STRATEGIC OBJECTIVE 2 seeks to ensure there is sufficient suitable land available to meet North London’s waste management needs and reduce the movements of waste through safeguarding existing sites and identifying locations for new waste facilities.</p> <p>Known opportunities to intensify and upgrade existing facilities have already been taken into account in section 6 and have been incorporated into the calculations for meeting the capacity gap. Where further opportunities to optimise waste management capacity on existing sites arise, this is supported by Policy 1 where the proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and related guidance.</p> <p>North London’s identified waste need and capacity gap is set out in section 6 and summarised in Table 7 above. Additional facilities to meet the capacity gap would require approximately 6.4ha of land, depending on the type of technology used.</p>
MM45	54	8.2 [Restructured]	The NLWP identifies a number of North London Boroughs assessed a range of sites and areas to meet future waste needs. Assessment criteria have been developed using waste planning

			<p>policy and in consultation with key stakeholders in a series of focus groups. This work is set out in the Sites and Areas Report. It was initially intended to also identify sites within the NLWP, i.e. A 'site' in this context is an individual plots of land that would be is safeguarded for waste use only. However, only one site was brought forward by landowners during the call for sites exercises and no further sites are required for the management of LACW. As a result, only areas have been identified. An 'area' comprises a number of individual plots of land, for example, an industrial estate or employment area that is in principle suitable for waste use but where land is not specifically safeguarded for waste. The NPPW and the draft London Plan endorse the identification of "sites and/or areas" in Local Plans. The approach is also supported by the waste industry and key stakeholder in consultation.</p>
MM46	57	8.20	<p>When seeking suitable locations for new waste facilities, the Boroughs took into account NPPW paragraph 4 which states that waste planning authorities should "consider a broad range of locations including industrial sites" and "give priority to the re-use of previously developed land [and] sites identified for employment uses". The London Plan identifies suitable locations in policy SI8 as existing waste sites and SIL/LSIS. Waste facilities are considered to be industrial uses and are therefore considered suitable, in principle, to be developed on any industrial land in North London. However, in preparing the NLWP, the North London Boroughs have sought to refine this approach and direct new waste facilities towards locations assessed and selected as the most suitable in North London which are identified as "Priority Areas" in the Plan. The proposed site and area search criteria used in the NLWP site and area selection process were developed based on the requirements of the National Planning Policy Framework, National Planning Policy for Waste [footnote], Planning Practice Guidance and the London Plan national waste planning policy. Both planning and spatial criteria were discussed with key stakeholders through a focus group session in spring 2014.</p> <p>[footnote] Following the introduction of the National Planning Policy for Waste (NPPW) in October 2014 to replace Planning Policy Statement 10, the site and area search criteria were reviewed to ensure compliance with this document.</p>
MM47	58	8.21	<p>An extensive site and area search and selection process has been undertaken. Full details of the site selection exercise are set out in the 'Sites and Areas Report' and the 'Options Appraisal for</p>

			<p>Sites and Areas to be taken forward in the Proposed Submission NLWP' Report available on the NLWP website. In summary it has involved the following key stages:</p> <p>[...]</p> <p>x. Following consultation responses on the Draft Plan, a Sites and Areas Options Appraisal was prepared to analyse a number of different approaches for reducing the total quantum of land identified for new waste facilities and creating a better geographical spread of waste facilities in line with Spatial Principle B. This resulted in the reduction of total land identified for new waste facilities from 351.8ha in the Draft Plan to 102.38ha in the Proposed Submission Plan.</p>
MM48	61	8.24	<p>In preparing this (Proposed Submission) version of the NLWP, and deciding which sites and areas to take forward, the North London Boroughs took into account national and regional policy, the aims of the NLWP and consultation responses on the Draft Plan, including issues raised around deliverability and other constraints. Further work was undertaken to gather and assess additional information on the proposed sites and areas received during the consultation or as a result of new data being published. In order to respond to issues raised during consultation on the suitability of the Draft Plan proposed sites and areas, the North London Boroughs undertook four areas of further work in order to identify which sites and areas should be taken forward:</p> <ul style="list-style-type: none"> • Gather and assess additional information on sites/areas • Changes to policy wording on reducing the impact of new waste development • Seek a better geographical spread of waste facilities • Consider options to reduce the amount of land taken forward in the Proposed Submission Plan
MM49	61	New paragraphs after 8.24	<p>The additional information gathered and assessed included transport evaluations, potential mitigation measures, updating flood risk information and other environmental factors, consideration of where waste facilities might be best located within an Area, heritage and National Grid assets, and identifying Areas within an Opportunity Area, Housing Zone, Crossrail 2 or Lee Valley Regional Park. This information helped inform</p>

			<p>amendments to Policy 6, and Area Profiles were updated accordingly with a further assessment of the suitability of the proposed sites and areas undertaken.</p> <p>In response to comments about the distribution of waste facilities across North London, Spatial Principle B was amended from 'Seek a network of waste sites across North London' to 'Seek a better geographical spread of waste sites across North London, consistent with the principles of sustainable development'. This change provided the basis for further work on the distribution of Areas taken forward in the Proposed Submission Plan.</p>
MM50	61	8.25 [restructured and split]	<p>The North London Boroughs developed a range of reasonable options for taking forward sites and areas in the Proposed Submission version of the plan. Further In considering geographical spread of facilities and reducing the sites and areas to be taken forward in the Proposed Submission Plan, each Borough's current contribution to waste management capacity In North London was calculated. Currently 62% of the total land in existing waste use across North London is located in Enfield. In order to address concerns that there is an over-concentration of waste facilities in Enfield, promote a better geographic spread of waste facilities in North London, and reduce the amount of land taken forward into the Proposed Submission Plan, the Boroughs considered five alternatives with different land options. The details of these options are brought together set out in 'Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP' (Updated 2020)(2018).</p> <p>The options included and excluded areas based on their performance against qualitative assessment criteria, such as Local Plan designations and performance against suitability rating (banding) as detailed in the Sites and Areas Report. Analysis of each of the five options considered, amongst other issues, the proportion of Enfield's contribution to the Areas identified. One of the options limited the number of Areas for new waste facilities in Enfield to one. The option with the lowest land provided (102ha) combined with the best geographical spread (limiting the land identified in Enfield) has been taken forward into this Plan. In looking to reduce the total amount of land identified as most suitable for new waste uses, the Boroughs did not identify any criterion which would provide a sound basis to reduce the number of areas further than a combined total of 102ha. The other options did not significantly reduce the amount of land identified and/or did not</p>

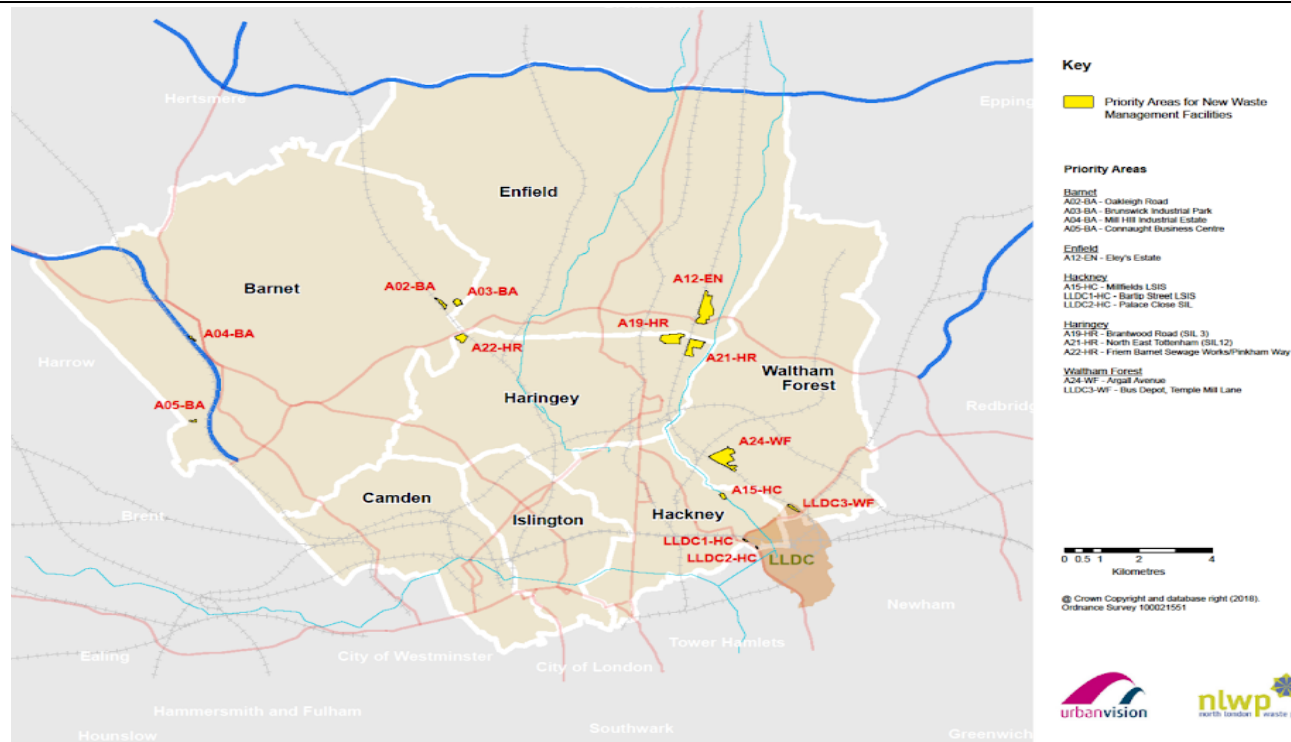
			<p>provide a better geographical spread of Areas. The preferred option was to take forward land designated as industrial land and high-performing (Band B) sites/areas, while achieving a better geographical spread by reducing the number of sites amount of land for new waste facilities identified in Enfield. This focus on industrial land and the highest performing areas helps to locate waste facilities away from residential properties, as far as this is possible in an urban area like North London.</p>
MM51	61	New after 8.25	<p>Following the work described above, all of the individual sites and several of the Areas were removed from Schedules 2 and 3 and in some of the remaining Areas the amount of land considered most suitable for new waste facilities was refined. The NLWP therefore takes an area-based approach to waste planning with no individual sites allocated for new waste facilities. An area-based approach is one which identifies areas which comprise a number of individual plots of land, for example, an industrial estate or employment area, that is in principle suitable for waste use but where land is not specifically safeguarded for waste uses. The identification of Areas allows for flexibility in bringing forward a range of locations across North London, allowing for a better geographic spread of opportunities for future waste development that is consistent with the spatial principles of the plan to meet North London's requirement. However, because the Areas identified are not safeguarded solely for waste use it is important to identify sufficient land to ensure adequate opportunity across North London for waste operators to provide new facilities because there will competition for this land by other industrial users. It should be noted that most waste planning authorities are in the same position and that this approach is supported by both the NPPW and the London Plan.</p> <p>An update to the Data Study to support the Proposed Submission NLWP reduced the indicative land required to meet the capacity gap from 12ha in the Draft NLWP to 9ha in the Proposed Submission NLWP. This has since reduced further to 6.4ha in light of the Data Study Addendum (2020). For the Plan to provide confidence that sufficient land is available in the right place and at the right time a quantum of land and number of Areas has to be identified.</p>

As identified in the Sites and Areas Report, it is not possible to say precisely how much of North London's industrial land could become available for waste uses over the plan period. This depends on the rate at which existing land becomes vacant in the identified Areas and a waste operator being ready and able to locate on that same site. This in turn depends on the wider economic factors. Identifying a range of land suitable for new waste facilities responds to the NPPW expectation that waste planning authorities "should identify sufficient opportunities to meet the identified needs of their area". This also provides flexibility for waste operators and should sites not become available in one particular Area, or if an Area changes over the plan period to become unsuitable for waste uses, this approach will ensure there are alternative land options available.

The work set out in the 'Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP' resulted in reducing the total amount of land identified as most suitable for new waste facilities from 351.8 in the Draft Plan to 102.38ha in the Proposed Submission Plan. While 102ha is a large area when compared to the need for 6.4ha, this land is currently occupied by existing industrial uses. There is strong competition for industrial land in North London and this is reflected by low vacancy rates (an average of 4.8%). The Boroughs will rely on business churn for release of individual sites which could come forward for waste uses. The most recent analysis of business churn in London suggests that around 20% of land could be released in this way. Analysis of business churn and vacancy rates is included in the Sites and Areas Report. To provide 6.4ha, 6% of the Priority Areas would need to be developed for waste management to meet the capacity gap, if no additional capacity is provided on existing sites. It should be noted that 6.4ha of land is indicative only and throughput on a site will depend on the operational technology used. New capacity to meet North London's needs will be monitored rather than land take.

The preferred approach limits the areas proposed for new waste facilities in Enfield to one industrial area and although this option is considered the most appropriate to take forward in the NLWP, there is a risk that the identified Area in Enfield (comprising 26ha) could accommodate all new waste capacity, which would not respect Spatial Principle B or generally encourage a sustainable distribution. There is also a possibility that applications could come forward for new waste facilities on other industrial land in Enfield. To address this, the 'Options Appraisal for Sites and Areas to be taken forward

			<p>in the Proposed Submission NLWP’ recommends a ‘Priority Areas’ sequential approach to ensure developers consider siting a facility within the Areas listed in Schedules 2 and 3 before other locations. In addition, developers should seek sites in Priority Areas outside Enfield before considering sites in Enfield. This recommendation has been taken forward in Policy 2: Priority Areas for New Waste Management Facilities and Policy 3: Windfall Sites.</p>
MM52	61	8.26	<p>The Priority Areas areas, shown in Figure 13 (see also Schedules 2 and 3 in section 9), have been identified as the most suitable for built waste management facilities. The Priority Areas areas are being put forward as they comply with the NLWP Spatial Principles Framework which is reflected in the site and area selection criteria, as well as a range of environmental, social and economic criteria set out in the Sustainability Appraisal Scoping Report. In the absence of the identification of individual sites, the Priority Areas represent sufficient opportunities to deliver the identified waste management needs of North London over the plan period. During the course of the plan, it is expected that land will become available as part of the business churn. In order to ensure that Priority Areas are the focus for new waste capacity, the location of new waste facilities and any compensatory capacity will be monitored through Monitoring Indicator IN3. The aim of the indicator is to check that sites in Priority Areas are being taken up as anticipated and also monitor if land within Schedules 1, 2 and 3 is not available or suitable for new waste facilities. The later aspect in particular will enable the Boroughs and developers to understand where sufficient land remains available and the geographic distribution of new waste facilities, which will inform potential site searches and evidence required by the Boroughs for those seeking planning consent for sites for waste uses. The monitoring will help to demonstrate the progress of the spatial principle for better geographical spread and achievement of the sequential approach to delivery of new waste sites set out in Policies 2 and 3. Any proposals for waste facilities within the Priority Areas areas will be subject to planning permission. No provision is made for landfill due to the inability of the Plan area to accommodate development of landfill.</p>
MM53	63	Figure 10	<p>Figure 110: Priority Areas for new waste management facilities Location of proposed new areas</p>



MM54

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7.2

Most of North London’s waste capacity need is met through its existing facilities. These existing facilities are safeguarded through London Plan policy, however they are not always in the most sustainable locations. The NLWP seeks to make the most of the existing infrastructure by supporting intensification of existing sites, where appropriate, while enabling relocation to more sustainable locations for replacement capacity (see Policy 1). Existing capacity and additional new capacity will be needed to meet North London’s identified need for waste management over the plan period (2020-2035). The Boroughs are seeking a sustainable network of waste facilities which helps reduce movements of waste, including waste exports and increase opportunities for waste to be managed in proximity to its source. Existing waste capacity in North London is safeguarded and set out in Schedule 1 (see Policy 1 and Appendix 1) and land Priority Areas for new waste facilities is set out in Schedules 2 and 3 (see Policy 3). The Priority Areas for new waste capacity represent the most suitable land when assessed against the Spatial Principles, including

			<p>a better geographical spread, and the assessment criteria detailed in the previous chapter. This helps to deliver STRATEGIC OBJECTIVE 2 which seeks to ensure there is sufficient suitable land available to meet North London’s waste management needs. The focus for new waste capacity in North London is for recycling and recovery facilities to manage the quantities of waste set out in Table 58, thereby reducing exports. New waste facilities will be assessed against the criteria in Policy 5.</p>
MM55	48	7.4	<p>The North London Boroughs will monitor the NLWP against the projected quantities of waste generated set out in Table 5, (IN1), new waste management capacity delivered (IN2), the locations of new waste facilities and compensatory capacity (IN3) and the amount of waste exported (IN7) to ensure the <u>strategic</u> over-arching policy is being delivered. All monitoring indicators are set out in Section 10 of this plan.</p>
MM56	49	7.8	<p>Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste streams comprise similar types of waste. Most facilities which manage these waste streams do not differentiate between them and so it is reasonable to group them together when assessing existing capacity and planning for additional capacity. The NLWP identifies sufficient land to manage the equivalent of all LACW and C&I waste arising in North London by 2026.</p>
MM57	49	New after 7.8	<p>There is a capacity gap of up to around 174,500 tonnes for LACW and C&I waste over the plan period. This equates to approximately 1.5 hectares of land, depending on the technology of the facility/ies. This calculation includes the increase in EfW capacity and the loss of composting capacity at Edmonton EcoPark.</p>
MM58	49	7.9	<p>The North London Waste Authority (NLWA) and seven constituent boroughs are seeking to achieve a household waste recycling target of 50% by 2020 consistent with the targets set out in the required to prepare a North London Joint Waste Strategy (JWS) for North London. The most recent JWS came to an end in December 2020. A key element of that strategy has been met through the granting of permission for a replacement energy recovery facility at the Edmonton EcoPark to treat residual waste. A replacement JWS will be developed by NLWA in conjunction with the seven constituent boroughs, but requires a clear position on the circular economy and recycling from central government; it is hoped that this will be within the next year. The new Joint Waste Strategy will focus on activities to</p>

			move all waste up the waste hierarchy. In the short term, a Residual Waste Reduction Plan has been agreed after consultation with constituent boroughs. This Plan forms a short-term strategic approach from NLWA, which will inform the development of the next Joint Waste Strategy. The NLWA expect a new JWS will be being developed in 2021 and 2022. A new JWS will set out how North London will contribute to the Mayor's recycling targets as set out in the London Plan and London Environment Strategy.
MM59	50	7.10	There is a need for additional capacity for recycling for both the LACW/ and C&I waste streams throughout the plan period. As LACW and C&I are combined for the purposes of waste planning as many facilities can manage both waste streams, the need for recycling is combined.
MM60	50	New after 7.11	There is an opportunity to bring forward new LACW waste recycling/composting capacity on the Friern Barnet Pinkham Way site which is owned by the North London Waste Authority, although presently there are no plans to do so. There are also opportunities to bring forward commercial recycling capacity in all but one of the Priority Areas identified in Schedules 2 and 3, and composting capacity on four of the Priority Areas. Additional capacity and recycling rates will be monitored by Monitoring Indicator IN1 and reported in the Annual Monitoring Report.
MM61	50	New after 7.14	There are opportunities for additional recovery capacity to be brought forward on three of the proposed Priority Areas.
MM62	50	New after 7.15	Many waste transfer facilities also recycle some of the waste they receive. There is opportunity for waste transfer facilities to come forward on nine of the Priority Areas.
MM63	51	7.19	<u>Recycling</u> The NLWP will identify sufficient land to manage the equivalent of all North London has sufficient capacity to manage Construction and Demolition (C&D) waste arising in North London over the plan period. by 2035, while acknowledging that s Some exports of excavation waste will continue, but opportunities to manage as much of this waste stream as practicable within North London will be sought. particularly for Excavation waste. At least 95% of excavation waste exports will be put to beneficial use

MM64	51	7.20	The majority of C&D waste is recycled on site or through transfer facilities. Each Borough Local Plan has a sustainable design and construction policy in place which seeks to minimise waste generated during the design and construction of development and re-use or recycling of materials on-site where possible. Recycling rates will be monitored by Monitoring Indicator IN1 and reported in the Annual Monitoring Report.
MM65	51	7.23	<u>Landfill</u> North London has no landfill sites and depends on capacity outside the NLWP area. Some A reduced amount of the CD&E waste stream, particularly excavation waste, will continue to be exported to landfill but the majority (95%) of C&D waste will be reused, recycled and recovered and the majority of excavation waste (95%) will be put to beneficial use. unless opportunities materialise to re-use it locally. It is anticipated that C&D waste exports to landfill will reduce over the plan period while excavation waste exports will increase in line with growth.
MM66	52	7.26	<u>Recycling and Recovery</u> North London has a number of facilities which manage one hazardous waste treatment facility alongside other non- hazardous waste. The majority of these are include vehicle depollution (car breakers) and metal recycling sites WEEE sites. There are also transfer facilities as well as such as RRCs which will accept some hazardous waste , for example, paints and batteries which require specialist treatment and disposal. Such sites will continue to make a valuable contribution to managing North London's hazardous waste requirements. The amount of hazardous waste managed in North London varies from year to year with a maximum capacity of around 4,250 3,600 tonnes over the last five years. per annum and two recycling facilities; one for metals and one for end-of life vehicles handling around 2,500 tonnes per annum between them. In addition, other facilities permitted to manage hazardous waste
MM67	52	7.27	There is a capacity gap for the recovery management of around 49,000 2,500 tonnes per annum, this is considered too small a figure to plan for provision of a new facility and as such a

			<p>specific land requirement is not identified for this management option. There is a requirement for recycling of around 17,000 tonnes per annum, requiring an estimated 4.92ha of land. The North London Boroughs support the provision of such facilities in principle in the Priority Areas appropriate locations and will work with the GLA and other Boroughs across London to meet this need. It is noted in the sites and area profiles in Appendix 2 of the NLWP where a site or area Priority Area is not suitable for hazardous waste recycling and recovery facilities. Any applications for hazardous waste facilities in North London that do come forward will be considered on a case by case basis. However, in the short term it is likely that hazardous waste will continue to be exported to the most appropriate specialist facilities.</p>
MM68	64	Policy 1	<p>Policy 1: Existing waste management sites</p> <p>All existing waste management sites identified in <i>Schedule 1: Existing safeguarded waste sites in North London</i>, and any other sites that are given planning permission for waste use, are safeguarded for waste use.</p> <p>Expansion or intensification of operations at existing waste sites will be supported permitted where the proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and related guidance.</p> <p>Applications for non-waste uses on safeguarded waste sites will only be permitted where it is clearly demonstrated by the developer to the satisfaction of the relevant borough that compensatory capacity will be delivered in line with the Spatial Principles Framework on a suitable replacement site in North London that must at least meet, and, if possible, exceed, the maximum achievable throughput of the site proposed to be lost and help to promote the increased geographical spread of waste sites across the plan area.</p> <p>Development proposals in close proximity to existing safeguarded waste sites or sites allocated for waste use which would prevent or prejudice the use of those existing waste sites for waste purposes will be resisted under the agent of change principle unless design standards or other suitable mitigation measures are adopted to ensure that the amenity of any new residents would</p>

			<p>not be significantly adversely impacted by the continuation of waste use at that location or suitable compensatory provision has been made for the waste use elsewhere within the Plan area.</p> <p>This policy helps meet strategic objectives SO2 and SO3</p> <p>This policy contributes towards Spatial Principles Framework components A and C</p>
MM69	65	9.4	<p>The purpose of Policy 1 is to ensure that the existing waste capacity in North London is protected and is able to expand where appropriate. It applies to sites with existing operational waste facilities, and any other sites developed for waste use throughout the plan period. The safeguarding of waste sites for waste use does not preclude waste operators from moving and selling their site as a waste site.</p>
MM70	65	9.6	<p>Some existing waste sites may have the potential to increase their capacity, or provide additional waste services; pPlanning applications for expansion of existing waste facilities such changes will be supported permitted where they are in alignment with policies in this Plan and with Borough Local Plans.</p>
MM71	65	9.7	<p>If, for any reason, an existing waste site is to be lost to non-waste use, compensatory waste capacity provision will be required within North London. Compensatory capacity must be at or above the same level of the waste hierarchy and at least meet, and should exceed, the maximum achievable throughput of the site proposed to be lost. When assessing the throughput of a site, the maximum throughput achieved over the last five years should be used. Replacement provision will be calculated using the maximum achievable throughput (tonnes per annum) that the site has achieved as set out in the EA Waste Data Interrogator. Maximum throughput for existing sites 2009-2016 can be found in the Data Study Part 3: Sites Schedule Report Tables 1-7: Assessment of existing waste management capacity. This information is sourced from the Environment Agency's Waste Data Interrogator. It is the responsibility of the developer to demonstrate that replacement capacity has been provided. Where this information is not available, for example if a waste site has been vacant for a number of years, the potential capacity of the site should be calculated using an appropriate and evidenced throughput per hectare. Applicants will need to demonstrate that provision of replacement capacity is secured before permission is granted for an alternative use. This could be through a compensatory site of a suitable size to meet at least the maximum annual throughput</p>

			<p>or an increase of capacity in an existing facility. Boroughs may consider using conditions or s106 agreements to satisfy themselves that compensatory capacity will be delivered. However, it may not be necessary for replacement sites to be on a 'like for like' basis, for example, a new site with a larger capacity might replace a number of sites with individually smaller, but combined equivalent, capacity.</p>
MM72	66	9.8 [divided in two]	<p>Compensatory provision should be delivered in accordance with the Spatial Principles Framework and such proposals will need to demonstrate compliance with Policy 2 (Priority Areas for new waste management facilities), Policy 3 (Windfall sites) and Policy 5 (Assessment Criteria for waste management facilities and related development) of the NLWP. The area of search for a replacement site Compensatory capacity should be provided within North London unless the NLWP Monitoring Report demonstrates that waste capacity in North London is sufficient to meet net self-sufficiency for LACW, C&I and C&D waste, including hazardous waste (Table 6). If sufficient capacity has been achieved in North London, compensatory capacity should be provided elsewhere in London. If it can be demonstrated that there is sufficient capacity in London to meet London's apportionment and net self-sufficiency targets, it may be possible to justify the release of waste sites for other uses. During the Plan period, where waste sites shown in Schedule 1 are redeveloped for other uses, the amount and location of compensatory provision will be noted in the NLWP AMR (see IN2 in section 10). Sites which are going to be redeveloped for other uses during the plan period are identified in Schedule 1 and should be excluded from the search criteria for potential sites for new or replacement waste facilities.</p> <p>[Begin new para]</p> <p>As set out within Section 4, a key Spatial Principle of the NLWP is to establish a geographical spread of waste sites across North London, consistent with the principles of sustainable development. The aim is to ensure that waste is managed efficiently and as close to its source as possible whilst minimising any negative cumulative impacts resulting from a high concentration of waste facilities. Avoiding an unduly high concentration of waste facilities in a location is consistent with the overarching objectives of sustainable development, identified within the NPPF and would leave land available for other uses. Policy 2 identifies the Priority Areas for new waste management facilities and a sequential approach to site selection. The most suitable</p>

			location for the re-provision of a site lost to non-waste development may therefore not necessarily be within the same north London borough as the displaced site. Adequate evidence of compensatory provision will be required to the satisfaction of the local planning authority before planning permission for redevelopment proposing loss of a facility is granted.
MM73	66	9.9	Any sites that come forward and receive planning permission for waste development which are implemented in the lifetime of the NLWP will be regarded as existing waste sites in North London and safeguarded under the provisions of this Policy (1). As part of the monitoring of the plan, waste arisings (IN1) the tonnage of waste capacity available by management type and type of wastes handled (IN2) and the loss of existing waste capacity and provision of replacement capacity (IN4), will be monitored (see section 10). The most up-to-date list of existing waste management sites will be found in the NLWP AMR. Where existing waste sites are lost, but compensatory provision has been made to the satisfaction of the Borough, this will be noted in the AMR. In time the safeguarded designation will be removed from the relevant Borough's policies map.
MM74	66	9.10	[...] The NPPF and the draft London Plan sets out the 'Agent of Change' principle. This principle places the responsibility of mitigating the noise impact of noise, dust, vibration and other nuisance-generating activities (from existing noise-generating businesses) on the proposed new development. Developers proposing non-waste development in close proximity to existing waste sites should be aware of the potential impacts on existing waste operations and plan this into their development so as not to prevent or prejudice the continued waste use in that location, otherwise such developments will not be permitted. Accordingly proposed non-waste developments should be designed to protect both the amenity of potential new residential developments and the existing waste operation within that area.
MM75	67	New after 9.10	Some existing waste sites may be having an adverse impact on surrounding uses such as schools and residential areas. The waste operator is responsible for ensuring that its regulated facility does not cause pollution of the environment and harm to human health. The operator's performance in relation to that responsibility is assessed by checking compliance with the terms and conditions of the permit. Environmental permits are issued by either the Environment Agency for large-scale facilities and those

			<p>with greater risk to the environment (known as “A1 installations”) or the local authority for smaller-scale facilities with lower risk to the environment (which include “A2 installations” and “Part B installations”). Local authorities hold a register of these permits which are available to view on request.</p> <p>The responsibility for checking compliance falls to the issuer of the permit (the regulator). The Environmental Permitting Regulations (EPR) place a duty on regulators to undertake appropriate periodic inspections of regulated facilities. The EPR are the basis for any enforcement action and the principal offences are:</p> <ul style="list-style-type: none"> • operating a regulated facility without a permit; • causing or knowingly permitting a water discharge activity or groundwater activity without a permit; and • failing to comply with a permit condition, flood risk activity emergency works notice, flood risk remediation notice or an enforcement-related notice. <p>Operator competence can be considered by the regulator at any time, whether as part of the determination of an application or at any time during the life of the permit. The regulator can suspend or revoke the permit if an operator fails to comply with the conditions of the permit, risking harm to the environment or human health. The North London Boroughs will monitor any enforcement action taken against waste operators (IN6) to ensure that existing waste facilities do not cause harm to the environment or local communities. This will be published as part of the NLWP Annual Monitoring Report. Any additional information on enforcement action can be requested from the regulator.</p>
MM76	67	Policy 2	<p>Policy 2: Priority Areas for new waste management facilities</p> <p>Areas listed in <i>Schedule 2: Areas suitable</i> Priority Areas for waste management and <i>Schedule 3: Areas</i> Priority Areas identified in LLDC Local Plan are identified as suitable for built waste management facilities to meet the identified need set out in Tables 5 and 7.</p> <p>To help meet the spatial principle to create a better geographical spread of waste facilities in North London, developers should first seek sites in Priority Areas outside</p>

			<p>Enfield, and must demonstrate that no sites are available or suitable before considering sites within Enfield’s Priority Area.</p> <p>Applications for waste management development will be permitted on suitable land within the areas Priority Areas identified in Schedule 2 subject to other policies in the North London Waste Plan, the London Plan and Local Plans, and related guidance.</p> <p>Development proposals will need to manage waste as far up the waste hierarchy as practicable. Development proposals for materials and waste management sites are encouraged where they deliver a range of complementary waste management and secondary material processing facilities on a single site.</p> <p>Applications for waste management development within the areas Priority Areas identified in Schedule 3 will be assessed by the London Legacy Development Corporation.</p> <p>This policy helps meet strategic objectives SO1, SO2, SO3 and SO5</p> <p>This policy contributes towards Spatial Principles Framework components B, C and E F</p>																																									
MM77	67	Schedules 2 and 3	<p>Table 11: Schedule 2 Areas suitable Priority Areas for waste management</p> <table border="1" data-bbox="645 1015 1565 1326"> <thead> <tr> <th rowspan="2">Area ref</th> <th rowspan="2">Area Name</th> <th rowspan="2">Size Area (ha)</th> <th rowspan="2">Borough</th> <th colspan="5">Waste Facility Type</th> </tr> <tr> <th>A</th> <th>B</th> <th>C</th> <th>D</th> <th>E</th> </tr> </thead> <tbody> <tr> <td>A02-B A</td> <td>Oakleigh Road</td> <td>0.99</td> <td>Barnet</td> <td>X</td> <td></td> <td>X</td> <td></td> <td>X</td> </tr> <tr> <td>A03-B A</td> <td>Brunswick Industrial Park</td> <td>3.9</td> <td>Barnet</td> <td>X</td> <td></td> <td></td> <td></td> <td>X</td> </tr> <tr> <td>A04-B A</td> <td>Mill Hill Industrial Estate</td> <td>0.9</td> <td>Barnet</td> <td>X</td> <td></td> <td></td> <td></td> <td>X</td> </tr> </tbody> </table>	Area ref	Area Name	Size Area (ha)	Borough	Waste Facility Type					A	B	C	D	E	A02-B A	Oakleigh Road	0.99	Barnet	X		X		X	A03-B A	Brunswick Industrial Park	3.9	Barnet	X				X	A04-B A	Mill Hill Industrial Estate	0.9	Barnet	X				X
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A04-B A	Mill Hill Industrial Estate	0.9	Barnet	X				X																																				

A05-B A	Connaught Business Centre	0.9	Barnet	X				X
A12-E N	Eley's Estate	26.1	Enfield	X	X	X	X	X
A15-H C	Millfields LSIS	1.48	Hackney			✕		X
A19-H R	Brantwood Road	16.9	Haringey	X			X	X
A21-H R	North East Tottenham	15.32	Haringey	X			X	X
A22-H R	Friern Barnet Sewage Works/Pinkham Way	5.95	Haringey	X	X			X
A24-W F	Argall Avenue	26.91	Waltham Forest	X	X			X

Table 12: Schedule 3 Areas **Priority Areas** identified in LLDC Local Plan

Area ref	Area Name	Size Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
LLDC1 -HC	Bartrip Street	0.6	Hackney	X				X
LLDC2 -HC	Chapman Road (Palace Close)	0.33	Hackney	X				X
LLDC3 -WF	Temple Mill Lane	2.1	Waltham Forest	X	X			X

Table 13: Key to Waste management Facility Type

	Facility type
A	Recycling
B	Composting (including indoor / in-vessel composting)
C	Integrated resource recovery facilities / resource parks

			<table border="1"> <tr> <td>D</td> <td>Waste recovery or treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)</td> </tr> <tr> <td>E</td> <td>Waste transfer</td> </tr> </table>	D	Waste recovery or treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)	E	Waste transfer
D	Waste recovery or treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)						
E	Waste transfer						
MM78	68	9.11 [rearranged]	<p>National and European requirements state that waste plans must identify locations where future waste development may take place. In addition, the London Plan requires boroughs to allocate sufficient land to provide capacity to manage apportioned waste. Policy 2 identifies areas Priority Areas for new waste facilities and their suitability for a range of built waste management facilities. These Priority Areas have been assessed against national, regional and local criteria, including the Strategic Objectives and Spatial Principles, and represent the most suitable areas for new waste facilities in North London. To help redress the high proportion of North London’s waste facilities already in Enfield (62%), and help deliver a better geographical spread of sites (Spatial Principle B), developers wishing to provide additional waste capacity on a new site in North London are required to demonstrate that no land is available or suitable in Priority Areas outside of Enfield before considering the Priority Area identified within the Borough. This applies to additional capacity only and not to the expansion or intensification of existing waste sites or providing compensatory capacity for sites already in Enfield. The exception to this sequential approach to site search is for Recycling and Reuse Centres (RRCs) where there is an identified need in Enfield and Barnet to improve the coverage across North London (see Policy 4). The evidence will need to demonstrate an adequate search has been undertaken which takes into account the type of waste facility proposed, the criteria set out in Table 10 and the criteria set out in policy 6.</p>				
MM79	68	9.13	<p>In Schedules 2 and 3, the NLWP identifies thirteen several areas Priority Areas to provide land suitable for the development of waste management facilities, including RRCs (see Policy 4). Each ‘area’ Priority Area comprises a number of individual plots of land, for example, an industrial estate or employment area that is in principle suitable for waste use but where land is not safeguarded for waste. The identification of areas Priority Areas suitable for waste uses, subject to detailed site assessment at planning application stage, will help to achieve net self-sufficiency whilst encouraging co-location of facilities and complementary activities (an objective of the NPPW and Spatial Principle C Framework). Areas listed in Schedule 2: Areas Priority Areas listed in <i>Schedule 2: Areas suitable Priority Areas for waste management and Schedule 3: Areas Priority Areas identified in LLDC Local Plan suitable for waste management</i></p>				

			and Schedule 3: Areas identified in LLDC Local Plan suitable for new waste facilities will be identified in borough policies maps, and any new waste sites will be safeguarded and identified in borough policies maps.
MM80	68	9.14	The areas Priority Areas are considered to be in the most suitable, sustainable and deliverable locations in North London for new waste management facilities when assessed against a range of environmental, economic and social factors (see STRATEGIC OBJECTIVE 5) and the Spatial Principles Framework . The location of new waste facilities and compensatory capacity will be monitored through Monitoring Indicator IN3.
MM81	69	9.15	The site Area profiles in Appendix 2 are provided to assist developers who wish to build a waste facility in North London. The Profiles indicate the size of each area Priority Areas , the type of facility likely to be accommodated on the area, constraints , and any mitigation measures which may be required. Developers should be aware that any type of facility listed as potentially suitable is subject to consideration against the full suite of relevant local planning policies/guidance.
MM82	69	9.16	The ability of areas Priority Areas to accommodate a range of types and sizes of waste management facility is important to the flexibility of the Waste Plan. Table 13: Key to Waste Management Facility Types contains a full list of the types of facilities which were considered when assessing sites Areas and which may be required over the plan period to meet the identified capacity gap and to provide new sites for compensatory capacity . The facility types identified are broad categories which may come forward over the plan period. The order of facility types reflects their place in the waste hierarchy, with categories A and B at the 'recycling' level and C-E at the 'other recovery' level. Applicants should take account of this order when responding to the second criteria of Policy 2 which requires development proposals to manage waste as far up the waste hierarchy as practicable in line with STRATEGIC OBJECTIVE 1 .
MM83	70	Policy 3	Policy 3: Windfall Sites

			<p>Applications for waste development on windfall sites outside of the existing sites and areas Priority Areas for new waste management facilities identified in Schedules 1,2 and 3 will be permitted provided that the proposal can demonstrate that:</p> <p>a) the sites and areas Priority Areas identified in Schedules 1, 2 and 3 are not available or suitable for the proposed use or the proposed site would be better suited to meeting the identified need having regard to the Spatial Principles;</p> <p>New) sites have first been sought outside Enfield before sites within Enfield were considered, and that no sites outside Enfield are available or suitable, in line with Spatial Principle B;</p> <p>b) the proposed site meets the criteria for built facilities used in the site selection process (see Table 10 of Section 8 of the NLWP) the proposal fits within the NLWP Spatial Principles Framework, and contributes to the delivery of the NLWP aim and objectives;</p> <p>[...]</p> <p>This policy contributes towards Spatial Framework Principles components B and C</p>
MM84	71	9.23	<p>Developers of windfall sites are required to demonstrate why it is not possible to use, expand or intensify an existing waste site set out in Schedule 1 or why the sites and in the areas Priority Areas in Schedules 1, 2 and 3 are not available or suitable. In addition, to help address concerns that there is a high proportion of North London’s waste facilities already in Enfield, and help deliver a better geographical spread of sites (Spatial Principle B), developers are required to demonstrate that no sites are available or suitable outside of Enfield before considering those within the Borough. The exception to this is for Recycling and Reuse Centres (RRCs) where there is an identified need in Enfield and Barnet to improve the coverage across North London (see Policy 4). The evidence will need to demonstrate an adequate search has been undertaken which takes into account the type of waste facility proposed, the criteria set out in Table 10 and the criteria set out in policy 6.</p> <p>[split paragraph]</p>

			<p>Developers proposing waste sites outside the Priority Areas will be expected to demonstrate or that the proposed site would be better suited to meeting the identified need for North London having regard to delivering the Spatial Principles of the NLWP. For example, a windfall site may deliver a better geographic spread of facilities in North London (Spatial Principle B), or there may be an opportunity to co-locate a recycling facility with a reprocessing plant (Spatial Principle C) or an opportunity for small scale expansion of an existing site onto adjacent land which helps facilitate the maximum use of an existing waste site and enable co-location of facilities. There may be instances in the future where advances in waste technologies are such that existing sites or Priority Areas the identified sites/areas do not meet the technical requirements of a proposed waste management facility, for example, the identified locations might be too small for the proposed development or the facility may need to be located near a specific waste producer or user of heat. Some of the areas Priority Areas identified in Policy 2 may become unavailable over the Plan period because they will be used for other purposes or affected by future development proposals such as Crossrail 2 and Opportunity Areas. Locating certain types of waste processing sites within large scale redevelopment areas may also have benefits for reducing need for waste transport especially during the construction phase for the management of CDE. In addition, it is also recognised that proposals on windfall site may come forward to provide capacity for displaced facilities from within the plan area where existing capacity needs to be re-provided locally and this need cannot be met through the existing allocations</p>
MM85	71	9.24	<p>Proposals for waste development on windfall sites will be supported where the proposal would not compromise existing planning designations and where the impacts on communities and environment can be satisfactorily controlled. This In proposing a windfall site, developers will need to demonstrate that the spatial principles set out in chapter 4 have been considered, and in particular should not work against that the proposed site can deliver the spatial principle of balanced geographical distribution of waste facilities across North London, taking into account the concentration of existing waste sites in Enfield with reference to the NLWP Annual Monitoring Report as set out in the Spatial Framework.</p>
MM86	73	Policy 4	<p>Policy 4 – Re-use & Recycling Centres</p> <p>Proposals for Re-use & Recycling Centres will be permitted where:</p>

			<p>a) They improve the coverage of centres across the North London Boroughs, in particular are sited in an area of identified need for new facilities in Barnet or Enfield or elsewhere where they improve the coverage of centres across the North London Boroughs, and;</p> <p>b) They are in line with relevant aims and policies in the North London Waste Plan, London Plan, Local Plans and other related guidance.</p> <p>This policy helps meet strategic objectives SO1, SO2 and SO3</p> <p>This policy contributes towards Spatial Framework Principles components A and B</p>
MM87	74	9.33	<p>Re-use & Recycling Centres should be located where they can provide appropriate access for members of the public and for contractors and their vehicles. They are best sited on former waste sites or in areas of industrial or employment land and need to be of a sufficient size for the range and quantity of materials likely to be received. Sites within areas identified in Schedules 1, 2 and 3 Areas suitable for waste management are likely to be the most suitable locations, and Policy 3: Windfall Sites will apply to any application for a RRC outside of these areas. There may be scope to provide localised recycling centres as part of major new development.</p>
MM88	74	Policy 5	<p>Policy 5: Assessment Criteria for waste management facilities and related development</p> <p>Applications for waste management facilities and related development, including those replacing or expanding existing sites, will be required to demonstrate to the satisfaction of the relevant Borough that:</p> <p>New after a) the proposal maximises the waste management capacity of the site</p>

			<p>c) the facility will be enclosed unless justification can be provided by the developer as to why that is not necessary that an equivalent level of protection can be permanently achieved by other means.</p> <p>f) there is no significant adverse impact on the historic environment (heritage assets and their settings, and undesignated remains within Archaeological Priority Areas), open spaces or land in recreational use or landscape character of the area including the Lee Valley Regional Park;</p> <p>New after f) heritage assets and their settings are conserved and where appropriate enhanced;</p> <p>i) the development avoids increasing the levels of vulnerability to climate change, makes appropriate adaptation and mitigation measures to achieve this, and helps reduce greenhouse gas emissions makes the fullest possible contribution to climate change adaptation and mitigation</p> <p>m) appropriate permits are held or have been applied for from the Environment Agency</p> <p>This policy helps meet strategic objectives S04, S05, S07 and S08</p> <p>This policy contributes towards Spatial Framework Principles component C, E and F</p>
MM89	75	9.34	<p>Policy 5 seeks to ensure that the construction and operation of waste facilities does not give rise to an unacceptable impact on health, or harm the amenity of local residents or the environment. Amenity is defined as any element providing positive attributes to the local area and its residents and impacts can include such issues as, but not limited to, increased levels of local air pollution, increased noise disturbance, light impacts including increased light or reduced light or sunlight, reduced privacy, loss of outlook and reduced visual amenity. Applicants will need to demonstrate that appropriate measures and/or Best Available Techniques (BAT) (where applicable) have been taken to minimise any potential impacts from the proposed waste development to ensure the protection of local amenity and health. The specific requirements will vary from site to site, however issues to be addressed may include strict hours of operation,</p>

			effective cladding on buildings to prevent noise pollution, and dust and odour suppression systems as appropriate. These issues are discussed in more detail below. Policy 5 helps deliver a number of the STRATEGIC OBJECTIVES, including SO4 which seeks high standards of design, SO5 which seeks to integrate social, environmental and economic considerations, SO6 which seeks a low carbon economy, SO7 which supports the use of sustainable forms of transport, and SO8 which seeks to protect the natural environment, biodiversity, cultural and historic environment.
MM90	75	New para after 9.34	London Plan policy SI8 promotes capacity increases at waste sites and where appropriate to maximise their use. In order to demonstrate that North London's land is being used to its highest potential, developers are required to provide evidence that the waste management capacity on a site has been optimised. This could be in reference to similar facilities operating to a high standard.
MM91	77	9.37	The supporting documents should set out how landscape proposals can be incorporated as an integral part of the overall development of the site and how the development contributes to the quality of the wider urban environment. The applicant will need to demonstrate that there will be no significant adverse effect on areas or features of landscape, historic or nature conservation value. Where relevant, applications for waste management facilities and related development will be required to demonstrate that they conserve and where appropriate enhance heritage assets and their settings, including consideration of non-designated archaeology where relevant the delivery of waste facilities (through construction to operation) should take account of the need to conserve and enhance the historic environment in line with the NPPF.
MM92	78	9.40	Waste and recyclables require transportation at various stages of their collection and management and so opportunities to employ more sustainable options such as rail and river should be fully considered. STRATEGIC OBJECTIVE 7 supports the use of sustainable forms of transport and minimise the impacts of waste movements including on climate change. North London is characterised by heavy traffic on all principal roads. That is why developers need to prioritise non-road forms of transport if at all possible and to set out their assessment of sustainable transport options in a Transport Assessment detailing transport issues to be submitted with any planning applications for waste facilities (see below). In North London there

			exists considerable potential for sustainable transport of waste as part of the waste management process. There are a number of railway lines and navigable waterways in North London including the Regents Canal and the Lee Navigation. It is existing practice to transport waste by train and pilot projects have taken place to transport waste by water. Developers are required to demonstrate that they have considered the potential to use water and rail to transport waste before reliance on transport of waste by road. Where the site lies adjacent to a wharf or waterway, capable of transporting waste, developers need to demonstrate that consideration has been given to the provision and/or enhancement of wharf facilities. This will be monitored through Monitoring Indicator IN5 (see Chapter 10). Waste transfer activities that do take advantage of rail and or boat transportation must also ensure that they design their site and meet the standards required by all waste management sites stated in this Plan.
MM93	78	9.41	Applicants will need to submit a Transport Assessment in line with the relevant borough Local Plan policy and the London Plan. The Transport for London Best Practice Guide contains advice on preparing Transport Assessments when they are required to be submitted with planning applications for major developments in London. Consideration should be given to access arrangements, safety and health hazards for other road users, the capacity of local and strategic road networks, impacts on existing highway conditions in terms of traffic congestion and parking, on-site vehicle manoeuvring, parking and loading/unloading areas, and queuing of vehicles. The Assessment statement should include a traffic management plan establishing the times of access for vehicles to minimise disruption on the local road network during peak hours, and setting out specific routes to ensure that vehicles are accessing the site via roads considered suitable by the Highways Authority and, where possible, avoid overlooking of the site access by residential properties. The Assessment should cover the types of vehicles to be used, including opportunities to use ultra-low and zero emission vehicles, alternatives to vehicles powered by the internal combustion engine, and the provision of any infrastructure at future or expanded waste sites to accommodate this. The statement should also cover emission standards and fuel types in line with national and regional air quality standards.
MM94	79	9.43	The development of Servicing and Delivery Plans and Construction Logistic Plans (CLP) will be encouraged for all waste developments. Such Plans ensure that developments provide for safe, efficient and legal delivery and collection, construction and servicing including minimising the risk of collision with vulnerable road users such as cyclists and pedestrians. Consideration should be

			given to the use of Direct Vision Lorries for all waste vehicles in line with the Mayor's Vision Zero Action Plan , and the use of freight operators who can demonstrate their commitment to TfL's Freight Operator Recognition Scheme (FORS) or similar. Developers need to demonstrate that they can operate servicing and deliveries in the most efficient way that makes best use of transport movements that are made.
MM95	79	9.44	Waste developments should be Criteria 5j seeks designed to protect and enhance local biodiversity. Development proposals will be assessed against this policy as well as other relevant principles and policies set out in the NPPF and Borough Local Plans. [...]
MM96	81	9.48	The North London Strategic Flood Risk Assessment (SFRA) and individual borough 'Level 2' SFRAs have demonstrated the current risks from flooding from various all sources of flood risk across North London and site specific flooding assessments have been undertaken on Priority Areas new sites/areas in schedules 2 and 3. Where a site is near or adjacent to areas of flood risk, the development is expected to contribute through design to a reduction in flood risk, making as much use as possible of natural flood management techniques, and be appropriately flood resistant and resilient in line with the NPPF and NPPG. Development proposals will be required to assess the impact of climate change using the latest published climate change allowances, and mitigate to the appropriate future flooding scenario using these allowances. A sequential approach to the layout of the site should be taken aiming to locate development in the parts of the site at lowest risk of flooding from any source. Waste facilities are often characterised by large areas of hardstanding for vehicles and large roof areas. Development proposals will be required to show that flood risk would not be increased as part of the scheme and, where possible, will be reduced overall through the use of Sustainable Drainage Systems (SuDS) and other techniques. Any proposed development should be reviewed by the Environment Agency at an early stage to discuss the reduction of flood risk on the site.
MM97	83	Policy 6	Policy 6: Energy Recovery and Decentralised Energy Where waste cannot be managed at a higher level in the waste hierarchy and recovery of energy from waste is feasible , waste developments are required to should generate energy, and/or recover excess heat (including the recovery of energy from gas) and provide a supply to networks

			<p>including decentralised energy networks unless it is not technically feasible or economically viable to do so. Developers must demonstrate how they meet these requirements as part of a submitted Energy Statement.</p> <p>Where there is no available decentralised energy network and no network is planned within range of the development, as a minimum requirement the proposal should recover energy through electricity production and be designed to enable it to deliver heat and/or energy and connect to a Decentralised Energy Network in the future.</p> <p>Developers must demonstrate how they meet these requirements, or provide evidence if it is not technically feasible or economically viable to achieve them, as part of a submitted Energy Statement.</p> <p>This policy helps meet strategic objectives SO1 and SO6</p> <p>This policy contributes towards Spatial Framework Principles component D</p>
MM98	84	9.61	<p>Work is already underway to progress the delivery of a decentralised network in the Lee Valley known as Meridian Water the Lee Valley Heat Network (LVHN). The LVHN Meridian Water will capture affordable low carbon heat from waste to energy facilities and combined heat and power plants, supplying it to buildings and industry across the Lee Valley. Meridian Water The LVHN is requesting hot water to be supplied for the energy from waste facility (EfW) at Edmonton EcoPark. However, over time, the network will connect additional heat sources, including other waste developments, elsewhere in the Lee Valley. Any future development, including the current plan for Meridian Water should ensure that the openness and permanence of the Green Belt is maintained in accordance with draft New London Plan Policy G2.</p>
MM99	84	Policy 7	<p>Proposals for the provision of new facilities for the management, treatment and disposal of wastewater and sewage sludge will be permitted, provided that:</p>

			<ul style="list-style-type: none"> · it is demonstrated that there is an identified need for such a facility within the North London Waste Plan Area, which cannot be met through existing waste facilities; and · the proposals meet the other policies of this North London Waste Plan together with all other relevant policies of the appropriate borough's Development Plan, and meet environmental standards set by the Environment Agency. <p>This policy helps meet strategic objectives SO1, SO2 and SO5</p> <p>This policy contributes towards Spatial Framework Principles component A and B</p>
MM100	86	Policy 8	<p>Policy 8: Control of Inert Waste</p> <p>Inert waste should be managed as far up the waste hierarchy as possible, including on-site recycling and reuse of such material.</p> <p>Proposals for development using inert waste will be permitted where the proposal is for beneficial use, including but not limited to: both essential for, and involves the minimum quantity of waste necessary for:</p> <ul style="list-style-type: none"> a) The purposes of r Restoring former mineral working sites; or b) Facilitating an improvement in the quality of land; or c) Facilitating the establishment of an appropriate use in line with other policies in the Local Plan; or d) Improving land damaged or degraded as a result of existing uses and where no other satisfactory means exist to secure the necessary improvement. <p>Where one or more of the above criteria (a-d) are met, a All proposals using inert waste should:</p>

			<p>a) Incorporate finished levels that are compatible with the surrounding landscape. The finished levels should be the minimum required to ensure satisfactory restoration of the land for an agreed after-use; and</p> <p>b) Include proposals for high quality restoration and aftercare of the site, taking account of the opportunities for enhancing the overall quality of the environment and the wider benefits that the site may offer, including biodiversity enhancement, geological conservation and increased public accessibility.</p> <p>Proposals for inert waste disposal to land will not be permitted if it can be demonstrated that the waste can be managed through recovery operations and that there is a need to dispose of waste.</p> <p>This policy helps meet strategic objectives SO1, SO2 and SO3</p> <p>This policy contributes towards Spatial Framework Principle component B</p>
MM101	87	9.68	<p>Inert waste materials can be an important resource and should be used for beneficial purposes, such as the restoration of mineral sites and in engineering works, or at other 'exempt sites' rather than disposed of at inert landfill sites. A definition of 'beneficial uses' can be found in the new London Plan. Increased use of recycled and secondary aggregates can reduce the need and demand for primary aggregates extraction. Sites and operators will need to conform to the 'Aggregates from inert waste Quality Protocol' document to achieve 'end of waste' status. If this cannot be achieved and/or the operator cannot prove compliance with the protocol, then the material will not have achieved 'end of waste' status and will still be considered a waste and subject to controlled waste legislation. There is no 'end of waste' criteria for soil so this will always be viewed as a waste once it has become a controlled waste outside of the Definition of Waste Code of Practice.</p>
MM102	88	10.3	<p>Responsibility for monitoring lies with the individual boroughs. However, the boroughs have agreed to monitor the Plan jointly through a lead borough arrangement. Data will be collated by each borough and included in a joint NLWP their Authority Monitoring Report, which is produced annually which will be produced annually.</p>

MM103	90	10.6 Table 14					
			Indicator	Target(s)	What it monitors	What it monitors	
IN1	<p>Waste arisings (Table 6) by waste stream and management route</p> <p>5. Total quantity of waste arisings managed by waste stream (LACW, C&I and CD&E) and management route (recycling/composting, recovery and disposal)</p> <p>11. Number of developments permitted which include disposal of inert waste to land</p>	<p>Waste arisings and management in line with forecasts in Table 6 (Baseline Table 3)</p> <p>In line with Table 8 in Section 7 and the Data Study</p> <p>To ensure that inert waste is managed in line with the waste hierarchy</p>	<p>Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self-sufficiency)</p> <p>Meeting Future Requirements as specified in the NLWP % waste diverted and % landfilled</p>	<p>To check that the NLWP is planning for the right amount of waste</p> <p>Waste Policy and London Plan targets</p> <p>Ensure the NLWP delivers a net self-sufficient waste management outcome for the principal waste streams</p> <p>To ensure that proposals involving the importation and disposal of inert waste to land are achieving in line with waste hierarchy.</p>			
IN2	<p>Waste management capacity (Table 8) by waste stream and management route, including existing capacity, new capacity, loss of capacity, compensatory capacity and capacity gaps</p>	<p>Capacity to meet net self-sufficiency targets in Tables 6 and 8</p> <p>Zero loss of capacity</p> <p>Replacement locally, within the Borough, North London or London</p>	<p>Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self-sufficiency)</p> <p>Meeting Future Requirements as specified in the NLWP Policy 2: Area allocations Policy 3: Unallocated sites Policy 4. Reuse and Recycling Centres Policy 7 Waste Water Treatment Works and Sewage Plant</p>	<p>To check that capacity is increasing to meet net self-sufficiency targets</p> <p><u>Ensure sufficient capacity of the right type is available throughout the plan period</u></p> <p>Ensure that capacity is replaced locally unless net self-sufficiency has been met valid planning reasons are provided for not doing so.</p>			

				<p>3. Tonnage of waste capacity, including new waste capacity available by management type (recycling/composting, recovery and disposal) and type of wastes handled (LACW, C&I and CD&E)</p> <p>4. Loss of existing waste capacity and provision of replacement capacity</p>	<p>Replacement capacity for Brent Cross Cricklewood provided within Barnet</p> <p>Capacity sufficient to manage capacity requirements as set out in Table 6 Capacity Gaps. New waste facilities in line with Table 7: land take requirements</p>	<p>Policy 8 Control of Inert Waste</p>	
			<p>IN3</p> <p>Location of new waste facilities and compensatory capacity</p> <p>1. Amount of Land within identified areas or on windfall sites brought forward for waste use during the plan period.</p>	<p>Land within Schedules 1, 2, 3</p> <p>In line with Table 7: landtake requirements</p> <p>SO2 (capacity provision) Policy 1: Existing waste management sites</p> <p>Policy 2: Area allocations Policy 3: Unallocated sites</p>	<p>SO2 (capacity provision) Policy 1: Existing waste management sites</p> <p>Policy 2: Area allocations Policy 3: Unallocated sites</p>	<p>To check that identified sites and areas are being taken up as anticipated.</p> <p>To monitor if land within Schedules 1, 2 and 3 is not available or suitable for new waste facilities.</p>	
			<p>IN4</p> <p>2. Sites in Schedule 1 and Areas in Schedules 2 and 3 lost to other non-industrial uses through a major regeneration scheme or</p>	<p>Less than 25% of land lost</p> <p>If 50% of land is lost this will trigger review of plan</p>	<p>SO2 (capacity provision) Policy 2: Area allocations</p>	<p>To check that identified land is sufficient to deliver the plan's aims To ensure sufficient existing capacity remains for managing the levels of waste expected across North London over the plan period as set out in Table 8.</p>	

			designated for non-industrial uses in a review of the London Plan or Local Plan			
			IN5 The number of sites consented that offer non-road transport options, the number of those sites where such options have been implemented and the total tonnage transported through non-road options (where known).	Facilities where non-road forms of transport are used to move waste and recycling	SO5 (sustainability) SO7 (sustainable transport)	Reduce impact on climate change Improve amenity
			IN6 Enforcement action taken against waste sites by the local authority and/or Environment Agency on breach of planning conditions or environmental permit 7. Number of approvals for new waste facilities which meet legislative requirements	Zero 100%	SO5 (sustainability) SO8 (protect the environment) Spatial Principles framework (Reduce impact on amenity) Policy 5: Assessment Criteria for waste management facilities and related development	To ensure sites do not cause harm to the environment or local communities Avoid impact on sensitive receptors or maximise scope for effective mitigation

			IN7	6. Amount of waste imported and exported to landfill by waste stream and management route (LACW, C&I and CD&E) 	Exported waste to landfill in line with Table 69 of the NLWP Reduction in waste exports	Net self-sufficiency Changes to imports and exports	Waste exports are in line with those estimated in the NLWP and through the duty to co-operate										
			IN8	8. Number of new CHP facilities serving district heat networks in which the principal fuel source is residual waste or recovered waste fuel	Monitor only	Strategic Aim (green London)	Monitor only										
			IN9	9. Sufficient infrastructure in place for management of waste water	Monitor only – information to be obtained from Thames Water	Strategic Aim (capacity supply and self-sufficiency) SO5 (sustainability)	To ensure that Thames Water have sufficient capacity to management the levels of waste water generated in North London over the plan period										
MM104		Table 15	Table 15: Roles and responsibilities involved in implementing the Plan					<table border="1"> <thead> <tr> <th data-bbox="629 916 1043 960">Organisation</th> <th data-bbox="1043 916 1476 960">Role</th> <th data-bbox="1476 916 2078 960">Responsibilities</th> </tr> </thead> <tbody> <tr> <td data-bbox="629 960 1043 1321" rowspan="2"> Local planning authorities (including London Legacy Development Corporation) </td> <td data-bbox="1043 960 1476 1118"> Apply Plan policies </td> <td data-bbox="1476 960 2078 1118"> Assessing suitability of applications against Plan policies and priorities Deliver the strategic objectives and policies of the NLWP alongside wider development and regeneration objectives </td> </tr> <tr> <td data-bbox="1043 1118 1476 1321"> Regulate / monitor </td> <td data-bbox="1476 1118 2078 1321"> Inspect operating waste sites periodically Appoint a lead borough to monitor the plan and carry out the duty to co-operate when required </td> </tr> </tbody> </table>		Organisation	Role	Responsibilities	Local planning authorities (including London Legacy Development Corporation)	Apply Plan policies	Assessing suitability of applications against Plan policies and priorities Deliver the strategic objectives and policies of the NLWP alongside wider development and regeneration objectives	Regulate / monitor	Inspect operating waste sites periodically Appoint a lead borough to monitor the plan and carry out the duty to co-operate when required
Organisation	Role	Responsibilities															
Local planning authorities (including London Legacy Development Corporation)	Apply Plan policies	Assessing suitability of applications against Plan policies and priorities Deliver the strategic objectives and policies of the NLWP alongside wider development and regeneration objectives															
	Regulate / monitor	Inspect operating waste sites periodically Appoint a lead borough to monitor the plan and carry out the duty to co-operate when required															

					Publish annual monitoring reports in the NLWP
					Monitor Plan performance annually
				Performance delivery	Support / promote waste reduction initiatives through the planning system

MM105a	Schedule 1	Table 1: Schedule 1: Existing safeguarded waste sites in North London										
		Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016	Borough
		BA R1	Winters Haulage, Oakleigh Road South	British Rai Sidings, Oakleigh Road South, Southgate, London N11 1HJ	C&I / CDE	X	10,495	38,503	40,409	35,379	0	
		BAR 2	Scratchwo od Quarry	London Gateway Service Area, M1 Motorway, Mill Hill, London NW7 3HU	CDE	✓	52,835	71,064	99,060	102,527	131,505	Barnet
BAR 3 ♦	P B Donoghue, Claremont Rd	3 Shannon Close, Claremont Rd, Cricklewood,	CDE	✓ (95%)	0	118,964	112,449	112,487	111,226	Barnet		

			London NW2 1RR									
BAR 4◆	WRG, Hendon Rail Transfer Station	Hendon Rail Transfer Station, Brent Terrace, Hendon, London NW2 1LN	LACW	X	153,952	164,129	114,457	128,605	142,107	Barnet		
BAR 5	Summers Lane Reuse and Recycling Centre	Civic Amenity & Waste Recycling Centre, Summers Lane, London N12 0RF	LACW	X	15,612	16,361	17,206	10,584	18,237	Barnet		
BAR 6◆	McGovern Brothers, Brent Terrace, Hendon	26-27 Brent Terrace, Claremont Industrial Estate, Hendon, London NW2 1BG	C&I / CDE	X	78,488	76,609	78,855	106,206	102,373	Barnet		
BAR 7◆	Cripps Skips, Brent Terrace	Nightingale Works, Brent Terrace, Claremont Way Industrial Estate, London NW2 1LR	C&I / CDE	X	9,726	7,719	8,807	9,408	8,910	Barnet		
BAR 8	Apex Car Breakers, Mill Hill	Ellesmere Avenue, Mill Hill, London NW7 3HB	C&I		182	162	227	256	243	Barnet		
BAR 9	Vacant	Railway Arches,	C&I	N/A	0	0	0	0	0	Barnet		

				(previously Railway Arches, Hendon Savecase Ltd)	Colindeep Lane, Hendon, London NW9 6HD								
			BAR 10	GBN Services Ltd, New Southgate	Land/Prem ises at Oakleigh Road South, Friern Barnet, London N11 1HJ	CDE	✓ (72%)	14,596	29,938	29,456	31,274	10,746	Barnet
			BAR 11	Upside Railway Yard	Upside Railway Yard, Brent Terrace, Cricklewoo d, London NW2 1LN	CDE	X	0	0	0	0	234,930	Barnet
			CAM 1	Regis Road Reuse and Recycling Centre	Regis Road, Kentish Town, London NW5 3EW	LACW	X	-	2,535	5,409	5,595	5,119	Camden
			ENF 1	Crews Hill Transfer Station	Kingswood Nursery, Theobalds Park road, Crews Hill, Enfield, Middlesex EN2 9BH	C&I	X	17,466	17,124	19,231	19,507	18,427	Enfield
			ENF 2	Barrowell Green Recycling Centre	Barrowell Green, Winchmore Hill, London N21 3AU	LACW	X	10,715	14,556	13,837	11,541	16,923	Enfield
			ENF 3	Pressbay Mpotors Ltd, Motor Salvage Complex	Motor Salvage Complex, Mollison Avenue,	C&I	✓	63	63	26	29	37	Enfield

			Brimsdown , Enfield Middlesex EN3 7NJ								
ENF 4	Chase Farm Hospital, The Ridgeway (SITA)										Enfield
ENF 5	Jute Lane, Brimsdown	Greenwood House, Jute Lane, Brimsdown , Enfield, Middlesex EN3 7PJ	LACW	✓ (76%)	16,115	11,732	12,659	10,125	15,410		Enfield
ENF 6	AMI Waste (Tuglord Enterprises) Stacey Avenue	17 Stacey Avenue, Edmonton, London N18 3PP	C&I / CDE	X	16,855	27,043	28,566	23,004	21,974		Enfield
ENF 7	Vacant (formerly Budds Skips), The Market Compound, Harbert Road	The Market Compound, 2 Harbert Road, Edmonton, London N18 2HQ	C&I / CDE	-	834	802	1,778	0	0		Enfield
ENF 8	Biffa Edmonton (AKA Greenstar Environmenta l), Adra Road, Edmonton	Atlas at Aztec 406, 12 Adra Road, Off Meridian Way, Enfield, London N9 0BD	LACW / C&I	✓ (84%)	231,771	72,530	271,888	276,855	270,106		Enfield
ENF 9	Hunt Skips, Commercial Road, Edmonton	Rear of 160 Bridport Road, Commercial Road, Edmonton,	C&I / CDE	✓	9,935	-✓	20,359	-	8,719		Enfield

			London N18 1SY								
ENF 10	Rooke & Co Ltd, Edmonton	Montague Road Industrial Estate, 22-26 First Avenue, Edmonton, London N18 3PH	C&I	✓	32,249	24,867	28,095	25,235	3,897	Enfield	
ENF 11	Edmonton Bio Diesel Plant (Pure Fuels)	Unit A8 Hastingwood Trading Estate, Harbet Road, London N18 3HT	C&I	✓	512	738	895	1,251	-	Enfield	
ENF 12	Camden Plant, Lower Hall Lane, Chingford	Camden Plant, Lower Hall Lane, Chingford,	CDE	✓	236,950	232,590	241,900	216,334	206,806	Enfield	
ENF 13	Personnel Hygiene Services Ltd, Princes Road, Upper Edmonton	10 Prices Road, Edmonton, London N18 3PR	C&I	X	0	0	95	1,004	1,081	Enfield	
ENF 14	Vacant (Formerly Lee valley Motors Ltd)	Second Avenue, Edmonton	C&I	N/A	0	0	0	0	0		
ENF 15	Yard 10-12 Hastingwood Trading Estate. A&A Skip Hire Limited	Yard 10-12, Hastingwood Trading Estate, Harbet Road, Edmonton, London N18 3HR	C&I	✓ (89%)	0	0	9.391	16,277	10,696	Enfield	

			ENF 17	Albert Works, Kenninghall Road, Edmonton	Albert Works, Kenninghall Road, Edmonton, London N18 2PD	C&I	✓	193,308	224,020	233,225	211,424	-	Enfield
			ENF 18	Edmonton Energy from Waste Facility	Edmonton Ecopark, Advent Way, Edmonton, London N18 3AG	LACW	✓	546,402	526,829	560,685	550,408	597,134	
				London Energy Ltd Composting	Edmonton Ecopark, Advent Way, Edmonton, London N18 3AG	LACW	✓	32,498	32,779	35,241	32,475	33,981	
				London Energy Bulk Waste Recycling Facility	Edmonton Ecopark, Advent Way, Edmonton, London N18 3AG	LACW	X	192,907	190,333	168,121	152,227	198,389	
				Ballast Phoenix Ltd	Edmonton Ecopark, Advent Way, Edmonton, London N18 3AG	LACW	✓	58,255	106,341	112,419	109,141	101,189	
			ENF 19	London Waste Ltd Composting, Edmonton EcoPark, Advent Way									Enfield
			ENF 20	London Waste Bulk Waste Recycling Facility,									Enfield

			Edmonton EcoPark, Advent Way									
ENF 20	London Waste Ltd, Edmonton EcoPark, Advent Way											Enfield
ENF 22	London Waste Ltd, Edmonton EcoPark, Advent Way											Enfield
ENF 23	J O'Doherty Haulage, Noble Road, Edmonton	Pegamoid Site, Noble Road, Edmonton, London N18 3BH	C&I	✓ (59%)	85,103	69,124	64,897	77,305	88,636			Enfield
ENF 24	Oakwood Plant Ltd, Edmonton	Oakwood House, Nobel Road, Eley Industrial Estate, Edmonton, London N18 3BH	C&I / CDE	✓ (84%)	10,282	7,495	10,011	13,489	14,428			Enfield
ENF 25	Environcom Ltd (Edmonton Facility); Stonehill Business Park, Edmonton	Unit 8a Towpath Road, Stonehill Business Park, N18 3QU	Hazardous (WEEE)	✓	2,447	1,327	9,194	11,040	67			Enfield
ENF 26	Powderday Plant Ltd, Jeffreys Road	Unit 2, Jeffreys Road, Brimsdown, Enfield, Middlesex EN3 7UA	C&I / CDE	✓	27,319	18,664	48,851	23,490	49,754			Enfield
ENF 27	Edmonton EFW											Enfield

			ENF 30	Hunsdon Skip Hire (Previously L&M Skips and London & Metropolitan Recycling)	Unit 1, 1b Towpath Road, Stonehill Business Park, London N18 3QX	C&I / CDE	✓	0	7,150	26,545	15,501	11,337	
			ENF 31	Volker Highways Ltd	15 Edison Road, Brimsdown Industrial Estate, Enfield EN3 7BY	C&I / CDE	✓	-	8.892	13,652	7.344	-	
			ENF 32	Guy Lodge Farm									Enfield
			ENF 33	Ballast Phoenix Ltd									Enfield
			ENF 34	London & Metropolitan Recycling Facility									Enfield
			ENF 35	Redcorn (ELV) Unit 25 Enfield Metal Kingswood Nursery, Theobalds Park Road	22a & 24 Stacey Avenue, Montague Industrial estate, Enfield N18 3PS	Hazardous (C&I)	✓	-	-	-	-	6,557	Enfield
			ENF 36	Greenstar Environmental									Enfield
			ENF 37	GBN	Gibbs Road, Montague Industrial Estate, London N18 3PU	CDE	✓						
			HAC 1	Millfields Waste	Millfields Recycling	LACW	X	18,202	13,935	14,173	16,785	16,725	Hackney

			Transfer & Recycling Facility	Facility, Millfields Road, Hackney, London E5 0AR							
HAC 2	Downs Road Service Station (Brydon Motor Company Clapton)	1A Downs Road, Clapton, London E5 8QJ	C&I	✓	177	175	96	101	-	Hackney	
HAR 1/2	Hornsey Central Depot, Haringey LBC									Haringey	
HAR 3	Biffa Waste Services Ltd, Garman Road, Tottenham	81 Garman Road, Tottenham, London N17 0UN	C&I	✓	28,851	30,355	34,690	33,704	37,454	Haringey	
HAR 4	O'Donovan, Markfield Road, Tottenham	100a Markfield Road, Tottenham, London N15 4QF	C&I / CDE	✓ (50%)	6,316	10,099	11,143	7,035	14,693	Haringey	
HAR 5	Redcorn Ltd, White Hart Lane, Tottenham	44 White Hart Lane, Tottenham, London N17 8DP	C&I	✓	15,712	22,733	23,852	8,508	-	Haringey	
HAR 6	Restore Community Projects, Ashley Road, Tottenham	Unit 18, Ashley Road, Tottenham, London N17 9LJ	C&I	✓	24	103	185	278	98	Haringey	
HAR 7	Redcorn Ltd, Brantwood Road, Brantwood	Brantwood Road, Tottenham, London N17 0ED	C&I	✓	2,470	5,225	2,250	23,779	39,283	Haringey	

				Auto Recycling Ltd, Willoughby Lane									
			HAR 8	O'Donovan, Markfield Road, Tottenham	82 Markfield Road, Tottenham, London N15 4QF	CDE	✓	5,079	27,330	31,460	25,674	123,308	Haringey
			HAR 9	Par View Road Reuse and Recycling centre	Civic Amenity Site, Park View Road, Tottenham, London N17 9AY	LACW	X	3,706	2,409	6,326	5,499	5,745	Haringey
			HAR 10	London Waste Ltd, Western Road Re-use and Recycling Centre HWRC	Western Road, Haringey N22 6UG	LACW	X	0	0	2,526	4,851	3,799	Haringey
			HAR 11	Durnford Street Car Dismantlers & Breakers	6-40 Durnford Street, Tottenham, London N15 5NQ	C&I	✓	0	0	0	432	288	
			ISL 1	Hornsey Household Re-use & Recycling Centre and Transfer Station	Hornsey street, Islington, London N7 8HU	LACW	X	196,818	195,018	203,919	204,496	212,232	Islington
			WAF 1	Mercedes Parts Centre	21 Chingford Industrial Estate, Hall Lane, Chingford,	C&I	✓	0	0	0	0	7	

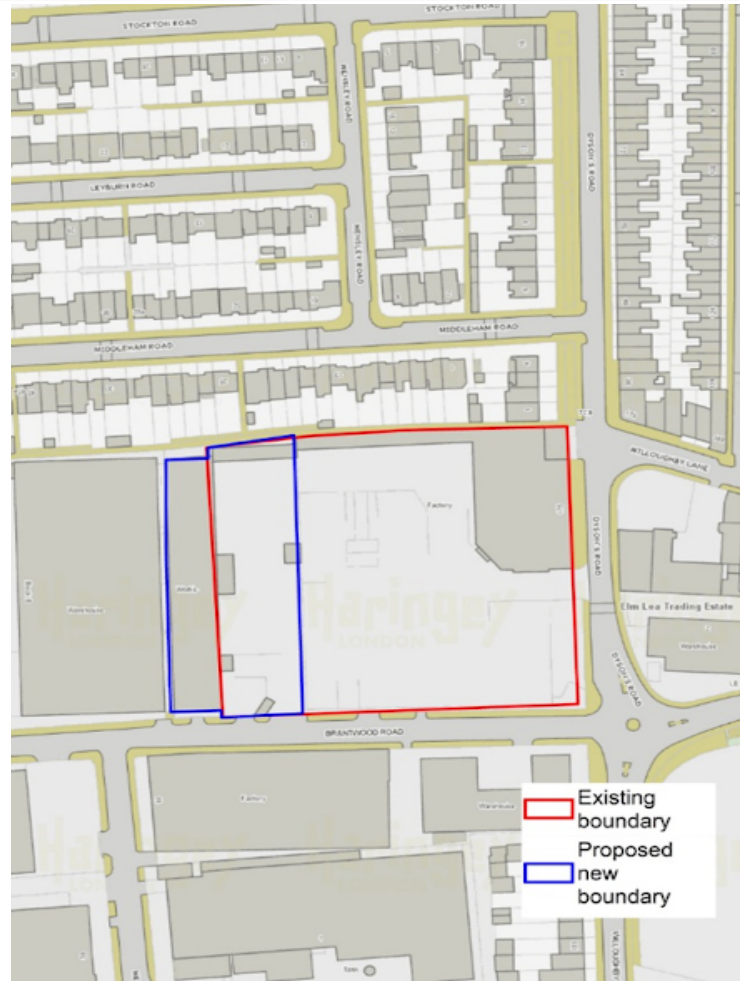
WAF 2	Kings Road Household Waste Recycling Centre	London E4 8DJ Civic Amenity Site, 48 Kings Road, Chingford, London E4 7HR	LACW	X	1,213	881	2,178	2,400	2,853	Waltham Forest	
WAF 3	South Access Road Household Waste Recycling Centre	42a South Access Road, Walthamstow, London E17 8BA	LACW	X	2,917	2,784	6,790	6,949	7,203	Waltham Forest	
WAF 4	GBN Services, Estate Way, Leyton									Waltham Forest	
WAF 5	Vacant (previously T J Autos (UK) Ltd)	17 Rigg Approach, Leyton, London E10 7QN	C&I	✓	53	53	81	21	11	Waltham Forest	
WAF 6	BJ Electronics, Ravenswood Road Industrial Estate, Walthamstow									Waltham Forest	
WAF 8	Leyton Reuse & Recycling Centre	Gateway Road, Leyton, London E10 5By	LACW	X	2,164	2,255	2,564	3,003	2,589	Waltham Forest	
WAF 9	Vacant (formerly BD & G parts for Rover)	Roxwell Trading Park, Leyton	C&I	-	0	0	0	0	0		
WAF 10	Malbay Waste Disposal	5 Staffa Road, Leyton,	C&I / CDE	✓	6,700	10,682	12,624	7,339	9,925	Waltham Forest	

	Ltd, Staffa Road, Leyton	London E10 7PY								
WAF 12±	Argall Metal Recycling Baseforce Metals, Unit 1, Staffa Road, Leyton	Unit 1, Staffa Road E10 7PY	C&I	✓	0	21,537	31,603	30,378	0	Waltham Forest
WAF 14	Tipmasters	15 Rigg Approach, London E10 7QN	C&I	X	0	0	586	2,847	3,622	Waltham Forest
WAF 15	Bits and Parts									Waltham Forest
WAF 16	Whipps Cross Hospital Clinical Waste Treatment Facility	Whipps Cross Hospital, Whipss Cross Road, London E11 1NR	C&I (clinical)	X	0	0	0	0	5	

[footnote to BAR3, BAR4, BAR6 and BAR7]

These sites will be redeveloped under the approved planning permission for the regeneration of Brent Cross Cricklewood (Barnet planning application reference F/04687/13). The Hendon Rail Transfer Station (BAR 4) will be replaced as part of the BXC development with a new facility on site S01-BA to meet the NLWA's requirements. **Planning permission for a new Waste Transfer Station (WTS) at Geron Way was granted by Barnet Council in September 2018.** The existing **commercial** facilities at BAR 6 and BAR 7 fall within the land required to deliver the first **early** Southern phase of the BXC regeneration which is anticipated will **has** commenced; **replacement capacity for these sites will be sought in accordance with the planning permission for Brent Cross Cricklewood.** in early 2018. Replacement capacity for these sites will not be provided prior to their redevelopment and therefore replacement capacity will be sought outside of the BXC regeneration area on alternative sites / areas to be identified within the London Borough of Barnet. **The BAR3 site is identified for redevelopment in Phase 4 of the BXC regeneration. It is planned that capacity at the waste facilities of BAR4, BAR6 and BAR7 and part of the capacity of BAR3 will be replaced by the new Waste Transfer**

			<p>Station (WTS) delivered as part of the Brent Cross Cricklewood Regeneration. The balance of the replacement capacity for BAR3 would need to be identified prior to its redevelopment and the London Borough of Barnet will seek to provide replacement capacity within the borough. The Barnet Local Plan will identify potential sites.</p>
MM105b		HAR 7	[Revision to safeguarded area for HAR 7 in Haringey's Policies Map]



MM106

Appendix 2:
Barnet Area
Profiles

A05-BA Connaught Business Centre

Historic Environment

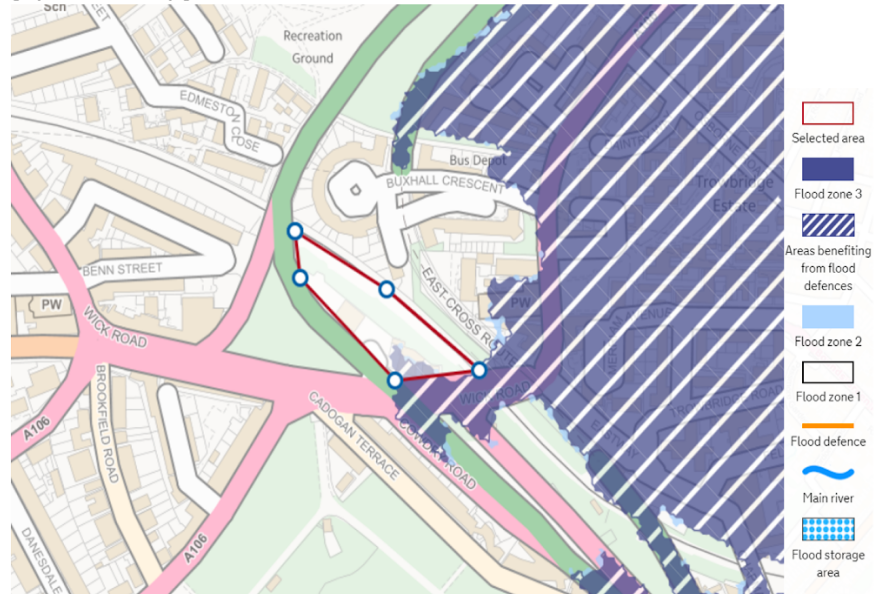
No assets identified in vicinity. **Within Watling Street Archaeological Priority Area. Historic England commented that**

				there is potential for archaeological remains to be present and that further assessment should be undertaken.
MM107		Appendix 2: Enfield Area Profiles	12-EN Eleys Estate, Enfield	<p>Historic Environment</p> <p>Historic England commented that development should avoid harm to the historic environment and the setting of Chingford Mill Pumping Station (grade II) should be considered. The potential archaeology value of area should be considered along with the setting of Montagu Road Cemeteries Conservation Area.</p> <p>Within the Lea Valley West Bank Archaeological Priority Area. Historic England commented that there is potential for archaeological remains to be present and that further assessment should be undertaken.</p>
MM108		Appendix 2: Hackney Area Profiles	A15-HC Millfields LSIS	<p>Historic Environment</p> <p>There are three Grade II listed buildings adjacent to the west of site: Hackney Borough Disinfecting Station (on Heritage at Risk Register) Shelter House Caretakers Lodge</p> <p>The Mandeville Primary School which is Grade II listed is situated to the south of the area.</p> <p>Historic England has commented that any development within the area located to the east and north of these assets must address their long term conservation needs in a comprehensive manner.</p>

				<p>Within Lea Valley Archaeological Priority Area. Historic England commented that there is potential for archaeological remains to be present and that further assessment should be undertaken.</p>
MM109		Appendix 2: Hackney LLDC Area Profiles	LLDC1-HC Bartrip Street	<p>Flood Risk</p> <p>Part of the southern area of Bartrip St LSIS is within Flood Zone 2 (medium risk) although the area benefits from flood defences. The area is at risk from surface water flooding.</p> <p>The site area is largely within Flood Zone 1 with the southern most part falling partially within Flood Zones 2 and 3, noting that the Flood Zone 3 is within an area benefiting from defence. The proposed use for the site is considered to be 'Less Vulnerable'. The site has been subject to the Sequential Test as set out in the October 2019 Flood Risk Sequential Test Report and found to be appropriate for development by virtue of lack of reasonably available alternative sites at less risk of flooding. The exception test would not be applicable.</p> <p>The site area is shown to flood from the River Lea / Lee Navigation in the 1% AEP event (without defences) and this will potentially increase in the future as a result of climate change with 1% AEP event covering a greater extent of the site. The River Lea / Lee Navigation benefits from defences and a site-specific flood risk assessment should consider how much these benefit the site area.</p> <p>A site specific flood risk assessment would be required for any redevelopment. This will need to incorporate the current climate change allowances at the time of submission.</p> <p>Part of the site area benefits from existing flood defences.</p>

Part of the site area benefits from existing flood defences.

[updated map]



MM110

Appendix 2:
Hackney
LLDC Area
Profiles

LLDC2-HC Chapman Road (Palace Close)

Flood Risk

Flood Zone 2 (Medium probability of flooding) however the area benefits from flood defences.

The area is at risk from surface water flooding.

The site area falls partially within Flood Zone 1 and 2 but is largely in Flood Zone 3, noting that this is within an area benefiting from defences. The proposed use for the site is considered to be 'Less Vulnerable'. The site has been subject to the Sequential Test as set out in the October 2019 Flood Risk Sequential Test Report and found to be appropriate for

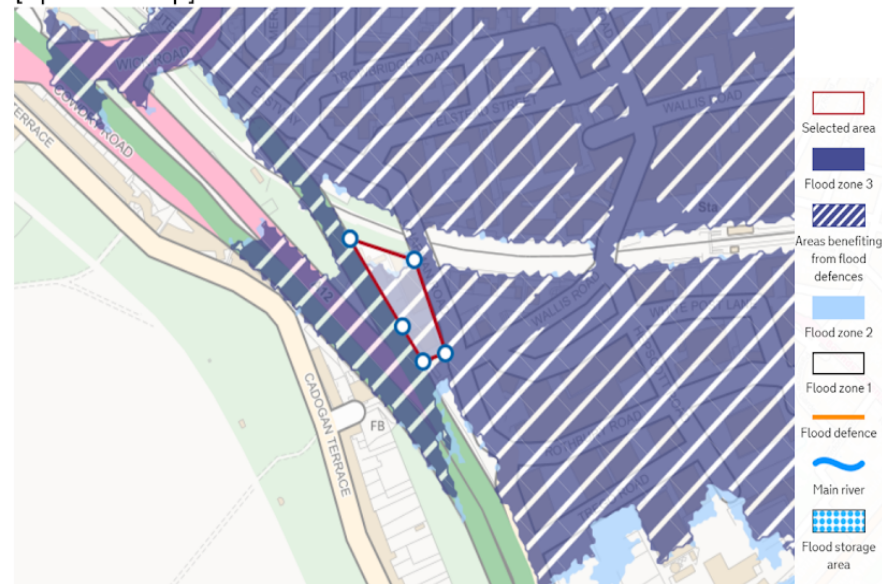
development by virtue of lack of reasonably available alternative sites at less risk of flooding. The exception test would not be applicable.

The site area is shown to flood from the River Lea / Lee Navigation in the 1% AEP event (without defences) and this will potentially increase in the future as a result of climate change with 1% AEP event covering a greater extent of the site area. The River Lea / Lee Navigation benefits from defences and a site-specific flood risk assessment should consider how much these benefit the site area.

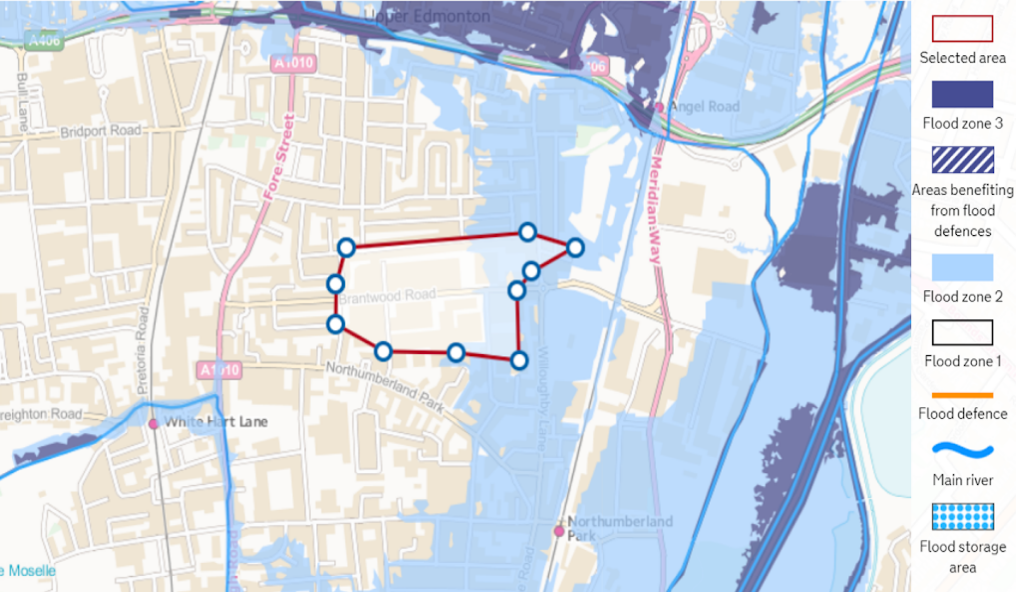
A site specific flood risk assessment would be required for any redevelopment. This will need to incorporate the current climate change allowances at the time of submission.

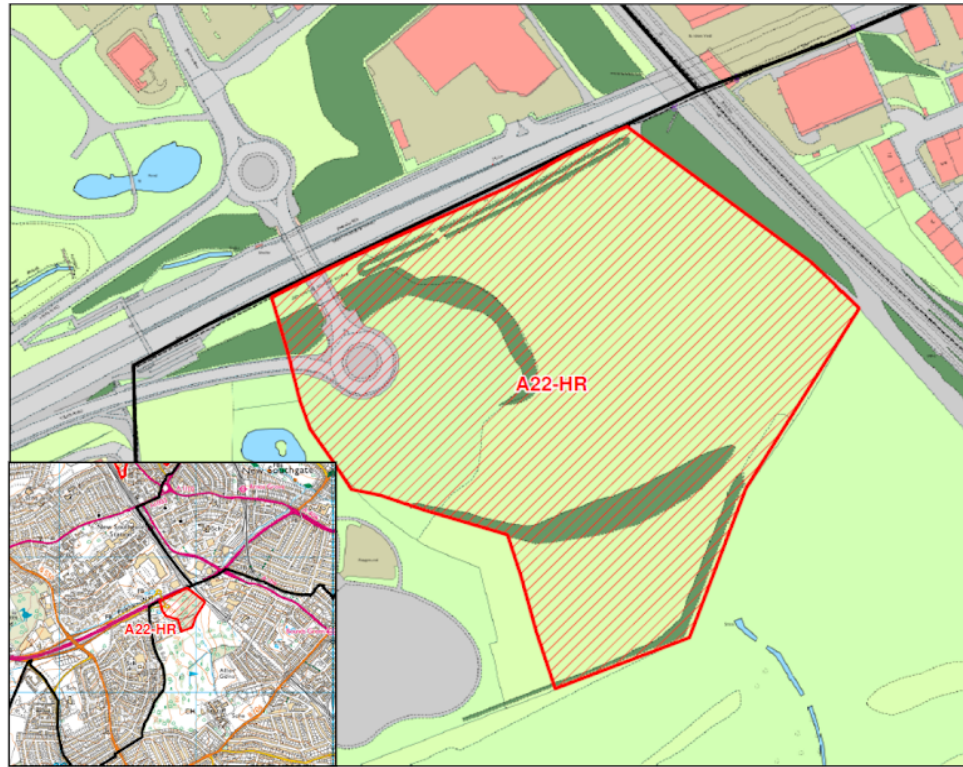
The majority of the site area benefits from existing flood defence.

[updated map]



MM111		Appendix 2: Haringey Area Profiles	<p>A19-HR Brantwood Road</p> <table border="1" data-bbox="645 185 2101 935"> <tr> <td data-bbox="645 185 949 935">Flood Risk</td> <td data-bbox="949 185 2101 935"> <p>The eastern section of the area lies within Flood Zone 2 (medium probability of flooding). The area is at risk from surface water flooding.</p> <p>The site area is largely Flood Zone 1 with the western most part of the site area falling partially within Flood Zone 2. The proposed use for the site is considered to be 'Less Vulnerable'. The site has been subject to the Sequential Test as set out in the October 2019 Flood Risk Sequential Test Report and found to be appropriate for development by virtue of lack of reasonably available alternative sites at less risk of flooding. The exception test would not be applicable.</p> <p>The site area is shown to flood from the Pymmes Brook in the 0.1% AEP event (without defences) and this will increase in the future as a result of climate change with 1% AEP event to cover approximately one quarter of the site area.</p> <p>A site specific flood risk assessment would be required for any redevelopment. This will need to incorporate the current climate change allowances at the time of submission.</p> </td> </tr> </table>	Flood Risk	<p>The eastern section of the area lies within Flood Zone 2 (medium probability of flooding). The area is at risk from surface water flooding.</p> <p>The site area is largely Flood Zone 1 with the western most part of the site area falling partially within Flood Zone 2. The proposed use for the site is considered to be 'Less Vulnerable'. The site has been subject to the Sequential Test as set out in the October 2019 Flood Risk Sequential Test Report and found to be appropriate for development by virtue of lack of reasonably available alternative sites at less risk of flooding. The exception test would not be applicable.</p> <p>The site area is shown to flood from the Pymmes Brook in the 0.1% AEP event (without defences) and this will increase in the future as a result of climate change with 1% AEP event to cover approximately one quarter of the site area.</p> <p>A site specific flood risk assessment would be required for any redevelopment. This will need to incorporate the current climate change allowances at the time of submission.</p>
Flood Risk	<p>The eastern section of the area lies within Flood Zone 2 (medium probability of flooding). The area is at risk from surface water flooding.</p> <p>The site area is largely Flood Zone 1 with the western most part of the site area falling partially within Flood Zone 2. The proposed use for the site is considered to be 'Less Vulnerable'. The site has been subject to the Sequential Test as set out in the October 2019 Flood Risk Sequential Test Report and found to be appropriate for development by virtue of lack of reasonably available alternative sites at less risk of flooding. The exception test would not be applicable.</p> <p>The site area is shown to flood from the Pymmes Brook in the 0.1% AEP event (without defences) and this will increase in the future as a result of climate change with 1% AEP event to cover approximately one quarter of the site area.</p> <p>A site specific flood risk assessment would be required for any redevelopment. This will need to incorporate the current climate change allowances at the time of submission.</p>				

			<p>[updated map]</p> 		
MM112		Appendix 2: Haringey Area Profiles	<p>A21-HR North East Tottenham</p> <table border="1" data-bbox="645 919 2101 1058"> <tr> <td data-bbox="645 919 1115 1058">Historic Environment</td> <td data-bbox="1115 919 2101 1058">No assets identified in vicinity. Within the Lee Valley Archaeological Priority Area. Historic England commented that there is potential for archaeological remains to be present and that further assessment should be undertaken.</td> </tr> </table>	Historic Environment	No assets identified in vicinity. Within the Lee Valley Archaeological Priority Area. Historic England commented that there is potential for archaeological remains to be present and that further assessment should be undertaken.
Historic Environment	No assets identified in vicinity. Within the Lee Valley Archaeological Priority Area. Historic England commented that there is potential for archaeological remains to be present and that further assessment should be undertaken.				
MM113		Appendix 2: Haringey Area Profiles	<p>A22-HR Pinkham Way</p> <table border="1" data-bbox="645 1193 2101 1238"> <tr> <td data-bbox="645 1193 2101 1238" style="background-color: #d9e1f2;">A22-HR – Friern Barnet Sewage Works (LEA 4)/ Pinkham Way, Haringey</td> </tr> </table>	A22-HR – Friern Barnet Sewage Works (LEA 4)/ Pinkham Way, Haringey	
A22-HR – Friern Barnet Sewage Works (LEA 4)/ Pinkham Way, Haringey					



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Area Details	
Borough	Haringey
Type of Location	Area
Location Reference	A22-HR – Friern Barnet Sewage Works (LEA 4) /Pinkham Way
Size	5.95ha
Area Description	Land is currently unused and has become over grown with trees and vegetation.

			Description of surrounding uses	Pinkham Way and retail park to north, industrial properties east. Golf course south and a park and residential properties to the west.
Planning Information				
Planning Designation			The Area is designated a Local Employment Area (LEA) and a Borough SINC.	
Relevant Local Plan Policy			<p> Former Friern Barnet Sewage Works / Pinkham Way Area has the following planning designations on the site: Site of Importance for Nature Conservation Grade 1, Local Employment Area: Employment Land, Flood Zone 2 and 3 (part). </p> <p> The area is subject to the following key Local Plan policies: - SP13: Open Space and Biodiversity, DM 20: Open Space and Green Grid, SP8: Employment, DM 37: Maximising the Use of Employment Land and Floorspace, and DM 24: Managing and Reducing Flood Risk. </p> <p> The Area is subject to Local Plan policy SP8: Employment. Friern Barnet site falls within the Borough's Specific Proposal 5, Employment generating uses subject to no adverse effect on the nature conservation value of the site. </p> <p> The area is subject to policy SP13: Open Space and Biodiversity. Friern Barnet is allocated as Borough Grade 1 SINC, and for employment uses in the Local Plan. </p>	
Land Use				
Co-location			This Area would allow for co-location with complementary activities due to its size and highway accessibility.	
Major New Developments			None identified locally	
Decentralised Energy Network			<p> The Enfield potential Decentralised Energy area lies approximately 65m northeast of Friern Barnet. </p> <p> Not considered to be a practical option due to distance from potential users. </p> <p> Friern Barnet is in an area of low energy consumption (as site Area undeveloped). Areas northeast, east and west of site Area are high energy consumption zones. </p>	
Details of in-situ infrastructure			None identified	

Constraints	
Flood Risk	<p>North boundary and northeast corner of the area is within Flood Zone 2 (medium probability of flooding).</p> <p>Any development on the area will increase impermeable surfaces and therefore increases surface water runoff which would need to be managed. It is understood that historical use of the area may have left contamination. It is unknown whether or not this previous use has an impact on the quality of groundwater. This could be ascertained through any planning application which may offer the opportunity to provide appropriate remediation.</p> <p>The site Area is largely within Flood Zone 1 with an area to the north of the site Area falling partially within Flood Zones 2 and 3. The proposed use for the site is considered to be 'Less Vulnerable'. The site has been subject to the Sequential Test as set out in the October 2019 Flood Risk Sequential Test Report and found to be appropriate for development by virtue of lack of reasonably available alternative sites at less risk of flooding. The exception test would not be applicable.</p> <p>Part of the site Area is shown to flood from the Bounds Green Brook in the 1% AEP event (without defences) and this will potentially increase in the future as a result of climate change with 1% AEP event covering a greater extent of the site Area.</p> <p>A site specific flood risk assessment will therefore be required for any redevelopment. This will need to incorporate the current climate change allowances at the time of submission.</p>

[updated map]



-  Selected area
-  Flood zone 3
-  Areas benefitting from flood defences
-  Flood zone 2
-  Flood zone 1
-  Flood defence
-  Main river
-  Flood storage area

Surface and Groundwater

Not within a Source Protection Zone or principle **principal** aquifer. Bounds Green Brook lies approximately 40m north of **site Area**. A pond lies approximately 10m west of **site Area** and unnamed water course lies approximately 20m south of **site Area**.

Land Instability

The Environment Agency records historic landfilling in the area. This may represent a ground stability issue and as such further investigation will be required at the planning application stage.

Sensitive Receptors (may be impacted by dust, fumes, emissions to air, odours, noise and vibration, vermin and birds, litter hazards)

Residential properties lie west of Friern Barnet.
Given the scale of the area there is scope to create a buffer around any waste management facility and orientate the facility away from residents.

Nature Conservation

Area is within a Borough Site of Importance for Nature Conservation which includes the adjacent Park and Golf Club. A number of ecology surveys have been undertaken and identified habitat of "potential value

				to a number of protected and notable species". There is an ecological corridor to the east of the area along the railway embankment. Japanese Knotweed and Giant Hogweed have been identified in abundance across site Area . There is currently no active management of the SINC.
			Green Belt and Open Space	Land adjacent to the south and west of the area is designated as Metropolitan Open Land.
			Historic Environment	No features identified
			Highways	The Area would require the creation of an access to the roundabout on Orion Road/Pegasus Way. This would need to be designed to allow HGVs and refuse vehicles. The existing roundabout is suitable for these movements. Access to the North Circular is relatively easy from either Orion Road [heading east] or from Pegasus Way [to head west]. The Colney Hatch Lane/North Circular Road junction suffers from congestion at peak times. Use of the site Area for waste would add to HGV/refuse vehicle movement but is unlikely to have a significant impact on the operation of this junction, based on 60 in/out movements per day for refuse vehicles plus 40 bulk transport in/out movements.
			Conclusion	
			Potential Uses	Integrated resource recovery facilities/resource parks, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment Waste transfer, processing and R ecycling, indoor e Composting, including indoor in-vessel composting and outdoor composting. Thermal Treatment facilities may be viable but should only be considered if a combined heat and power facility could be incorporated into the facility and linked up to a district heating system. Areas not lying within Flood Zone 3 are potentially suitable to handle hazardous waste.
			Uses unlikely to be suitable	N/A
			Potential mitigation measures	The Area covers land owned separately by the North London Waste Authority and the London Borough of Barnet. There are a number of policy , environmental and amenity issues facing this area, although it previously accommodated a sewage treatment works. The Area has revegetated, contains a number of mature trees and is designated as a SINC.

Due to the number of designations affecting this Area, only a proportion of the overall area will be suitable for development. Given the land is in two ownerships and Barnet has no current plans to develop a waste facility, this is likely to impact on the deliverability of the site in its entirety. A smaller part of the site area in NLWA's single ownership is therefore most likely to accommodate any development. The location of new development within the Area will be assessed against flood risk criteria in the NPPF and a site-specific flood risk assessment will be required. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Given the constraints on the Area, the site footprint should be minimised, taking into account the necessary operational elements of a waste facility, for example space for turning and parking for waste vehicles, processing area with sufficient room for equipment for waste treatment, and areas for the storage and stockpiling of materials. This should be on level areas where feasible.

The location of new development should take the opportunity to create an appropriate buffer zone between the proposed facility and nearby sensitive receptors, including residential properties.

Any new waste facility in this Preferred Location will need to be in line with the Haringey's Local Plan and the London Plan. There are community concerns around the development of a waste facility within this Area and how this will affect the natural environment, flood risk and biodiversity in the Area. Specific policy considerations on this topic are set out below. Consultation with the local community will be required for any proposed waste facility on this site.

In line with London Plan policy G6: 'Biodiversity and access to nature', development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. In line with London Plan policy G7: 'Trees and Woodland', development proposals should ensure that, wherever possible, existing trees of value are retained.

In line with Local Plan policy DM19: 'Nature Conservation', development proposals should protect and enhance the nature conservation value of the area. Development that has a direct or indirect adverse impact upon important ecological assets will only be permitted where the harm cannot be reasonably avoided and it has been suitably demonstrated that appropriate mitigation can address the harm caused.

In line with London Plan Policy G6D, any development needs to achieve biodiversity net gain that leaves the biodiversity in a better state than before the development. This should be outside the areas at risk of flooding (Zone 2 and 3), suitably buffered from the ecological corridor to the east of the area, and subject to up-to-date Biodiversity and Wildlife surveys, be on land that is not identified as having priority species or habitats.

An appropriate ecological survey will be required to identify significant ecological features to retain or replace. Consideration should be given to the retention and protection of existing mature trees and the designation and management of appropriate areas of habitat to be retained and enhanced.

Mitigation measures should include continued habitat connectivity with the adjacent green spaces and ecological corridor along the railway embankment that needs to be retained and enhanced.

~~Incorporating appropriate boundary treatments / landscaping, protecting existing green infrastructure features, undertaking appropriate ecological surveys and creating replacement habitat are likely to be important mitigation measures.~~

In line with Local Plan policy DM21: 'Sustainable Design, Layout and Construction', buildings within the development should be designed to complement nature conservation by maximising opportunities to enhance biodiversity, including through appropriate landscaping, Sustainable Drainage Systems, living roofs and green walls. Mitigation measures would be required to protect the amenity of sensitive receptors including hours of working, noise and odour suppression.

~~Consideration should also be given to the creation of an appropriate buffer between waste management facility and nearby sensitive receptors.~~

Provision of an acceptable access of **from** Orion Road Roundabout would be required.

Any application should demonstrate how public access to the remainder of the Area could be achieved.

The Muswell Hill Golf Course Brook runs in culvert through the Pinkham Way Priority Area. Opening up the watercourse could bring multiple flood risk, biodiversity and amenity benefits and should be given consideration as site-specific development proposals are advanced.

Any application will need to have regard to the needs of different users of the Area to ensure the safe operation of the waste management facility.

A contamination and ground stability appraisal would be required to assess potential impacts from the historic landfill within the Area boundary.

				<p>As parts of the Area fall within flood Zone 2 and 3 are at a medium risk of flooding, the completion of a suitable Flood Risk Assessment and the incorporation of SuDS or other techniques to manage surface water runoff will be key mitigation measures. Any necessary SuDS should be designed to integrate with other nature conservation elements.</p> <p>For any proposed development which involves an increase in built footprint within the modelled extent of the 1 in 100 chance in any year flood event, taking the impacts of climate change into account, or where the footprint has been moved into a deeper area of floodplain than the existing built footprint, floodplain compensation will need to be provided on a volume for volume and level for level basis.</p>				
MM114 Page 372		Appendix 2: Waltham Forest Area Profiles	A24-WF Argall Avenue	<table border="1"> <tr> <td data-bbox="1099 759 1099 938">Historic Environment</td> <td data-bbox="1099 938 2110 938">No assets identified in vicinity. Within the River Lea and Tributaries Archaeological Priority Area. Historic England commented that there is potential for archaeological remains to be present and that further assessment should be undertaken.</td> </tr> <tr> <td data-bbox="1099 983 1099 1362">Flood Risk</td> <td data-bbox="1099 983 2110 1362"> <p>The north of the area lies with Flood Zone 2 and 3 (medium to highest probability of flooding) with the southern tip lying within Zone 2. A flood storage area lies adjacent to the east of the northeast corner of the area.</p> <p>Facilities within Flood Zone 3 should only deal with inert waste unless otherwise agreed with the Environment Agency.</p> <p>The site area falls partially within Flood Zone 1, Flood Zone 2 and Flood Zone 3. The proposed use for the site is considered to be 'Less Vulnerable'. The site has been subject to the Sequential Test as set out in the October 2019 Flood Risk Sequential Test</p> </td> </tr> </table>	Historic Environment	No assets identified in vicinity. Within the River Lea and Tributaries Archaeological Priority Area. Historic England commented that there is potential for archaeological remains to be present and that further assessment should be undertaken.	Flood Risk	<p>The north of the area lies with Flood Zone 2 and 3 (medium to highest probability of flooding) with the southern tip lying within Zone 2. A flood storage area lies adjacent to the east of the northeast corner of the area.</p> <p>Facilities within Flood Zone 3 should only deal with inert waste unless otherwise agreed with the Environment Agency.</p> <p>The site area falls partially within Flood Zone 1, Flood Zone 2 and Flood Zone 3. The proposed use for the site is considered to be 'Less Vulnerable'. The site has been subject to the Sequential Test as set out in the October 2019 Flood Risk Sequential Test</p>
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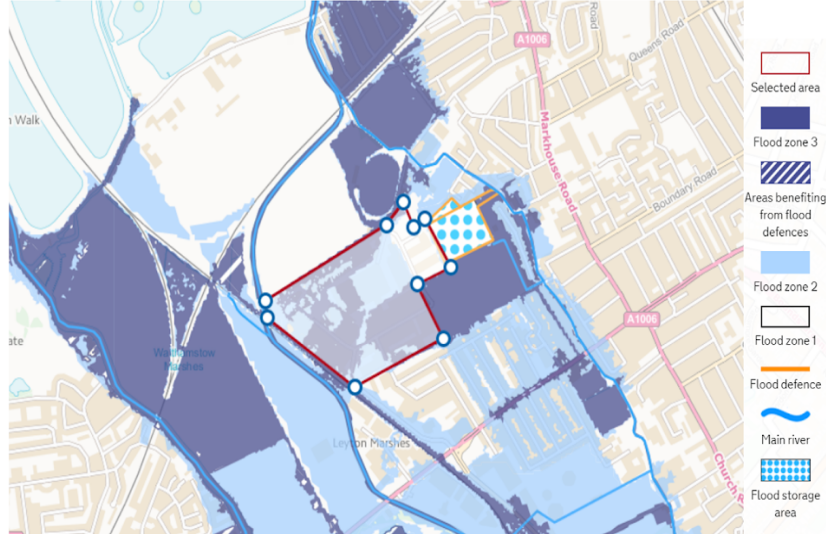
Report and found to be appropriate for development by virtue of lack of reasonably available alternative sites at less risk of flooding. The exception test would not be applicable.

However, development should be avoided on the part of the site area which lies within the functional floodplain.

The site area is shown to flood from the River Lee and Dagenham Brook in the 1% AEP event (without defences) and this will potentially increase with the future as a result of climate change with 1% AEP event covering a greater extent of the site area.

A site specific flood risk assessment would be required for any redevelopment. This will need to incorporate the current climate change allowances at the time of submission.

For any proposed development which involves an increase in built footprint within the modelled extent of the 1 in 100 chance in any year flood event, taking the impacts of climate change into account, or where the footprint has been moved into a deeper area of floodplain than the existing built footprint, floodplain compensation will need to be provided on a volume-for-volume and level-for-level basis.

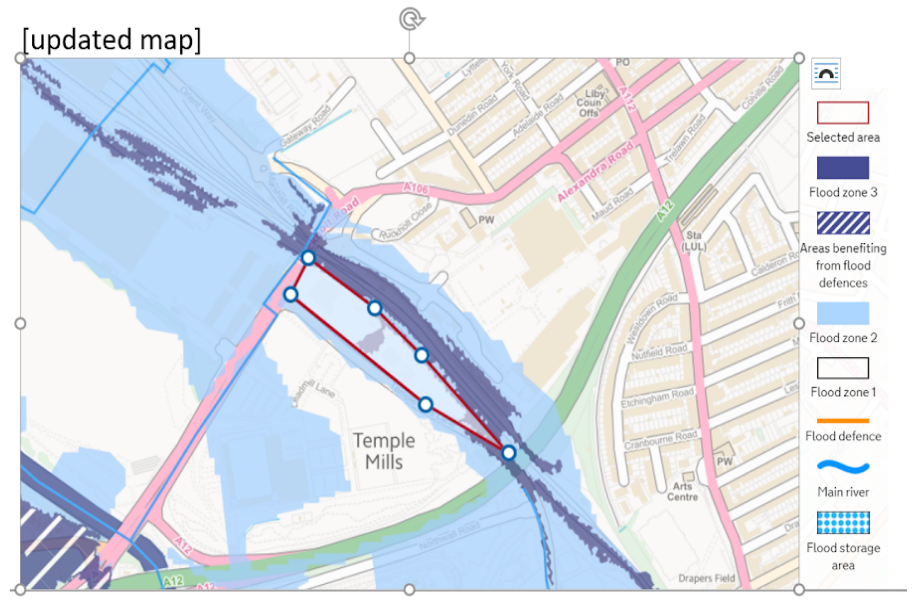
				<p>[updated map]</p> 				
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North London Waste Plan

November 2021



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1. Introduction and Background

1.1 North London covers a large swathe of London from the inner city into the Green Belt of outer London. The geographical extent takes in both the inner London Boroughs of Camden, Hackney and Islington, and the outer London Boroughs of Barnet, Enfield, Haringey and Waltham Forest (see Figure 1). The land within the North London Boroughs spans an area of 293 square kilometres.

What is the North London Waste Plan?

1.2 The seven North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest are working together to produce the North London Waste Plan (the 'NLWP'). The NLWP also covers part of the area of the London Legacy Development Corporation (LLDC), a Mayoral Development Corporation, which is the planning authority for a small part of Hackney and Waltham Forest¹. Figure 1 shows the North London Waste Plan area.

1.3 The NLWP has two main purposes:

- to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2035 to manage waste generated in North London; and
- to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

1.4 The key elements of the NLWP are:

The Aim and Strategic Objectives: These are overarching principles which have steered the development of the NLWP.

The Spatial Principles: The spatial principles flow from the Strategic Objectives and provide the strategic direction for the detailed policies of the NLWP and inform site/area selection. They reflect the physical and planning components that influence the Plan and guide the identification of opportunities and constraints for waste planning in North London.

¹ The relationship of the NLWP to the LLDC is discussed further in para 1.15 below

The Provision for North London's Waste to 2035: This sets out the preferred option for how the waste management needs for North London will be met for each waste stream over the Plan period.

The Policies: These are strategic policies through which the aims and objectives, waste management strategy and Spatial Principles will be delivered. The policies provide the waste planning framework against which applications for waste development will be assessed across the Plan area.

1.5 The NLWP plans for all principal waste streams including:

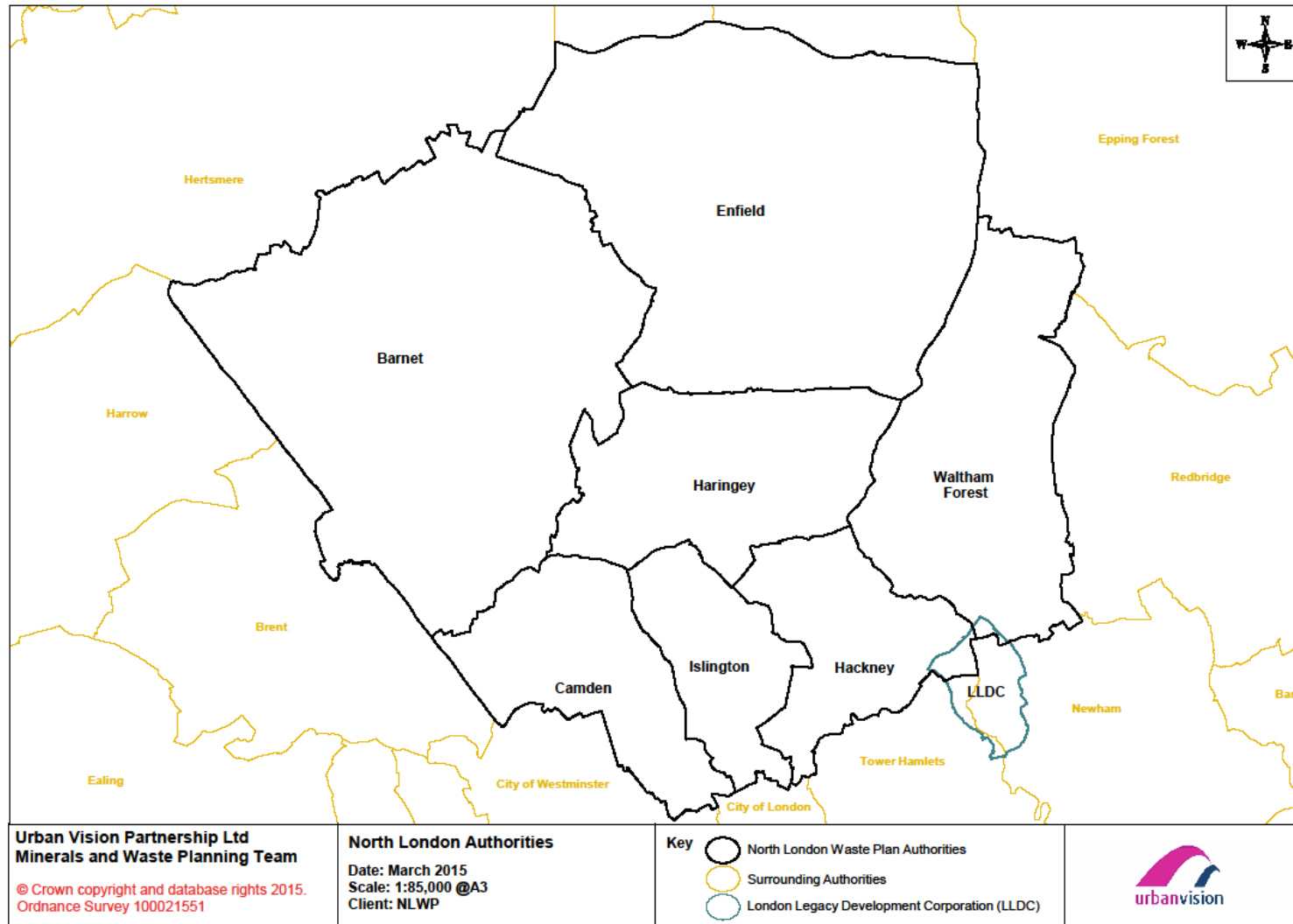
- **Local Authority Collected Waste (LACW):** Waste collected by a Local Authority, including household and trade waste;
- **Commercial and Industrial (C&I):** Waste produced by businesses and industry;
- **Construction, Demolition & Excavation (CD&E):** Waste generated as a result of delivering infrastructure projects, building, renovation and the maintenance of structures;
- **Hazardous:** A sub category of all waste streams where the material produced is hazardous and requires specialist treatment;
- **Agricultural waste:** Waste produced by farming and forestry activity;
- **Waste Water / Sewage Sludge:** Waste produced from washing, cleaning and hygienic activities to create waste water and sewage effluents; and
- **Low level radioactive waste (LLW):** Waste associated with the undertaking of x-rays and laboratory testing using low level radioactive substances.

How does the North London Waste Plan fit with other plans and strategies?

1.6 The seven North London Boroughs, as Waste Planning Authorities (WPA) are required to prepare a Waste Local Plan. This requirement comes from Article 28 of the European Union (EU) Waste Framework Directive, the National Waste Management Plan for England and the National Planning Policy for Waste (NPPW).

1.7 The NLWP is prepared in line with the requirements of the Planning and Compulsory Purchase Act 2004, the Waste (England and Wales) Regulations 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012, The National Planning Policy Framework (NPPF) and supporting Planning Practice Guidance (PPG) direct how Local Plans should be prepared and the National Planning Policy for Waste (NPPW) provides detailed requirements specific to waste plan preparation and content.

Figure 1: North London Plan Area



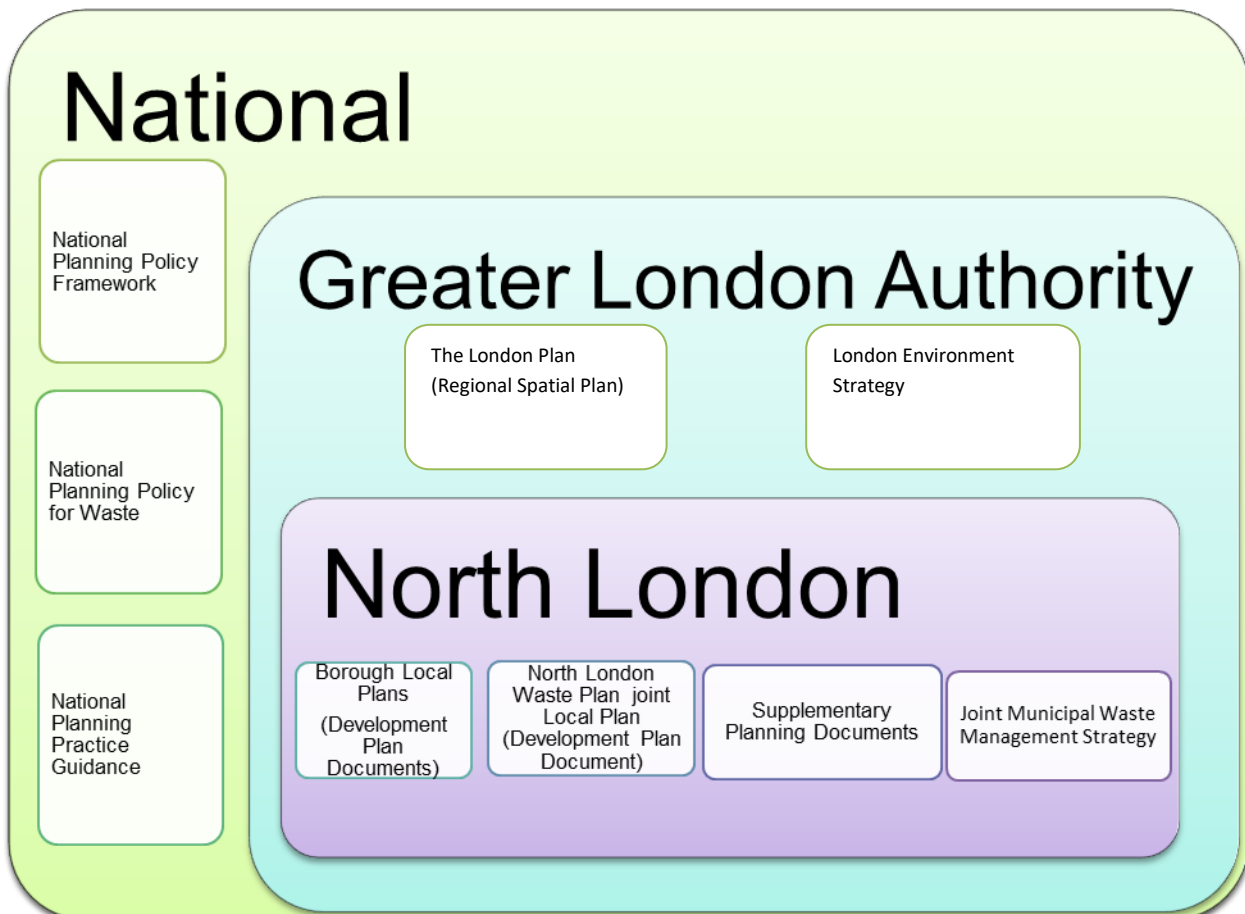
- 1.8 Once adopted, the NLWP will form part of the ‘Development Plan’ for each of the North London Boroughs which comprises the London Plan and borough Local Plans (see Figure 2). The NLWP must be in general conformity with the London Plan, which sets the strategic framework for the NLWP, and consistent with other documents in borough Local Plans. The NLWP should be read alongside other relevant policies within the wider Development Plan. The Mayor published a draft London Plan for consultation in December 2017. The Examination in public took place in early 2019 with publication of a new London Plan in March 2021. .
- 1.9 The London Plan projects how much LACW and C&I waste is likely to be generated in the capital over the next 20 years and apportions an amount of these two waste streams to each borough. The North London Boroughs have pooled their apportionments and will meet this collectively through existing sites and land allocated in the NLWP.
- 1.10 Each of the seven boroughs has a strategic waste policy as part of their Local Plan. The boroughs’ strategic waste policies defer to the NLWP to provide a more detailed planning framework for waste development across the seven boroughs. Each borough’s Local Plan may also include site allocation documents, development management policies and area action plans, as well as supplementary planning documents.

Figure 2: Documents making up the Development Plan for North London Boroughs



- 1.11 In addition to the national and regional planning policies, there are also waste strategies which impact on the development of the NLWP. The Mayor’s London Environment Strategy (2018) contains recycling targets for Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) waste which inform policies within the London Plan.
- 1.12 The North London Waste Authority (NLWA) and the seven constituent boroughs have produced the Joint Municipal Waste Management Strategy (JMWMS) (2009). The NLWA, as the Waste Disposal Authority for the NLWP area, is a key stakeholder. The NLWA is responsible for managing the household waste collected by the North London boroughs, and also for the household waste deposited at Reuse and Recycling Centres and some waste that the boroughs collect from local businesses; collectively this is known as Local Authority Collected Waste (LACW). The NLWP is required to ensure there is adequate provision for the disposal and recovery of this waste stream.

Figure 3: Hierarchy of Planning Guidance Policies and Strategies



- 1.13 Once adopted the NLWP will form part of the overarching planning framework used for the determination of planning applications relating to proposed or existing waste facilities in North London. These applications will be submitted to the Boroughs in which the facility is located. Developers will need to consider the documents highlighted in Figure 3 in making a planning application related to an existing or proposed waste facility:
- National planning policy and guidance;
 - The London Plan and Supplementary Planning Guidance;
 - The North London Waste Plan;
 - Borough Local Plan documents

What is involved in preparing the North London Waste Plan?

- 1.14 As mentioned above, the NLWP must be prepared in line with European, national, regional and local policies and guidance. Before the NLWP can be adopted by each of the Boroughs it must be examined by an independent Inspector. The Inspector will determine whether the Plan has been prepared in accordance with the duty to co-operate, legal and procedural requirements and whether it is ‘sound’.
- 1.15 The duty to co-operate, introduced by the Localism Act 2011, and requires local planning authorities and other public bodies to engage constructively, actively and on an ongoing basis to develop strategic policies. Meeting the requirements of the duty to co-operate is a key part of the plan making process for the NLWP and the North London Boroughs are working closely with other waste planning authorities that are critical for the delivery of an effective waste strategy for North London, in addition to prescribed public bodies such as the Environment Agency and the Mayor.
- 1.16 As previously highlighted, the North London Boroughs are working closely with the London Legacy Development Corporation (LLDC). The LLDC is a Mayoral Development Corporation with responsibility for securing the regeneration of an area of London focused on the former Olympic Park. The LLDC is the local planning authority, which includes waste planning, for small parts of Hackney and Waltham Forest (and other boroughs not part of the NLWP group). However, while all the Boroughs have an apportionment of waste from the Mayor under the London Plan for which they must plan and find land, the LLDC is not allocated a share of the borough apportionment. The NLWP is required therefore to plan for the quantity of waste generated across the seven boroughs including the parts of Hackney and Waltham Forest that lie within the LLDC area. In carrying out their responsibilities under the NPPW, the North London Boroughs are engaging with other planning authorities outside London which import waste from North London including the LLDC area. The NLWP cannot directly allocate sites/areas within the LLDC area as this is the responsibility of the LLDC as the local planning authority.

- 1.17 An agreement for the working relationship between the North London Boroughs and the LLDC has been drawn up. This agreement, or Memorandum of Understanding, identifies the Sites and Areas suitable for waste within the Hackney and Waltham Forest parts of the LLDC area. The LLDC's Local Plan also identifies sites and areas that are potentially suitable for waste related uses. For waste development proposals in the parts of Hackney and Waltham Forest which fall within the LLDC area, the LLDC Local Plan policies will apply. Policy IN2 of the LLDC Local Plan requires planning decisions to take full account of the policies within the adopted waste plans of the Boroughs.

Supporting Documents

- 1.18 The NLWP is accompanied by evidence base documents including a Data Study, Options appraisals, Sites and Areas report and Duty to Co-operate report. There are supporting assessments such as a Sustainability Appraisal (SA) (incorporating the requirements of the SEA Directive), Habitats Regulation Assessment (HRA), a Sequential Test Report)and Equalities Impact Assessment (EqIA). These assessments form a key element of the development of the Plan and help to ensure that the social, environmental and economic impacts of the policies developed in the Plan are assessed and taken into account in the decision making process. There are also reports on the outcomes of all consultations on the NLWP. The supporting documents can be viewed -on the NLWP website.

2 Aims and Objectives

Aim of the North London Waste Plan

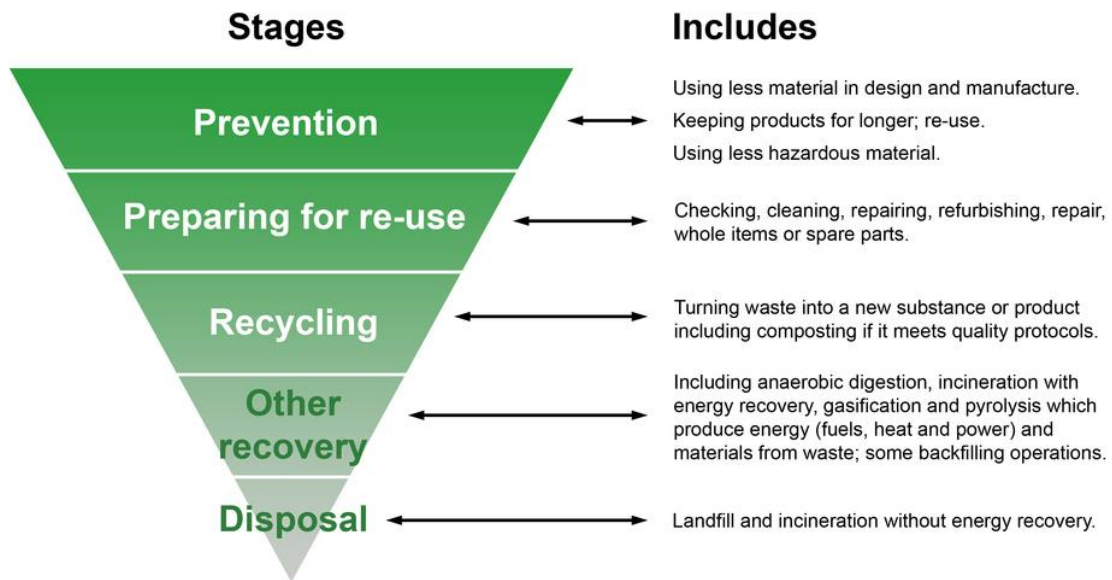
- 2.1 Waste management has an important role in achieving sustainable development. There are a number of ways to define ‘sustainable development’. The most well-known definition is ‘*development which meets the needs of the present without compromising the ability of future generations to meet their own needs*’². The UK Sustainable Development Strategy *Securing the Future* set out five ‘guiding principles’ of sustainable development:
- living within the planet’s environmental limits;
 - ensuring a strong, healthy and just society;
 - achieving a sustainable economy;
 - promoting good governance; and
 - using sound science responsibly.
- 2.2 The National Planning Policy Framework (NPPF) references these definitions and goes on to set out three objectives to sustainable development: economic, social and environmental. The North London Waste Plan (NLWP) will help achieve sustainable waste management by providing a sound basis for the provision of waste management infrastructure, contributing to the conservation of resources by improving the efficiency of processing and making better use of the wastes created within North London.
- 2.3 Each of the seven Borough Local Plans contains a vision for their area, and the aim of the NLWP links to the delivery of that vision. The NLWP therefore includes a single overarching aim and a number of objectives to deliver that aim. The Aim meets the requirements of National Planning Policy for Waste (NPPW) through providing a set of agreed priorities for delivering sustainable waste management in North London
- 2.4 The NLWP treats waste as a resource rather than as a nuisance, promoting the principles of the waste hierarchy. The Aim acknowledges that the NLWP is part of a wider but integrated approach that will help to deliver sustainable waste management in North London, alongside such measures as improved resource management, and waste prevention and reduction spanning strategies which

² Brundtland Commission, 1987 (Resolution 42/187 of the United Nations General Assembly)

influence but are outside of the planning framework. The NLWP aim and objectives reference and integrate the Waste Hierarchy which is shown in Figure 4.

Figure 4: Waste Hierarchy

The Waste Hierarchy



2.5 The aim of the NLWP is:

Aim of the NLWP

“To achieve net self-sufficiency* for LACW, C&I and C&D waste streams, including hazardous waste, seek beneficial use of excavation waste, and support a greener London by providing a planning framework that contributes to an integrated approach to management of materials further up the waste hierarchy. The NLWP will provide sufficient land for the sustainable development of waste facilities that are of the right type, in the right place and provided at the right time to enable the North London Boroughs to meet their identified waste management needs throughout the plan period”.

* Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue. Equivalent capacity will be measured by the amount (tonnes) managed for each waste stream against the projected waste arisings in Table 5.

Strategic Objectives

- 2.6 The Strategic Objectives are the steps needed to achieve the Aim of the NLWP. They are delivered through the policies in the Plan and each Strategic Objective signposts the policy or policies through which it will be met. The Strategic Objectives are as follows:

SO1. To support the movement of North London’s waste as far up the **waste hierarchy** as practicable, to ensure environmental and economic benefits are maximised by utilising waste as a resource:

Met through Policies 2, 4, 6, 7 and 8

SO2. To ensure there is **sufficient suitable land** available to meet North London’s waste management needs and reduce the movements of waste through safeguarding existing sites and identifying locations for new waste facilities:

Met through Policies 1, 2, 3, 4, , 7 and 8

SO3. To plan for **net self-sufficiency** in LACW, C&I, C&D waste streams, including hazardous waste, by providing opportunities to manage as much as practicable of North London’s waste within the Plan area taking into account the amounts of waste apportioned to the Boroughs in the London Plan, and the requirements of the North London Waste Authority, to seek beneficial use of excavation waste,, and to monitor waste exports as part of the ongoing duty to co-operate:

Met through Policies 1, 2, 3, 4, and 8

SO4. To ensure that all waste developments meet **high standards of design** and build quality, and that the construction and operation of waste management facilities do not cause unacceptable harm to the health or amenity of local residents or the environment:

Met through Policy 5

SO5. To ensure the delivery of sustainable waste development within the Plan area through the integration of **social, environmental and economic** considerations:

Met through Policies 2, 5 and 7

SO6. To provide opportunities for North London to contribute to the development of a **low carbon economy** and decentralised energy:

Met through Policy 6

SO7. To support the use of **sustainable forms of transport** and minimise the impacts of waste movements including on climate change:

Met through Policy 5

SO8. To protect and, where possible, enhance North London’s natural **environment**, biodiversity, cultural and historic environment:

Met through Policy 5

Spatial Principles

Context: Land Use in North London

- 2.7 Historically much of the employment land in North London has been in industrial use. Inevitably the restructuring from an industrial-based to a service based economy has affected land use priorities, creating a situation where the type of employment land available has changed, particularly in the inner boroughs where offices predominate. Such areas are now under pressure to help deliver high housing and employment targets. The previous use of these areas raises the risk of contamination and the need for remedial measures regardless of how the land will be used in the future.
- 2.8 Across North London as a whole the predominant land use is housing. While the outer Boroughs are characterised by traditional detached, semi-detached and terraced housing, overall across the Plan area, there is a higher proportion of flats and similar multi-tenant properties. This is particularly the case in the inner Boroughs which, consequently, have fewer gardens (and green waste) than the outer Boroughs. The differing ability of types of housing stock to incorporate waste collection infrastructure (for example recycling bins) impacts on recycling rates in North London (see section 4).
- 2.9 There are also concentrated areas of commercial activity and town centres. Parts of Camden, Hackney and Islington fall into the Central Activities Zone which covers London's geographic, economic, administrative, and cultural core spanning ten boroughs in total. The Upper Lee Valley on the east of the NLWP area includes a concentrated area of industrial activity. Each borough contains areas of industrial or employment land that are designated for this purpose. The London Plan designates Strategic Industrial Locations (SILs) and provides the strategic direction for the identification of Locally Significant Industrial Sites (LSISs) and other industrial/employment designations in Local Plans.
- 2.10 North London is one of the most densely populated areas in the UK. There are a number of drivers for change in land use in North London, in particular the need to boost housing numbers and make best and most efficient use of land around public transport modes. These pressures are likely to increase as a result of planned investment such as Crossrail 2, Stratford to Angel Road (STAR) Scheme and four-tracking on the West Anglia Mainline.
- 2.11 The Boroughs also seek to improve the health of residents and tackle deprivation. Impact on human health has been a key consideration in the development of the NLWP and is discussed in more detail in the Sustainability Appraisal (SA) which supports the NLWP. Maximising economic benefits by utilising waste as a resource is an objective of this plan. There are opportunities for job creation through the

development of new waste facilities at both the construction and end user stages. New technologies can also help to create ‘green collar’³ jobs in new waste management facilities as well as in sectors that receive recycled or reprocessed material, turning it into new products, thereby creating wealth from waste.

- 2.12 To deliver this change, the London Plan has identified Opportunity Areas and Housing Action Zones in parts of North London including parts of the Lee Valley and there may be future Opportunity Areas identified during the NLWP plan period. The Opportunity Areas overlap with land which contains existing facilities and also some of the Priority Areas for new waste management facilities identified in this Plan. Therefore, it will be important for the Boroughs to monitor changing land uses through Monitoring Indicator IN4.
- 2.13 The North London Boroughs are all focused on the challenges posed by climate change. Borough strategies are driven by the requirements to mitigate and adapt to all effects of climate change. The NLWP aims to deliver effective waste and resource management which makes a positive and lasting contribution to sustainable development and to combating climate change. In particular this includes reducing the reliance on disposal to landfill sites outside London, lowering CO₂ emissions from road transport, ensuring new waste facilities generating energy meet the Mayor’s Carbon Intensity Floor, directing new development to the most appropriate sites and taking into account the greater occurrence of urban flood events.

Spatial Principles

- 2.14 The spatial principles flow from the Plan’s Strategic Objectives and provide the strategic direction for the detailed policies of the NLWP and inform site/area selection. The principles take account of the spatial and wider policy context, the Plan’s evidence base and the views of stakeholders. The spatial principles also guide the assessment of the suitability of windfall sites under Policy 3. They reflect the complexities and realities of planning at a sub-regional level taking into account varied characteristics and functions across the seven boroughs, from densely populated urban areas to stretches of Green Belt. Competing and changing land uses, especially release of industrial land for housing, is a key issue for the boroughs.

³ Jobs in environmental sectors

- 2.15 The spatial principles set out below represent the outcome of balancing various priorities, opportunities and constraints, in particular the availability of sites/areas to achieve a deliverable distribution of waste management locations to meet identified need, whilst bringing social, economic and environmental benefits of new waste management facilities to North London.
- 2.16 The NLWP is underpinned by the following spatial principles:
- A. Make use of existing sites
 - B. Seek a better geographical spread of waste sites across North London, consistent with the principles of sustainable development.
 - C. Encourage co-location of facilities and complementary activities
 - D. Provide opportunities for decentralised heat and energy networks
 - E. Protect local amenity
 - F. Support sustainable modes of transport
- A. Make use of existing sites**
- 2.17 NPPW requires Boroughs to consider the capacity of existing operational facilities in meeting identified need. Further to this London Plan policy S18 requires boroughs, when preparing plans, to protect and facilitate the maximum use of existing waste sites.
- 2.18 In line with this and in order to recognise the valuable contribution existing waste facilities make to managing waste effectively, existing waste management capacity has provided the baseline for identifying the waste management capacity gap and the consequent need for expanded and new facilities. Existing waste management sites form an important part of the strategic waste plan for North London and are safeguarded for waste use through NLWP Policy 1 and the London Plan (see Schedule 1 in Appendix 1 for a full list of existing sites).
- 2.19 Figure 5 shows that the majority of existing waste sites are located to the east of the Plan area in the industrial parts of the Lee Valley corridor. These sites have developed over decades outside of a strategic plan for waste, and in locations which may have been suitable for waste uses but which did not create an even geographical spread across North London. This reflects the mixed function and character of the Plan area, notably in terms of significant differences among the boroughs in supply of industrial land where waste uses are generally more acceptable.
- 2.20 Three existing sites are known to be planning capacity expansion or upgrades to existing facilities (see Section 4). Most other existing sites do not have any current plans to expand capacity or change their operations but the North London Boroughs support, in principle, the expansion or intensification of operations at existing

facilities and this is reflected in Policy 1. Further guidance for industrial intensification is set out in draft New London Plan Policies E4-E7.

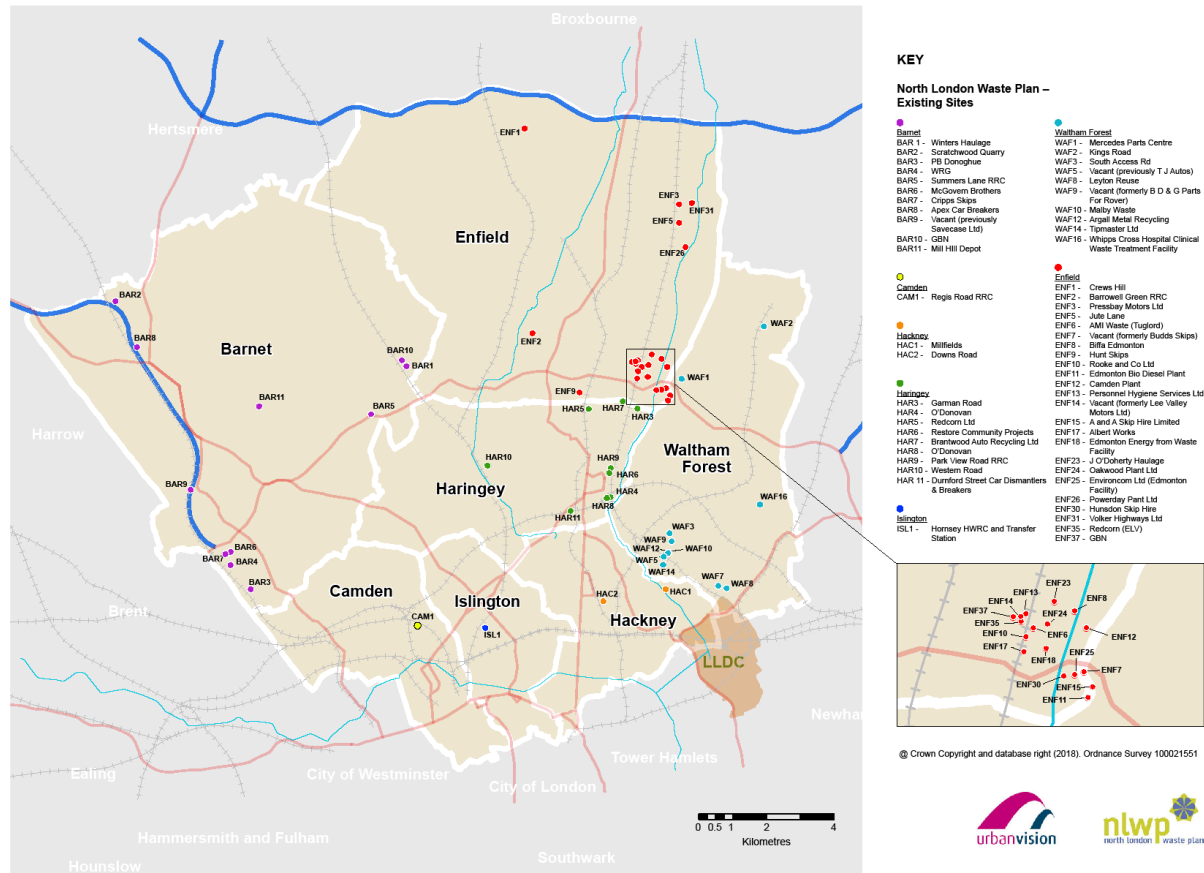
B Seek a better geographical spread of waste sites across North London, consistent with the principles of sustainable development.

- 2.21 The NLWP is underpinned by an aim to achieve net self-sufficiency for LACW, C&I, C&D waste streams, including hazardous waste. This will be achieved by identifying enough existing capacity and land in North London suitable for the development of new waste management facilities to manage the equivalent of 100% of this waste arising in North London. The objective is to reduce movements of waste, including waste exports, and increase the amount of waste managed in proximity to its source, in accordance with the principles of sustainable development. Waste is exported to a number of areas outside of North London, mainly in the south east and east of England. The strategy for achieving net self-sufficiency is set out in the Provision for North London's Waste to 2035 in section 6.
- 2.22 Net self-sufficiency does not mean that the North London Boroughs will deal solely with their own waste, nor promote use of the very closest facility to the exclusion of all other considerations. While it is desirable for waste to be treated as close as possible to its source in line with the proximity principle, the complexity of the waste management business poses challenges. Different types of waste require different types of management and facilities need to serve areas large enough to be economically viable. Consequently, the most suitable facility may not be the nearest and may well be outside of North London. In addition, facilities in North London will continue to manage waste from outside the area.
- 2.23 The current and changing character of each borough's industrial land is a consideration in identifying locations for new waste infrastructure. Larger and co-located facilities are more suited to areas with similar existing uses away from sensitive receptors. A future waste industry focused on resource management may derive positive cumulative impacts from a concentration of facilities. Conversely, the urban environments of NLWP boroughs are restricted by severe physical constraints limiting opportunities for some types of waste facilities. In addition, most waste facilities would be regarded as inappropriate development in the protected Green Belt in the north, will be largely out of bounds for any built waste facilities unless very special circumstances justifying the use of Green Belt land have been demonstrated. As population and densities in the plan area increase with projected growth, fewer areas away from sensitive receptors will be available. Continued development of waste facilities in areas which have, and continue to provide, significant waste capacity could have wider implications on the regeneration of the local economy. When choosing locations for future development, the benefits of co-location will need to be balanced against the cumulative impacts which can arise

from an accumulation of facilities in one location. Cumulative impacts can include traffic levels, noise and odours. There may be times when the cumulative impacts of several waste developments operating in an area would be considered unacceptable.

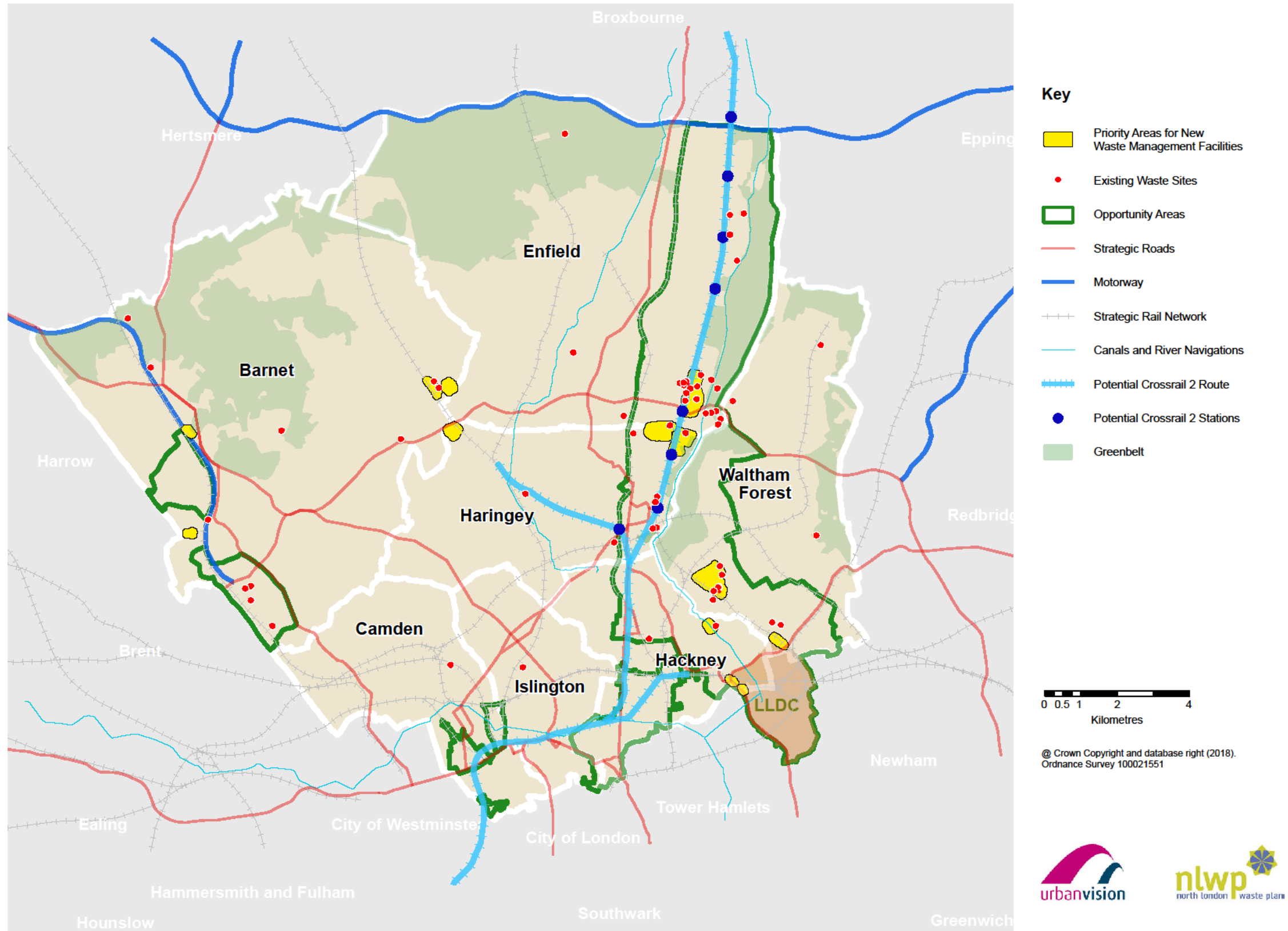
- 2.24 Figure 5 shows that there is a concentration of existing waste sites in the Lee Valley corridor, mainly in Enfield. Indeed, Enfield contributes 62% of the land currently in waste use in North London, compared to 18% in Barnet, 12% in Haringey and 5% or less in the remaining Boroughs. The NLWP has the opportunity to address concerns that there is an over-concentration of waste facilities in Enfield by promoting a better geographic spread of sites across North London and create a more sustainable pattern of waste development.
- 2.25 Any new waste development proposed in North London will be expected to be of a standard that is in keeping with and complements the existing and future planned development. By delivering STRATEGIC OBJECTIVE 2 and identifying suitable land across North London (Policy 2), the NLWP seeks to provide opportunities to manage waste as close to its source as possible, in line with the proximity principle. In promoting a geographic spread of facilities across the plan area consistent with the principles of sustainable development, the NLWP seeks to weigh the positive effects of co-location and economies of scale with the negative effects of excessive concentration of waste facilities in any one area. All North London Boroughs want to play their part in managing north London's waste and therefore support a more equitable geographical distribution across the seven Boroughs.
- 2.26 While all industrial land in North London is suitable 'in principle' for waste uses, there are certain locations which are more suitable than others to provide the waste capacity needed. Section 5 of the NLWP sets out how 'Priority Areas' for new waste facilities in North London were identified. One of the considerations was creating a better geographical spread, and this has been achieved by limiting the number of Priority Areas within Enfield. The NLWP takes an area-based approach to waste planning and identifies certain industrial and employment areas as in principle more suitable for waste use but where the land is not specifically safeguarded for waste. The area-based approach allows for flexibility in bringing forward a range of locations across North London which is combined with policy to promote areas outside Enfield first (see Policy 2). This is supported by annual monitoring to check that land for waste capacity is being taken up as anticipated (see Section 8 monitoring indicator IN3). In addition the NLWP supports the intensification of existing waste facilities where appropriate to optimise their throughput (see Policy 1).

Figure 5: Existing Waste Sites



- 2.27 In combination, existing waste sites and the 'Priority Areas' are considered a sustainable network of waste facilities because they present sufficient opportunity to meet North London's waste capacity needs and net self-sufficiency targets while promoting a better geographical spread. They will help reduce movements of waste, including waste exports and increase opportunities for waste to be managed in proximity to its source. New waste facilities will be directed towards the most suitable land in North London when assessed against the planning criteria (see Table 10) as well as the character of different areas, changing land uses and availability of suitable industrial land. Policy 2 identifies these Priority Areas in Schedules 2 and 3. Outside of the Priority Areas, where demand arises, opportunities to improve the spread of waste sites across the area are supported through Policy 3: Windfall Sites where they adhere to the site assessment criteria set out in section 5.
- 2.28 With local re-use and recycling centres (RRC) it is especially desirable to have a geographical spread that enables good access to residents. RRCs are facilities to which the public can bring household waste for free. Figure 7 shows the current network of local RRCs and a radius of two miles around them. Gaps in coverage have been identified by the NLWA in parts of the Plan area, namely Barnet and Enfield, shown outside of the two mile radius around each RRC. Any new RRC facilities will be assessed against Policy 4: Re-use and Recycling Centres.

Figure 6: Key diagram



C. Encourage co-location of facilities and complementary activities

- 2.29 NPPW requires waste plans to identify opportunities to co-locate facilities together and with complementary activities, including end users of waste outputs such as users of fuel, low carbon energy/heat and recyclable wastes. These opportunities are also associated with a move towards a more circular economy. WRAP defines the Circular Economy as *an alternative to a traditional linear economy (make, use, dispose) in which we keep resources in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life*⁴. The European Commission has published its Circular Economy package⁵, while in London the London Waste and Recycling Board has published a Circular Economy route map⁶.
- 2.30 There are several benefits of co-location of facilities. Co-location has the potential to minimise environmental impacts, take advantage of ‘economies of scale’, share infrastructure, existing networks (e.g. the rail and highway network) and skilled workforces. The concentration of waste facilities in the Lee Valley corridor provides the most promising opportunities for co-location with existing facilities. Notwithstanding this, NPPW requires the Plan to take account of the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community.
- 2.31 There are also co-location opportunities related to other industrial activities synergistic with waste management, for example the manufacturing of products from recycled materials and the development of a more circular economy. Existing waste facilities are already employing this approach as exemplified by the industries developing around the Edmonton EcoPark (Enfield) and the Plan seeks to build on the momentum by supporting this approach as a key element of the spatial principles and identifying which areas have potential for co-location. Co-location of industrial and non-industrial uses at Strategic Industrial Locations (SIL) is not supported, in line with draft New London Plan policy E5.
- 2.32 Opportunity Areas, Housing Zones and the route of Crossrail 2 could also be factors when considering co-location of facilities. These schemes are likely to intensify

⁴ <http://www.wrap.org.uk/content/wrap-and-circular-economy>

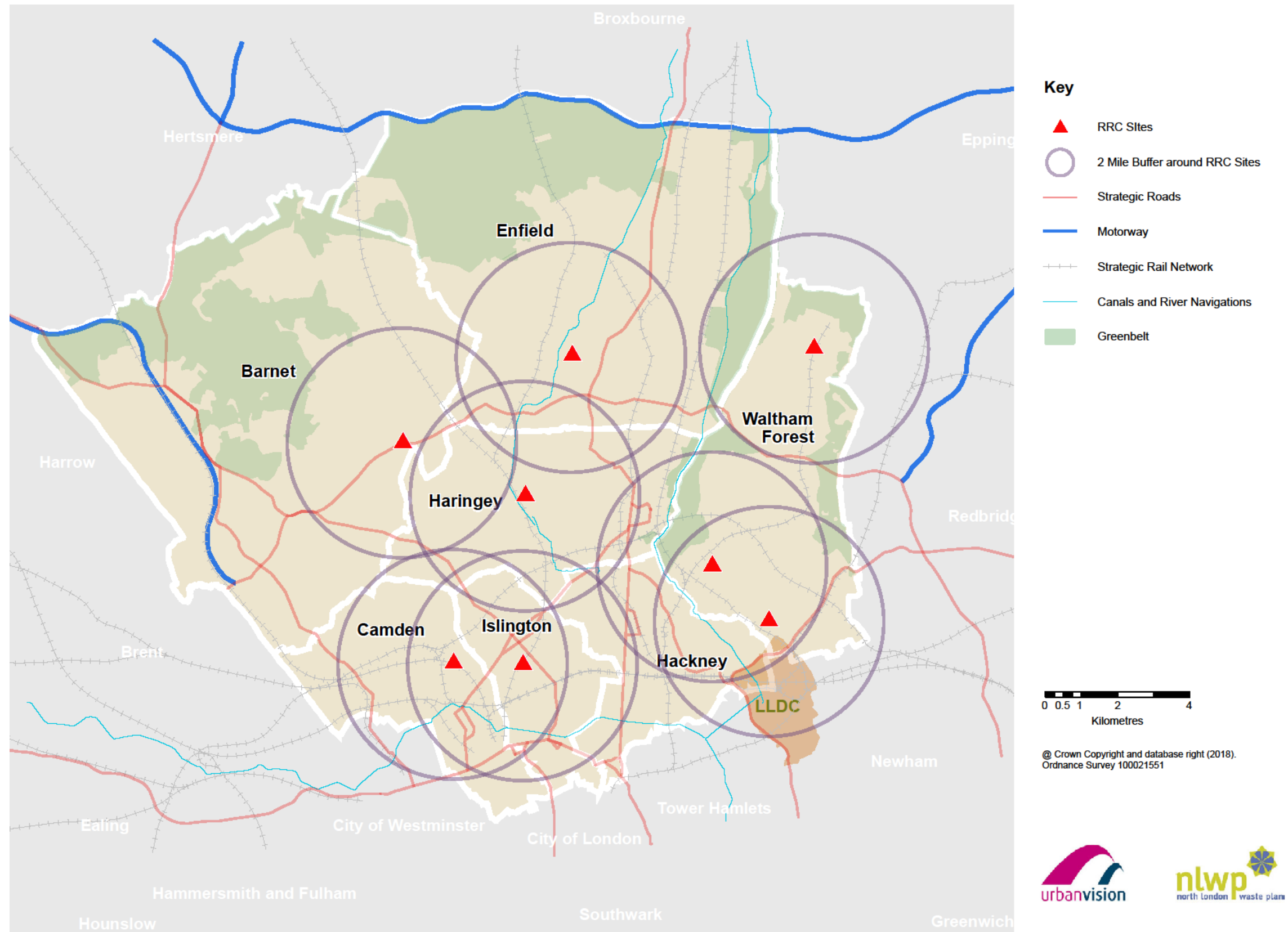
⁵ Circular Economy Package http://ec.europa.eu/environment/circular-economy/index_en.htm

⁶ <https://www.lwarb.gov.uk/what-we-do/circular-london/circular-economy-route-map/>

development, especially near to stations, and there are both resulting opportunities and threats for existing waste facilities and land identified as suitable for waste uses. The opportunities include waste facilities supplying energy to new developments and new waste facilities being incorporated into the schemes, for example an anaerobic digestion facility to deal with household food waste, and consolidation or relocation of waste uses. Risks include new uses displacing waste facilities due to incompatibility or impacts of construction. Protection for waste capacity through safeguarding, the agent of change principle and re-provision policies in the London Plan, Local Plans and NLWP Policy 1 will be a key policy tool under these circumstances.

- 2.33 Co-location of facilities with complementary activities will be encouraged through Policy 2, which directs new waste uses to Priority Areas and provides a spatial focus towards land with similar existing uses away from sensitive receptors. Policy 3: Windfall Sites allows for opportunities of locating recycling facilities near to a reprocessing plant that could use the recyclate material. Policy 5 requires developers to consider the possible benefits of co-locating waste development as well as any potential cumulative impacts.

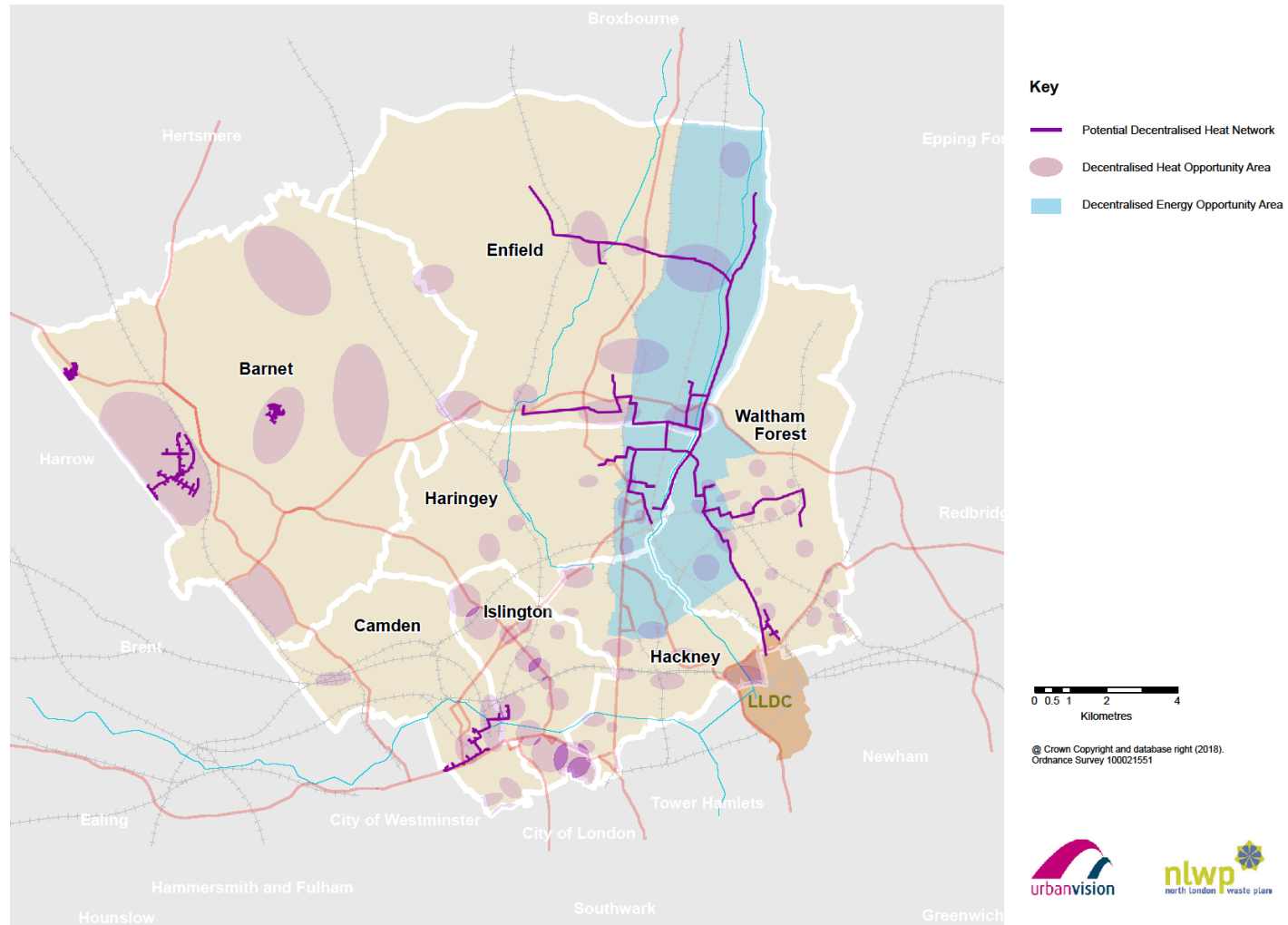
Figure 7: Current Re-use and Recycling Centres (RRC) in North London [revised]



D. Provide opportunities for decentralised heat and energy networks

- 2.34 The NPPW recognises the benefits of co-location of waste facilities with end users of their energy outputs. The London Plan Policy S18 encourages proposals for materials and waste management sites where they contribute towards renewable energy generation and/or are linked to low emission combined heat and power and/or combined cooling heat and power (CHP is only acceptable where it will enable the delivery or extension of an area-wide heat network consistent with Policy S13 Part D1e). The same policy requires facilities generating energy from waste to meet, or to demonstrate that steps are in place to meet in the near future, a minimum performance of 400g of CO₂ equivalent per kilowatt hour of electricity produced.
- 2.35 The Heat and Energy Network Diagram (Figure 8) shows where facilities could connect to a network ('decentralised heat opportunity area' and 'decentralised energy opportunity area'). There is already a relatively well-advanced plan for decentralised heat network in the Lee Valley and this offers the most promising and realistic possibility within the Plan area. The NLWP supports opportunities to develop combined heat and power networks on sites and areas, within the Lee Valley, south Barnet and elsewhere that not only have the ability to link in to the decentralised energy network but also have the potential for waste development with Combined Heat and Power. Policy 6 seeks to secure opportunities for the recovery of energy from waste where feasible.

Figure 8: Heat and Energy Networks in North London



E. Protect local amenity

- 2.36 The North London Waste Plan area includes important green space with many parks and larger areas such as Hampstead Heath, the Lee Valley Regional Park and part of Epping Forest. There are extensive areas of Green Belt in the outer areas and areas of agricultural land in Barnet and Enfield.
- 2.37 Enfield has identified Areas of Special Character where the Council will seek to preserve and enhance the essential character of the area, including landscape features such as woodlands, streams, designed parklands and enclosed farmland.
- 2.38 The Lee Valley contains an internationally important wetland habitat (Ramsar site and Special Protection Area (SPA)) as the reservoirs and old gravel pits support internationally important numbers of wintering birds as well as other nationally important species. In addition, the adjacent Epping Forest Special Area of Conservation (SAC), part of which lies in Waltham Forest, is important for a range of rare species, including mosses. There are six Sites of Special Scientific Interest (SSSI), 21 Local Nature Reserves and 307 Sites of Importance for Nature Conservation (SINC). The concentration of industrial land in the Lee Valley poses challenges for development to take into account key biodiversity issues set out in Borough Biodiversity Action Plans.
- 2.39 Throughout North London there are many areas and sites of historic interest including 172 conservation areas, over 14,000 listed buildings, registered landscapes, scheduled monuments, archaeological priority areas and as yet unknown archaeological remains. Protection for heritage assets is included in Local Plan policies and the sites/areas assessment criteria (see section 5) and policy 5.
- 2.40 The heavily developed and built up nature of North London coupled with differential values between competing land uses, and protected areas such as Green Belt presents a significant challenge in planning for waste. Expected development over the plan period will increase these pressures. For development which is perceived as likely to create more environmental risk and harm to the amenity of the local area, through factors such as noise, dust and increased traffic, the planning constraints near areas protected for their environmental value are greater.
- 2.41 Protection of groundwater is vital to prevent pollution of supplies of drinking water, while secondary aquifers are important in providing base flows to rivers. The Environment Agency has designated areas of source protection zones in a number of locations, particularly in the Lee Valley as well as implementing groundwater protection measures around boreholes in the area.

- 2.42 The protection of amenity is a well-established principle in the planning system. The NPPW requires the Boroughs to consider the likely impact on the local environment and on amenity when considering planning applications for waste facilities. Amenity includes aural (noise) and visual amenity such as open space, flora, and the characteristics of the locality including historic and architectural assets. Negative amenity impacts also include odour arising from the processing and type of waste being managed.
- 2.43 The site selection criteria set out in section 5 effectively direct waste management development to the most suitable sites/areas taking into account environmental and physical constraints, including locations where potential amenity impacts can be mitigated to an acceptable degree as well as considering cumulative impacts of additional waste facilities in already well developed areas and areas with a history of waste development. All proposed Areas have been subject to assessment in the Sustainability Appraisal and the Habitats Regulation Assessment and the findings fed into the policy recommendations
- 2.44 The protection of local amenity has been considered during the assessment of sites/areas to identify those suitable for inclusion in the NLWP. Policy 5 sets out assessment criteria for waste management facilities and deals with protection of local amenity including information requirements to support applications for waste facilities. The policy's presumption for enclosed as opposed to open air facilities is also important to the application of this principle in terms of air quality and protecting the health of residents.
- 2.45 As outlined within Policy 1, proposals for expansion or intensification of existing waste uses should not unacceptably harm the amenity of occupiers of any existing developments. The onus will be upon the developer of the new proposed development to ensure appropriate mitigation measures are put in place under the agent of change principle.
- 2.46 Policy 3 seeks to ensure that proposals for waste management facilities do not constrain areas undergoing development change, such as new transport or economic regeneration initiatives.

F. Support sustainable modes of transport

- 2.47 North London benefits from good access to the strategic road network such as the M1 and M11 and the M25. The local road network is dominated by important radial routes to the centre of London and also includes the key orbital North Circular Road (A406) which bisects the Plan area from east to west. Parts of this network experience high levels of congestion at off-peak as well as peak hours, despite the fact that part of the area lies within the London Mayor's congestion charging zone.

- 2.48 Air quality within North London is uniformly poor as a result of high levels of nitrogen dioxide and dust (NO₂ and PM₁₀ respectively) that are mainly, but not exclusively, due to road traffic. As a result, all of the councils have declared Air Quality Management Areas (AQMA) covering each Borough.
- 2.49 Three main train lines terminate at Euston, St Pancras and Kings Cross, all in Camden. The North London Line (NLL) is a commuter and nationally important freight route providing movement of material across the area. There is a planning application to replace the railhead at Hendon in Barnet that currently transports waste out of London by a new facility just to its north. Proposals for the West London Orbital line will improve rail access to the west of the area.
- 2.50 In March 2016, the National Infrastructure Commission recommended that Crossrail 2, a proposed new rail line serving six of the NLWP constituent Boroughs, should be taken forward as a priority. Transport for London and Network Rail are currently developing the scheme. Whilst the final scheme and timetable is not yet known, there is a potential for Crossrail 2 to impact upon existing or future waste management sites during the NLWP period. This is discussed further in Section 5.
- 2.51 In addition the Grand Union Canal and the Lee Navigation run through the area and provide sufficient draught to allow light cargo movements to and from industrial and other facilities close to a number of wharves along each waterway.
- 2.52 The NPPW and the London Plan require Boroughs to identify sites/areas with the potential to utilise modes of transport other than road transport. As Figure 6 shows, North London is well served by road, rail and waterway networks and waste is currently transported into, out of and around North London by both road and rail. But like many industry sectors, road is the main mode of transport for the movement of waste. There are potential opportunities for waste sites to better utilise sustainable modes of transport such as rail and waterways. Movement of waste via more sustainable transport methods is duly supported in line with STRATEGIC OBJECTIVE 7, although this may not always be practicable, especially when costs associated with investment in wharfs and rail sidings and other infrastructure which may be necessary before waste can be moved along the canal or rail network may not be economically viable, especially for smaller facilities. North London currently has one rail linked waste site (at Hendon) supporting the requirements of the NLWA, however this site is due to be redeveloped as part of the Brent Cross Cricklewood regeneration project and the NLWA's need for this railhead has changed. This is reflected in a new replacement waste transfer station (approved by Barnet Council in September 2018). A replacement rail based freight facility has also been approved as part of the Brent Cross Cricklewood regeneration scheme under planning permission 17/5761/EIA, which permits the transfer of aggregate and non-putrescible construction waste by rail. This rail transfer facility was brought into operation in

March 2020. There is also a wharf on the Lee Navigation which potentially could provide future opportunities for transportation by water at Edmonton EcoPark.

- 2.53 Road transport will continue to be the principal method of transporting waste in North London, particularly over shorter distances where this is more flexible and cost effective. The efficient use of transport networks combined with good logistics and operational practices can make a significant contribution towards the level of transport sustainability achieved. The transportation of waste as well as other traffic movements to and from sites can impact on amenity along the routes used. Policy 5 will seek to minimise such impacts where possible, for example through the use of ultra-low and zero emission vehicles. Access to transport networks including sustainable transport modes was considered when assessing the suitability of new sites and areas. Rail and water transport is particularly desirable when waste is travelling long distances. Policy 5 considers sustainable transport modes in planning decisions.

3 Current waste management in North London

3.1 This section looks at the current picture of waste management in North London, including the amount of waste generated, how and where it is currently managed; future waste arisings; the current existing capacity, types and location of facilities; capacity gaps; and how North London's waste will be managed over the plan period. how each waste stream is managed, key targets and cross-boundary movements of waste.

North London Waste Data Study

3.2 The Waste Data Study was first prepared in July 2014 and updated in July 2015 to inform the Draft NLWP. A further update in 2019 accompanied the Proposed Submission Plan. All versions of the Data Study are available to view on NLWP website (www.nlwp.net). The Waste Data Study is in three parts as shown below, with the date of the most recent version provided in brackets:

- Part One: North London Waste Arisings (2019)
- Part Two: North London Waste Capacity (2019)
- Part Three: North London Sites Schedule (2019)

Waste generated in North London

3.3 Table 2 below shows the amount of waste generated in North London for the main waste streams using the latest data from 2016. Waste arisings vary from year to year and these figures represent a snapshot in time. Figure 9 shows the proportion of each waste stream as a percentage of the total waste in North London⁷.

3.4 New A Data Study Addendum (2020) was prepared to support the Main Modifications to the NLWP. The Data Study Addendum proposes modifications to the way data is presented in the NLWP so that the reader can more readily follow the line of justification and reasoning behind the approach to waste management in North London.

3.5 Table 2 below shows the amount of waste generated in North London for the main waste streams using baseline data from 2016. Waste arisings vary from year to year

⁷ The data is taken from the Waste Data Study (2019)

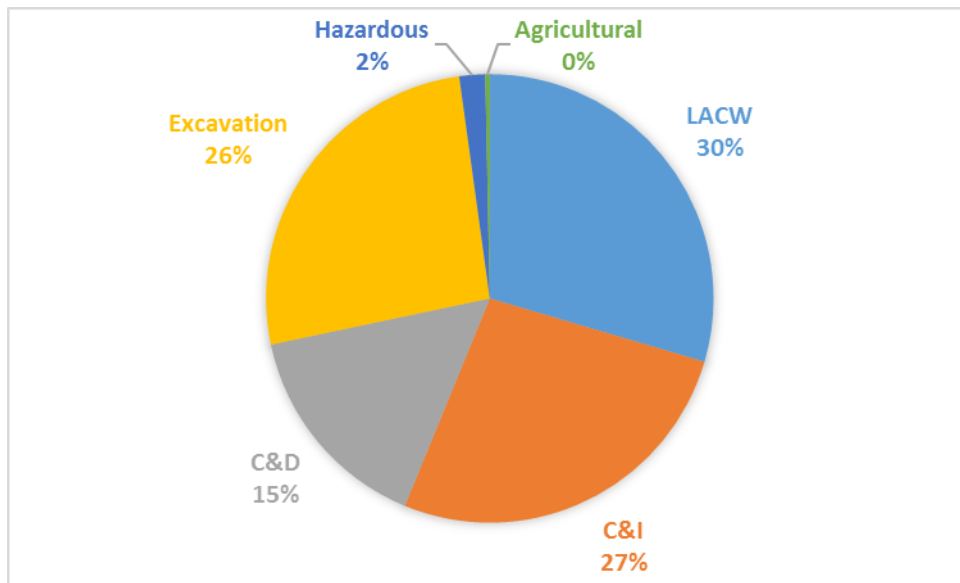
and these figures represent a snapshot in time. Figure 9 shows the proportion of each waste stream as a percentage of the total waste in North London⁸.

Table 1: Amount of Waste Generated in North London, 2016

Local Authority Collected Waste (LACW)	845,776
Commercial and Industrial Waste (C&I)	762,301
Construction and Demolition Waste (C&D)	443,180
Agricultural Waste	9,223
Hazardous waste	53,420
Excavation Waste	747,242
TOTAL	2,861,062

Source: North London Waste Data Study Update 2016

Figure 9: Waste arisings in North London 2016



Source: North London Waste Data Study 2019

⁸ The data is taken from the Waste Data Study (2019)

How North London's waste is currently managed

3.6 New Around 66% of waste generated in North London is managed in North London, excluding excavation waste. The amounts of North London's waste managed within North London and elsewhere is set out in Table 2. This section sets out how and where each waste stream is currently managed.

Table 2: The amount of North London's waste managed in North London and elsewhere (2016)

Waste stream	Waste arising	Amount managed in North London	Amount managed elsewhere in London	Amount exported to landfill outside London	Amount exported to other facilities outside London
LACW	845,776	718,900	1,000	68,900	56,900
C&I	762,301	402,900	34,600	251,600	73,000
C&D	443,180	248,000	108,225	30,200	31,000
Hazardous (HWDI)	53,420	313	12,663	8,557	31,887
Proportion		66%	7.5%	17%	9%
Excavation	747,242	52,523	335,862	265,415	82,463
Proportion		7%	45%	35.5%	11%

Source: Waste Data Interrogator (WDI) and Hazardous Waste Data Interrogator (HWDI)

Local Authority Collected Waste

- 3.7 The data for this waste stream is the most reliable. Local Authority Collected Waste (LACW) is reported annually by the North London Waste Authority (NLWA) and data from all waste authorities are published by government along with statistics. In North London, around 845,700 tonnes of LACW was collected in 2016/17⁹. Of this, approximately 224,500(27%) was recycled, reused or composted, below the 30% London average. Of the remaining LACW, 541,300 (64%) was sent to NLWA's energy-from-waste facility at Edmonton (above the London average of 60%) and 68,900 (8%) was sent to landfill outside of North London (below the London average of 12.5%). For household waste only the recycling rate was 32% which is just below the London average of 33%.
- 3.8 The NLWA has reported an increase in recycling performance for household waste from 23% in 2006/7 to 32% by 2016/17. The percentage of waste going to landfill fell from 36% in 2006/07 to 8% in 2016/17. There are a number of factors which contribute towards lower recycling rates in London than the country as a whole. These include: rapid population growth; a greater transient population than anywhere else in the UK; the greater proportion of flats compared to houses which presents challenges for setting up collection systems for recyclable waste; and proportionately fewer gardens generating lower level of green waste for recycling.

Commercial and Industrial Waste

- 3.9 The Waste Data Study has used two methods to identify C&I waste arisings. The first is to use data from the Defra C&I Waste Survey 2009 in line with the London Plan to assess the management routes of North London's C&I waste. The second is to use the method based on published data from the Environment Agency's Waste Data Interrogator (WDI), introduced in 2014¹⁰. The Boroughs have used the 2014 'WDI methodology' for this plan. This method of calculation indicates that around 760,000 tonnes of C&I waste was generated in North London in 2016. Of this, 335,400 tonnes (44%) of C&I waste was recycled, reused or composted while 251,600 tonnes (33%) of this waste stream was sent to landfill and land recovery.

⁹ Figures from the [NLWA Annual Monitoring Report 2016-17](#) and [ENV18 - Local authority collected waste: annual results tables](#)

¹⁰ [New Methodology to Estimate Waste Generation by the Commercial and Industrial Sector in England, DEFRA August 2014](#)

Around 29,600 tonnes (17%) was sent for thermal treatment with energy recovery and a small proportion (6%) of C&I was sent for non-thermal treatment. A high proportion of this waste (around 43%) is currently exported from London. .

Construction, Demolition and Excavation Waste

3.10 Local planning policies and development industry practice mean a lot of C&D material is managed on site and does not enter the waste stream. A total of 443,180 tonnes of C&D waste and 747,243 tonnes of excavation waste was produced in North London in 2016. The largest proportion of C&D waste arising in North London is managed via recycling (73%) and treatment (20%) facilities, with 7% sent directly to landfill. Recycling rates of C&D waste are high due to the nature and value of the material and most of this takes place in North London or elsewhere in London. Excavation materials are primarily disposed of outside North London directly to landfill (53%) with the remainder managed through transfer stations (28%) or sent for treatment (19%).

Hazardous Waste

3.11 A total of 53,420 tonnes of hazardous waste was produced in 2016, of this waste 40% was managed at treatment facilities, of which the majority was exported for treatment outside of North London. The next most common method of management was recovery (20%), with a further 16% being managed at landfill. Of the total hazardous waste arisings, 53,107 tonnes (99.4%) of waste was exported out of North London for management. It is not unusual for hazardous waste to travel outside the area to specialist facilities which tend to have a wider catchment area.

Agricultural Waste

3.12 A total of 9,223 tonnes of Agricultural waste was produced in 2016, with only 125 tonnes being identified as being managed off site. The majority of agricultural waste arisings are managed within the limited number of farm holdings within the Plan area, with a very small amount managed offsite through commercial waste facilities. As such, the NLWP does not seek to identify sites for additional facilities to manage this waste stream; any facilities which do come forward on farm land would be considered against Policy 3 'Windfall sites'.

Low Level Non-Nuclear Radioactive Waste

3.13 The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London, mainly from hospitals, is currently managed outside of the area in specialist facilities. Records of LLW in the sub-region indicate that there are currently 16 sites producing LLW as waste water, with a number of the amounts

generated being below the reporting threshold, which is measured in terms of radioactivity.

Waste Water and Sewage Sludge

- 3.14 Waste Water Treatment Works in North London are operated by Thames Water. The main Thames Water Waste Water/sewage treatment facility in North London is Deephams Sewage Treatment Works (STW), which is the ninth largest in England. The site is to be retained and improved for waste water use and planning permission has been granted for an upgrade to the effluent treatment stream. Thames Water anticipates that the recently constructed upgrade to Deephams STW will provide sufficient effluent treatment capacity to meet their needs into the next decade. However, this will be reviewed in future AMP periods to ensure ongoing capacity in relation to population growth. Further details can be found in section 4.

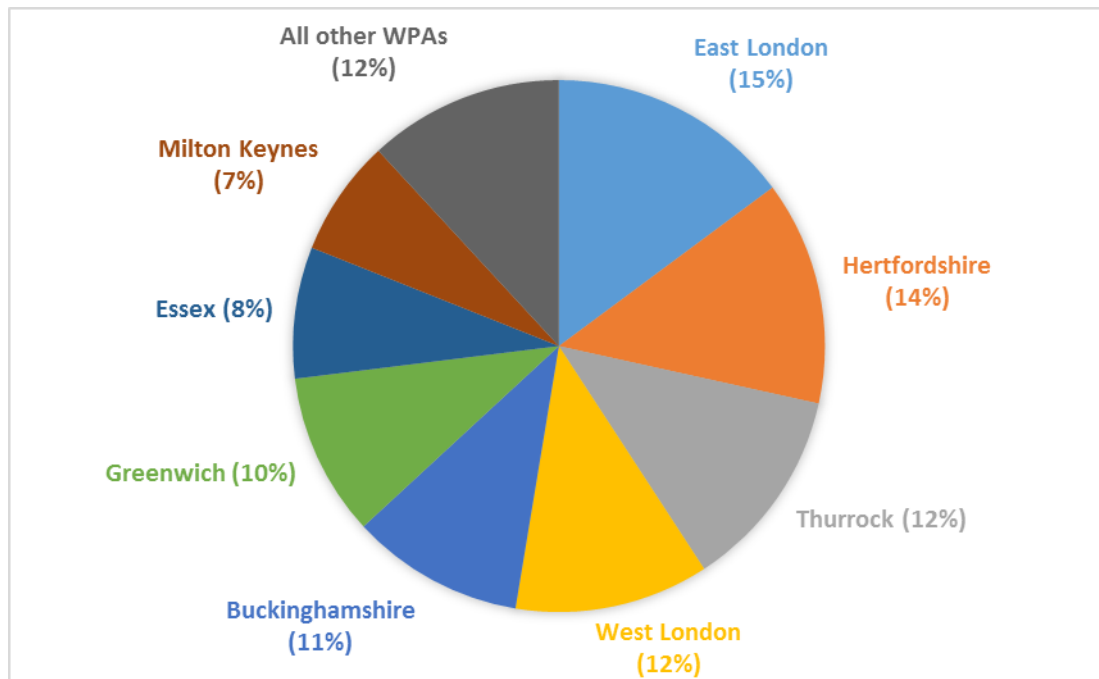
Cross Boundary Movements (exports and imports)

- 3.15 North London does not have all the types of facilities necessary to manage all the sub-types of waste arising within the main waste streams shown in Table 2. For example, there are few specialist hazardous waste facilities and no landfill sites in North London and so waste which requires these types of facilities will continue to be exported. Exports of waste arising in North London will need to be balanced out by an equivalent amount of additional capacity within North London.
- 3.16 Some of this capacity will be provided by existing facilities which import waste from outside North London. In 2016, around 1 million tonnes of waste was imported in to North London. Most of the imported waste comes from immediate neighbours in Greater London, the South East and East of England and is managed in transfer stations, treatment facilities and metal recycling sites. The type of facilities in North London with a wider-than-local catchment area include recycling and treatment facilities, in particular metal recycling and end of life vehicle (ELV) facilities as well as facilities for the processing of CDE into recycled aggregate products for resale. Waste will continue to be imported into North London over the plan period in line with market demands.
- 3.17 In 2016, around 1.4 million tonnes of waste was recorded as exported from North London, 675,788 tonnes of which went to landfill. Most of the waste deposited to landfill was excavation waste (65%) followed by LACW/C&I (35%). Exports of LACW to landfill have been steadily declining in recent years, in line with the waste strategies of the London Mayor and the North London Waste Authority which aim to reduce the amount of waste going to landfill. Data for hazardous waste exports to landfill is shown from both the Waste Data Interrogator (WDI) and the Hazardous Waste data Interrogator (HWDI). The HWDI is the more accurate of the two for

hazardous waste, but the total exports to landfill figure is taken from the WDI only. Exports of CD&E waste generally follow patterns of waste arising, so when more CD&E waste is generated, more is exported.

- 3.18 Local planning authorities have a duty to cooperate with each other on strategic matters that cross administrative boundaries. Exports of waste from one waste planning authority to another is a strategic cross-boundary matter and is an important consideration in assessing the effectiveness of the NLWP. It is therefore important to understand the destination of North London’s waste exports and to understand any issues which could prevent similar amounts of waste being exported in the future.
- 3.19 Although North London is planning for capacity to meet the equivalent of 100% of its waste arisings, North London has no landfill sites and is not planning to open any landfill sites. This means that waste arising in London which cannot be recycled or recovered and can only be disposed of to landfill will continue to do so. Table 5 identifies the amount of waste which is expected to be disposed of to landfill over the plan period and this will form part of the annual monitoring to ensure that duty to co-operate engagement takes place if there are significant changes from current and anticipated waste exports to landfill.
- 3.20 It should be noted that exports from and imports into North London are not a measure of North London’s net self-sufficiency. Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste need in North London, while recognising that some imports and exports will continue. For most waste streams, the market dictates where the waste is managed, however the more capacity there is within North London, the more opportunity for North London’s waste to be managed within its own boundaries.
- 3.21 During 2013-2016 waste exports from North London were deposited in more than 70 different waste planning authority areas but the majority (88%) went to eight main destinations. These are shown in the Figure 10 below:

Figure10: Destinations of Waste Exports from North London



Source: WDI 2013-2016

- 3.22 As part of discharging the ‘duty to co-operate’, the North London Boroughs have contacted all waste planning authorities (WPA) who receive waste from North London to identify any issues which may prevent waste movements continuing during the plan period. A Report on the duty to co-operate, issues identified and next stages accompanies this Plan and is available on the NLWP website.
- 3.23 In particular, the North London Boroughs have engaged with each of the main recipients of North London’s waste to landfill and identified if there are planning reasons why similar exports of waste cannot continue over the plan period, for example the planned closure of a site. . .
- 3.24 Engagement to date has identified a constraint to the continuation of waste exports to landfill from North London relating to the scheduled closure of some landfill sites during the plan period, though the operation of some of these sites may be extended beyond their currently permitted end date. This work is set out in the Duty to Co-operate Report.
- 3.25 It is recognised that non-hazardous landfill capacity in the wider south east is declining and no new non-hazardous landfill sites are being put forward by waste operators. A small number of new inert waste sites are being put forward in former mineral works. The lack of landfill capacity in the wider south east is an issue for all WPAs preparing plans and there is a continuing need to plan to manage waste

further up the waste hierarchy to help reduce the need for landfill capacity. The destination of waste is largely dependent on market forces and therefore it is not possible to identify specific alternative destinations where North London's waste will go after the closure of landfill sites during the plan period. The North London Boroughs have established that there is opportunity for the market to find alternative destinations in the wider south east for any of North London's 'homeless' waste in the short term. In the longer term, beneficial use of excavation waste and the Circular Economy Statements will assist the North London Boroughs to reduce exports of waste to landfill and monitor the destinations of waste exports.

- 3.26 A further constraint for the continued export of waste has been identified with regard to hazardous waste, namely a lack of detailed data on where it ends up. This type of waste is managed in specialist facilities which have wide catchment areas and therefore may not be local to the source of the waste. North London has hazardous waste capacity of around 4,250 tonnes per annum, mainly for end of life vehicles. The treatment facilities handle a small proportion of North London's hazardous waste (around 8%) while the rest (92%) is exported.
- 3.27 While the export of the majority of hazardous waste to the most appropriate specialist facilities is likely to continue, current data collection methods do not identify the hazardous waste facilities in question. No planning issues have been identified which will prevent North London's hazardous waste continuing to be managed at specialist hazardous facilities in any of the areas which receive significant amounts of hazardous waste exports from North London.
- 3.28 The boroughs will continue to monitor hazardous waste exports from North London and engage with waste planning authorities who receive strategic amounts of North London's waste when and if there are any substantial changes which may affect waste planning in their area.

4 Future Waste Management Requirements

Context

- 4.1 In line with the NPPW and the London Plan, the NLWP must identify sufficient waste management capacity to meet the identified waste management needs of North London over the plan period.
- 4.2 It follows that a key part of the development of the NLWP is to identify how much waste will be produced during the plan period, how this will be managed, what capacity is required and whether there is sufficient capacity already available. The NLWP must also consider how changes in the waste management behaviours, practices and technologies may influence this.

Targets for North London's waste management

- 4.3 The North London Boroughs have statutory duties to meet recycling and recovery targets and the NLWP will need to be ambitious in order to achieve European Union, national, regional and local targets. These targets taken from the London Plan (March 2021) are as follows:

Table 3: Recycling and Recovery Targets with 2016 Baseline

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

Local Authority Collected Waste

- 4.4 The North London Boroughs and the NLWA are committed to achieving the 50% recycling by 2025 target set out in the Mayor’s Environment Strategy. The North London Boroughs, together with the NLWA, are beginning a renewed drive to increase recycling including looking at ways to standardise collection regimes. In addition, the London Waste and Recycling Board (LWARB) works with London Boroughs to increase recycling rates and supports waste authorities in improving waste management services.
- 4.5 The NLWA’s long term waste management solution is based upon the continued use of the existing Edmonton facility until 2025 and the development of a new energy recovery facility on the same site to be operational from 2025 onwards. Further information on how it has informed the NLWP is set out in section 4.
- 4.6 The European Commission has put forward a Circular Economy Package¹¹. This includes a 65% recycling target for municipal waste (LACW and C&I) by 2030. Notwithstanding the UK leaving the EU, the UK has signed up to delivering these targets as part of Brexit. The Circular Economy Package (CEP) recycling target of 65% municipal waste by 2030 has been superseded by the London Environment Strategy (LES) published in May 2018 in time to be incorporated into the NLWP. The LES aims to achieve 65% recycling from London’s ‘municipal’ waste by 2030; this will be achieved through a 50% recycling rate from LACW by 2025 (LES Policy 7.2.1) and 75% from business waste by 2030 (LES policy 7.2.2). This is a collective target across the whole of London. The LES therefore goes further than the CEP by bringing forward London’s LACW recycling target to 2025. The LES states that the Mayor expects waste authorities to collectively achieve a 50 per cent LACW recycling target by 2025 and aspire to achieve 45% household waste recycling by 2025 and 50% by 2030. Responsibility falls largely to London Boroughs in their capacity as waste collection and waste disposal authorities. The NLWA are expected to contribute to the Mayor’s targets and produce a waste strategy to show they are acting in conformity with the LES policies and proposals (see LES Box 36).

¹¹ European Commission Circular Economy Package http://ec.europa.eu/environment/circular-economy/index_en.htm

- 4.7 Waste minimisation seeks to reduce the amount of waste produced by targeting particular behaviours and practices. As shown in Figure 4, preventing waste generation in the first place sits at the top of the waste hierarchy.
- 4.8 The London Environment Strategy prioritises resource efficiency to significantly reduce waste and promotes reuse and repair. LWARB’s ‘Circular Economy route map’ exemplifies a move towards a more resource efficient waste service. The route map builds on the 5 focus areas (the built environment, food, textiles, electricals and plastics) and sets out 8 cross cutting themes to ensure the benefits of a circular economy can be achieved across a number of sectors.
- 4.9 The North London Boroughs co-ordinate waste prevention activity through the NLWA’s waste prevention plan. The NLWA run waste minimisation activities for schools and communities. These are delivered through the NLWA’s “Wise up to Waste” programme and currently focuses on three priority areas: reducing food waste, encouraging a reduction of furniture waste by increasing re-use, and reducing textile waste (both clothing and non-clothing).

Commercial and Industrial Waste

- 4.10 Through the London Environment Strategy, the Mayor is seeking to make London a zero waste city with no biodegradable or recyclable waste sent to landfill by 2026 and by aiming to achieve 65% recycling from London’s ‘municipal’ waste by 2030; this will be achieved through a 50% recycling rate from LACW by 2025 (Policy 7.2.1) and 75% from business waste by 2030 (policy 7.2.2). This is a collective target across the whole of London. The Mayor has also said that he does not expect there to be a need for any new energy from waste capacity if existing planned sites are completed (policy 7.3.2.b). The Mayor has also indicated that he will use his powers to ensure there are sufficient sites to manage London’s waste. The Environment Strategy embraces the principles of the Circular Economy requiring manufacturers to design products to generate less waste and which can be easily repaired, reused and recycled, and the strategy encourages the development of business to facilitate this.
- 4.11 There are a number of national schemes which promote waste minimisation. This includes the [Courtauld Commitment](#) which aims to reduce food waste, grocery packaging and product waste, both in the home and the grocery sector by 20%, the Mayor’s Environment Strategy seeks to go further by setting a target of 50% reduction per head by 2030.

- 4.12 European Commission Circular Economy Package¹² include increased recycling targets for packaging materials in the commercial and industrial sectors of 65% by 2025 and 75% by 2030. The UK has committed to delivering the Circular Economy targets as part of Brexit.

Construction, Demolition and Excavation Waste

- 4.13 The draft New London Plan(December 2019) includes a target of 95% reuse/recycling/recovery of C&D waste and 95% beneficial use of excavation waste.. Beneficial use could include using excavated material within the development, or in habitat creation, flood defences or landfill restoration. Preference should be given to using the materials on-site or within local projects.

Hazardous Waste

- 4.14 There are a number of initiatives in place to ensure better implementation of EU waste legislation, including on hazardous waste. None of the circular economy proposals referred to 5.13 announced by the European Commission in December 2015 will affect the NLWP strategy for hazardous waste.

Options for modelling North London's future waste arisings

- 4.15 In accordance with the NPPF (paragraph 35) to ensure the NLWP is justified, a range of options were tested as part of the consideration of reasonable alternatives for modelling North London's waste arisings over the plan period. Analysis of and consultation on these options led to the selection of a preferred strategy. These options seek to reflect the effects of future economic activity, including fiscal, financial and legislative factors such as landfill tax charges driving waste away from landfill, and financial incentives such as ROCs (Renewable Obligations Certificates) increasing the competitiveness of energy recovery. Employment growth is based on demographic projections of employment in the London Plan using North London Borough employment projections and is applied to the growth rates for the C&I and CD&E streams. For the LACW stream, the NLWA have provided the projections which have been used to inform the proposed application for a Development Consent Order to enable them to develop and operate an Energy Recovery Facility (ERF) at

¹² http://ec.europa.eu/environment/circular-economy/index_en.htm

the Edmonton EcoPark from 2026. The scenarios considered are summarised in Table 4, with the preferred scenarios highlighted.

Table 4: Options considered for forecasting North London’s waste arisings and need

LACW	C&I	C&D	Excavation	Hazardous	Agricultural
Capacity options					
Meeting the London Plan apportionment	Meeting the London Plan apportionment	Baseline (no change)	Baseline (no change)	Baseline (no change)	Baseline (no change)
Net self-sufficiency	Net self-sufficiency	Net self-sufficiency	Managing as much as possible in North London	Net self-sufficiency	
Self-sufficiency	Self-sufficiency	Self-sufficiency		Self-sufficiency	
Growth Options					
	No growth (0% pa)	No growth (0% pa)	No growth (0% pa)	No growth (0% pa)	No growth (0% pa)
	Minimised growth (0.40% pa)	Minimised growth (0.40% pa)	Minimised growth (0.40% pa)	Minimised growth (0.40% pa)	

LACW	C&I	C&D	Excavation	Hazardous	Agricultural
NLWA Waste Forecasting Model ¹³	Growth (0.81% pa)	Growth (0.81% pa)	Growth (0.81% pa)	Growth (0.81% pa)	
Management Options					
	Baseline (no change)	Baseline (no change)	Baseline (no change)	Baseline (no change)	Baseline (no change)
	Median 80% recycling by 2035 16% Energy Recovery by 2035 4% to Landfill by 2035	Median 85% recycling 9% treatment 6% landfill			

¹³ [The NLWA Forecasting Model is summarised here](#)

LACW	C&I	C&D	Excavation	Hazardous	Agricultural
NLWA Forecasting model Central Scenario	Maximised	Maximised	Maximised		
44% recycling by 2035	85% Recycling by 2035	95% recycling / recovery / reuse	95% beneficial use		
(50% HH recycling by 2035)	12% Energy Recovery by 2035	5% landfill	5% landfill		
55% Energy Recovery by 2035	3% to Landfill by 2035				
1% landfill					

4.16 Further details of these options is available in NLWP Data Study 2. An Options Appraisal Report (2019) has also been prepared which provides more detail on each of the options considered and provides information on the different scenarios including how much waste would be generated over the plan period (incorporating economic and population growth assumptions), how much waste could be managed within North London (net self-sufficiency options), and how this waste should be managed (management options) for each of the options considered. Meeting North London’s LACW, C&I and C&D waste arisings, including hazardous waste, was the preferred net self-sufficiency option because it is compliant with national legislation on managing all main waste streams. In addition, it demonstrates to neighbouring authorities outside London that North London intends to manage as much of its own waste as possible and reduce exports. Growth of 0.81% was chosen as the preferred option because GLA evidence and projections anticipate substantial population and economic growth in London over the next few decades. Maximised Recycling was chosen as the preferred option for the management strategy because it aligns with national, regional and local recycling targets. This option also means that more waste will be managed further up the waste hierarchy with more opportunity to divert waste away from landfill.

4.17 The chosen approach for the NLWP following the option appraisal can be summarised as follows:

Chosen Approach for planning for North London's waste

Population/Economic Growth in line with London Plan forecasts

+ Maximising Recycling

+ Net self-sufficiency for LACW, C&I and C&D by 2026 (including hazardous waste)

= Quantity of waste to be managed

- 4.18 It is considered that this approach provides the most robust modelling scenario to project future capacity gaps, taking account of existing/planned capacity, and waste management needs.
- 4.19 The results of the modelling of the preferred strategy for waste arisings over the plan period is set out in Table 5 below. The baseline data for these projections are the waste arisings figures set out in Table 2 of this plan. These figures represent two sets of projections. The first is how North London's waste is most likely to be managed over the plan period, aligned with the levels in the waste hierarchy (see STRATEGIC OBJECTIVE 1). While some of North London's waste will still be exported for management or disposal to landfill, the aim of the NLWP is to deliver the equivalent capacity for LACW, C&I, C&D and hazardous waste within its administrative borders. Therefore Table 5 also shows the total amount of waste arising in North London which the Boroughs need to provide capacity for (net self-sufficiency). This is in line with STRATEGIC OBJECTIVE 3 which is to plan for net self-sufficiency by providing opportunities to manage as much as practicable of North London's waste within the Plan area. Prevention and re-use also have a part to play, but in terms of waste management capacity in North London, recovery and recycling will play the most substantial part.
- 4.20 Table 8 sets out waste arisings over the plan period and how much of the total will need to be recycled to meet the Mayor's targets shown in Table 3. The LACW figures in Table 5 are taken from the NLWP data study which reflects the NLWA modelling. The NLWA model is based on achieving 50% household waste recycling. Over 80% of total LACW is household waste and the remainder is mostly business waste. The NLWA model assumes business waste recycling improves gradually over time as business waste recycling continues to be encouraged and recycling behaviours change. The combined household and business waste recycling rate in the NLWA model is 44%. In order to meet the Mayor's target of 65% recycling of municipal

waste by 2030, around 85% of the ‘municipal’ portion of the C&I waste stream needs to be recycled. The ‘municipal’ portion of the C&I waste stream is estimated to be around two thirds of the total¹⁴. The recycling rates for the municipal portion of the C&I waste stream rise to 85% by 2030 which, together with household and business waste recycling in the LACW waste stream, achieves 65% recycling of municipal waste by 2030 in line with the Mayor’s target. The C&D waste stream has a recycling rate of 95% and excavation waste a beneficial use rate of 95% in line with the London Plan targets.

Table 5: Projected arisings and management of North London’s waste 2020-2035

Waste Stream	Facility Type	2020	2025	2030	2035
LACW	Recycling	418,169	424,049	430,280	436,824
LACW	Recovery (EfW), Treatment	566,872	572,856	579,725	587,352
LACW	Landfill	2,000	2,000	2,000	2,000
Total LACW arisings (capacity required for net self-sufficiency)		987,041	998,905	1,012,005	1,026,176
C&I	Recycling	525,853	566,563	609,743	634,983
C&I	Recovery (EfW), Treatment	152,448	142,523	131,513	136,957
C&I	Landfill	109,139	110,951	112,726	117,392
Total C&I waste arisings (capacity required for net self-sufficiency)		787,440	820,037	853,982	889,332
C&D	Recycling	435,054	453,063	471,816	491,347
C&D	Landfill	22,742	23,683	24,664	25,685

¹⁴ Separate figures for municipal and other C&I waste are set out in the Data Study Addendum Appendix A: Waste arisings forecast scenario taken forward in the NLWP.

Waste Stream	Facility Type	2020	2025	2030	2035
Total C&D waste arisings (capacity required for net self-sufficiency)		457,796	476,746	496,480	517,032
Hazardous	Recycling	16,838	16,838	16,838	16,838
Hazardous	Recovery, Treatment	23,846	23,846	23,846	23,846
Hazardous	Landfill	12,737	12,737	12,737	12,737
Total Hazardous waste arisings (capacity required for net self-sufficiency)		53,421	53,421	53,421	53,421
Excavation	Beneficial use, Recycling, Treatment	733,294	763,647	795,257	828,176
Excavation	Landfill	38,594	40,192	41,856	43,588
Total Excavation waste arisings		771,888	803,839	837,113	871,764
Agricultural	Recycling	89	89	89	89
Agricultural	Recovery, Treatment	9,130	9,130	9,130	9,130
Agricultural	Landfill	4	4	4	4
Total Agricultural waste arisings		9,223	9,223	9,223	9,223

Existing Capacity

4.21 Table 3 below summarises the existing (2016) capacity of North London's waste management facilities by type of facility and waste stream managed. It identifies an existing waste management capacity of just over a million tonnes per annum of recycling/composting for the LACW and C&I waste streams, just under 600,000 tonnes per annum of energy recovery for LACW, around 630,000 tonnes per annum of recycling and treatment for CD&E waste, and about 4,250 tonnes of hazardous waste capacity. . Figure 5 shows the location of the facilities represented in Table 6 and a full list is in Appendix 1.

Table 6: Existing Annual Capacity at Licensed Operational Waste Management Facilities

Type of capacity		Waste stream	Existing capacity (2016)
Management	Recycling / Composting / Treatment	LACW / C&I	1,062,424
		CD&E	633,436
		Hazardous	4,252
	Energy Recovery	LACW / C&I	597,134
	Transfer	All	1,225,068
	Landfill	All	0

Source: Waste Data Interrogator and Hazardous Waste Data Interrogator 2012-2016

4.22 The London Plan defines the technologies and processes which constitute ‘managing’ waste and these have been applied to North London’s facilities when calculating capacity. Only facilities which recycle and compost waste or recover energy from waste count towards waste ‘management’ in North London. Transfer Stations are therefore excluded from this total, although many facilities categorised as ‘transfer stations’ do some recycling and where recycling takes place at transfer stations this has been noted in the site profiles and added to the total in Table 6.

Changes to Capacity over the Plan Period

4.23 Waste management capacity in North London will change over the plan period with some facilities moving or closing down and new facilities being built. This section sets out what we currently know about such changes.

Edmonton EcoPark

4.24 A Development Consent Order (DCO) has been approved by the Secretary of State for a new Energy Recovery Facility (ERF) which will manage the treatment of the residual element of LACW during the NLWP plan period and beyond. The existing Edmonton EfW provides just under 600,000 tonnes of waste management capacity per annum and the new facility will provide around 700,000 tonnes per annum. This

is an additional 100,000 tonnes which has been built into the calculation for the capacity gap.

- 4.25 The NLWA's DCO allows for the loss of the composting plant at the Edmonton EcoPark site in 2020 to make way for the new ERF facility to be built whilst maintaining the current EfW operation and the NLWA are not intending to build a replacement facility. This will result in a capacity loss of around 35,200 tonnes per annum. This has been built into the calculation of the capacity gap. The development also includes a Resource Recovery Facility (RRF) including a new Reuse and Recycling Centre (RRC), a relocated transfer hall and a bulky waste/fuel preparation facility on the site.

Powerday

- 4.26 Powerday in Enfield is an existing site currently operating as a Waste Transfer Station. Planning permission was granted for an upgrade to a Materials Recovery Facility (MRF) capable of handling 300,000 tonnes of C&I and C&D waste per annum and the new facility was opened in 2015. However, this increase in capacity has not yet happened and it is not clear if the planning permission will be implemented. Therefore this has not been added to the pipeline capacity, however throughput for the site will be monitored and if additional capacity comes online it will be used to close the capacity gap.

Loss and re-provision of existing waste management facilities

- 4.27 Where existing sites need to be relocated, compensatory capacity is required in order to comply with the London Plan, Borough Local Plans and, once adopted, the NLWP. It is known that some waste sites in North London will be redeveloped for other uses as part of the Brent Cross Cricklewood Regeneration scheme. . This information has been highlighted in Schedule 1.
- 4.28 The Brent Cross Cricklewood Regeneration Area (BXC) includes four existing waste sites, comprising a NLWA transfer station and three commercial operations. These are BAR3 PB Donoghue, BAR4 Hendon Transfer Station, BAR6 McGovern, and BAR7 Cripps Skips. These sites will be redeveloped under the planning permission for the regeneration of Brent Cross Cricklewood (Barnet planning application reference F/04687/13). The Hendon Rail Transfer Station (BAR 4) will be replaced with a new facility to meet the NLWA's requirements; planning permission for a new Waste Transfer Station (WTS) at Geron Way was granted by Barnet Council in September 2018 (Barnet planning application reference 17/6714/EIA). The existing commercial facilities at BAR 6 and BAR 7 fall within the land required to deliver the early Southern phase of the BXC regeneration which has commenced. . The BAR3 site is currently identified for redevelopment in Phase 4 of the BXC regeneration. It is planned that

capacity at the waste facilities of BAR4, BAR6 and BAR7 and part of the capacity of BAR3 would be replaced by the new Waste Transfer Station (WTS) delivered as part of the Brent Cross Cricklewood Regeneration. The balance of replacement capacity for BAR3 would need to be identified prior to its redevelopment and the London Borough of Barnet will seek to provide replacement capacity within the borough. The Barnet Local Plan will identify potential sites. For the purposes of the plan, therefore, it is assumed there will be no loss of capacity for these facilities.

- 4.29 Two facilities in Waltham Forest (GBN Services and Pulse Environmental) have closed and their capacity has been replaced in a new facility operated by GBN services in Enfield. While the capacity has moved to a different Borough, there is no loss of capacity for North London as a whole. The new GBN facility is newly built but has been designed with sufficient capacity to replace that lost at the two Waltham Forest facilities and therefore, for the purposes of the plan the capacity of these facilities is assumed to remain the same. The new facility may also be able to provide capacity on top of what has been replaced, and this will be monitored.

Meeting the Capacity Gap

- 4.30 The capacity gap is the difference between projected waste arisings (Table 8) and existing capacity (Table 3). Table 7 below sets out the capacity gap broken down in to 5 year periods over the NLWP plan period. It takes account of the known changes to capacity over the plan period, including the upgrading and loss of existing facilities.). North London can accommodate recycling, composting, treatment and recovery facilities to manage waste and so additional waste management capacity will be in the 'recycling' and 'recovery' tiers of the waste hierarchy in line with STRATEGIC OBJECTIVE 1.

Table 7: Capacity gaps throughout the Plan period (tonnes)

LACW/C&I	2020	2025	2030	2035
Projections	1,774,481	1,818,942	1,865,987	1,915,508
Existing capacity – recycling/ composting	1,076,129	1,076,129	1,076,129	1,076,129
Existing and pipeline capacity - recovery	597,134	700,000	700,000	700,000
Loss of capacity - composting	-	35,200	35,200	35,200
Capacity Gap	-101,218	-78,013	-125,058	-174,579

C&D	2020	2025	2030	2035
Projections	457,796	476,746	496,480	517,032
Existing capacity	633,436	633,436	633,436	633,436
Additional pipeline capacity	0	0	0	0
Surplus capacity	+175,640	+156,690	+136,956	+116,404

Hazardous	2020	2025	2030	2035
Projections	53,421	53,421	53,421	53,421
Existing and pipeline capacity	4,252	4,252	4,252	4,252
Capacity Gap	-49,169	-49,169	-49,169	-49,169

- 4.31 To meet the capacity gaps identified in Table 7, the North London Boroughs will seek opportunities for new capacity through intensification of existing sites and/or new facilities. The North London Boroughs contacted existing waste operators to find out if there are any current plans to upgrade or intensify their facilities (see Section 4 and Policy 1).
- 4.32 In order to estimate how much land is required for plan-making purposes, the capacity gap has been converted into a land area requirement based on a typical throughput per hectare for each type of facility. The amount of land required depends on the type of facility and the technology being used. New technologies may come forward during the plan period which have a higher throughput per hectare and so will require less land. The North London Boroughs want to ensure the best use of land in the area and this means maximising the capacity of a site while mitigating any environmental impacts. The land required is indicative only and new capacity will be monitored rather than land. Reference capacities are set out in Table 8 below. Table 20 in section 7 of the Data Study Part 2 (2019) provides a fuller explanation. Table 9 below sets out the amount of land required within North London to meet the capacity gaps identified in Table 6 for the chosen approach of net self-sufficiency for LACW, C&I and C&D waste streams. In order for net self-

sufficiency to be achieved by 2026, in line with the London Plan, new capacity will need to be delivered by this date.

Table 8: Reference Capacities for Land Take for New Waste Facilities

Facility type	Assumed tonnes per hectare
Energy from waste (large scale)	165,000
Recycling (C+I & LACW)	128,000
Recycling (C+D)	100,000
Recycling (specialised – eg. metals)	50,000
Recycling (Hazardous)	10,000
Re-use	15,000
Composting	25,000
Treatment plant	50,000
Treatment Plant (Hazardous)	10,000

Table 9: Indicative land take requirements for meeting the capacity gap t

Waste Stream	Management type	Hectares
		2026
C&I/LACW	Recycling	1.5
Hazardous	Recycling/recovery/treatment	4.9
TOTAL land required in North London		6.4

4.33 There is a requirement for additional recycling capacity to manage the increasing levels of recycled waste expected from the LACW/C&I waste stream reflecting the recycling of 65% from municipal waste (LACW and commercial waste).

- 4.34 A capacity gap equivalent to around 4.9 hectares of land has been identified for meeting North London's hazardous waste management need over the plan period. While the North London Boroughs support the provision of hazardous waste facilities in appropriate locations, it is acknowledged that these facilities generally operate for a wider-than-local catchment area due to their specialist nature. The Boroughs will therefore work with the GLA and other boroughs across London to identify and meet a regional need.
- 4.35 Additional land is not required to accommodate new facilities for Low Level Non-Nuclear Radioactive Waste (LLW), Agricultural Waste or Waste Water/Sewage Sludge during the plan period.
- 4.36 The following section sets out the process of identifying suitable locations for new waste capacity to meet the capacity gaps set out in Table 7.

5 Sites and Areas

- 5.1 This section sets out the approach to ensuring that there is sufficient land for future waste management facilities in North London to provide for the delivery of North London's identified capacity requirements. Sections 3-6 of the National Planning Policy for Waste (NPPW) set out the approach Local Plans should take to identify future waste requirements over the plan period and this has been used to help develop the approach to identifying future locations for waste development in North London.
- 5.2 At the core of waste planning is the requirement for waste planning authorities to "prepare Local Plans which identify sufficient opportunities to meet the identified needs of their area for the management of waste streams" (NPPW 3). In particular, waste planning authorities should "identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations" (NPPW 4).
- 5.3 The London Plan (Policy SI8) requires Development Plans to plan for identified need and "allocate sufficient sites, identify suitable areas, and identify waste management facilities to provide the capacity to manage the apportioned tonnages of waste". The London Plan also identifies existing waste sites, Strategic Industrial Land (SIL) and Locally Significant Industrial Sites as a focus for new waste capacity.
- 5.4 STRATEGIC OBJECTIVE 2 seeks to ensure there is sufficient suitable land available to meet North London's waste management needs and reduce the movements of waste through safeguarding existing sites and identifying locations for new waste facilities.
- 5.5 Known opportunities to intensify and upgrade existing facilities have already been taken into account in section 4 and have been incorporated into the calculations for meeting the capacity gap. Where further opportunities to optimise waste management capacity on existing sites arise, this is supported by Policy 1 where the proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and related guidance.
- 5.6 North London's identified waste need and capacity gap is set out in section 4 and summarised in Table 7 above. Additional facilities to meet the capacity gap would require approximately 6.4ha of land, depending on the type of technology used.
- 5.7 The NLWP North London Boroughs assessed a range of sites and areas to meet future waste needs. Assessment criteria have been developed using waste planning policy and in consultation with key stakeholders in a series of focus groups. This work is set out in the Sites and Areas Report. A 'site' in this context is an individual

plot of land that is safeguarded for waste use only. An 'Area' comprises a number of individual plots of land, for example, an industrial estate or employment area that is in principle suitable for waste use but where land is not specifically safeguarded for waste. The NPPW and the London Plan endorse the identification of “sites and/or areas” in Local Plans. The approach is also supported by the waste industry and key stakeholder in consultation.

Site and Area Search Criteria

- 5.8 When seeking suitable locations for new waste facilities, the Boroughs took into account NPPW paragraph 4 which states that waste planning authorities should “consider a broad range of locations including industrial sites” and “give priority to the re-use of previously developed land [and] sites identified for employment uses”. The London Plan identifies suitable locations in policy SI8 as existing waste sites and SIL/LSIS. Waste facilities are considered to be industrial uses and are therefore considered suitable, in principle, to be developed on any industrial land in North London. However, in preparing the NLWP, the North London Boroughs have sought to refine this approach and direct new waste facilities towards locations assessed and selected as the most suitable in North London which are identified as “Priority Areas” in the Plan. The criteria used in the NLWP site and area selection process were developed based on the requirements of the National Planning Policy Framework, National Planning Policy for Waste¹⁵, Planning Practice Guidance and the London Plan. Both planning and spatial criteria were discussed with key stakeholders through a focus group session in spring 2014 .

Site and Area Search and Selection Process (Methodology)

- 5.9 An extensive site and area search and selection process has been undertaken. Full details of the site and area selection exercise are set out in the ‘Sites and Areas Report’ and the ‘Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP’ Report available on the NLWP website. In summary it has involved the following key stages:

¹⁵ Following the introduction of the National Planning Policy for Waste NPPW in October 2014 to replace Planning Policy Statement PPS10, the site and area search criteria were reviewed to ensure compliance with this document.

- i. Survey of existing waste sites – this involved a detailed review of the existing waste sites, including obtaining information from the operators on their future plans and validation of existing information held regarding their sites. This work indicated that there was insufficient capacity within existing sites to meet the expected waste arisings over the plan period.
- ii. Call for sites - a call for sites exercise was carried out in two stages. This included targeting existing operators, landowners and other interested parties requesting them to put sites forward for consideration.
- iii. Land availability search – this was an initial search into the land available in North London that may be suitable for the development of waste management infrastructure. At this stage, all available sites and areas were included in the process in order that the site and area assessment process for the NLWP could then be applied. The result of this work was to identify a long list of potential sites and areas.
- iv. Desk based site and area assessment – the long list of sites and areas was then assessed against the selection criteria. As shown in Table 10 below, the assessment criteria were split into two levels, absolute criteria and screening criteria. The absolute criteria were applied first to determine if the identified constraints affected part of the proposed sites and areas, resulting in their removal. The remaining sites and areas were then subject to the screening criteria. The aim of using the absolute criteria was to ensure that those sites/areas which are wholly unsuitable are excluded from further consideration and to identify those which may be suitable.
- v. Site visits were undertaken in August and October 2014 to check and refine information from the desk based assessment and make a visual assessment of the suitability for different types of waste management facilities as well as the relationship with adjoining development. The information was used to complete the criteria-based assessment to ultimately determine the suitability of the sites/areas for future waste development as well as evaluate the potential facility types.
- vi. Areas identified as suitable for future waste management facilities were subject to an assessment to calculate the level of capacity they could reasonably be expected to provide. Firstly the proportion of North London’s industrial land in waste use was established. This showed the ability of waste facilities to compete with other land uses in these areas was good and that waste is a growing sector in contrast to declining industries such as manufacturing. Secondly, a review of the vacancy rates and business churn for industrial land was used to estimate the proportion of land within these

areas which are likely to become available over the plan period. Further information is available in the Sites and Areas Report.

- vii. Sustainability Appraisal¹⁶ and Habitats Regulation Assessment¹⁷ of sites/areas – all proposed sites and areas have been subject to these assessments and the findings fed into the policy recommendations.
- viii. Consultation with Landowners – Following completion of the above, land owners for all the sites remaining were contacted to seek feedback on the inclusion of their land as a waste site allocation. The findings of this work have further refined the list of sites and further information can be found in the Sites and Areas Report.
- ix. Sequential test – any sites and areas lying within a level 2 or 3 flood risk zone have been subject to sequential testing to assess the potential impact of a waste development in this zone. The results of this work can be found in the Sites and Areas Report.
- x. Following consultation responses on the Draft Plan, a Sites and Areas Options Appraisal was prepared to analyse a number of different approaches for reducing the total quantum of land identified for new waste facilities and creating a better geographical spread of waste facilities in line with Spatial Principle B. This resulted in the reduction of total land identified for new waste facilities from 351.8ha in the Draft Plan to 102.38ha in the Proposed Submission Plan.

5.10 The assessment criteria applied to all sites and areas is listed in Table 10 below. The criteria have been used in assessing sites and areas during both the desk based assessment and site visits.

Table 10: Sites and Areas Assessment Criteria

Absolute Criteria	Screening Criteria
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¹⁶ Sustainability appraisal is the assessment of the potential impact against an agreed set of social, environmental and economic objectives. It encompasses the requirement of Strategic Environmental Assessment which is a requirement of Europe that all plans undergo.

¹⁷ HRA is a requirement of Europe that all plans are assessed against their potential impact of natura 2000 sites.

Absolute Criteria	Screening Criteria
<ul style="list-style-type: none"> • Metropolitan Open Land (MOL) • Green Belt (for built facilities) • Grade 1 & 2 agricultural land (part of the Green belt) • Sites of international importance for conservation e.g. Ramsar sites, Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) • Sites of national importance for conservation e.g. Sites of Special Scientific Interest and National Nature Reserves • Ancient Woodlands • Scheduled Ancient Monuments • Listed Buildings (grade I and II*) • Registered Parks and Gardens (grade I and II*) • Registered battle fields • Areas of Outstanding Natural Beauty (AONB) • Protected open spaces • Landscape designations such as Areas of Special Character (part of the Green Belt) 	<ul style="list-style-type: none"> • Sites of local importance for nature conservation (SINCs) • Flood risk areas/flood plain • Accessibility (proximity to road, rail, canal/river) • Sites and areas greater than 2km from the primary route network • Ground water protection zones • Surface waters • Major aquifers • Airfield safeguarding areas (Birdstrike zones) • Air Quality Management Areas • Unstable land • Green belt (for non-built facilities) • Local Plan designations • Settings of Scheduled Ancient Monuments • Settings of Listed Buildings • Settings of Registered Parks and Gardens (grade I and II*) • Neighbouring land uses • Proximity to sensitive receptors

5.11 The sites and areas identified as a result of the methodology set out above were consulted on as part of the Draft Plan prepared under Regulation 18 of the Town and Country Planning Regulations 2012. This was set out in the Sites and Areas Report 2015 which was updated in 2019 for the Proposed Submission NLWP.

- 5.12 In order to respond to issues raised during consultation on the suitability of the Draft Plan proposed sites and areas, the North London Boroughs undertook four areas of further work in order to identify which sites and areas should be taken forward:
- Gather and assess additional information on sites/areas
 - Changes to policy wording on reducing the impact of new waste development
 - Seek a better geographical spread of waste facilities
 - Consider options to reduce the amount of land taken forward in the Proposed Submission Plan
- 5.13 The additional information gathered and assessed included transport evaluations, potential mitigation measures, updating flood risk information and other environmental factors, consideration of where waste facilities might be best located within an Area, heritage and National Grid assets, and identifying Areas within an Opportunity Area, Housing Zone, Crossrail 2 or Lee Valley Regional Park. This information helped inform amendments to Policy 6, and Area Profiles were updated accordingly with a further assessment of the suitability of the proposed sites and areas undertaken.
- 5.14 In response to comments about the distribution of waste facilities across North London, Spatial Principle B was amended from ‘Seek a network of waste sites across North London’ to ‘Seek a better geographical spread of waste sites across North London, consistent with the principles of sustainable development’. This change provided the basis for further work on the distribution of Areas taken forward in the Proposed Submission Plan. 8.25 (part) In considering geographical spread of facilities and reducing the sites and areas to be taken forward in the Proposed Submission Plan, each Borough’s current contribution to waste management capacity in North London was calculated. Currently 62% of the total land in existing waste use across North London is located in Enfield. In order to address concerns that there is an over-concentration of waste facilities in Enfield, promote a better geographic spread of waste facilities in North London, and reduce the amount of land taken forward into the Proposed Submission Plan, the Boroughs considered five alternatives with different land options. The details of these options are brought together in ‘Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP’ (updated 2020).
- 5.15 The options included and excluded areas based on their performance against qualitative assessment criteria, such as Local Plan designations and performance against suitability rating (banding) as detailed in the Sites and Areas Report. Analysis of each of the five options considered, amongst other issues, the proportion of Enfield’s contribution to the Areas identified. One of the options limited the number of Areas for new waste facilities in Enfield to one. The option with the lowest land provided (102ha) combined with the best geographical spread (limiting the land

identified in Enfield) has been taken forward into this Plan. In looking to reduce the total amount of land identified as most suitable for new waste uses, the Boroughs did not identify any criterion which would provide a sound basis to reduce the number of areas further than a combined total of 102ha. The other options did not significantly reduce the amount of land identified and/or did not provide a better geographical spread of Areas. The preferred option was to take forward land designated as industrial land and high-performing (Band B) areas, while achieving a better geographical spread by reducing the amount of land for new waste facilities identified in Enfield. This focus on industrial land and the highest performing areas helps to locate waste facilities away from residential properties, as far as this is possible in an urban area like North London.

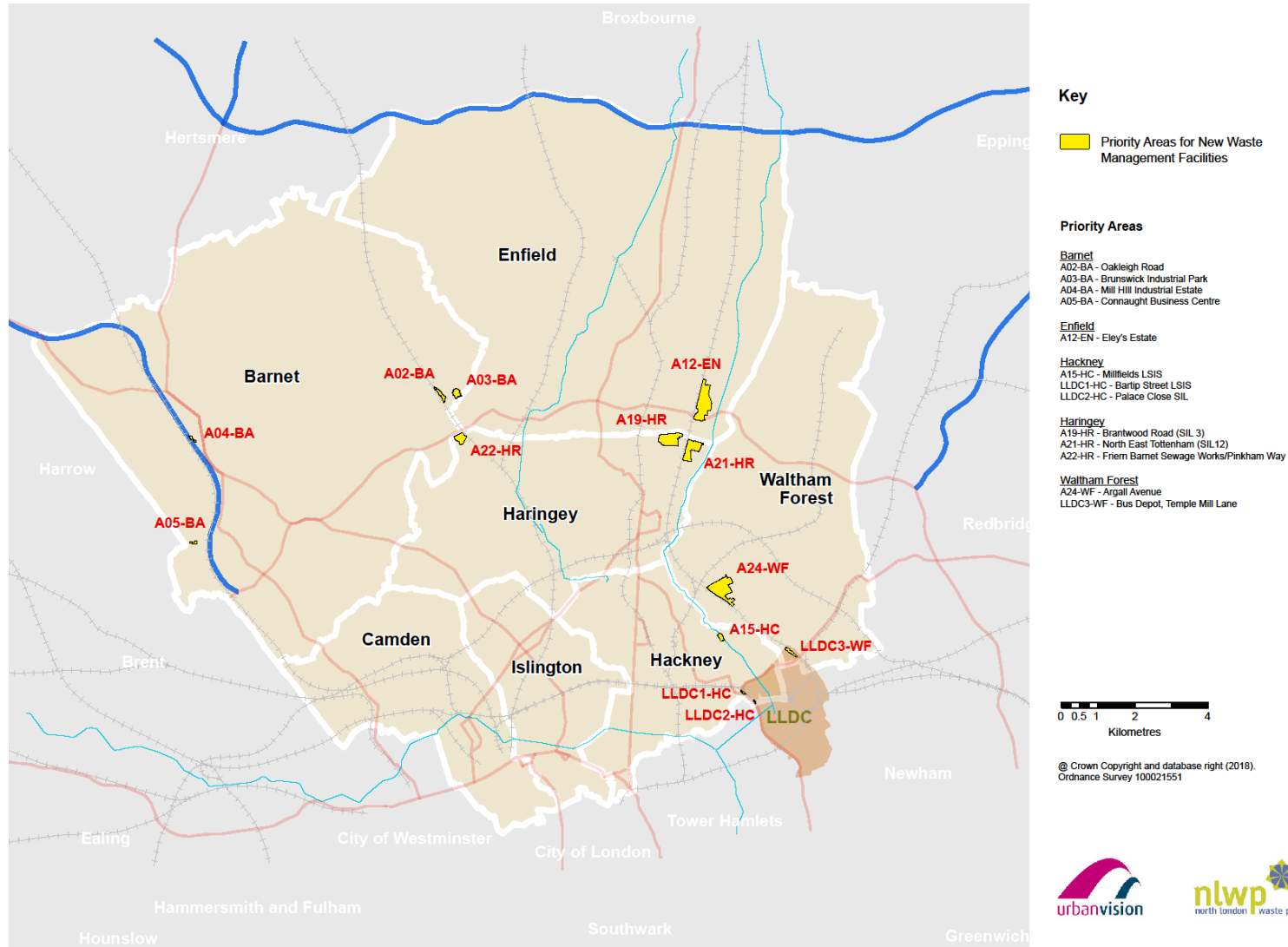
- 5.16 Following the work described above, all of the individual sites and several of the Areas were removed from Schedules 2 and 3 and in some of the remaining Areas the amount of land considered most suitable for new waste facilities was refined. The NLWP therefore takes an area-based approach to waste planning with no individual sites allocated for new waste facilities. An area-based approach is to one which identifies areas which comprise a number of individual plots of land, for example, an industrial estate or employment area, that is in principle suitable for waste use but where land is not specifically safeguarded for waste uses. The identification of Areas allows for flexibility in bringing forward a range of locations across North London, allowing for a better geographic spread of opportunities for future waste development that is consistent with the spatial principles of the plan to meet North London's requirement. However, because the Areas identified are not safeguarded solely for waste use it is important to identify sufficient land to ensure adequate opportunity across North London for waste operators to provide new facilities because there will be competition for this land by other industrial users. It should be noted that most waste planning authorities are in the same position and that this approach is supported by both the NPPW and the London Plan.
- 5.17 An update to the Data Study to support the Proposed Submission NLWP reduced the indicative land required to meet the capacity gap from 12ha in the Draft NLWP to 9ha in the Proposed Submission NLWP. This has since reduced further to 6.4ha in light of the Data Study Addendum (2020). For the Plan to provide confidence that sufficient land is available in the right place and at the right time a quantum of land and number of Areas has to be identified.
- 5.18 As identified in the Sites and Areas Report, it is not possible to say precisely how much of North London's industrial land could become available for waste uses over the plan period. This depends on the rate at which existing land becomes vacant in the identified Areas and a waste operator being ready and able to locate on that same site. This in turn depends on the wider economic factors. Identifying a range of land suitable for new waste facilities responds to the NPPW expectation that waste

planning authorities “should identify sufficient opportunities to meet the identified needs of their area”. This also provides flexibility for waste operators and should sites not become available in one particular Area, or if an Area changes over the plan period to become unsuitable for waste uses, this approach will ensure there are alternative land options available.

- 5.19 The work set out in the ‘Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP’ resulted in reducing the total amount of land identified as most suitable for new waste facilities from 351.8 in the Draft Plan to 102.38ha in the Proposed Submission Plan. While 102ha is a large area when compared to the need for 6.4ha, this land is currently occupied by existing industrial uses. There is strong competition for industrial land in North London and this is reflected by low vacancy rates (an average of 4.8%). The Boroughs will rely on business churn for release of individual sites which could come forward for waste uses. The most recent analysis of business churn in London suggests that around 20% of land could be released in this way. Analysis of business churn and vacancy rates is included in the Sites and Areas Report. To provide 6.4ha, 6% of the Priority Areas would need to be developed for waste management to meet the capacity gap, if no additional capacity is provided on existing sites. It should be noted that 6.4ha of land is indicative only and throughput on a site will depend on the operational technology used. New capacity to meet North London’s needs will be monitored rather than land take.
- 5.20 The preferred approach limits the areas proposed for new waste facilities in Enfield to one industrial area and although this option is considered the most appropriate to take forward in the NLWP, there is a risk that the identified Area in Enfield (comprising 26ha) could accommodate all new waste capacity, which would not respect Spatial Principle B or generally encourage a sustainable distribution. There is also a possibility that applications could come forward for new waste facilities on other industrial land in Enfield. To address this, the ‘Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP’ recommends a ‘Priority Areas’ sequential approach to ensure developers consider siting a facility within the Areas listed in Schedules 2 and 3 before other locations. In addition, developers should seek sites in Priority Areas outside Enfield before considering sites in Enfield. This recommendation has been taken forward in Policy 2: Priority Areas for New Waste Management Facilities and Policy 3: Windfall Sites.
- 5.21 The Priority Areas, shown in Figure 11 (see also Schedules 2 and 3 in section 7), have been identified as the most suitable for built waste management facilities.. The Priority Areas are being put forward as they comply with the NLWP Spatial Principles which is reflected in the site and area selection criteria, as well as a range of environmental, social and economic criteria set out in the Sustainability Appraisal Scoping Report. In the absence of the identification of individual sites, the Priority

Areas represent sufficient opportunities to deliver the identified waste management needs of North London over the plan period. In order to ensure that Priority Areas are the focus for new waste capacity, the location of new waste facilities and any compensatory capacity will be monitored through Monitoring Indicator IN3. The aim of the indicator is to check that sites in Priority Areas are being taken up as anticipated and also monitor if land within Schedules 1, 2 and 3 is not available or suitable for new waste facilities. The later aspect in particular will enable the Boroughs and developers to understand where sufficient land remains available and the geographic distribution of new waste facilities, which will inform potential site searches and evidence required by the Boroughs for those seeking planning consent for sites for waste uses. The monitoring will help to demonstrate the progress of the spatial principle for better geographical spread and achievement of the sequential approach to delivery of new waste sites set out in Policies 2 and 3. Any proposals for waste facilities within the Priority Areas will be subject to planning permission.

Figure 11: Priority Areas for new waste management facilities



The impact of Crossrail 2 and Opportunity Areas on existing sites and Priority Areas

- 5.22 Transport for London has been consulting on Crossrail 2. The timetable for a Hybrid Bill submission is at present unknown. Depending on the route selected, some existing waste sites and areas identified as Priority Areas for new facilities might be affected by the scheme.
- 5.23 At the time of publication, only one location (A02-BA-Oakleigh Road) within an area identified in Schedule 2: Priority Areas for new waste management facilities has been identified in the Crossrail 2 [safeguarding directions](#) issued in January 2015. This plot of land (shown in Appendix 2) has been safeguarded in order to deliver part of the construction of Crossrail 2 and will be released after this is completed. However, as the scheme develops and further information is made available on the preferred route, there could be locations within other Areas, which may be required for the purpose of constructing Crossrail 2, particularly along the West Anglia Mainline. Once known, should applications for waste uses come forward in these locations, they will need to be subject of consultation with TfL and Network Rail as necessary.
- 5.24 Furthermore, a number of the areas identified in Schedule 2 Priority Areas for new waste management facilities are in locations close to Crossrail 2 stations and could make a valuable contribution towards realising the wider benefits of Crossrail 2 in terms of both delivering additional homes and supporting wider regeneration. Those Areas which in part may have such a role in the longer term include:
- A12-EN – Eley’s Estate
 - A22-HR – Friern Barnet Sewage Works
 - A19-HR – Brantwood Road
 - A21-HR – North East Tottenham
- 5.25 Known information on Crossrail2 is detailed further in the Area profiles in Appendix 2 and in the proformas in the Sites and Areas Report.
- 5.26 In line with the NLWP approach to Opportunity Areas and Housing Zones as set out in section 2, any non-waste related development in these locations will need to be brought forward in a way that safeguards existing capacity (see Policy 1) and considers future waste management requirements alongside the need to deliver new homes and more intensive employment uses. Within these locations there is likely to be significant benefit in seeking opportunities to co-locate or consolidate existing waste uses so as to minimise potential conflict and ensure that they can coexist alongside residential and other more sensitive uses.
- 5.27 As required, the North London Boroughs will work proactively with the GLA and TfL to create proposals which address these issues ensuring that North London’s waste

management needs can be met whilst helping to realise the significant opportunities associated with schemes such as Crossrail 2.

- 5.28 How the impact of Crossrail 2 on the NLWP will be monitored and managed is addressed under Indicator IN4 of the monitoring arrangements in section 8.

6 Provision for North London's Waste to 2035

- 6.1 Section 4 sets out North London's waste management capacity gap and Section 5 sets out the process of identifying sufficient land to meet that capacity gap. This Section brings this information together to set out how North London's waste management needs will be achieved over the plan period.
- 6.2 The North London Boroughs have developed the following over-arching policy which sets out in broad terms how the waste management needs in North London over the plan period are being planned for.

Over-arching Policy for North London's Waste

The North London Boroughs will identify sufficient capacity and land for the provision of waste facilities to manage the equivalent of 100% of waste arisings (net self-sufficiency) for Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) waste and Construction & Demolition (C&D) waste by 2026, including hazardous waste. The North London Boroughs will plan to manage as much of North London's excavation waste arisings within North London as practicable, and to ensure that excavation waste exports are put to beneficial use. To achieve this, the North London Boroughs will plan to manage the quantities of waste set out in Table 5 over the next 15 years.

The North London Boroughs will encourage development on existing sites and in Priority Areas that promotes the movement of waste up the waste hierarchy, increases management of waste as close to the source as practicable, and reduces exports of waste to landfill.

The North London Boroughs will continue to co-operate with waste planning authorities who receive significant quantities of waste exports from North London.

- 6.3 Most of North London's waste capacity need is met through its existing facilities. These existing facilities are safeguarded through London Plan policy, however they are not always in the most sustainable locations. The NLWP seeks to make the most of the existing infrastructure by supporting intensification of existing sites, where appropriate, while enabling relocation to more sustainable locations for replacement capacity (see Policy 1). Existing capacity and additional new capacity will be needed to meet North London's identified need for waste management over the plan period (2020-2035). The Boroughs are seeking a sustainable network of waste facilities which helps reduce movements of waste, including waste exports and increase opportunities for waste to be managed in proximity to its source. Existing waste

capacity in North London is set out in Schedule 1 (see Policy 1 and Appendix 1) and Priority Areas for new waste facilities is set out in Schedules 2 and 3 (see Policy 3). The Priority Areas for new waste capacity represent the most suitable land when assessed against the Spatial Principles, including a better geographical spread, and the assessment criteria detailed in the Section 5. This helps to deliver STRATEGIC OBJECTIVE 2 which seeks to ensure there is sufficient suitable land available to meet North London's waste management needs. The focus for new waste capacity in North London is for recycling and recovery facilities to manage the quantities of waste set out in Table 5, thereby reducing exports. New waste facilities will be assessed against the criteria in Policy 5.

- 6.4 Table 8 sets out the quantities of waste, by waste stream, which need to be managed within North London in order to meet STRATEGIC OBJECTIVE 3 and the policy for net self-sufficiency target for LACW, C&I and C&D waste by 2026, including hazardous waste. Table 5 also takes account of the policy to divert excavation waste away from landfill and towards beneficial use. The quantities of waste take into account population and economic growth and waste targets including net self-sufficiency, apportionment, recycling and landfill diversion, set out in the London Plan. The North London Boroughs are planning to meet more than their apportionment targets and to manage the waste arisings for North London. Further details of the methodology to estimate waste arisings is available in the NLWP Data Study (2019).
- 6.5 The North London Boroughs will monitor the NLWP against the projected quantities of waste generated set out in Table 5, (IN1), new waste management capacity delivered (IN2), , the locations of new waste facilities and compensatory capacity (IN3) and the amount of waste exported (IN7) to ensure the over-arching policy is being delivered. All monitoring indicators are set out in Section 8 of this plan.
- 6.6 The following section sets out how North London's will meet its strategy for waste to 2035 in more detail, setting out each waste stream and management method separately.

Local Authority Collected Waste (LACW) and Commercial & Industrial Waste (C&I)

- 6.7 Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste streams comprise similar types of waste. Most facilities which manage these waste streams do not differentiate between them and so it is reasonable to group them together when assessing existing capacity and planning for additional capacity.
- 6.8 New There is a capacity gap of up to around 174,500 tonnes for LACW and C&I waste over the plan period. This equates to approximately 1.5 hectares of land,

depending on the technology of the facility/ies. This calculation includes the increase in EfW capacity and the loss of composting capacity at Edmonton EcoPark.

Recycling/Composting

- 6.9 The North London Waste Authority (NLWA) and seven constituent boroughs are required to prepare a Joint Waste Strategy (JWS) for North London. The most recent JWS came to an end in December 2020. A key element of that strategy has been met through the granting of permission for a replacement energy recovery facility at the Edmonton EcoPark to treat residual waste. A replacement JWS will be developed by NLWA in conjunction with the seven constituent boroughs, but requires a clear position on the circular economy and recycling from central government; it is hoped that this will be within the next year. The new Joint Waste Strategy will focus on activities to move all waste up the waste hierarchy. In the short term, a Residual Waste Reduction Plan has been agreed after consultation with constituent boroughs. This Plan forms a short-term strategic approach from NLWA, which will inform the development of the next Joint Waste Strategy. The NLWA expect a new JWS will be being developed in 2021 and 2022. A new JWS will set out how North London will contribute to the Mayor's recycling targets as set out in the London Plan and London Environment Strategy.
- 6.10 There is a need for additional capacity for recycling for the LACW/C&I waste stream throughout the plan period. LACW and C&I are combined for the purposes of waste planning as many facilities manage both waste streams.
- 6.11 In addition to recycling, the existing composting facility at Edmonton will be displaced due to the development of the new Energy Recovery Facility. The NLWA are not intending to build a replacement facility to meet this requirement. Current contracts exist to export this waste outside the Plan area.
- 6.12 New There is an opportunity to bring forward new LACW waste recycling/composting capacity on the Friern Barnet Pinkham Way site which is owned by the North London Waste Authority, although presently there are no plans to do so. There are also opportunities to bring forward commercial recycling capacity in all but one of the Priority Areas identified in Schedules 2 and 3, and composting capacity on four of the Priority Areas. Additional capacity and recycling rates will be monitored by Monitoring Indicator IN1 and reported in the Annual Monitoring Report.

Recovery

- 6.13 Most LACW is managed at the Edmonton EcoPark facility which has an existing capacity of around 600,000tpa. In November 2014 the NLWA announced plans for the development of a new Energy Recovery Facility (ERF) - the North London Heat

and Power Project - on their existing site at the Edmonton EcoPark in Enfield. This will replace the existing Energy from Waste (EfW) plant at the EcoPark that is coming to the end of its operational life.

- 6.14 The new Energy Recovery Facility (ERF) will have a capacity of around 700,000 tonnes per annum to deal with all the residual waste under the control of the Authority from 2025 until at least 2050. The replacement facility will generate power for around 127,000 homes and provide heat for local homes and businesses as part of a decentralised energy network known as the Lee Valley Heat Network, trading as energetik.’
- 6.15 Once the new facility has been developed, the existing EfW facility will be demolished. The associated parcel of land, on which the current plant is located, will continue to be safeguarded for future waste use as part of ENF18 in Schedule 1, and will become available towards the end of the plan period. The development of Edmonton EcoPark for the new ERF will provide a strategic facility for the NLWP and provide a solution for managing the non-recyclable element of LACW. Delivery of this facility will see the NLWA continue to manage LACW from the North London Boroughs and help reduce the reliance on disposal of waste to landfill. Enfield Council have adopted Edmonton EcoPark Supplementary Planning Document and are preparing the Central Leaside Area Action Plan, both of which provide more detail on the planning framework and objectives for this site.
- 6.16 As the existing EfW facility at Edmonton does not currently treat C&I waste, it is likely this waste will continue to be exported in the short to medium term until 2025. After this time, the recovery requirement of C&I waste can be met by the new Edmonton ERF to the end of the plan period.
- 6.17 There are opportunities for additional recovery capacity to be brought forward on three of the proposed Priority Areas.

Transfer

- 6.18 NLWA manage three waste transfer stations in North London namely the Hendon Rail Transfer Station (Barnet), Edmonton EcoPark Transfer Station (Enfield) and the Hornsey Street Transfer Station (Islington). The Hendon Rail Transfer Facility in Barnet is being relocated due to the Brent Cross Cricklewood development and a planning application is currently under consideration for the new location within Barnet.
- 6.19 Many waste transfer facilities also recycle some of the waste they receive. There is opportunity for waste transfer facilities to come forward on nine of the Priority Areas.

Landfill

- 6.20 North London has no landfill sites and depends on capacity outside the Plan area. The NLWA intend to minimise the amount of LACW sent direct to landfill by maximising recycling and ensuring the existing EfW facility can sufficiently manage the expected tonnage of North London's residual waste up to 2025. Much less waste will be exported to landfill from 2017/18 due to changes in contractual arrangements and virtually no LACW will go to landfill by 2026.
- 6.21 It is anticipated that some C&I waste will continue to be exported to landfill throughout the plan period, although this will be a decreasing quantity as new facilities become operational and recycling levels increase.

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

- 6.22 North London has sufficient capacity to manage Construction and Demolition (C&D) waste arising in North London over the plan period. Some exports of excavation waste will continue, but opportunities to manage as much of this waste stream as practicable within North London will be sought.
- 6.23 The majority of C&D waste is recycled on-site or through transfer facilities. Each Borough Local Plan has a sustainable design and construction policy in place which seeks to minimise waste generated during the design and construction of development and re-use or recycling of materials on-site where possible. Recycling rates will be monitored by Monitoring Indicator IN1 and reported in the Annual Monitoring Report.

Landfill

- 6.24 North London has no landfill sites and depends on capacity outside the NLWP area. A reduced amount of the CD&E waste stream will continue to be exported to landfill, but the majority (95%) of C&D waste will be reused, recycled and recovered and the majority of excavation waste (95%) will be put to beneficial use.

Hazardous Waste

- 6.25 All the waste streams include some hazardous waste. Some facilities in North London, whilst not classified as hazardous waste management facilities, are permitted to manage a certain amount of hazardous waste alongside non-hazardous wastes. Hazardous waste is more commonly managed in specialist facilities which have and depend on wide catchment areas for their economic feasibility, and may not be local to the source of the waste. Planning for hazardous waste is a strategic

issue (regionally and arguably nationally rather than sub-regional) and it is not anticipated that land for facilities would be identified to meet the requirements of North London alone, though the Priority Areas identified in the NLWP have been assessed for their potential suitability for such facilities.

Recycling and Recovery

- 6.26 North London has a number of facilities which manage hazardous waste alongside other non-hazardous waste. The majority of these are vehicle depollution (car breakers) and metal recycling sites. There are also transfer facilities such as RRCs which will accept, for example, paints and batteries which require specialist treatment and disposal. Such sites will continue to make a valuable contribution to managing North London's hazardous waste requirements. The amount of hazardous waste managed in North London varies from year to year with a maximum capacity of around 4,250 tonnes over the last five years.
- 6.27 There is a capacity gap for the management of around 49,000 tonnes per annum, requiring an estimated 4.9ha of land. The North London Boroughs support the provision of such facilities in principle in the Priority Areas and will work with the GLA and other Boroughs across London to meet this need. It is noted in the Area profiles in Appendix 2 of the NLWP where a Priority Area is not suitable for hazardous waste recycling and recovery facilities. Any applications for hazardous waste facilities in North London that do come forward will be considered on a case by case basis. However, in the short term it is likely that hazardous waste will continue to be exported to the most appropriate specialist facilities.

Landfill

- 6.28 The need for export to landfill of around 13,000 tonnes per annum, is expected to continue due to inability of the area for provide this type of facility. This reflects the amount of hazardous waste which cannot be recycled or treated, for example asbestos. The North London Boroughs will continue to work with waste planning authorities who receive hazardous waste from North London to identify constraints to the continued export of this waste and identify potential new destinations if necessary.

Agricultural Waste

- 6.29 The small amount of agricultural waste generated in North London is not expected to increase over the plan period and there is no requirement to plan for additional facilities to manage this waste stream.

Low Level Radioactive Waste

- 6.30 The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London is produced as wastewater and disposed of through foul sewer and it is expected that this will continue. Any more specialist waste which may be produced would need to be managed outside the area in specialist facilities. It is therefore not necessary to plan for additional facilities in North London for this waste stream.

Waste Water

- 6.31 The main Thames Water sewage treatment facility in North London is Deephams Sewage Treatment Works (STW), operated by Thames Water. Work to upgrade this facility was largely completed in 2017. Thames Water anticipates this will provide sufficient effluent treatment capacity to meet its needs into the next decade during the plan period. However, this will be reviewed in future AMP periods to ensure ongoing capacity in relation to changing population growth predictions.. It is therefore not necessary to identify additional land for this waste stream in the NLWP, however any new facility for waste water will be assessed against Policy 7.
- 6.32 Enfield Council will continue work with Thames Water and the Environment Agency to ensure that adequate and appropriate waste water treatment infrastructure is provided. Any new waste water facility will be assessed under Policy 7.

7 Policies

- 7.1 The policies set out in this section will form part of each Borough's 'development plan' which also includes the Mayor's London Plan and individual borough Local Plans (see Figure 2). All planning applications for waste uses will be assessed against the following NLWP policies and other relevant policies in the development plan and any associated Supplementary Planning Documents (SPD)/guidance. Any proposals for waste development will be expected to take account of the full suite of relevant policies and guidance.
- 7.2 The NLWP policies will help deliver the NLWP's aim and objectives, Spatial Principles and the Overarching Policy for North London's Waste. The supporting text sets out why the particular policy approach has been chosen, any alternatives considered and how the policy will be implemented.
- 7.3 The policies are:
- Policy 1: Existing waste management sites
 - Policy 2: Locations for new waste management facilities
 - Policy 3: Windfall sites
 - Policy 4: Re-use & Recycling Centres
 - Policy 5: Assessment criteria for waste management facilities and related development
 - Policy 6: Energy recovery and decentralised energy
 - Policy 7: Waste Water Treatment Works and Sewage Plant
 - Policy 8: Control of Inert Waste

Policy 1: Existing waste management sites

Policy 1: Existing waste management sites

All existing waste management sites identified in *Schedule 1: Existing safeguarded waste sites in North London*, and any other sites that are given planning permission for waste use, are safeguarded for waste use.

Expansion or intensification of operations at existing waste sites will be permitted where the proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and related guidance.

Applications for non-waste uses on safeguarded waste sites will only be permitted

where it is clearly demonstrated by the developer to the satisfaction of the relevant borough that compensatory capacity will be delivered in line with the spatial principles on a suitable replacement site in North London, that must at least meet, and, if possible, exceed, the maximum achievable throughput of the site proposed to be lost and help to promote the increased geographical spread of waste sites across the plan area.

Development proposals which would prevent or prejudice the use of existing waste sites for waste purposes will be resisted under the agent of change principle unless design standards or other suitable mitigation measures are adopted to ensure that the amenity of any new residents would not be significantly adversely impacted by the continuation of waste use at that location or suitable compensatory provision has been made for the waste use elsewhere within the Plan area.

This policy helps meet strategic objectives SO2 and SO3

This policy contributes towards Spatial Principles A and C

- 7.4 The purpose of Policy 1 is to ensure that the existing waste capacity in North London is protected and is able to expand where appropriate. It applies to sites with existing operational waste facilities, and any other sites developed for waste use throughout the plan period. The safeguarding of waste sites for waste use does not preclude waste operators from moving and selling their site as a waste site.
- 7.5 *Schedule 1: Existing safeguarded waste sites in North London* is in Appendix 1. The London Plan requires boroughs to protect their existing waste capacity and each North London Borough is safeguarding this land through their Local Plan and Policies Map. The contribution currently made by these facilities, and their future contribution, is taken into account in the estimation of how much additional waste management capacity is needed throughout the plan period, so it is important to protect these existing facilities to ensure there is sufficient capacity available to meet identified needs over the plan period. If existing facilities were lost and the capacity not replaced elsewhere in North London, this would result in additional waste capacity being required to meet the identified need and achieve net self-sufficiency.
- 7.6 Some existing waste sites may have the potential to increase their capacity, or provide additional waste services; planning applications for such changes will be permitted where they are in alignment with policies in this Plan and with Borough Local Plans.
- 7.7 If, for any reason, an existing waste site is to be lost to non-waste use, compensatory waste capacity will be required. Compensatory capacity must be at or above the same level of the waste hierarchy and at least meet, and should exceed, the

maximum achievable throughput of the site proposed to be lost. When assessing the throughput of a site, the maximum throughput achieved over the last five years should be used. This information is sourced from the Environment Agency's Waste Data Interrogator. It is the responsibility of the developer to demonstrate that replacement capacity has been provided. Where this information is not available, for example if a waste site has been vacant for a number of years, the potential capacity of the site should be calculated using an appropriate and evidenced throughput per hectare. Applicants will need to demonstrate that provision of replacement capacity is secured before permission is granted for an alternative use. This could be through a compensatory site of a suitable size to meet at least the maximum annual throughput or an increase of capacity in an existing facility. Boroughs may consider using conditions or s106 agreements to satisfy themselves that compensatory capacity will be delivered. It may not be necessary for replacement sites to be on a 'like for like' basis, for example, a new site with a larger capacity might replace a number of sites with individually smaller, but combined equivalent, capacity.

- 7.8 Compensatory provision should be delivered in accordance with the spatial principles and such proposals will need to demonstrate compliance with Policy 2 (Priority Areas for new waste management facilities), Policy 3 (Windfall sites) and Policy 5 (Assessment Criteria for waste management facilities and related development) of the NLWP. Compensatory capacity should be provided within North London unless the NLWP Monitoring Report demonstrates that waste capacity in North London is sufficient to meet net self-sufficiency for LACW, C&I and C&D waste, including hazardous waste (Table 6). If sufficient capacity has been achieved in North London, compensatory capacity should be provided elsewhere in London. If it can be demonstrated that there is sufficient capacity in London to meet London's apportionment and net self-sufficiency targets, it may be possible to justify the release of waste sites for other uses. During the Plan period, where waste sites shown in Schedule 1 are redeveloped for other uses, the amount and location of compensatory provision will be noted in the NLWP AMR (see IN2 in section 8). Sites which are going to be redeveloped for other uses during the plan period are identified in Schedule 1 and should be excluded from the search criteria for potential sites for new or replacement waste facilities.
- 7.9 As set out within Section 2, a key Spatial Principle of the NLWP is to establish a geographical spread of waste sites across North London, consistent with the principles of sustainable development. The aim is to ensure that waste is managed efficiently and as close to its source as possible whilst minimising any negative cumulative impacts resulting from a high concentration of waste facilities. Avoiding an unduly high concentration of waste facilities in a location is consistent with the overarching objectives of sustainable development, identified within the NPPF and would leave land available for other uses. Policy 2 identifies the Priority Areas for

new waste management facilities and a sequential approach to site selection. The most suitable location for the re-provision of a site lost to non-waste development may therefore not necessarily be within the same north London borough as the displaced site. Adequate evidence of compensatory provision will be required to the satisfaction of the local planning authority before planning permission for redevelopment proposing loss of a facility is granted.

- 7.10 Any sites that come forward and receive planning permission for waste development which are implemented in the lifetime of the NLWP will be regarded as existing waste sites in North London and safeguarded under the provisions of this Policy (1). As part of the monitoring of the plan, waste arisings (IN1) the tonnage of waste capacity available by management type and type of wastes handled (IN2) and the loss of existing waste capacity and provision of replacement capacity (IN4), will be monitored (see section 8). The most up-to-date list of existing waste management sites will be found in the NLWP AMR. Where existing waste sites are lost, but compensatory provision has been made to the satisfaction of the Borough, this will be noted in the AMR. In time, the safeguarded designation will be removed from the relevant Borough's policies map.
- 7.11 Policy 1 also seeks to protect existing and permitted waste sites from the influence of an incompatible use in close proximity prejudicing the continuation or further development of waste operations at that location. Waste facilities have an important role to play in ensuring that communities are sustainable. Identifying and safeguarding suitable sites for waste facilities is challenging with issues relating to public amenity, access, hydrology, and geology, amongst others, to consider. In addition, waste is a relatively 'low value' land use which, although capable of competing with other industrial type uses, cannot outbid higher value uses. The introduction of sensitive types of development nearby, such as housing, could have an adverse impact on the continued operation of the existing sites in North London and their ability to provide sufficient waste capacity as well as helping meet waste recycling, diversion and recovery targets. This would undermine the anticipated capacity of the network of existing facilities across North London to manage waste and consequently the overall deliverability of the NLWP. The NPPF and the London Plan sets out the 'Agent of Change' principle. This principle places the responsibility of mitigating the impact of noise, dust, vibration and other nuisance-generating activities (from existing noise-generating businesses) on the proposed new development. Developers proposing non-waste development in close proximity to existing waste sites should be aware of the potential impacts on existing waste operations and plan this into their development so as not to prevent or prejudice the continued waste use in that location, otherwise such developments will not be permitted. Accordingly proposed non-waste developments should be designed to

protect both the amenity of potential new residential developments and the existing waste operation within that area.

- 7.12 Some existing waste sites may be having an adverse impact on surrounding uses such as schools and residential areas. The waste operator is responsible for ensuring that its regulated facility does not cause pollution of the environment and harm to human health. The operator’s performance in relation to that responsibility is assessed by checking compliance with the terms and conditions of the permit. Environmental permits are issued by either the Environment Agency for large-scale facilities and those with greater risk to the environment (known as “A1 installations”) or the local authority for smaller-scale facilities with lower risk to the environment (which include “A2 installations” and “Part B installations”) . Local authorities hold a register of these permits which are available to view on request.
- 7.13 The responsibility for checking compliance falls to the issuer of the permit (the regulator). The Environmental Permitting Regulations (EPR) place a duty on regulators to undertake appropriate periodic inspections of regulated facilities. The EPR are the basis for any enforcement action and the principal offences are:
- operating a regulated facility without a permit;
 - causing or knowingly permitting a water discharge activity or groundwater activity without a permit; and
 - failing to comply with a permit condition, flood risk activity emergency works notice, flood risk remediation notice or an enforcement-related notice.
- 7.14 Operator competence can be considered by the regulator at any time, whether as part of the determination of an application or at any time during the life of the permit. The regulator can suspend or revoke the permit if an operator fails to comply with the conditions of the permit, risking harm to the environment or human health.
- 7.15 The North London Boroughs will monitor any enforcement action taken against waste operators (IN6) to ensure that existing waste facilities do not cause harm to the environment or local communities. This will be published as part of the NLWP Annual Monitoring Report. Any additional information on enforcement action can be requested from the regulator.

Policy 2: Priority Areas for new waste management facilities

Policy 2: Priority Areas for new waste management facilities

Areas listed in *Schedule 2: Priority Areas for waste management* and *Schedule 3: Priority*

Areas identified in LLDC Local Plan are identified as suitable for built waste management facilities to meet the identified need set out in Tables 5 and 7.

To help meet the spatial principle to create a better geographical spread of waste facilities in North London, developers should first seek sites in Priority Areas outside Enfield, and must demonstrate that no sites are available or suitable before considering sites within Enfield's Priority Area.

Applications for waste management development will be permitted on suitable land within the Priority Areas identified in Schedule 2 subject to other policies in the North London Waste Plan, the London Plan and Local Plans, and related guidance.

Development proposals will need to manage waste as far up the waste hierarchy as practicable. Development proposals for materials and waste management sites are encouraged where they deliver a range of complementary waste management and secondary material processing facilities on a single site.

Applications for waste management development within the Priority Areas identified in Schedule 3 will be assessed by the London Legacy Development Corporation.

This policy helps meet strategic objectives SO1, SO2, SO3 and SO5

This policy contributes towards Spatial Principles B, C and E

Table 11: Schedule 2 Priority Areas for waste management

Area ref	Area Name	Size (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
A02-BA	Oakleigh Road	0.99	Barnet	X		X		X
A03-BA	Brunswick Industrial Park	3.9	Barnet	X				X
A04-BA	Mill Hill Industrial Estate	0.9	Barnet	X				X
A05-BA	Connaught Business Centre	0.9	Barnet	X				X
A12-EN	Eley's Estate	26.1	Enfield	X	X	X	X	X
A15-HC	Millfields LSIS	1.48	Hackney					X
A19-HR	Brantwood Road	16.9	Haringey	X			X	X
A21-HR	North East Tottenham	15.32	Haringey	X			X	X
A22-HR	Friern Barnet Sewage Works/ Pinkham Way	5.95	Haringey	X	X			X
A24-WF	Argall Avenue	26.91	Waltham Forest	X	X			X

Table 12: Schedule 3 Priority Areas identified in LLDC Local Plan

Area ref	Area Name	Size (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
LLDC1-HC	Bartrip Street	0.6	Hackney	X				X
LLDC2-HC	Chapman Road (Palace Close)	0.33	Hackney	X				X
LLDC3-WF	Temple Mill Lane	2.1	Waltham Forest	X	X			X

Table 13: Key to Waste Management Facility Type

	Facility type
A	Recycling
B	Composting (including indoor / in-vessel composting)
C	Integrated resource recovery facilities / resource parks
D	Waste recovery or treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)
E	Waste transfer

- 7.16 National and European requirements state that waste plans must identify locations where future waste development may take place. In addition, the London Plan requires boroughs to allocate sufficient land to provide capacity to manage apportioned waste. These Priority Areas have been assessed against national, regional and local criteria, including the Strategic Objectives and Spatial Principles, and represent the most suitable areas for new waste facilities in North London. To help redress the high proportion of North London's waste facilities already in Enfield (62%), and help deliver a better geographical spread of sites (Spatial Principle B), developers wishing to provide additional waste capacity on a new site in North London are required to demonstrate that no land is available or suitable in Priority Areas outside of Enfield before considering the Priority Area identified within the Borough. This applies to additional capacity only and not to the expansion or intensification of existing waste sites or providing compensatory capacity for sites already in Enfield. The exception to this sequential approach to site search. The exception to this sequential approach to site search is for Recycling and Reuse Centres (RRCs) where there is an identified need in Enfield and Barnet to improve the coverage across North London (see Policy 4). The evidence will need to demonstrate an adequate search has been undertaken which takes into account the type of waste facility proposed, the criteria set out in Table 10 and the criteria set out in policy 6.
- 7.17 The NLWP data study has identified capacity gaps for waste management during the plan period for the preferred option of net self-sufficiency (in line with STRATEGIC OBJECTIVE 3). The purpose of Policy 2 is to ensure that sufficient land is identified to

accommodate built waste management facilities to deal with these identified capacity gaps for North London (in line with STRATEGIC OBJECTIVE 2).

- 7.18 In Schedules 2 and 3, the NLWP identifies thirteen Priority Areas to provide land suitable for the development of waste management facilities, including RRCs (see Policy 4). Each 'Priority Area' comprises an industrial estate or employment area that is in principle suitable for waste use. The identification of Priority Areas suitable for waste uses, subject to detailed site assessment at planning application stage, will help to achieve net self-sufficiency whilst encouraging co-location of facilities and complementary activities (an objective of the NPPW and Spatial Principle C). Areas listed in Schedule 2: Priority Areas for waste management and Schedule 3: Priority Areas identified in LLDC Local Plan suitable for new waste facilities will be identified in borough policies maps, and any new waste sites will be safeguarded and identified in borough policies maps.
- 7.19 The Priority Areas are considered to be in the most suitable, sustainable and deliverable locations in North London for new waste management facilities when assessed against a range of environmental, economic and social factors (see STRATEGIC OBJECTIVE 5) and the Spatial Principles. The location of new waste facilities and compensatory capacity will be monitored through Monitoring Indicator IN3.
- 7.20 Area profiles in Appendix 2 are provided to assist developers who wish to build a waste facility in North London. The Profiles indicate the size of each Priority Area, the type of facility likely to be accommodated on the area, constraints, and any mitigation measures which may be required. Developers should be aware that any type of facility listed as potentially suitable is subject to consideration against the full suite of relevant local planning policies/guidance.
- 7.21 The ability of Priority Areas to accommodate a range of types and sizes of waste management facility is important to the flexibility of the Waste Plan. Table 13: Key to Waste Management Facility Types contains a full list of the types of facilities which were considered when assessing Areas and which may be required over the plan period to meet the identified capacity gap and to provide new sites for compensatory capacity. The facility types identified are broad categories which may come forward over the plan period. The order of facility types reflects their place in the waste hierarchy, with categories A and B at the 'recycling' level and C-E at the 'other recovery' level. Applicants should take account of this order when responding to the second criteria of Policy 2 which requires development proposals to manage waste as far up the waste hierarchy as practicable in line with STRATEGIC OBJECTIVE 1.

- 7.22 The NLWP recognises that currently emerging or unknown waste management technologies, not listed in Table 13 'Key to Waste Facility Types', may be proposed during the plan period as new ways of treating waste come to the fore. As with all proposals, those for waste management technologies not listed will be assessed against the relevant NLWP policies, policies in the London Plan, Borough Local Plan policies and related guidance.
- 7.23 A full assessment of the suitability of the Priority Area for a facility type should be prepared by the developer to inform any development application for waste use. This will allow for a more detailed analysis and consideration of potential impacts associated with a specific proposal at the planning application stage.
- 7.24 In North London the most likely options for waste management will be recycling and recovery. The test of whether the proposed management is acceptable in terms of the waste hierarchy will be based on the type of waste and the treatment proposed and demand.
- 7.25 It is not within the remit of the NLWP to directly allocate sites/areas within the London Legacy Development Corporation (LLDC) planning authority area; this falls to the LLDC Local Plan. Therefore Schedule 3 sets out separately those Priority Areas identified in the LLDC Local Plan as being potentially suitable for built waste management facilities.

Policy 3: Windfall Sites

Policy 3: Windfall Sites

Applications for waste development on windfall sites outside of the existing sites and Priority Areas for new waste management facilities identified in Schedules 1,2 and 3 will be permitted provided that the proposal can demonstrate that:

a)the sites and Priority Areas identified in Schedules 1, 2 and 3 are not available or suitable for the proposed use or the proposed site would be better suited to meeting the identified need having regard to the Spatial Principles;

New) sites have first been sought outside Enfield before sites within Enfield were considered, and that no sites outside Enfield are available or suitable, in line with Spatial Principle B;

b)the proposed site meets the criteria for built facilities used in the site selection process (see Table 10 of Section 5 of the NLWP) the proposal fits within the NLWP Spatial Principles, and contributes to the delivery of the NLWP aim and objectives;

c) future potential development including Opportunity Areas identified in the London Plan, and transport infrastructure improvements such as West Anglia Main Line, Four Tracking and Crossrail 2 would not be compromised by the proposals,;

d)it is in line with relevant aims and policies in the NLWP, London Plan, Opportunity Area Planning Frameworks, Local Plans and related guidance; and

e)waste is being managed as far up the waste hierarchy as practicable

This policy helps meet strategic objectives SO2 and SO3

This policy contributes towards Spatial Principles B and C

7.26 The purpose of this policy is to ensure that development for new waste facilities on sites which do not form part of the planned strategy in the NLWP make a positive contribution to managing waste in North London. Windfall sites refer to locations which are not identified in Schedules 1-3 of this Plan. Windfall sites will cater for the needs of new waste facilities as well as those of displaced facilities lost under proposals considered under Policy 1. Windfall sites will also need to comply with Policy 5 which applies to all proposed waste developments.

7.27 The search process for suitable potential locations for waste facilities has been extensive, thorough, and subject to public consultation, Equality Impact Assessment (EQIA), Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA). The Priority Areas identified in Schedules 2 and 3 meet the requirements of the Spatial Principles. However, there remains a possibility that sites not identified in the plan i.e. windfall sites may be brought forward by operators or landowners for waste development over the plan period.

- 7.28 Developers of windfall sites are required to demonstrate why it is not possible to use, expand or intensify an existing waste site set out in Schedule 1 or why sites in the Priority Areas in Schedules 2 and 3 are not available or suitable. In addition, to help address concerns that there is a high proportion of North London's waste facilities already in Enfield, and help deliver a better geographical spread of sites (Spatial Principle B), developers are required to demonstrate that no sites are available or suitable outside of Enfield before considering those within the Borough. The exception to this is for Recycling and Reuse Centres (RRCs) where there is an identified need in Enfield and Barnet to improve the coverage across North London (see Policy 4). The evidence will need to demonstrate an adequate search has been undertaken which takes into account the type of waste facility proposed, the criteria set out in Table 10 and the criteria set out in policy 6.
- 7.29 Developers proposing waste sites outside the Priority Areas will be expected to demonstrate that the proposed site would be better suited to meeting the identified need for North London having regard to delivering the Spatial Principles of the NLWP. For example a windfall site may deliver a better geographic spread of facilities in North London (Spatial Principle B), or there may be an opportunity to co-locate a recycling facility with a reprocessing plant (Spatial Principle C) or an opportunity for small scale expansion of an existing site onto adjacent land which helps facilitate the maximum use of an existing waste site and enable co-location of facilities. There may be instances in the future where advances in waste technologies are such that existing sites or Priority Areas do not meet the technical requirements of a proposed waste management facility, for example, the identified locations might be too small for the proposed development or the facility may need to be located near a specific waste producer or user of heat. Some of the Priority Areas identified in Policy 2 may become unavailable over the Plan period because they will be used for other purposes or affected by future development proposals such as Crossrail 2 and Opportunity Areas. Locating certain types of waste processing sites within large scale redevelopment areas may also have benefits for reducing need for waste transport especially during the construction phase for the management of CDE. In addition, it is also recognised that proposals on windfall site may come forward to provide capacity for displaced facilities from within the plan area where existing capacity needs to be re-provided locally and this need cannot be met through the existing allocations.
- 7.30 Proposals for waste development on windfall sites will be supported where the proposal would not compromise existing planning designations and where the impacts on communities and environment can be satisfactorily controlled. In proposing a windfall site, developers will need to demonstrate that the spatial principles set out in Section 2 have been considered, and in particular that the proposed site can deliver the spatial principle of balanced geographical distribution

of waste facilities across North London, taking into account the concentration of existing waste sites in Enfield with reference to the NLWP Annual Monitoring Report..

- 7.31 Proposals for waste development on windfall sites should be in line with the London Plan, the NLWP, and Local Plans adopted by the North London boroughs. Proposals for waste facilities on windfall sites will need to demonstrate compliance with the same planning and spatial assessment criteria (Table 10, section 5) used for the identification of sites and areas in the NLWP, and any other relevant material considerations, including the assessment criteria as set out within policy 5. The windfall sites policy has been developed to ensure that any unplanned development contributes positively to future waste capacity in the plan area while not undermining the approach to development set out in the NLWP, the London Plan and Local Plans. Any waste development brought forward on a windfall site must meet the same high level of sustainability as the Priority Areas identified through the site and area selection process.
- 7.32 Applications for waste developments on windfall sites will need to demonstrate how the application supports delivery of the NLWP and assists in the aim of net self-sufficiency (STRATEGIC OBJECTIVE 3) by providing capacity that addresses the requirements of North London to manage more of its own waste or in providing replacement capacity for an existing facility which has been displaced. In line with the aim and objectives of the plan, planning applications will need to demonstrate that there will be social, economic and environmental benefits from the development and that amenity will be protected (STRATEGIC OBJECTIVE 5).
- 7.33 Historically, waste development has been concentrated within the east and west of North London. Policy 3 provides an opportunity to develop a wider network of sites across the area, in line with the Spatial Principles. This policy allows new sites to come forward across the area where demand and commercial opportunity arise helping to provide a wider spread of facilities across the plan area in future.
- 7.34 There will be mixed use developments across North London within the period of the NLWP. The London Plan sets out a framework for development of new housing and employment together with the ancillary development necessary to sustain that development. Crossrail 2 will impact considerably on north London as mixed use development is expected to accumulate around Crossrail 2 stations.
- 7.35 In large scale redevelopment areas across the boroughs there is opportunity to plan for waste uses to form part of the master-planning process. In this way it should be possible to design-out any potential land use conflicts with non-waste uses in close proximity and support the agent of change principle as promoted by the London Plan. In such areas it may also be beneficial to allow temporary sites that can

manage CDE waste generated as part of the redevelopment, subject to licencing and planning requirements.

7.36 In areas which contain a mixed use of employment and housing, suitable waste uses are likely to be re-use, repair or recycling uses. The following issues need special considerations when designing waste facilities into a mixed use area as part of the master planning process.

- How to minimise visual and acoustic nuisance from the site to residential properties and other uses, including utilising suitable screening , building orientation including avoiding residential units overlooking waste operations or vehicle site access points, and use of appropriate building materials.
- Impact of odour, dust, litter on local amenity – An Environmental Management Plan to be submitted in support of a planning application to be applied to prevent such impacts from becoming a nuisance;
- Access and traffic – consider the most appropriate route and timing for vehicles to access the waste facility and separation of access to avoid conflict with traffic and access associated with neighbouring uses.

These issues are considered in more detail in policy 5 including a presumption that waste uses will be enclosed.

7.37 STRATEGIC OBJECTIVE 1 seeks to support movement of North London’s waste as far up the waste hierarchy as practicable. The test of whether the proposed operations are acceptable in terms of the waste hierarchy will be based on the type of waste and the treatment proposed and demand.

Policy 4 – Re-use & Recycling Centres

Policy 4 – Re-use & Recycling Centres

Proposals for Re-use & Recycling Centres will be permitted where:

- a) They improve the coverage of centres across the North London Boroughs, in particular in an area of identified need for new facilities in Barnet or Enfield and;
- b) They are in line with relevant aims and policies in the North London Waste Plan, London Plan, Local Plans and other related guidance.

This policy helps meet strategic objectives SO1, SO2 and SO3

This policy contributes towards Spatial Principles A and B

7.38 Re-use & Recycling Centres (RRCs) provide members of the public with access to a wider range of recycling facilities and they also deal with bulky items. There are currently eight RRCs in North London of which seven are the responsibility of the North London Waste Authority (NLWA). They are safeguarded for waste use under Policy 1. The NLWA has identified areas of deficiency in coverage in parts of Barnet and Enfield and is seeking to address this by providing new or replacement sites so that 95% of residents live within two miles (measured as a straight line) of a facility¹⁸ - see Figure 7 in Section 4. The NLWA is also proposing a new RRC on the Edmonton EcoPark site as part of its current Development Consent Order (DCO) application on the site. The Spatial Principles seeks a network of waste sites across North London and, as part of this aim, to ensure residents have good access to RRCs where there is an identified need.

7.39 Re-use & Recycling Centres should be located where they can provide appropriate access for members of the public and for contractors and their vehicles. They are best sited on former waste sites or in areas of industrial or employment land and need to be of a sufficient size for the range and quantity of materials likely to be received. Sites and areas identified in Schedules 1, 2 and 3 are likely to be the most suitable locations, and Policy 3: Windfall Sites will apply to any application for an RRC outside of these areas. There may be scope to provide localised recycling centres as part of major new development.

Policy 5: Assessment Criteria for waste management facilities and related development

Policy 5: Assessment Criteria for waste management facilities and related development

Applications for waste management facilities and related development, including those replacing or expanding existing sites, will be required to demonstrate to the satisfaction of the relevant Borough that:

a) the amenity of local residents is protected;

New) the proposal maximises the waste management capacity of the site

¹⁸ Household Waste Recycling Centre Policy, North London Waste Authority (June 2010)

- b) the facility will be enclosed unless justification can be provided by the developer that an equivalent level of protection can be permanently achieved by other means;
- c) adequate means of controlling noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants and other emissions are incorporated into the scheme;
- d) there is no significant adverse effect on any established, permitted or allocated land uses likely to be affected by the development;
- e) the development is of a scale, form and character in keeping with its location and incorporates appropriate high quality design;
- f) there is no significant adverse impact on , open spaces or land in recreational use or landscape character of the area including the Lee Valley Regional Park;
- new) heritage assets and their settings are conserved and where appropriate enhanced;
- g) active consideration has been given to the transportation of waste by modes other than road, principally by water and rail;
- h) there are no significant adverse transport effects outside or inside the site as a result of the development;
- i) the development avoids increasing the levels of vulnerability to climate change, makes appropriate adaptation and mitigation measures to achieve this, and helps reduce greenhouse gas emissions;
- j) the development has no adverse effect on the integrity of an area designated under the Habitats Directive and no significant adverse effect on local biodiversity or water quality;
- k) there will be no significant impact on the quality of underlying soils, surface or groundwater;
- l) the development has no adverse impact on Flood Risk on or off site and aims to reduce risk where possible;
- m)
- n) there is no adverse impact on health
- o) there are no significant adverse effects resulting from cumulative impact of any proposed waste management development upon amenity, the economy, the natural and the built environment either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of waste

<p>developments occurring concurrently or successively.</p> <p>p) There are job creation and social value benefits, including skills, training and apprenticeship opportunities¹⁹.</p> <p>q) The proposal is supported by a Circular Economy Statement</p>
<p>This policy helps meet strategic objectives SO4, SO5, SO7 and SO8</p> <p>This policy contributes towards Spatial Principles C, E and F</p>

7.40 Policy 5 seeks to ensure that the construction and operation of waste facilities does not give rise to an unacceptable impact on health or harm the **amenity** of local residents or the environment. Amenity is defined as any element providing positive attributes to the local area and its residents and impacts can include such issues as, but not limited to, increased levels of local air pollution, increased noise disturbance, light impacts including increased light or reduced light or sunlight, reduced privacy, loss of outlook and reduced visual amenity. Applicants will need to demonstrate that appropriate measures and/or Best Available Techniques (BAT) (where applicable) have been taken to minimise any potential impacts from the proposed waste development to ensure the protection of local amenity and healthy. The specific requirements will vary from site to site, however issues to be addressed may include strict hours of operation, effective cladding on buildings to prevent noise pollution, and dust and odour suppression systems as appropriate. These issues are discussed in more detail below. Policy 5 helps deliver a number of the STRATEGIC OBJECTIVES, including SO4 which seeks high standards of design, SO5 which seeks to integrate social, environmental and economic considerations, SO6 which seeks a low carbon economy, SO7 which supports the use of sustainable forms of transport, and SO8 which seeks to protect the natural environment, biodiversity, cultural and historic environment.

7.41 London Plan policy SI8 promotes capacity increases at waste sites and where appropriate to maximise their use. In order to demonstrate that North London’s

¹⁹ This requirement is an issue for all development and waste applications should provide details as to how they will meet these objectives.

land is being used to its highest potential, developers are required to provide evidence that the waste management capacity on a site has been optimised. This could be in reference to similar facilities operating to a high standard.

- 7.42 Waste facilities can be separated into '**enclosed**' facilities, where waste is processed inside a building and 'open' facilities, which largely deal with waste in the open air. Waste facilities are often seen as bad neighbours, due to problems associated with open air facilities. It is current best practice that the operations are carried out within a covered building enclosed on all vertical sides with access and egress points covered by fast acting doors which default close in order to minimise local public health and environmental impact. Such enclosed facilities are similar in appearance to modern industrial shed developments such as factories or logistics facilities. 'Open' facilities are unlikely to be suitable for North London as outlined in the section 2 of the Plan except in exceptional circumstances. There are types of waste development for specific waste streams or waste types that may not need to or should not be enclosed but any activity likely to cause dust should be carried out within a building or enclosure. Enclosing waste management facilities not only results in less dust and particulate pollution but will also reduce the risk of pollution caused from other amenity issues such as noise, pests and odour. **Noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants**, other emissions and their potential health impacts have been a major concern raised through public consultation. However, well sited, and well managed facilities should not cause harm or disturbance. Details of controls for emissions (including bio aerosols) from the site need to be supplied with the application. Planning conditions and section 106 agreements will be used to secure measures to address any issues where necessary and where control is not already exercised through other consent regimes (i.e. the requirement for environmental permits, which is assessed by the Environment Agency). Applicants will be expected to comply with Borough policies on contaminated land. The North London boroughs require that any development can safely complement surrounding uses.
- 7.43 The North London boroughs expect well controlled and well-designed waste facilities capable of fitting in with **surrounding land uses** and acting as good neighbours. Where development is proposed close to residential areas, in line with STRATEGIC OBJECTIVE 4 and the agent of change principle, the design must incorporate noise reduction measures as well as dust and odour suppression as necessary. It should be designed to minimise its impact on the local area and ensure it is compatible with existing surrounding land uses. When assessing planning applications for waste uses, in addition to Policy 5, the boroughs will also have regard to the criteria in Appendix B of the NPPW and relevant London Plan and Local Plan policies. Applicants are required to submit sufficient information to enable the waste planning authority within which the subject site falls to assess the potential impact of the development

proposal on all interests of acknowledged importance. Applicants are encouraged to contact the relevant borough prior to submitting a planning application to discuss relevant matters. Where new waste development is being sited near existing waste sites, developers will be expected to consider potential cumulative impacts as well as also demonstrating any possible benefits of co-locating waste development (in line with Spatial Principle C). **Good design** is fundamental to the development of high quality waste infrastructure and, to deliver STRATEGIC OBJECTIVE 4, the North London boroughs seek approaches that deliver high quality designs and safe and inclusive environments. The documents submitted in support of the planning application should set out how the development takes on board good practice such as the Defra/CABE guidance on designing waste facilities²⁰. The supporting documents should set out how the siting and appearance complements the existing topography and vegetation. Materials and colouring need to be appropriate to the location. The development should be designed to be in keeping with the local area and include mechanisms for reducing highway deposits²¹, noise and other emissions where necessary.

- 7.44 The supporting documents should set out how landscape proposals can be incorporated as an integral part of the overall development of the site and how the development contributes to the quality of the wider urban environment. The applicant will need to demonstrate that there will be no significant adverse effect on areas or features of landscape or nature conservation value. Where relevant, applications for waste management facilities and related development will be required to demonstrate that they conserve and, where appropriate, enhance heritage assets and their settings including consideration of non-designated archaeology where relevant line with the NPPF.
- 7.45 Where sites include, or are likely to have an impact on the setting of a **heritage** asset both designated (Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Registered Historic Parks and Gardens and Battlefields) and undesignated, including archaeology, it should be demonstrated that the development will conserve the significance of the asset. Where the site has potential to include assets with archaeological interest, such as if it is in an archaeological area

²⁰ Designing waste facilities – a guide to modern design in waste, Defra & CABE, 2008

²¹This can be achieved through provision of wheel wash facilities etc where required and placing conditions of the applications to ensure all vehicles are covered

identified in a Borough Local Plan or may affect a site recorded on the Greater London Historic Environment Record, an appropriate desk based assessment and, where necessary, a field evaluation, is required to accompany the planning application. Where such an assessment and evaluation confirms significant archaeological interest then appropriate mitigation by design or investigation is also required.

- 7.46 A large part of the Lee Valley Regional Park (1483 ha) falls within four of the North London Boroughs involved in the Plan; Waltham Forest, Haringey, Enfield and Hackney. New development should contribute to the protection, enhancement and development of the Regional Park as a world class visitor destination and the wider public enjoyment of its leisure, nature conservation, recreational and sporting resources. The Lee Valley is a significant resource for North London and developments should not have an adverse effect on the **open space** and character of the area, and should aim to contribute to its enhancement where appropriate.
- 7.47 Waste and recyclables require transportation at various stages of their collection and management and so opportunities to employ more sustainable options such as rail and river should be fully considered. STRATEGIC OBJECTIVE 7 supports the use of sustainable forms of transport and minimise the impacts of waste movements including on climate change. North London is characterised by heavy traffic on all principal roads. That is why developers need to prioritise **non-road forms of transport** if at all possible and to set out their assessment of sustainable transport options in a Transport Assessment detailing transport issues to be submitted with any planning applications for waste facilities (see below). In North London there exists considerable potential for sustainable transport of waste as part of the waste management process. There are a number of railway lines and navigable waterways in North London including the Regents Canal and the Lee Navigation. It is existing practice to transport waste by train and pilot projects have taken place to transport waste by water. Developers are required to demonstrate that they have considered the potential to use water and rail to transport waste before reliance on transport of waste by road. Where the site lies adjacent to a wharf or waterway, capable of transporting waste, developers need to demonstrate that consideration has been given to the provision and/or enhancement of wharf facilities. This will be monitored through Monitoring Indicator IN5 (see Section 8). Waste transfer activities that do take advantage of rail and or boat transportation must also ensure that they design their site and meet the standards required by all waste management sites stated in this Plan.
- 7.48 Applicants will need to submit a **Transport Assessment** in line with the relevant borough Local Plan policy and the London Plan. The Transport for London Best Practice Guide contains advice on preparing Transport Assessments when they are required to be submitted with planning applications for major developments in

London. Consideration should be given to access arrangements, safety and health hazards for other road users, the capacity of local and strategic road networks, impacts on existing highway conditions in terms of traffic congestion and parking, on-site vehicle manoeuvring, parking and loading/unloading areas, and queuing of vehicles. The Assessment should include a traffic management plan establishing the times of access for vehicles to minimise disruption on the local road network during peak hours, and setting out specific routes to ensure that vehicles are accessing the site via roads considered suitable by the Highways Authority and, where possible, avoid overlooking of the site access by residential properties. The Assessment should cover the types of vehicles to be used, including opportunities to use ultra-low and zero emission vehicles, alternatives to vehicles powered by the internal combustion engine, and the provision of any infrastructure at future or expanded waste sites to accommodate this. The statement should also cover emission standards and fuel types in line with national and regional air quality standards.

- 7.49 The development of Servicing and Delivery Plans and Construction Logistic Plans (CLP) will be encouraged for all waste developments. Such Plans ensure that developments provide for safe, efficient and legal delivery and collection, construction and servicing including minimising the risk of collision with vulnerable road users such as cyclists and pedestrians. Consideration should be given to the use of Direct Vision Lorries for all waste vehicles in line with the Mayor's Vision Zero Action Plan, and the use of freight operators who can demonstrate their commitment to TfL's Freight Operator Recognition Scheme (FORS) or similar. Developers need to demonstrate that they can operate servicing and deliveries in the most efficient way that makes best use of transport movements that are made.
- 7.50 Sustainable design, construction and operation of waste management development will be assessed against relevant Development Plan policies. In line with STRATEGIC OBJECTIVE 6, consideration should be given to how the development contributes to the mitigation of and adaption to **climate change**, promotes energy and resource efficiency during construction and operation with the aim of developments being carbon neutral, the layout and orientation of the site and the energy and materials to be used. Developments should achieve the highest possible standard under an approved sustainability metric such as BREEAM or CEEQUAL in line with the relevant borough's policies. Information supplied should enable the borough in question to assess the proposal against relevant planning policies by clearly setting out how the application complies with sustainable design and construction policies and guidance including measureable outputs where appropriate. Where appropriate, production of a site waste management plan should be provided prior to the commencement of construction of the development.
- 7.51 Criteria 5j seeks to protect and enhance local **biodiversity**. Development proposals will be assessed against this policy as well as other relevant principles and policies

set out in the NPPF and Borough Local Plans. Development that would have an adverse effect on any area designated under the Habitats Directive will not be permitted. Assessments undertaken for the Plan have identified sites of European Community importance within and nearby the Plan area. Sites at least partially within the Plan boundary are the Lee Valley Special Protection Area (SPA) and RAMSAR site and part of Epping Forest Special Area for Conservation (SAC). Additional sites at least partially within 10 km of the Plan area boundary are Wormley-Hoddesdon Park Woods SAC and Wimbledon Common SAC³. Developers need to be able to demonstrate that their proposals will not have an adverse effect on the integrity of any European site. In addition there are six Sites of Special Scientific Interest and 20 Local Nature Reserves as well as sites of importance to nature conservation (SINC). Developers should take note of existing Biodiversity Action Plans, protect existing features and promote enhancement for example through the use of green walls where acoustic barriers are required. Where a development site is adjacent to a river the Environment Agency has advised that a setback of a minimum of 8 metres from the top of the bank should be incorporated into any redevelopment proposals. Consistent with this advice, setting back waste management development (not including wharf development) from watercourses and providing an undeveloped buffer zone free from built structures will be important for maintaining access to the river, to allow the landowner access for routine maintenance activities and for the Environment Agency to carry out Flood Defence duties. Maintaining a sufficient wildlife and riverside corridor is also important for minimising the potential adverse impacts to the **water quality** and riverine habitats. This will provide opportunities for flood risk management in line with the Environment Agency Catchment Flood Management Plans. Opportunities for river restoration through the development of sites should also be encouraged to ensure compliance with requirements under the Water Framework Directive and the Thames River Basin Management Plan.

7.52 There are a number of **groundwater** source protection zones in North London to protect drinking water supplies and prevent contamination of aquifers. Source protection zone 1 boundaries are defined in the immediate area of boreholes and other abstraction points. Waste facilities may be permitted in source protection zone 1 provided that any liquid waste they may contain or generate or any pollutants they might leach, especially if hazardous, do not pose an unacceptable risk to groundwater. A groundwater risk assessment will be required. Soil quality will need to be protected from potential adverse impact by certain operations, such as open windrow composting. The following waste facilities are considered lower risk and are more likely to be acceptable:

- Energy from Waste ;
- In-Vessel Composting activities;

- Mechanical Biological Treatment;
- Materials Recycling Facility (dry wastes only), and;
- Waste Electrical and Electronic Equipment (WEEE) sites that exclude potentially polluting wastes.

- 7.53 Higher risk waste uses are less likely to be acceptable in source protection zone 1. Early liaison with the Environment Agency is encouraged.
- 7.54 Source protection zone 2 covers a wider area around an abstraction point. Where developments are proposed in source protection zone 2, a risk assessment will be required and any waste operation apart from landfill may be considered. Where sites are in source protection zones, developers are encouraged to engage in early discussions with the Environment Agency.
- 7.55 The North London Strategic Flood Risk Assessment (SFRA) and individual borough 'Level 2' SFRAs have demonstrated the current risks from **flooding** from all sources of flood risk across North London and site specific flooding assessments have been undertaken on Priority Areas in schedules 2 and 3. Where a site is near or adjacent to areas of flood risk, the development is expected to contribute through design to a reduction in flood risk, making as much use as possible of natural flood management techniques, and be appropriately flood resistant and resilient in line with the NPPF and NPPG. Development proposals will be required to assess the impact of climate change using the latest published climate change allowances, mitigate to the appropriate future flooding scenario using these allowances. A sequential approach to the layout of the site should be taken aiming to locate development in the parts of the site at lowest risk of flooding from any source. Waste facilities are often characterised by large areas of hardstanding for vehicles and large roof areas. Development proposals will be required to show that flood risk would not be increased as part of the scheme and, where possible, will be reduced overall through the use of Sustainable Drainage Systems (SuDS) and other techniques. Any proposed development should be reviewed by the Environment Agency at an early stage to discuss the reduction of flood risk on the site.
- 7.56 Developers of waste facilities will need to fully identify the **health implications** of the development and plan the most appropriate scheme to protect the surrounding uses and community. Any proposed waste development which is required to have an Environmental Impact Assessment will also require a Health Impact Assessment.
- 7.57 Paragraph 5 of the National Planning Policy for Waste (NPPW) requires consideration be given to:

“The cumulative effect of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential”.

- 7.58 **Cumulative impacts** relate to the way in which different impacts can affect a particular environmental resource or location incrementally, for example, combined noise, dust and traffic emissions on a dwelling from a new road scheme. In essence, cumulative impacts are those which result from incremental changes caused by other past, present or reasonable foreseeable actions together with the proposed development. Therefore, the potential impacts of the proposed development cannot be considered in isolation but must be considered in addition to impacts already arising from existing or planned development.
- 7.59 In determining an application for a new waste facility, account will normally be taken of the potential cumulative impact of waste management and other development within the locality and in particular the area’s capacity to absorb that change. Factors to be taken into account will include; the nature of the waste and the process involved; the direction of the prevailing wind; the amount of enclosure for the processes; use of odour neutralisation and minimisation; measures for dust control; the number of persons affected by the development and its duration; the effects on amenity that pollution would cause; local topography providing natural screening; the extent of noise and vibration generated by the operations; the proposed hours of working; and the impact of flood-lighting. In some instances, the combined impact of development over a sustained period of time may be sufficient to warrant refusal of planning permission. However it is acknowledged that cumulative impacts can have positive impacts through synergies with other local waste uses and businesses in the area. Such synergies may lead to less road miles for waste as well as the potential development of green industry hubs attracting more highly skilled and technical jobs. Proposals should seek to make a positive contribution to improving issues of deprivation and inequality within local communities. Where an area has historically hosted significant waste infrastructure and is moving towards regeneration initiatives to improve its economic and investment potential, the cumulative impact on these regeneration activities should be considered when waste development is proposed, especially where the benefits of co-location and economies of scale are outweighed by a resultant reduction in land values, employment opportunities and regeneration potential. In these circumstances where development takes place, opportunities to address inequalities should be taken up in order to promote a better spatial distribution of facilities and avoid undue concentration of waste uses.
- 7.60 As stated throughout this document applications will be assessed against the full suite of relevant **national, London Plan and Local Plan policies** and guidance. However, given the status of the NLWP as a multi-Borough DPD which will form part

of the Local Plan of each of the seven Boroughs, Policy 5 is a valuable signpost to impacts that will be considered in the determination of applications and will help deliver STRATEGIC OBJECTIVE 5 which seeks to ensure the delivery of sustainable waste development within the Plan area through the integration of social, environmental and economic considerations.

- 7.61 As part of the application, and in line with policies in the borough local plan, Developers should give details of the jobs created as a result of the new development, the level of skills required and the availability of **training and apprenticeship** opportunities. Developers should seek to meet the aspirations of borough economic and employment strategies and make a positive contribution to the local economy.
- 7.62 As part of the Circular London programme, LWARB published a **Circular Economy** Route Map in June 2017. The Route Map recommends actions for a wide range of stakeholders, including London’s higher education, digital and community sectors as well as London’s businesses, social enterprises and its finance sector. Developers should submit a Circular Economy Statement in line with the London Plan and guidance issued by the Mayor.

Policy 6: Energy Recovery and Decentralised Energy

Policy 6: Energy Recovery and Decentralised Energy

Where waste cannot be managed at a higher level in the waste hierarchy waste developments are required to generate energy, recover excess heat and provide a supply to networks including decentralised energy networks unless it is not technically feasible or economically viable to do so. Developers must demonstrate how they meet these requirements as part of a submitted Energy Statement .

Where there is no available decentralised energy network and no network is planned within range of the development, as a minimum requirement the proposal should recover energy through electricity production and be designed to enable it to deliver heat and/or energy and connect to a Decentralised Energy Network in the future.

This policy helps meet strategic objectives SO1 and SO6

This policy contributes towards Spatial Principle D

- 7.63 Tackling climate change is a key Government priority for the planning system and a critical new driver for waste management. The purpose of this policy is to ensure that applications for waste management facilities incorporate opportunities for sustainable energy recovery and combined heat and power (CHP) where feasible and practicable. The policy helps deliver STRATEGIC OBJECTIVE 6 to provide opportunities for North London to contribute to the development of a low carbon economy and decentralised energy. The policy complements more detailed policies in borough Local Plans on financial contributions relating to feasibility, sustainable design, CHP and development of heat networks, against which applications will also be considered.
- 7.64 The NPPW and the London Plan both recognise the benefits to be gained from any energy from waste facility to capture both heat and power, and encourage all developments of this kind to achieve that end.
- 7.65 National policy for renewable energy says that Local Development Documents, such as the NLWP, should contain policies that promote and encourage, rather than restrict, the development of renewable energy resources. The London Plan includes minimum performance for technologies for generating energy from London's waste, known as the carbon intensity floor. This has been set at 400 grams of CO₂ eq generated per kilowatt hour (kwh) of electricity generated.
- 7.66 The GLA has committed to working with London Boroughs and partners in the private sector to develop opportunities by providing assistance for commercialisation of large decentralised energy projects. Opportunities for district heating were identified across London as part of the Decentralised Energy Master Planning programme led by the GLA in 2008-2010²². The programme initially focused on identifying opportunities for district heating networks through heat mapping and energy masterplanning with the London Boroughs.
- 7.67 Work is already underway to progress the delivery of a decentralised network in the Lee Valley known as Meridian Water . Meridian Water will capture affordable low carbon heat from waste to energy facilities and combined heat and power plants, supplying it to buildings and industry across the Lee Valley. Meridian Water is

²² London Heat Map – www.londonheatmap.org.uk

requesting hot water to be supplied for the energy from waste facility (EfW) at Edmonton EcoPark. However, over time, the network will connect additional heat sources, including other waste developments, elsewhere in the Lee Valley. Any future development, including the current plan for Meridian Water should ensure that the openness and permanence of the Green Belt is maintained in accordance with draft New London Plan Policy G2.

- 7.68 The Boroughs will monitor the success of this policy through Monitoring Indicator IN8 which is the number of new CHP facilities serving district heat networks in which the principal fuel source is residual waste or recovered waste fuel.

Policy 7: Waste Water Treatment Works and Sewage Plant

Policy 7: Waste Water Treatment Works and Sewage Plant

Proposals for the provision of new facilities for the management, treatment and disposal of wastewater and sewage sludge will be permitted, provided that:

- it is demonstrated that there is an identified need for such a facility within the North London Waste Plan area, which cannot be met through existing waste facilities; and
- the proposals meet the other policies of this North London Waste Plan together with all other relevant policies of the appropriate borough's Development Plan.

This policy helps meet strategic objectives SO1, SO2 and SO5

This policy contributes towards Spatial Principles A and B

- 7.69 Waste Water Treatment Works in North London are operated by Thames Water, with the main facility being Deephams Sewage Treatment Works (STW), which is the ninth largest in England. Works to Deephams STW to provide sufficient capacity to meet Thames Water's projections of future requirements into the next decade were largely constructed by March 2017 and being completed during 2018/2019. The upgrade increased capacity from a Population Equivalent (PE) of 891,000 (as at 2011) to 989,000 PE. At the time the upgrade was designed (in line with population predictions at the time) it was envisaged the upgrade will accommodate population growth up until at least 2031. However, treatment capacity will be reviewed in

future AMP periods to ensure ongoing capacity in relation to changing population growth predictions.

- 7.70 The Environment Agency has issued a significantly tighter environmental permit that came into force in March 2017 and required Thames Water to make improvements to the quality of the discharged effluent. The need for an effluent upgrade to Deephams STW is highlighted in the National Planning Statement on Waste Water, and planning permission for this work was granted by Enfield Council in 2015. The site is to be retained for waste water use and Thames Water anticipates that the approved recent upgrade to Deephams STW will provide sufficient effluent treatment capacity to meet their needs into the next decade.
- 7.71 The boroughs will work with Thames Water and the Environment Agency to ensure that adequate and appropriate waste water treatment infrastructure is provided to meet environmental standards and planned demand. In September 2014 the Government approved plans to build the Thames Tideway Tunnel - a 25km conduit flowing beneath the Thames which would provide collection, storage and transfer capacity for waste water and rainwater discharge from a significant part of Central London. Construction is scheduled to begin in 2018 with completion scheduled for 2023. Once completed the new tunnel will be connected to the Lee Tunnel which will transfer sewage to the expanded Beckton Sewage Treatment complex. The proposal has indirect implications for the Plan area in that it will benefit from the additional capacity and this will relieve pressure for further expansion of local Waste Water Treatment Works.
- 7.72 Any other new waste water and sewage treatment plants, extensions to existing works, or facilities for the co-disposal of sewage with other wastes will be supported where the location minimises any adverse environmental or other impact that the development would be likely to give rise to, and the suitability of the site can be justified in accordance with this Plan. The Plan has a supporting role to identify suitable locations for additional infrastructure.
- 7.73 The Boroughs will monitor the success of this policy through Monitoring Indicator IN9.

Policy 8: Inert Waste

Policy 8: Inert Waste

Inert waste should be managed as far up the waste hierarchy as possible, including on-site recycling and reuse of such material.

Proposals for development using inert waste will be permitted where the proposal is for beneficial use, including but not limited to:

- a) Restoring former mineral working sites; or
- b) Facilitating an improvement in the quality of land; or
- c) Facilitating the establishment of an appropriate use in line with other policies in the Local Plan; or
- d) Improving land damaged or degraded as a result of existing uses and where no other satisfactory means exist to secure the necessary improvement.

All proposals using inert waste should:

- a) Incorporate finished levels that are compatible with the surrounding landscape. The finished levels should be the minimum required to ensure satisfactory restoration of the land for an agreed after-use; and
- b) Include proposals for high quality restoration and aftercare of the site, taking account of the opportunities for enhancing the overall quality of the environment and the wider benefits that the site may offer, including biodiversity enhancement, geological conservation and increased public accessibility.

Proposals for inert waste disposal to land will not be permitted if it can be demonstrated that the waste can be managed through recovery operations.

This policy helps meet strategic objectives SO1, SO2 and SO3

This policy contributes towards Spatial Principles B

7.74 Construction, demolition and excavation waste is largely made up of inert construction waste, such as bricks and hardcore which can be used in site restoration and land reclamation projects.

7.75 Recycling and reuse of inert waste applications for all types of development should demonstrate that viable opportunities to minimise construction and demolition waste disposal will be taken, making use of existing industry codes of practice and protocols, site waste management plans and relevant permits and exemptions issued by the Environment Agency.

7.76 Inert waste materials can be an important resource and should be used for beneficial purposes, such as the restoration of mineral sites and in engineering works, or at other 'exempt sites' rather than disposed of at inert landfill sites. A definition of 'beneficial uses' can be found in the New London Plan. Increased use of recycled and

secondary aggregates can reduce the need and demand for primary aggregates extraction. Site operators will need to conform to the 'Aggregates from inert waste Quality Protocol' document to achieve 'end of waste' status. If this cannot be achieved and/or the operator cannot prove compliance with the protocol, then the material will not have achieved 'end of waste' status and will still be considered a waste and subject to controlled waste legislation. There is no 'end of waste' criteria for soil so this will always be viewed as a waste once it has become a controlled waste outside of the Definition of Waste Code of Practice.

- 7.77 Inert waste will continue to be deposited to land where it is reused for beneficial purposes, including within engineering schemes, for the restoration of mineral workings, and for agricultural improvement. Recycling and recovery are the preferred methods of management and inert waste should only be disposed of to land as a last resort, consistent with the waste hierarchy (see STRATEGIC OBJECTIVE 1).
- 7.78 Proposals on unallocated sites for the recycling of inert waste will be permitted where it can be demonstrated that there is a market need, consistent with the principle of net self-sufficiency.
- 7.79 There should be a clear benefit or benefits from the proposed development. This should be a benefit to the site itself, for example, the use of residual inert material associated with the restoration of an active or dormant mineral working the restoration of a former mineral working to agriculture or an engineering operation for the provision of a new leisure facility. However, given the likely disturbance to local communities and the local environment, for example, due to the movement of HGVs, there should be benefits for the wider area, for example, through environmental improvement or the creation of new public rights of way.

8 Monitoring and Implementation

Monitoring the Plan

- 8.1 The Planning and Compulsory Purchase Act (2004) requires planning authorities to monitor and report annually on whether the Aims and Objectives of all local plans (whether prepared individually or in conjunction with other authorities) are being achieved (paragraph 35). The NPPW identifies the need to monitor and report on the take-up of sites in Priority Areas; changes in the available waste management capacity as a result of closures and new permissions; and the quantities of waste being created locally and how much is being managed at different levels in the waste hierarchy i.e. recycling/composting, recovery, and disposal.
- 8.2 Monitoring is also required to check on whether the intending policy outcomes of the NLWP are being delivered and whether the identified capacity gaps are being met through the Priority Areas listed in Policy 2 Schedules 2 and 3. Monitoring will also ensure that sufficient identified land remains available for new facilities during the plan period which is also likely to see intense competition for land for other uses especially housing. The results of monitoring will also play an important role in informing Development Management decisions when authorities determine planning applications for new waste facilities.
- 8.3 Responsibility for monitoring lies with the individual boroughs. However, the boroughs have agreed to monitor the Plan jointly through a lead borough agreement. Data will be collated and included in a joint NLWP Monitoring Report which will be produced annually.
- 8.4 To supplement the boroughs' annual monitoring, it will be important for the GLA to monitor London Plan waste Policies and gather data in partnership with the boroughs on waste arisings, waste management capacity, both within London and landfill outside of London.

Proposed monitoring framework

- 8.5 The aim of monitoring is to check whether the policy framework in the NLWP is working as intended. The proposed monitoring indicators reflect a number of National Indicators and also the statutory and non-statutory performance targets including those set by the EU, the Waste Policy for England and the London Plan. The list of indicators is not intended to be exhaustive and is intentionally focused on parameters where it is possible to evaluate the effect of the NLWP. For example, an indicator reporting on the number of times air quality thresholds were exceeded is of

little use if the contribution of waste management facilities and transport of waste cannot be differentiated from those of other activities.

- 8.6 Table 14 sets out the monitoring indicators proposed for each policy in the NLWP and identifies targets where appropriate. In some cases it will only be necessary to monitor (i.e. count the number of instances of) what has happened in the preceding year. In line with statutory requirements, the North London boroughs will review the plan every five years. If any targets are not being met the boroughs will assess where changes can and should be made.

Table 14: NLWP Monitoring Indicators

	Indicator	Target(s)	What it monitors	Outcome(s) sought
IN1	Waste arisings (Table 6) by waste stream and management route	Waste arisings and management in line with forecasts in Table 6 (Baseline Table 3)	Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self-sufficiency) Meeting Future Requirements as specified in the NLWP % waste diverted and % landfilled	To check that the NLWP is planning for the right amount of waste
IN2	Waste management capacity (Table 8) by waste stream and management route, including existing capacity, new capacity, loss of capacity, compensatory capacity and capacity gaps	Capacity to meet net self-sufficiency targets in Tables 6 and 8 Zero loss_of capacity Replacement; within North London Replacement capacity for Brent Cross Cricklewood provided within Barnet	Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self-sufficiency) Meeting Future Requirements as specified in the NLWP	To check that capacity is increasing to meet net self-sufficiency targets Ensure that capacity is replaced locally unless net self-sufficiency has been met

	Indicator	Target(s)	What it monitors	Outcome(s) sought
			Policy 2: Priority Areas for new waste management facilities Policy 3: Windfall Sites Policy 4. Reuse and Recycling Centres Policy 7 Waste Water Treatment Works and Sewage Plant Policy 8 Control of Inert Waste	
IN3	Location of new waste facilities and compensatory capacity	Land within Schedules 1, 2, 3	SO2 (capacity provision) Policy 1: Existing waste management sites Policy 2: Priority Areas for new waste management facilities Policy 3: Windfall sites	To check that sites in Priority Areas are being taken up as anticipated. To monitor if land within Schedules 1, 2 and 3 is not available or suitable for new waste facilities.
IN4	Sites in Schedule 1 and Priority Areas in Schedules 2 and 3 lost to other non-industrial uses through a major regeneration scheme or designated for non-industrial uses in a review of the London Plan or Local Plan	Less than 25% of land lost If 50% of land is lost this will trigger review of plan	Policy 2: Priority Areas for new waste management facilities	To check that identified land is sufficient to deliver the plan's aims To ensure sufficient existing capacity remains for managing the levels of waste expected across North London over the plan period as set out in Table 8.
IN5	The number of sites consented that offer non-road transport options, the	Facilities where non-road forms of	SO5 (sustainability) SO7 (sustainable	Reduce impact on climate change Improve amenity

	Indicator	Target(s)	What it monitors	Outcome(s) sought
	number of those sites where such options have been implemented and the total tonnage transported through non-road options (where known).	transport are used to move waste and recycling	transport) Spatial Principle F (sustainable transport)	
IN6	Enforcement action taken against waste sites by the local authority and/or Environment Agency on breach of planning conditions or environmental permit	Zero	SO5 (sustainability) SO8 (protect the environment) Spatial Principles (Reduce impact on amenity) Policy 5: Assessment Criteria for waste management facilities and related development	To ensure sites do not cause harm to the environment or local communities
IN7	Amount of waste imported and exported by waste stream and management route	Exported waste to landfill in line with Table 6 of the NLWP Reduction in waste exports	Net self-sufficiency Changes to imports and exports	Waste exports are in line with those estimated in the NLWP and through the duty to co-operate
IN8	Number of new CHP facilities serving district heat networks in which the principal fuel source is residual waste or recovered waste fuel	Monitor only	Strategic Aim (green London)	Monitor only
IN9	Sufficient infrastructure in place for management of waste water	Monitor only – information to be obtained from Thames Water	Strategic Aim (capacity supply and self-sufficiency) SO5 (sustainability)	To ensure that Thames Water have sufficient capacity to management the levels of waste water generated in North London over the plan period

Implementing the Plan

- 8.7 Development and adoption of the Plan must be followed by actions by a range of agencies and other organisations to ensure that its Aims and Objectives are met. The section summarises proposals for how these outcomes will be delivered and who will be responsible for them.
- 8.8 Implementation has four components – infrastructure delivery; application of the policies to planning proposals for waste facilities; ongoing regulation and monitoring of the local waste management sector; and achieving performance levels – each of which involves different actors. Table 15 summarises the organisations involved in each component.

Table 15: Roles and responsibilities involved in implementing the Plan

Organisation	Role	Responsibilities
Local planning authorities (including London Legacy Development Corporation)	Apply Plan policies	Assessing suitability of applications against Plan policies and priorities Deliver the strategic objectives and policies of the NLWP alongside wider development and regeneration objectives
	Regulate / monitor	Inspect operating waste sites periodically Appoint a lead borough to monitor the plan and carry out the duty to co-operate when required Publish annual monitoring reports in the NLWP
	Performance delivery	Support / promote waste reduction initiatives through the planning system
Borough waste collection authorities	Infrastructure delivery	Bring forward new / replacement waste sites for recycling / composting LACW
	Performance delivery	Implement waste collection activities to deliver desired performance levels as appropriate Support / promote waste reduction initiatives
North London Waste Authority (NLWA)	Infrastructure delivery	Delivery of replacement Edmonton ERF plant

Organisation	Role	Responsibilities
		Delivery of other facilities enabling achievement of desired performance levels
	Performance delivery	Prioritising infrastructure delivery that moves waste up the Waste Hierarchy Support / promote / deliver waste reduction initiatives
Landowners	Infrastructure delivery	Propose new waste sites in line with NLWP policies that deliver capacity requirements
Waste industry	Infrastructure delivery	Propose new waste sites and deliver new waste facilities in line with NLWP policies that deliver capacity requirements
Environment Agency	Regulate / monitor	Advise on planning applications according to the nature of the proposal Assess applications for Environmental Permits, issue licences where the proposal meets the necessary standards Inspect operating waste sites periodically Collect and publish information about waste movements for use in Plan monitoring Monitor water quality
	Performance delivery	Promote waste reduction initiatives
Health & Safety Executive	Regulate	Advise on planning applications according to the nature of the proposal Monitor
Other statutory bodies (e.g. Natural England)	Regulate / monitor	Advise on planning applications according to the nature of the proposal Monitor protected sites such as SSSI
Greater London	Performance	Promote waste reduction initiatives

Organisation	Role	Responsibilities
Authority	delivery	Promote carbon reduction initiatives
	Apply Plan policies	Assessing suitability of applications against London Plan policies and priorities Regional coordination of waste planning
London Waste and Recycling Board	Infrastructure delivery	Support to new waste infrastructure
	Performance delivery	Support to waste collection authorities to deliver desired performance levels Support / promote waste reduction initiatives

8.9 New commercial infrastructure required during the plan period will be funded by private funding through sources that cannot be identified at this time. In addition, there may be other sources of funding available such as public sector borrowing. Facilities required for the management of LACW will be funded by NLWA. The waste industry has been invited to take part in the development of the Plan through involvement in the various consultation processes and calls for them to propose suitable sites for waste management use. The NLWP identifies infrastructure priorities for the next 15 years and this will help to provide the industry with greater certainty about waste management priorities in the North London Boroughs that can inform future investment decisions.

8.10 Table 16 sets out how policies in the NLWP will be implemented and who will be involved in each action and which of the Strategic Objectives are addressed as a result.

Table 16: How the NLWP policies will be implemented

Mechanism	Stakeholders involved	Objectives implemented
Policy 1: Existing waste management sites		

Mechanism	Stakeholders involved	Objectives implemented
<p>Planning permission for the expansion or intensification of operations at existing waste facilities.</p> <p>Refusal of planning permission for non-waste use on existing waste sites unless capacity is re-provided.</p> <p>Identifying compensatory provision when it is proposed to redevelop existing waste management facilities for non-waste uses.</p>	Local planning authorities/ Landowner/developers/NLWA	SO2, SO3
Policy 2 Priority Areas for new waste management facilities		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3, SO5
Policy 3: Windfall sites		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO2, SO3
Policy 4: Re-use & Recycling Centres		
Planning permission and subsequent development	Landowners and developers / waste management companies / NLWA / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3
Policy 5: Assessment criteria for waste management facilities and related development		

Mechanism	Stakeholders involved	Objectives implemented
Planning permission and subsequent development	Local planning authorities / Environment Agency and other statutory bodies	SO4, SO5, S07, SO8
Policy 6: Energy recovery and decentralised energy		
Planning permission and subsequent development	Landowners and developers / waste management companies / local planning authorities / NLWA / Environment Agency and other statutory bodies	SO1, SO6
Policy 7: Waste Water Treatment Works and Sewage Plant		
Planning permission and subsequent development	Thames Water / Environment Agency and other statutory bodies / local planning authorities	SO2, SO4, SO5, SO8
Policy 8: Inert Waste		
Planning permission and subsequent development	Landowners and developers / waste management companies / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3, SO5, SO8

Appendix 1: Schedule 1: Existing safeguarded waste sites in North London**Schedule 1: Existing safeguarded waste sites in North London**

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
BAR1	Winters Haulage, Oakleigh Road South	British Rail Sidings, Oakleigh Road South, Southgate, London, N11 1HJ	C&I / CDE	X	10,495	38,503	40,409	35,379	0
BAR 2	Scratchwood Quarry	London Gateway Service Area, M1 Motorway, Mill Hill, London, NW7 3HU	CDE	✓	52,835	71,046	99,060	102,527	131,505

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
BAR 3 ♦ ²³	P B Donoghue, Claremont Rd	3 Shannon Close, Claremont Rd, Cricklewood, London, NW2 1RR	CDE	✓ (96%)	0	118,964	112,449	112,487	111,226
BAR 4 ♦	W R G, Hendon Rail Transfer Station	Hendon Rail Transfer Station, Brent Terrace, Hendon, London, NW2	LACW	X	153,952	164,129	114,457	128,605	142,107

²³ ♦ These sites will be redeveloped under the planning permission for the regeneration of Brent Cross Cricklewood (Barnet planning application reference F/04687/13). The Hendon Rail Transfer Station (BAR 4) will be replaced with a new facility to meet the NLWA's requirements. Planning permission for the new sites at Geron Way was granted by Barnet Council Planning Committee in September 2018. The existing commercial facilities at BAR 6 and BAR 7 fall within the land required to deliver the early Southern phase of the BXC regeneration which is expected to commence in the near term; replacement capacity for these sites will be sought in accordance with the planning permission for Brent Cross Cricklewood. The BAR3 site is identified for redevelopment in Phase 4 of the BXC regeneration and is currently not anticipated to be redeveloped until after 2026. It is planned that capacity at the waste facilities of BAR4, BAR6 and BAR7 and part of the capacity of BAR3 will be replaced by the new Waste Transfer Station (WTS) delivered as part of the Brent Cross Cricklewood Regeneration. The balance of the replacement capacity for BAR3 will need to be identified prior to its redevelopment and the London Borough of Barnet will seek to provide replacement capacity within the borough with the Local Plan identifying potential sites.

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
		1LN							
BAR 5	Summers Lane Reuse and Recycling Centre	Civic Amenity & Waste Recycling Centre, Summers Lane, London, N12 ORF	LACW	X	15,612	16,361	17,206	10,584	18,237
BAR 6 ♦	Mc Govern Brothers, Brent Terrace, Hendon	26-27 Brent Terrace, Claremont Industrial Estate, Hendon, London, NW2 1BG	C&I / CDE	X	78,488	76,609	78,855	106,206	102,373
BAR 7 ♦	Cripps Skips Brent Terrace	Nightingale Works, Brent Terrace, Claremont Way Industrial Estate, London, NW2 1LR	C&I / CDE	X	9,726	7,719	8,807	9,408	8,910
BAR 8	Apex Car Breakers, Mill Hill	Ellesmere Avenue, Mill Hill, London, NW7 3HB	C&I	✓	182	162	227	256	243
BAR 9	Vacant (previously Savacase Ltd)	Railway Arches, Colindeep Lane, Hendon,	C&I	N/A	0	0	0	0	0

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
		London, NW9 6HD							
BAR 10	G B N Services Ltd, New Southgate	Land/Premises at Oakleigh Road South, Friern Barnet, London, N11 1HJ	CDE	✓ (72%)	14,596	29,938	29,456	31,274	10,746
BAR 11	Upside Railway Yard	Upside Railway Yard, Brent Terrace, Cricklewood, London, NW2 1LN	CDE	X	0	0	0	0	234,930
CAM1	Regis Road Reuse and Recycling Centre	Regis Road, Kentish Town, London NW5 3EW	LACW	X	-	2,535	5,409	5,595	5,119
ENF 1	Crews Hill Transfer Station	Kingswood Nursery, Theobalds Park Road, Crews Hill, Enfield, Middlesex, EN2 9BH	C&I	X	17,466	17,124	19,231	19,507	18,427
ENF 2	Barrowell Green Recycling Centre	Barrowell Green, Winchmore Hill,	LACW	X	10,715	14,556	13,837	11,541	16,923

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
		London, N21 3AU							
ENF 3	Pressbay Motors Ltd, Motor Salvage Complex	Motor Salvage Complex, Mollison Avenue, Brimsdown, Enfield, Middlesex, EN3 7NJ	C&I	✓	63	63	26	29	37
ENF 5	Jute Lane, Brimsdown	Greenwood House, Jute Lane, Brimsdown, Enfield, Middlesex, EN3 7PJ	LACW	✓ (76%)	16,115	11,732	12,659	10,125	15,410
ENF 6	AMI Waste (Tuglord Enterprises)	17 Stacey Avenue, Edmonton, London, N18 3PP	C&I / CDE	X	16,855	27,043	28,566	23,004	21,974
ENF 7	Vacant (formerly Budds Skips) ,	The Market Compound, 2 Harbet Road, Edmonton, London, N18 2HQ	C&I / CDE	-	834	802	1,778	0	0

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
ENF 8	Biffa Edmonton (AKA Greenstar Environmental)	Atlas at Aztec 406, 12 Ardra Road, Off Meridan Way, Enfield, London, N9 0BD	LACW / C&I	✓ (84%)	231,771	72,530	271,888	276,855	270,106
ENF 9	Hunt Skips, Commercial Road, Edmonton	Rear of 160 Bridport Road, Commercial Road, Edmonton, London, N18 1SY	C&I / CDE	✓	9,935	-	20,359	-	8,719
ENF 10	Rooke & Co Ltd, Edmonton	Montague Road Industrial Estate, 22-26 First Avenue, Edmonton, London, N18 3PH	C&I	✓	32,249	24,867	28,095	25,235	3,897
ENF 11	Edmonton Bio Diesel Plant (Pure Fuels)	Unit A8 Hastingwood Trading Estate, Harbet Road, London, N18 3HT	C&I	✓	512	738	895	1,251	-
ENF 12	Camden Plant	Camden Plant, Lower Hall Lane,	CDE	✓	236,950	232,590	241,900	216,334	206,806

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
		Chingford							
ENF 13	Personnel Hygiene Services Ltd, Princes Road, Upper Edmonton	10 Princes Road, Edmonton, London, N18 3PR	C&I	X	0	0	95	1,004	1,081
ENF14	Vacant (Formerly Lea Valley motors Ltd)	Second Avenue, Edmonton	C&I	N/A	0	0	0	0	0
ENF 15	A & A Skip Hire Limited	Yard 10-12 Hastingwood Trading Estate, Harbet Road, Edmonton, London, N18 3HR	C&I	✓ (89%)	0	0	9,391	16,277	10,696
ENF 17	Albert Works	Albert Works, Kenninghall Road, Edmonton, London, N18 2PD	C&I	✓	193,308	224,020	233,225	211,424	-
ENF18	Edmonton Energy from Waste Facility	Edmonton Ecopark, Advent Way, Edmonton, London, N18 3AG	LACW	✓	546,402	526,829	560,685	550,408	597,134

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
	LondonEnergy Ltd Composting	Edmonton Ecopark, Advent Way, Edmonton, London, N18 3AG	LACW	✓	32,498	32,779	35,241	32,475	33,981
	LondonEnergy Bulk Waste Recycling Facility	Edmonton Ecopark, Advent Way, Edmonton, London, N18 3AG	LACW	X	192,907	190,333	168,121	157,227	198,389
	Ballast Phoenix Ltd	Edmonton Ecopark, Advent Way, Edmonton, London, N18 3AG	LACW	✓	58,255	106,341	112,419	109,114	101,189
ENF 23	J O' Doherty Haulage, Nobel Road, Edmonton	Pegamoid Site, Nobel Road, Edmonton, London, N18 3BH	C&I	✓	85,103	69,124	64,897	77,305	88,636
ENF 24	Oakwood Plant Ltd, Edmonton	Oakwood House, Nobel Road, Eley Industrial Estate,	C&I / CDE	✓	10,282	7,495	10,011	13,489	14,428

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
		Edmonton, London, N18 3BH							
ENF 25	Environcom Ltd (Edmonton Facility) 7	Unit 8a Towpath Road Stonehill Business Park, N18 3QU	Hazardous (WEEE)	✓	2,447	1,327	9,194	11,400	67
ENF 26	Powerday Plant Ltd, Jeffreys Road	Unit 2, Jeffrey's Road, Brimmsdown, Enfield, Middlesex, EN3 7UA	C&I / CDE	✓	27,319	18,664	43,851	23,490	49,754
ENF30	Hunsdon Skip Hire (Previously L&M Skips and London & Metropolitan Recycling)	Unit 1, 1b Towpath Rd, Stonehill Business Park, London, N18 3QX	C&I / CDE	✓	0	7,150	26,545	15,501	11,337
ENF 31	Volker Highways Ltd	15 Edison Road, Brimmsdown Industrial Estate, Enfield EN3 7BY	C&I / CDE	✓	-	8,892	13,652	7,344	-
ENF 35	Redcorn (ELV)	22a & 24, Stacey Avenue, Montagu Industrial	Hazardous (C&I)	✓	-	-	-	-	6,557

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
		Estate, Enfield, N18 3PS							
ENF37	GBN	Gibbs Road, Montagu Industrial Estate, London, N18 3PU	CDE	✓	-	-	-	-	-
HAC 1	Millfields Waste Transfer & Recycling Facility	Millfields Recycling Facility, Millfields Road, Hackney, London, E5 0AR	LACW	X	18,202	13,935	14,173	16,785	16,725
HAC 2	Downs Road Service Station	1A Downs Road, Clapton, London, E5 8QJ	C&I	✓	177	175	96	101	-
HAR 3	Biffa Waste Services Ltd, Garman Road, Tottenham	81, Garman Road, Tottenham, London, N17 0UN	C&I	✓	28,851	30,355	34,690	33,704	37,454
HAR 4	O'Donovan, Markfield Rd,	100a Markfield Road, Tottenham, London, N15 4QF	C&I / CDE	✓ (50%)	6,316	10,099	11,143	7,035	14,693
HAR 5	Redcorn Ltd, White Hart Lane, Tottenham	44 White Hart Lane,	C&I	✓	15,712	22,733	23,852	8,508	-

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
		Tottenham, London N17 8DP							
HAR 6	Restore Community Projects	Unit 18, Ashley Road, Tottenham Hale, London, N17 9LJ	C&I	✓	24	103	185	278	98
HAR 7	Redcorn Ltd	Brantwood Road, Tottenham, London N17 0ED	C&I	✓	2,470	5,225	2,250	23,779	39,283
HAR 8	O'Donovan, Tottenham	82 Markfield Road, Tottenham, London, N15 4QF	CDE	✓	5,079	27,330	31,460	25,674	123,308
HAR 9	Park View Road Reuse and Recycling Centre	Civic Amenity Site, Park View Road, Tottenham, London, N17 9AY	LACW	X	3,706	2,409	6,326	5,499	5,745
HAR 10	Western Road Re-use & Recycling Centre	Western Road, Haringey N22 6UG	LACW	X	0	0	2,526	4,851	3,799
HAR11	Durnford Street Car Dismantlers & Breakers	6-40, Durnford Street,	C&I	✓	0	0	0	432	288

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
		Tottenham, London, N15 5NQ							
ISL 1	Hornsey Household Re-use & Recycling Centre and Transfer Station	Hornsey Street, Islington London N7 8HU	LACW	X	196,818	195,018	203,919	204,496	212,232
WAF1	Mercedes Parts Centre	21 Chingford Industrial Estate, Hall Lane, Chingford, London, E4 8DJ	C&I	✓	0	0	0	0	7
WAF 2	Kings Road Household Waste Recycling Centre	Civic Amenity Site, 48 Kings Road, Chingford, London, E4 7HR	LACW	X	1,213	881	2,178	2,400	2,853
WAF 3	South Access Road Household Waste Recycling Centre	42a South Access Road, Walthamstow London, E17 8BA	LACW	X	2,917	2,784	6,790	6,949	7,203
WAF 5	Vacant (previously T J Autos (UK) Ltd)	17 Rigg Approach, Leyton, London, E10 7QN	C&I	✓	53	53	81	21	11
WAF 8	Leyton Reuse & Recycling Centre	Gateway Road, Leyton, London, E10 5BY	LACW	X	2,164	2,255	2,564	3,003	2,589

Site ID	Site Name	Site Address	Waste Stream	Managed Waste	2012	2013	2014	2015	2016
WAF9	Vacant (formerly B D & G Parts For Rover)	Roxwell Trading Park, Leyton	C&I	-	0	0	0	0	0
WAF 10	Malbay Waste Disposal Ltd, Staffa Road, Leyton	5 Staffa Road, Leyton, London, E10 7PY	C&I / CDE	X	6,700	10,682	12,624	7,339	9,925
WAF 12	Argall Metal Recycling	Unit 1, Staffa Road, E10 7PY	C&I	✓	0	21,537	31,603	30,378	0
WAF 14	Tipmasters	15 Rigg Approach London Greater London E10 7QN	C&I	X	0	0	586	2,847	3,622
WAF16	Whipps Cross Hospital Clinical Waste Treatment Facility	Whipps Cross Hospital, Whipps Cross Road, London, E11 1NR	C&I (clinical)	X	0	0	0	0	5



ADOPTION OF COUNCILLOR CODE OF CONDUCT	
COUNCIL 26 January 2022	CLASSIFICATION: Open Appendix 1
WARD(S) AFFECTED N/A	
Director: Dawn Carter-McDonald, Monitoring Officer and Director of Legal & Governance	

1. SUMMARY

- 1.1 This report concerns the proposed adoption of a new Code of Conduct for elected members and voting co-optees to replace the current Code.

2. RECOMMENDATIONS

- 2.1 That
- (1) The Councillor Code of Conduct at Appendix 1 be adopted and come into effect following the elections in May 2022.
 - (2) The Councillor Code of Conduct Guidance at Appendix 2 and the Code of Conduct Complaints Assessment, Investigations and Hearings Procedure Note at Appendix 3 be endorsed for use alongside the Councillor Code of Conduct.

3. BACKGROUND

- 3.1 In 2019, the Local Government Association (LGA) produced a draft Model Code of Conduct in response to the “Local Government Ethical Standards” report by the Committee of Standards in Public Life in 2019. The report made a series of recommendations in order to ensure that the governance of local authorities was robust and took account of recent learning across the sector and the production of a model Code of Conduct formed one component of this response. The model Code of Conduct was adopted by the LGA in December 2020 following extensive consultation.

- 3.2 The LGA's aim was to make a Code of Conduct that was relatively short and easy to read, rather than an overly complex legal document, given that it needed to be accessible to councillors, officers and the public alike. The code is intended to protect councillors' democratic role, encourage good conduct, and safeguard the public's trust and confidence in the role of councillor.
- 3.3 The LGA's model Code is a template and authorities may choose to adopt it either in whole or with amendments to take into account local circumstances, or indeed continue with the current Code of Conduct.

4. STANDARDS COMMITTEE TASK AND FINISH GROUP

- 4.1 In 2020, the Standards Committee established a Task and Finish Group to review the LGA's model Code of Conduct and consider whether the Council ought to adopt it as a replacement for the current Code of Conduct for Members and Voting Co-Optees with or without further amendment.
- 4.2 The Task and Finish Group met on several occasions during 2020 and 2021 to consider the model Code of Conduct and has made a number of recommendations around alterations to the model which it considers better reflect the Council's commitment to ensure high standards of integrity by Councillors whilst in public office.
- 4.3 The substantive amendments to the LGA model Code that were been proposed by the Task and Finish Group are as follows:
- 4.3.1 An explicit reference, in section 4, to Councillors not disclosing exempt information within the meaning of Section 100F and Part 1 of Schedule 12A of the Local Government Act 1972.
- 4.3.2 The inclusion of the sanctions which might follow a criminal conviction in section 9.
- 4.3.3 A reduction, in section 10, in the amount of any gift or hospitality which must be registered from £50 to £25. The amount in the current Code of Conduct is £25 and the Task and Finish Group considered that it ought to remain at that level in the interests of openness and transparency.
- 4.3.4 The inclusion, in section 10, of a time period within which Councillors ought to disclose the register the offer of any gift or hospitality that they have declined of 28 days to align this with the time limit for declaring gifts or hospitality which have been accepted.
- 4.3.5 The inclusion of an additional section about attendance by Councillors at any training prescribed as being mandatory by the Monitoring Officer, including how frequently it ought to be

undertaken. The training which has been identified as being mandatory is as follows:

- Safeguarding children and corporate parenting
- Safeguarding adults
- Equalities, Diversity and Inclusivity
- Bullying, harassment and sexual harassment
- Data Protection and Freedom of Information / Environmental Information Regulations
- Councillors' Code of Conduct
- Local government finance & budget setting
- Dealing with the media / social media
- Town and Country Planning for members of the Planning Sub-Committee
- Licensing for members of the Licensing Committee and its Sub-Committees
- Recruitment and Selection for members of the Appointments Committee and its Sub-Committees

4.4 In addition to the Code of Conduct itself, the Task and Finish Group also considered two further documents which would sit alongside the Code itself. The first document is intended to provide Councillors with guidance on the application of the proposed new Councillors Code of Conduct and their obligations under the new Code. The second is a new procedure note setting out how complaints that a Councillor has breached the Code of Conduct will be assessed and investigated, including how and when any complaints may be referred either to an Assessment Sub-Committee of the Standards Committee or a Hearing Sub-Committee of the Standards Committee. This guidance and procedure note draws heavily on guidance produced by the LGA, with alterations made to reflect proposed amendments to the model Code and the Monitoring Officer's standard practice when investigating complaints. The Councillors Code of Conduct Guidance is attached as **Appendix 2**. The Code of Conduct Complaints Assessment, Investigations and Hearings Procedure Note is attached as **Appendix 3**.

5. OTHER CONSULTATIONS

5.1 Following the conclusion of the work of the Standards Committee Task and Finish Group, the proposed new Code of Conduct was the subject of consultation with a number of internal Member and Officer groups, including Hackney Management Team, Policy & Strategy Group and Members' Reference Group. All were supportive of the introduction of the new Code.

6. STANDARDS COMMITTEE

6.1 The Council's Standards Committee met on [DATE TBI] to consider the new Code of Conduct, plus the associated guidance and procedure note. The Committee resolved to recommend the adoption

of the new Code and endorsement of the guidance and procedure note to Full Council.

7. PROPOSED EFFECTIVE DATE OF THE NEW CODE

- 7.1 Given that the Council has both Mayoral and member elections in May 2022, it is recommended that the new Code of Conduct takes effect following those elections. The Local Government Act 1972, as amended by the London Councillors Order 1976, provides that the term of office of councillors shall be four years and they shall retire together in every fourth year after election on the fourth day after the ordinary day of election of councillors. Newly elected councillors shall come into office on the day on which their predecessors retire. The elections in May 2022 are scheduled to take place on 5 May 2022, this means the 'retirement' date for councillors will be 9 May 2022. It is therefore proposed that the Code of Conduct takes effect on that date.

8. TRAINING FOR COUNCILLORS

- 8.1 Assuming Full Council agrees to adopt the new Code of Conduct, the Monitoring Officer and Deputy Monitoring Officer will deliver training to support Councillors in understanding the Code and their obligations under it. The training is proposed to be delivered via a number of 'in person' workshops to be held as soon as practicable following the election. These workshops will include practical scenarios for attendees to consider and guidance on completing the required declarations of interest.
- 8.2 The training on the new Code will be mandatory for all members of the Council, whether they are re-elected or newly elected in May 2022.

9. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 9.1 There are no financial implications arising directly from the adoption of a new Councillor Code of Conduct. Any costs that might arise from the need for all Councillors, whether re-elected or newly elected, to receive training on the new Code will be met from existing budgets.

10. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 10.1 Under s27 Localism Act 2011, the Council has a duty to promote and maintain high standards of conduct by members and co-opted members of the Council and must adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity. S28 of the Localism Act requires that the Code is, when viewed as a whole, consistent with the seven principles of public life and must include provisions as

regards the disclosure of pecuniary interests and interests other than pecuniary interests. Section 28 also provides that the Council may revise its Code of Conduct or replace it.

- 10.2 The adoption of a new Code of Conduct and the associated guidance and procedure note will ensure that the Council can maintain these high standards whilst ensuring that Councillors and members of the public alike have a clearer understanding of the obligations placed upon Councillors and how complaints will be dealt with.

APPENDICES

Appendix 1 – Councillors Code of Conduct

Appendix 2 - Councillors Code of Conduct Guidance

Appendix 3 - Code of Conduct Complaints Assessment, Investigations and Hearings Procedure Note

BACKGROUND PAPERS

None

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Councillor Code of Conduct

FINAL DRAFT

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Introduction

The role of Councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as Councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual Councillor affects the reputation of all Councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become Councillors.

As Councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Definitions

For the purposes of this Code of Conduct:

A "Councillor" means the directly elected Mayor, elected Councillors or co-opted members of the London Borough of Hackney.

A "co-opted member" is defined in section 27(4) of the Localism Act 2011 as "a person who is not a member of the authority but who

- a. is a member of any committee sub-committee the authority, or;
- b. is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

A "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Councillor Code of Conduct 2022

Adopted [DATE]

Effective from 9 May 2022

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

General principles of Councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles. These seven principles are set out in full in Appendix A.

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty;
- I act lawfully;
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community;
- I do not improperly seek to confer an advantage, or disadvantage, on any person;
- I avoid conflicts of interest;
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor; and
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings;
- at online or telephone meetings;
- in written communication;
- in verbal communication;
- in non-verbal communication; and
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct.

Standards of Councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a Councillor:

- 1.1 I treat other Councillors and members of the public with respect.**
- 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor - officer protocol.

2. Bullying, harassment and discrimination

As a Councillor:

- 2.1 I do not bully any person.**
- 2.2 I do not harass any person.**
- 2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on

social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of Officers Of The Council

As a Councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality And Access To Information

As a Councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone;**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its Release; or**
- c. which is exempt information within the meaning of Section 100F and Part 1 of Schedule 12A of the Local Government Act 1972**

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a Councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/ its functions. For example, behaviour that is considered dishonest and / or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a Councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a Councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- **act in accordance with the local authority's requirements; and**
- **ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support;
- stationery;
- equipment such as phones and computers;
- Transport; and
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and / or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with the Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a Councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011. If convicted you may be subject to an unlimited fine or disqualified from being a Councillor for up to five years

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from the Monitoring Officer.

10. Gifts and hospitality

As a Councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept within 28 days of the offer being made.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality.

However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. You do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family.

It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor.

If you are unsure, contact the Monitoring Officer for guidance.

10. Training

As a Councillor:

10.1 I attend any training that may be prescribed by the Monitoring Officer as being essential to my role.

In order to ensure that Councillors are properly equipped to carry out their role and are knowledgeable about the obligations that are placed upon the Council in respect of certain functions and decision-making processes, it has been determined that the following training should be mandatory either for all Councillors or for a limited class of Councillors as follows:

- Safeguarding children and corporate parenting - all Councillors - annually
- Safeguarding adults - all Councillors - annually
- Equalities, Diversity and Inclusivity - all Councillors - annually
- Bullying, harassment and sexual harassment - all Councillors - annually
- Data Protection and Freedom of Information / Environmental Information Regulations - all Councillors - annually
- Councillors' Code of Conduct - all Councillors - annually
- Local government finance & budget setting - all Councillors - annually

- Dealing with the media / social media - all Councillors - annually
- Town and Country Planning - members of the Planning Sub-Committee - annually
- Licensing - members of the Licensing Committee and its Sub-Committees - annually
- Recruitment and Selection - members of the Appointments Committee and its Sub-Committees - upon first appointment to the Appointments Committee

The Monitoring Officer may from time to time review and amend the list of mandatory training and update this Code accordingly and advise Members of any changes.

Appendices

Appendix A: The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B: Registering interests

Within 28 days of becoming a member, or your re-election or re-appointment to office, you **must** register with the Monitoring Officer the interests which fall within the categories set out in **Table 1** (Disclosable Pecuniary Interests) which are as described in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. You **should** also register details of your other personal interests which fall within the categories set out in **Table 2** (Other Registerable Interests).

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects**—

- Your own financial interest or well-being;
- a financial interest or well-being of a relative, close associate; or
- a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9. Where a matter **affects** your financial interest or well-being:

- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	<p>Any employment, office, trade, profession or vocation carried on for profit or gain.</p> <p>[Any unpaid directorship.]</p>
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director¹ or a body that such person has a beneficial interest in the securities of²) and the council —</p>

¹ 'director' includes a member of the committee of management of an industrial and provident society

² 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

	(a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>

<p>Securities</p>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class</p>
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Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature;
 - (ii) any body directed to charitable purposes; or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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Councillor Code of Conduct Guidance

FINAL DRAFT

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Part 1 - Application of the Code of Conduct

1.0 When does the Code Apply?

1.1 S27(2) of the Localism Act 2011 says that a local authority must adopt 'a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.'

1.2 The term 'capacity' is not further defined in the Act. However, the Code states that:

The Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- *you misuse your position as a councillor*
- *your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.*

This means it applies when you are carrying out your official duties, for example when you are considering or discussing local authority business, either as a councillor or representing the local authority on an outside body.

1.3 There is no formal description of what the role of a councillor is, but aside from formal local authority business it would include promoting and representing the local authority in the local community and acting as a bridge between the community and the local authority. The Code therefore, has much wider implications than solely when you are in local authority meetings or on local authority premises.

1.4 The code applies to all forms of communication and interaction, whether with the public, fellow councillors or local authority officers, including:

- Face-to-face meetings
- Online or telephone meetings
- Written communications
- Verbal communications
- Non-verbal communications
- In electronic and social media communication, posts, statements and comments

2.0 Acting as a private individual

2.1 For something to fall within the code there must be a clear link to a local authority function or your role as a councillor. For example, an argument with a neighbour which does not relate to local authority business would not engage the code, even if your neighbour happens to know you are a councillor and therefore complains to the local authority about being treated disrespectfully.

3.0 In what circumstances might I give the impression to a reasonable member of the public that I was engaged on local authority business?

3.1 When you use or attempt to use your position as a councillor to seek to gain an advantage for yourself or someone close to you or to disadvantage someone this is an attempt to misuse your position and therefore falls within the scope of the Code of Conduct.

3.2 A number of factors will need to be taken into account to determine whether or not you had used or attempted to use your position as a councillor. For example:

- writing to someone on local authority headed paper or using a local authority email address may lead someone to assume you were writing in your capacity as a councillor
- Handing out a business card where you describe yourself as a councillor may lead to an assumption that you were acting in that capacity
- Wearing official Council regalia.

EXAMPLE:

A councillor returning from a party got into an argument with a taxi driver. When he arrived home, he refused to pay the fare and when he spoke to the manager of the taxi company, he said that he was a councillor and would make sure that the taxi driver's licence was withdrawn by the council. While he was entitled to dispute the payment if he was dissatisfied with the service he had received he was found to have breached the code by invoking his office and seeking to misuse his position to intimidate the manager and driver and to seek to gain an advantage for himself, notwithstanding the fact that he did not in reality have the ability to carry out his threat.

4.0 Social media postings

- 4.1 Simply describing yourself as a councillor in a social media posting or at the top of your page or in your username or profile, for example, does not of itself mean that every posting you make is covered by the Code. There must be a link within the individual posting or thread to your role as a councillor or to local authority business. However, even if you do not describe yourself as a councillor you may fall within the scope of the Code if you are discussing local authority business.
- 4.3 For example, a posting which is simply discussing a recent football match is not covered by the code even if you have described yourself as a councillor. However, if you make a posting threatening a fellow councillor or officer that would fall within the code even if you have not described yourself as a councillor as it relates to local authority business or your role as a councillor.

EXAMPLES:

Following a heavy snowstorm which meant a local street market could not go ahead a councillor posted on the local community Facebook page that a certain local authority officer should be sacked for failing to put adequate arrangements in place to clear the snow. Even though it was not posted on a local authority page and he did not explicitly describe himself as a councillor in the post he was found to have breached the code by treating an officer with disrespect and seeking to put undue pressure on officers.

A councillor who described himself as such in his Twitter profile made insulting and offensive comments about the Prime Minister which led to complaints being made to his local authority. He was found not to have breached the code as the comments did not directly relate to his role as a councillor or local authority business but were seen as wider political comments.

- 4.4 You should be very careful when describing yourself as a councillor as seeing the word “councillor” may lead to assumptions amongst the community that you are acting as a councillor.
- 4.5 To help avoid some of these issues, some councillors have found it helpful to have separate social media profiles for personal and local authority use, though even the strictest privacy settings are no guarantee that posts or actions will remain private. As a rule of thumb, never post anything online you

would not be comfortable saying or sharing in a public meeting. The Council's guidance on the effective use of social media is there to support you.

5.0 What does acting as a representative of my local authority mean?

- 5.1 You are acting as a representative of the local authority when you are sitting on an outside body to which you have been appointed by the local authority, for example.
- 5.2 You would also be considered a representative of the local authority where you were attending an external function or conference on behalf of the local authority or as the local authority's nominated delegate.
- 5.3 You would not be considered as a representative of the local authority where you were attending an event in a party-political role, for example at a political party's annual conference. In that situation you would be subject to any relevant party rules.
- 5.4 Matters in party group meetings would also normally not be covered by the code as they are more matters for a party to regulate. However, if you are clearly trying to improperly influence fellow councillors or put undue pressure on them in relation to local authority business for example then relevant provisions of the code would apply. The same would apply to social media groups you may be a member of, such as a WhatsApp group set up for your local authority group.

6.0 What if I sit on more than one local authority?

- 6.1 If you sit on more than one local authority, you are subject to the code and associated procedures of the local authority you are representing at any one time.

7.0 What is a Co-Opted member?

- 7.1 The code also applies to co-opted members under the Localism Act. A co-opted member under the Act is someone who is entitled to vote on any matter to be decided at a local authority committee or sub-committee.
- 7.2 It does not, therefore, include co-opted members who do not have voting rights, nor does it cover, for example, an Independent Person appointed under s28 of the Localism Act to support the local authority on standards matters.

- 7.3 However, it is good practice for such persons to agree to abide by the Code and to inform the Monitoring Officer of any interests they might have. While they would not formally fall within the statutory framework for complaint handling, they can be removed from their role by the local authority should they be found to have committed a serious breach of the code so it is important that they are also aware of the expected standards of behaviour.

Part 2 - General Obligations under the Code of Conduct

NOTE: The paragraph references contains within the green boxes under the section headings below are to the relevant paragraph numbers within the Councillors Code of Conduct

1.0 Respect

As a Councillor:

- 1.1 I treat other Councillors and members of the public with respect.
- 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

- 1.1 Showing respect to others is fundamental to a civil society. As an elected or appointed representative of the public, it is important to treat others with respect and to act in a respectful way. Respect means politeness, courtesy and civility in behaviour, speech, and in the written word. Rude, offensive and disrespectful behaviour lowers the public's expectations and confidence in its elected representatives.

Respect

- 1.2 The key roles and responsibilities of councillors; representing and serving your communities and taking decisions on their behalf require councillors to interact and communicate effectively with others. Examples of councillor interaction and communication include talking to constituents, attending council meetings, representing the council on outside bodies and participating in community meetings and events. In turn this means that as a councillor you are required to interact with many different people, often from diverse backgrounds and with different or conflicting needs and points of view.
- 1.3 You will engage in robust debate at times and are expected to express, challenge, criticise and disagree with views, ideas, opinions and policies. Doing these things in a respectful way will help you to build and maintain

healthy working relationships with fellow councillors, officers and members of the public, it encourages others to treat you with respect and helps to avoid conflict and stress. Respectful and healthy working relationships and a culture of mutual respect can encourage positive debate and meaningful communication which in turn can increase the exchange of ideas, understanding and knowledge.

- 14 Examples of ways in which you can show respect are by being polite and courteous, listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks and being kind. In a local government context this can mean using appropriate language in meetings and written communications, allowing others time to speak without interruption during debates, focusing any criticism or challenge on ideas and policies rather than personalities or personal attributes and recognising the contribution of others to projects.

Disrespectful behaviour

- 1.5 Failure to treat others with respect will occur when unreasonable or demeaning behaviour is directed by one person against or about another. The circumstances in which the behaviour occurs are relevant in assessing whether the behaviour is disrespectful. The circumstances include the place where the behaviour occurs, who observes the behaviour, the character and relationship of the people involved and the behaviour of anyone who prompts the alleged disrespect.
- 1.6 Disrespectful behaviour can take many different forms ranging from overt acts of abuse and disruptive or bad behaviour to insidious actions such as the demeaning treatment of others. It is subjective and difficult to define. However, it is important to remember that any behaviour that a reasonable person would think would influence the willingness of fellow councillors, officers or members of the public to speak up or interact with you because they expect the encounter will be unpleasant or uncomfortable fits the definition of disrespectful behaviour.
- 1.7 Examples of disrespect in a local government context might include rude or angry outbursts in meetings, use of inappropriate language in meetings or written communications such as swearing, ignoring someone who is attempting to contribute to a discussion, attempts to shame or humiliate others in public, nit-picking and fault-finding, the use of inappropriate sarcasm in communications and the sharing of malicious gossip or rumours.

- 1.8 Disrespectful behaviour can be harmful to both you and to others. It can lower the public's expectations and confidence in you and your council and councillors and politicians more generally. It influences the willingness of fellow councillors, officers and the public to speak up or interact with you because they expect the encounter will be unpleasant or uncomfortable. Ongoing disrespectful behaviour can undermine the willingness of officers to give frank advice, damage morale at a council, and ultimately create a toxic culture and has been associated with instances of governance failure.

Freedom of expression

- 1.9 The requirement to treat others with respect must be balanced with the right to Freedom of expression. Article 10 of the European Convention on Human Rights protects your right to hold your own opinions and to express them freely without government interference. This includes the right to express your views aloud or in writing, such as in published articles or leaflets or on the internet and social media. Protection under Article 10 extends to the expression of views that may shock, disturb or offend the deeply-held beliefs of others.
- 1.10 However, Article 10 is not an absolute but a qualified right which means that the rights of the individual must be balanced against the interests of society. Whether a restriction on freedom of expression is justified is likely to depend on a number of factors, including the identity of the speaker, the context of the speech and its purpose, as well as the actual words spoken or written. Democracy depends on people being free to express, debate and criticise opposing viewpoints. The courts have generally held that the right to free expression should not be curtailed simply because other people may find it offensive or insulting. A balance must still be struck between the right of individuals to express points of view which others may find offensive or insulting, and the rights of others to be protected from hatred and discrimination.
- 1.11 Freedom of expression is protected more strongly in some contexts than others. In particular, a wide degree of tolerance is accorded to political speech, and this enhanced protection applies to all levels of politics, including local government. Whilst in a political context, Article 10 protects the right to make incorrect but honestly made statements, it does not protect statements which the publisher knows to be false. Political expression is a broad concept and is not limited to expressions of or critiques of political views but extends to all matters of public administration and public concern including comments about the adequacy or inadequacy of performance of public duties by others.

On the other hand, gratuitous personal comments do not fall within the definition of political expression.

- 1.10 Councillors should consider, therefore, both what they are expressing and the way they are expressing it. They should be able to undertake a scrutiny role, represent the public and any stakeholders, or make a political point in a respectful, courteous and appropriate manner without resorting to personal attacks, being offensive, abusive and / or unduly disruptive.
- 1.11 Public servants such as local government officers are subject to wider levels of acceptable criticism than other members of the public when matters of public concern are being discussed. However, the limits are not as wide as they are for elected politicians such as councillors. It may be necessary, for example, to protect officers from offensive and abusive verbal attacks as it is in the public interest that officers are not subjected to unwarranted comments that prevent them from performing their duties

Frequently asked questions	
Q.	Is the respect provision of the Code a gag on councillors?
A.	The provision on respect is not intended to stand in the way of lively debate in local authorities. Such discussion is a crucial part of the democratic process. Differences of opinion and the defence of those opinions through councillors' arguments and public debate are an essential part of the cut and thrust of political life. Councillors should be able to express their opinions and concerns in forceful terms. Direct language can sometimes be appropriate to ensure that matters are dealt with properly. The code is not intended to stifle the expressions of passion and frustration that often accompany discussions about local authority business.
Q.	Can councillors criticise officers?
A.	Yes. In some cases, officers have been known to reject reasonable criticism appropriately made and describe it as disrespectful or bullying. The Code of Conduct is not intended to constrain councillors' involvement in local governance, including the role of councillors to challenge performance. Councillors are able to question and probe poor officer performance provided it is done in

	<p>an appropriate way. In the everyday running of a local authority, it is inevitable that councillors may have disagreements with officers from time to time.</p> <p>The respect paragraph of the Code does not mean that councillors cannot express disagreement with officers. This disagreement might, in the appropriate context, manifest itself in criticism of the way in which an officer or officers handled particular matters.</p> <p>It is important that members raise issues about poor performance in the correct way and at the proper forum, such as in a private meeting with a senior manager, and not in a public meeting or through a published attack in the media.</p> <p>If a councillor’s criticism is a personal attack or is offensive in nature it is likely to be unacceptable. Councils should have clearly defined policies, procedures and occasions where those sorts of issues can properly be raised. It is only where councillors’ conduct is unfair, unreasonable or demeaning that the Code will be relevant.</p>
Q.	What kinds of conduct are not covered?
A.	<p>A very clear line has to be drawn between the Code of Conduct’s requirement of respect for others, including members of the authority with opposing views, and the freedom to disagree with the views and opinions of others. In a democracy, members of public bodies should be able to express disagreement publicly with each other.</p> <p>A rule of thumb is expressed in this comparison:</p> <p>“You’re talking drive!” is likely to be an acceptable expression of disagreement.</p> <p>Calling someone a “incompetent moron”, on the other hand, is more likely to be a failure to comply with Paragraph 1.</p> <p>The first comment is aimed at the expression of an idea or argument. The second is aimed at the person and their personal characteristics.</p>
Q.	What if a member of the public is being unnecessarily disrespectful to me?
A.	Councillors are allowed to respond to criticism, and where that

criticism is robust, then they can be robust in response. However, councillors should always seek to try to be civil and demonstrate leadership in their communication. Even where councillors have been wrongly accused, responding in an angry, defensive way can often escalate the situation.

2.0 Bullying

As a Councillor:

2.1 I do not bully any person.

- 2.1 Bullying, harassment, discrimination, and victimisation (either directly or indirectly) are unacceptable and should not be tolerated. It is important to recognise the impact such behaviour can have on any individual experiencing it, as well as on the wider organisation in terms of morale and operational effectiveness.
- 2.2 Bullying may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying may exploit existing power relations or may create power imbalances. Such conduct is usually part of a pattern of behaviour which attempts to undermine an individual or a group of individuals, is detrimental to their confidence and capability, and may adversely affect their health.
- 2.3 Bullying can take the form of physical, verbal, and non-verbal conduct but does not need to be related to protected characteristics. Bullying behaviour may be in person, by telephone or in writing, including emails, texts, or online communications such as social media. The standards of behaviour expected are the same, whether you are expressing yourself verbally or in writing.
- 2.4 Bullying can affect anyone, in any career, at any time, at any level and within any workplace. Such behaviour can take the form of easily noticed, physically threatening or intimidatory conduct with immediate impact, or it can take place behind closed doors, or be much more subtle or camouflaged and difficult to identify, at least at first. It can start, for example, with what appear to be minor instances, such as routine 'nit-picking' or fault-finding, but which become

cumulative or develop into more serious behaviour over time, enabling the perpetrator to isolate and control the person.

- 2.5 Some bullies lack insight into their behaviour and are unaware of how others perceive it. Others know exactly what they are doing and will continue to bully if they feel they are unlikely to be challenged. Bullying can sometimes be overlooked, as a result of common euphemisms being used by way of explanation or justification, referring to someone as having a “poor leadership style” or a “bad attitude,” for example, or to the problem being due to a “personality clash”.
- 2.6 You should always be mindful of the overall potential impact of the behaviour on others. First and foremost, bullying can have a significant impact on the recipient’s well-being and health. Bullying can have an impact on a local authority’s effective use of resources and provision of services. Officers who are subject to bullying are frequently away from their posts, sometimes for extended periods, on sickness or stress-related leave. Bullying can impact on a councillor’s ability to represent their residents effectively. It can also discourage candidates from standing in local elections, making local authorities less representative of their communities, and impacting local democracy.
- 2.7 Like disrespectful behaviour, bullying can be difficult to define. When allegations of bullying are considered it’s likely that the person handling the complaint will consider both the perspective of the alleged victim, and whether the councillor intended their actions to be bullying. They will also consider whether the individual was reasonably entitled to believe they were being bullied.
- 2.8 Conduct is unlikely to be considered as bullying when it is an isolated incident of a minor nature, where it is targeted at issues, rather than at an individual’s conduct or behaviour, or when the behaviour by both the complainant and councillor contributed equally to the breakdown in relations. However, the cumulative impact of repeated 'minor' incidents should not be underestimated.

Examples of bullying include but are not limited to:

- verbal abuse, such as shouting, swearing, threats, insults, sarcasm, ridiculing or demeaning others, inappropriate nicknames, or humiliating language
- physical or psychological threats or actions towards an individual or their personal property

- using inappropriate humour to demean, or belittle someone, the position or any protected characteristic under the Equality Act 2010;
- overbearing or intimidating levels of supervision, including preventing someone from undertaking their role or following agreed policies and procedures
- inappropriate comments about someone's performance
- abuse of authority or power, such as placing unreasonable expectations on someone in relation to their job, responsibilities, or hours of work, or coercing someone to meet such expectations
- ostracising or excluding someone from meetings, communications, work events or socials
- sending, distributing, or posting detrimental material about other people, including images, in any medium
- smear campaigns.

Frequently asked questions	
Q.	Does this mean that councillors cannot raise concerns about officers or fellow councillors?
A.	Bullying behaviour should be contrasted with the legitimate challenges which a councillor can make in challenging policy or scrutinising performance. An example of this would be debates in the chamber about policy or asking officers to explain the rationale for the professional opinions they have put forward. You are entitled to challenge fellow councillors and officers as to why they hold their views. However, if your criticism is a personal threat or abusive or offensive in nature, you are likely to cross the line of what is acceptable behaviour.
Q.	How can bullying conduct be prevented from developing?
A.	Ideally, a culture of honest and clear communication should be sought, with respect for the individual and for the confidentiality required when managing individual performance-related issues. The bullying of officers might be reduced by establishing a specific protocol, which addresses issues such as member-officer work relations and appropriate behaviour.

3.0 Harassment

As a Councillor:

2.2 I do not harass any person.

- 3.1 The Protection from Harassment Act 1997 states that harassment includes behaviour which alarms a person or causes a person distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a victim in a manner that could be expected to cause distress or fear in any reasonable person. Harassment of any kind whether direct or indirect is in no-one's interest and should not be tolerated. It is important to recognise the impact such behaviour can have on any individual experiencing it, as well as on the wider organisation in terms of morale and operational effectiveness.
- 3.2 Like bullying, harassment can take the form of physical, verbal, and non-verbal conduct but does not need to be related to protected characteristics. Harassment may be in person, by telephone or in writing, including emails, texts, or online communications such as social media. It may manifest obviously or be hidden or insidious.
- 3.3 The factors likely to be considered when assessing allegations of harassment are whether the councillor knows or ought to know that their actions constitute harassment, whether a reasonable person would consider the actions to be harassment and the impact of the behaviour/conduct on the victim.
- 3.5 Examples of harassment include but are not limited to:
- sending unwelcome emails
 - unnecessarily repetitive, intrusive questioning
 - unwelcome physical contact such as touching or invading 'personal space'
 - haranguing
 - intimidation
 - inappropriate remarks or questioning such as comments about someone's appearance, lewd comments, and offensive jokes
 - overbearing or intimidating levels of supervision, including preventing someone from undertaking their role or following agreed policies and procedures

- inappropriate comments about someone's performance
- placing unreasonable expectations on someone in relation to their job, responsibilities, or hours of work, or coercing someone to meet such expectations
- sexual harassment

4.0 Discrimination

As a Councillor:

2.3 I promote equalities and do not discriminate unlawfully against any person.

- 4.1 Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.
- 4.2 The Equality Act 2010 imposes positive duties on local authorities to promote equality and to eliminate unlawful discrimination and harassment. Under the Act your authority may be liable for any discriminatory acts which you commit. This will apply when you do something in your official capacity in a discriminatory manner. You must be careful not to act in a way which may amount to any of the prohibited forms of discrimination, or to do anything which hinders your authority's fulfilment of its positive duties under the Act. Such conduct may cause your authority to break the law, and you may find yourself subject to a complaint that you have breached this paragraph of the Code of Conduct. If you are unsure about the particular nature of the duties of your authority you should seek advice from the monitoring officer or clerk.
- 4.3 Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are:
- age
 - disability
 - gender reassignment
 - marriage and civil partnership
 - pregnancy and maternity
 - race
 - religion or belief

- sex and sexual orientation

4.4 The provisions of the Equality Act are complex. Broadly speaking there are four main forms of discrimination:

Direct discrimination: treating people differently because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

Indirect discrimination: treatment which does not appear to differentiate between people because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation but which disproportionately disadvantages them.

Harassment: engaging in unwanted conduct on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, which violates another person's dignity or creates a hostile, degrading, humiliating or offensive environment.

Victimisation: treating a person less favourably because they have complained of discrimination, brought proceedings for discrimination, or been involved in complaining about or bringing proceedings for discrimination.

Examples of discriminatory behaviour include but are not limited to:

- Exclusion or victimisation based on the Protected Characteristics;
- Treating someone less favourably or limiting their opportunities based on any of the Protected Characteristics;
- Comments, slurs, jokes, statements, questions or gestures that are derogatory or offensive to an individual's or group's characteristics;
- Promoting negative stereotypes relating to individual's or group's characteristics;
- Racial or ethnic slurs, insults or jokes;
- Intolerance toward religious customs;
- Mimicking, mocking or belittling a person's disability;
- Homophobic, biphobic or transphobic comments or slurs;
- Discriminating against pregnant people or mothers;
- Declaring ('outing') someone's religion or sexuality or threatening to do so against their will;
- Deliberate, unwarranted application of an authority's practice, policy or rule in a way that may constitute indirect discrimination

Frequently asked questions

Q. How can councillors cause their authority to be in breach of the Equality Act?

A. The Code of Conduct is not intended to stifle democratic debate. Councillors should always remember that Article 10 of the European Convention on Human Rights gives a high level of protection to comments that are genuinely made in the course of political debate, even if most people would find them offensive.

A councillor must be careful not to conduct themselves in a way which may amount to any of the prohibited forms of discrimination, or to do anything which hinders their authority's fulfilment of its positive duties under the Equality Act 2010. Such conduct may cause their authority to breach an equality enactment and lead to a complaint that they have breached this paragraph of the Code.

Merely arguing, or even voting, against a proposal which is aimed at complying with a positive anti-discriminatory duty would not be enough by itself to risk breaking this part of the Code. Simply having a party-political or personal position on an issue is unlikely to amount to a breach of this provision because it does not, of itself, involve the council doing anything.

Under the Equality Act 2010, an authority is made liable for any discriminatory acts which a councillor commits. This will apply where they say or do something in their official capacity in a discriminatory manner.

5.0 Impartiality of officers

As a Councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

5.1 Both councillors and officers are servants of the public and are indispensable to one another. Together, they bring the critical skills, experience and knowledge required to manage an effective local authority.

- 5.2 At the heart of this relationship, is the importance of mutual respect. Councillor-officer relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between councillors and officers should observe reasonable standards of courtesy, should show mutual appreciation of the importance of their respective roles and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.
- 5.3 Councillors provide a democratic mandate to the local authority and are responsible to the electorate whom they represent. They set their local authority's policy framework, ensure that services and policies are delivered and scrutinise local authority services.
- 5.4 Councillors of the executive, chairs and vice chairs of committees have additional responsibilities. These responsibilities will result in increased expectations and relationships with officers that are more complex. Such councillors must still respect the impartiality of officers and must not ask them to undertake work of a party-political nature or compromise their position with other councillors or other officers.
- 5.5 Officers provide the professional advice and managerial expertise and information needed for decision making by councillors and to deliver the policy framework agreed by councillors. They are responsible for implementing decisions of councillors and the day-to-day administration of the local authority.
- 5.6 The roles are very different but need to work in a complementary way.
- 5.7 It is important for both sides to respect these differences and ensure that they work in harmony. Getting that relationship right is an important skill. That is why the code requires councillors to respect an officer's impartiality and professional expertise. In turn officers should respect a councillor's democratic mandate as the people accountable to the public for the work of the local authority. It is also important for a local authority to have a councillor-officer protocol which sets out how this relationship works and what both councillors and officers can expect in terms of mutual respect and good working relationships.
- 5.8 Officers may sometimes give you advice that you do not want to hear or does not suit your political views. They must be allowed to do this without fear of recriminations to allow for good decision-making looking at all relevant options.

- 5.9 That means in your dealing with officers you must not seek to influence them improperly or put undue pressure on them. For example, you should not get officers to help you prepare party political material, or to help you with matters relating to your private business. You should not provide or offer any incentive or reward in return for acting in a particular way or reaching a particular decision.
- 5.10 Other than political assistants, officers are required to remain politically neutral and not demonstrate their support for specific parties or candidates.
- 5.11 The fundamentally held principle is that “the local government system of the UK has long resided on a bond of trust between elected members and a permanent corps of local government officer... that relationship of trust stems from the right of council members to expect that they are being assisted in their functions by officers who are politically neutral and whose loyalty is to the council as a whole [*Ahmed v United Kingdom* (2000) 29 EHRR 1].

EXAMPLES:

A councillor became involved in a social care case on behalf of a constituent during which time he inappropriately sought to influence operational decision-making and sent discourteous and disrespectful correspondence to the officers. In doing so, he lost sight of his overall responsibility to the local authority to allow its officers to perform their statutory functions. He was found to have breached the Code of Conduct.

A councillor who, over a period of six months, persistently sought to influence the decisions of officers dealing with a complaint by his son and daughter-in-law against their local authority tenant neighbour was found, through his actions, to have compromised the impartiality of the officers and to have used his position improperly to promote the interest of his family and to have brought the role of councillor into disrepute in breach of the Code of Conduct.

6.0 Confidentiality and access to information

As a Councillor:

- 4.1 I do not disclose information:
 - a. given to me in confidence by anyone;
 - b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. I have consulted the Monitoring Officer prior to its Release; or
 - c. which is exempt information within the meaning of Section 100F and Part 1 of Schedule 12A of the Local Government Act 1972
- 4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.
- 4.3 I do not prevent anyone from getting information that they are entitled to by law.

- 6.1 Local authorities must work openly and transparently. Their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents, and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Confidential information and disclosure

- 6.2 While local authority business is by law generally open and local authorities should always operate as transparently as possible, there will be times – for example, when discussing a named individual, confidential HR matters or

commercially sensitive information – when it is appropriate for local authority business to be kept confidential or treated as exempt information.

6.3 In those circumstances, you must not disclose confidential information, or information which you believe to be of a confidential nature, unless:

- you have the consent of the person authorised to give it
- you are required by law to do so
- the disclosure is made to a third party for the purposes of obtaining professional advice (for example, your lawyer or other professional adviser) provided that person agrees not to disclose the information to any other person
- the disclosure is in the public interest

6.4 Disclosure ‘in the public interest’ is only justified in limited circumstances, when all the following four requirements are met:

- the disclosure must be reasonable
- the disclosure must be in the public interest
- the disclosure must be made in good faith
- the disclosure must be made in compliance with any reasonable requirements of your authority

6.5 In relation to the disclosure of confidential information in the public interest, the four requirements are outlined in more detail below.

6.6 The first requirement, that the disclosure must be reasonable, requires you to consider matters such as:

- Whether you believe that the information disclosed, and any allegation contained in it, is substantially true. If you do not believe this, the disclosure is unlikely to be reasonable.
- Whether you make the disclosure for personal gain. If you are paid to disclose the information, the disclosure is unlikely to be reasonable.
- The identity of the person to whom the disclosure is made. It may be reasonable to disclose information to the police or to an appropriate regulator. It is less likely to be reasonable for you to disclose the information to the world at large through the media.
- The extent of the information disclosed. The inclusion of unnecessary detail, and in particular, private matters such as addresses or telephone numbers, is likely to render the disclosure unreasonable.
- The seriousness of the matter. The more serious the matter disclosed, the more likely it is that the disclosure will be reasonable.

- The timing of the disclosure. If the matter to which the disclosure relates has already occurred, and is unlikely to occur again, the disclosure may be less likely to be reasonable than if the matter is continuing or is likely to reoccur.
 - Whether the disclosure involves your authority failing in a duty of confidence owed to another person.
- 6.7 The second requirement, that the disclosure must be in the public interest, needs to involve one or more of the following matters or something of comparable seriousness, that has either happened in the past, is currently happening, or is likely to happen in the future:
- a criminal offence is committed.
 - your local authority or some other person fails to comply with any legal obligation to which they are subject.
 - a miscarriage of justice occurs.
 - the health or safety of any individual is in danger.
 - the environment is likely to be damaged.
 - that information tending to show any matter falling within the above is deliberately concealed.
- 6.8 The third requirement, that the disclosure is made in good faith, will not be met if you act with an ulterior motive, for example, to achieve a party-political advantage or to settle a score with a political opponent.
- 6.9 The fourth requirement, that you comply with the reasonable requirements of your local authority, means that before making the disclosure you must comply with your local authority's policies or protocols on matters such as whistle-blowing and confidential information. You must first raise your concerns through the appropriate channels set out in such policies or protocols.
- 6.10 In summary, to decide whether the disclosure is reasonable and in the public interest, you may need to conduct a balancing exercise weighing up the public interest in maintaining confidentiality against any countervailing public interest favouring disclosure. This will require a careful focus on how confidential the information is, on any potentially harmful consequences of its disclosure, and on any factors, which may justify its disclosure despite these potential consequences. If in doubt you should always seek advice from the monitoring officer. Always keep a note of the reason for your decision.

- 6.11 In some situations, it is extremely unlikely that a disclosure can be justified in the public interest. These will include where the disclosure amounts to a criminal offence, or where the information disclosed is protected by legal professional privilege.

Access to Information

- 6.12 Transparency is a very important principle underpinning local democracy and public decision-making. The public are entitled to see information about the way decisions are made unless there are specific reasons why that information is confidential. Your local authority should have a publication scheme setting out what information is accessible to the public and you as an individual councillor must not prevent any person from accessing information which they are entitled to by law. This includes information under the Freedom of Information Act 2000 or those copies of minutes, agendas, reports, and other documents of your local authority which they have a right to access.
- 6.13 As a councillor, you are not automatically entitled to access all information the local authority holds. For example, the local authority may deal with highly confidential and sensitive information about employees or about residents involved in complex cases.
- 6.14 In addition to rights set out in law or conferred by your local authority constitution, you have a right to inspect documents if you can demonstrate a “need to know”. This isn’t a right to a roving commission but must be linked to your performance of your duties and functions as a councillor. For example, the need could more easily be demonstrated by membership of a relevant committee, such as a staffing committee than simply because you are interested in seeing the information. Local authorities have more justification for denying free access to particularly sensitive papers such as childcare or staffing records. You should not seek to get information if you have a declarable interest in it, unless that information is about you personally in which case you have the same (but no greater) rights (e.g. ability to make a data subject access request) as any member of the public.
- 6.15 Most local authorities will have a nominated officer you can seek advice from if you feel you are not being given access to information you seek.
- 6.16 You can also exercise the “need to know” in respect of attending meetings. Access to Information Rules set out an Overview and Scrutiny Committee’s rights of access to documents and additional rights of access to documents for councillors to carry out their functions.

- 6.17 Where you are given access to documents which are not available to members of the public, you should ensure that any confidential information is used and protected in an appropriate and secure manner and shared with authorised persons only.

Frequently asked questions	
Q.	Does confidentiality under the code apply only to information which is classified as confidential or exempt by law?
A.	<p>No. The code goes wider than matters simply considered in a formal local authority setting. Information is a broad term. It includes facts, advice, and opinions. It covers written material, including tapes, videos, CDs, DVDs, and other electronic media. It covers material in unwritten form, including intellectual property. Information can only be confidential if all the following apply:-</p> <ul style="list-style-type: none"> • it has the necessary ‘quality of confidence’ about it (trivial information will not be confidential but information that you would expect people to want to be private would be); • it was divulged in circumstances importing an obligation of confidence (information properly in the public domain will not be confidential); • disclosure of it would be detrimental to the party wishing to keep it confidential. <p>For example, you may be told confidential information by a constituent in the course of your duties. That is why the code is written broadly to cover information classed as confidential which you may come across in your duties.</p> <p>You should use your judgment when you are given information. An individual does not have to explicitly say that information is confidential if they tell you something which a reasonable person would regard as sensitive. You may, however, wish to clarify if somebody tells you something whether they want you to treat it as confidential.</p>
Q.	What does consent by the person authorised to give it mean?
A.	If somebody, for example a constituent, has told you something in confidence – for example in the line of casework – you may later

	want to put that in the public domain as part of pursuing that case. You should always check with the individual before you disclose something you believe is confidential to ensure that they are comfortable with that information being disclosed. You should also be clear with them as to how you may use the information they give you to help resolve their issue.
Q.	In what circumstances am I required to disclose confidential information by law?
A.	This would be where a law enforcement agency or regulatory agency or the courts require the disclosure of such information.
Q.	Can I use local authority information for matters outside the local authority?
A.	<p>A councillor is entitled to access information held by the local authority for the performance of their duties as a councillor. If a councillor wishes to use local authority information for any purpose other than in connection with their duties as a councillor, and that information is not in a publicly available document, however, then that councillor should submit a freedom of information request so that it can be given to them to use freely.</p> <p>The general rule is that any information held by the local authority and given directly to a councillor may only ever be used for the purpose for which it was provided. That purpose may add particular restrictions, for example where it relates to an individual constituent or sensitive matter. The purpose should not be for anything other than use in connection with the proper performance of the councillor's duties as a councillor. The exceptions to this are where the information has already been published, it has been given as a result of a request under Freedom of Information or Environmental Information Regulations or it is in the public interest ('whistleblowing').</p>

EXAMPLES:

A councillor was assisting a resident in an adoption process, which the resident decided to subsequently withdraw from. The resident's estranged parent contacted the councillor for information as to what was happening with the case and the councillor inadvertently shared confidential information as she had not realised that father and son were estranged. This was found to be a breach of the code.

A councillor circulated information about an officer's medical condition to other councillors and a local headteacher with whom he was acquainted. He was found to have disclosed information which should reasonably be regarded as being of a confidential nature and without the officer's consent in breach of the Code of Conduct.

7.0 Disrepute

As a Councillor:

5.1 I do not bring my role or local authority into disrepute.

- 7.1 As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on your role, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions.
- 7.2 In general terms, disrepute can be defined as a lack of good reputation or respectability. In the context of the Code of Conduct, a councillor's behaviour in office will bring their role into disrepute if the conduct could reasonably be regarded as either:
- a. reducing the public's confidence in them being able to fulfil their role; or
 - b. adversely affecting the reputation of your authority's councillors, in being able to fulfil their role.
- 7.3 Conduct by a councillor which could reasonably be regarded as reducing public confidence in their local authority being able to fulfil its functions and duties will bring the authority into disrepute.

- 7.4 Making unfair or inaccurate criticism of your authority in a public arena might well be regarded as bringing your local authority into disrepute. Inappropriate emails to constituents or inappropriate posts about your authority on social media might well bring the role of member into disrepute.

Frequently asked questions	
Q.	What distinguishes disrepute to “your role or local authority” from disrepute to you as a person?
A.	<p>The misconduct will need to be sufficient to damage the reputation of the councillor’s role or local authority, as opposed simply to damaging the reputation of the individual concerned.</p> <p>Certain kinds of conduct may damage the reputation of an individual but will rarely be capable of damaging the reputation of the role of councillor or the reputation of the authority.</p> <p>Here are some of the situations that might tip the balance in favour of disrepute to the role of councillor or to the authority in particular cases:</p> <ol style="list-style-type: none"> 1. Situations where councillors have put their private interests above the public interest, which they are expected to promote as councillors, and therefore reduced the standing of their role. For example, councillors using their position to secure a secret personal profit. 2. Similarly, situations where a councillor defies important and well-established rules of the authority for private gain. 3. Where a councillor engages in conduct which directly and significantly undermines the authority’s reputation as a good employer or responsible service provider.

EXAMPLES:

A councillor posted a tweet reading “Cllr Blogs why don’t you just throw in the towel, just go before you cause any more damage to the reputation of the council. You and some members of your cabinet have failed. I hope that the SFO is brought in to investigate your conduct. #failedleadership.” The complainant stated that she found the tweet ‘very offensive’ and bullying

and also considered that the tweet would reasonably bring the councillor's office and the authority into disrepute. The councillor was found to have brought his authority into disrepute by reducing public confidence in the council.

A councillor brought his role and authority into disrepute by taking advantage of a local authority mistake and failing to prevent local authority-employed contractors from working on his privately-owned home. The local authority mistakenly sent decorators to the home, an ex-local authority property. The councillor only told the local authority about the mistake after the work had been completed and then said he could not be charged for the work.

The chair of a local authority made a deeply inappropriate remark at a local authority meeting that was reported in the local media and was accused of bringing his role and authority into disrepute. It was clear in both the meeting and the local media reporting that other councillors expressed concerns about his comments and found them inappropriate. It was found that he had not brought his authority into disrepute but that he had brought his role into disrepute.

8.0 Misuse of position

As a Councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

8.1 Your position as a councillor provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

8.2 You should not use, or attempt to use, your public office either for your or anybody else's personal gain or loss. For example, your behaviour would be improper if you sought to further your own private interests through your position as a councillor.

- 8.3 Involving yourself in a decision in which you have an interest, to seek to benefit yourself or another would be a breach of this paragraph of the code. For guidance on how to conduct yourself when you have an interest and how to balance your rights as an individual and your responsibilities as a public decision maker see the chapter on registration of interests.
- 8.4 Councillors who own land, or whose relatives or close associates own land, need to be particularly cautious where planning matters are concerned. Similarly, while it is reasonable to expect councillors to help constituents apply to the local authority, for example, for housing, it is quite improper to seek to influence the decision to be taken by the officers and this would be in breach of paragraph 3 of the Code.

Frequently asked questions	
Q.	What kind of attempts to advantage or disadvantage would be improper?
A.	<p>There are circumstances where it will be proper for a councillor to seek to confer an advantage or disadvantage and other circumstances where it will not.</p> <p>Being a councillor can involve making hard choices and balancing a range of interests. Most decisions will inevitably benefit some people and will be to the detriment of others. It's important when you make those decisions to make them in what you think is the public interest and not be influenced by private interests.</p> <p>For example, there can be no objection to councillors voicing their opposition to the closure of a local public library. This conduct is clearly intended to secure an advantage for the users of the library. What is crucial is that councillors' attempts to secure this advantage are clearly part and parcel of their duties as a local representative. Therefore, these activities are not improper.</p> <p>The term 'improperly' is not defined in the Code of Conduct. This ensures that the scope of the provision is not unnecessarily limited. The underlying principle is that councillors are elected or appointed to public office to serve the public interest.</p>

	A councillor's conduct would be improper if they were to use their public position to further private interests of themselves or associates, or to settle old scores with enemies, to the detriment of the public interest. Any conduct that unfairly uses a councillor's public position to promote private interests over the public interest will be improper.
Q.	What if the attempt to confer an advantage or disadvantage fails?
A.	<p>The wording of the Code of Conduct makes it clear that the use of position provision (paragraph 6) covers failed attempts as well as situations where an advantage or disadvantage has actually been achieved.</p> <p>For example, if you have tried to influence fellow councillors to vote in a particular way which would be to your personal advantage and/or that of your family/close associates you would have breached this provision of the code even if they did not in fact vote that way.</p>

EXAMPLES:

A councillor who was a 'joint co-ordinator' of a community group did not notify the local authority of her position in this group. She took part in the considerations and voted on the decision to negotiate a new lease in respect of a workshop used by this community group. A standards committee found that she had used her position improperly as the decision on which she voted benefited a group in which she clearly had an interest which she had not disclosed to the local authority.

A local authority leader failed to declare a conflict of interest relating to land he owned. The court found that he used his position as a councillor and instructed a planning officer to alter the road route to benefit his own land's value to a considerable extent. He was found guilty of misconduct in public life for trying to influence the route of a new by-pass to enclose his land in a new development belt, which would have significantly increased its value. He received an 18-month custodial sentence.

9.0 Misuse of local authority resources and facilities

7. Use of local authority resources and facilities

As a Councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- act in accordance with the local authority's requirements; and
- ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

9.1 You are provided with resources and facilities to assist you in carrying out your duties as a councillor. These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

9.2 You must make sure you use the authority's resources for proper purposes only. It is not appropriate to use, or authorise others to use, the resources for political purposes, including party political purposes. When using the authority's resources, you must have regard, if applicable, to any Local Authority Code of Publicity made under the Local Government Act 1986.

9.3 You must be familiar with the rules applying to the use of resources made available to you by your local authority. Failure to comply with the local authority's rules is likely to amount to a breach of the code.

9.4 You should never use local authority resources for purely political purposes, including designing and distributing party political material produced for publicity purposes.

EXAMPLES:

A councillor used his computer equipment provided by his local authority for private purposes by downloading inappropriate adult pornographic images and sending a number of letters to a local newspaper, which he falsely

represented as being from members of the public. He was found to have misused the local authority's equipment in breach of the code and had brought his office into disrepute.

A councillor used local authority notepaper in an attempt to avoid parking penalties incurred by his son. He also dishonestly attempted to renew a parking permit for disabled drivers. He was convicted of attempting, by deception, to evade the parking penalties dishonestly. He was also found by his local authority to have breached this paragraph of the code.

Part 3 - Protecting your reputation and the reputation of the Council

1.0 Register of Interests

As a Councillor:

9.1 I register and disclose my interests.

- 1.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.
- 1.2 You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision-making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.
- 1.3 Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1** of the Code (Disclosable Pecuniary Interests). You should also register details of your other personal interests which fall within the categories set out in **Table 2** of the Code (Other Registerable Interests).
- 1.4 You have to register two different categories of interests:
 - a. Disclosable Pecuniary Interests – these are categories of interests which apply to you and your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners). The categories are set out in regulations made under s27 of the Localism Act 2011 and non-compliance is a criminal offence

- b. Other registerable interests – these are categories of interest which apply only to you and which the LGA believes should be registered as an aid to transparency.

Frequently asked questions	
Q.	Does ‘office carried on for profit or gain’ include allowances I may receive from another council I sit on?
A.	<p>If you receive allowances which are treated as taxable income rather than simply being pure reimbursement of expenses, say, then they do need to be registered and declared as appropriate.</p> <p>Reimbursement of expenses is separately covered by the DPI category ‘sponsorship’ and makes clear that it excludes the need to register or declare reimbursement of expenses from one’s own authority. However that does not exclude any allowances received from another authority. This is supported by a letter written by the then Minister Brandon Lewis to Desmond Swayne MP in 2013 when this issue was raised with Government which said: “a member being in receipt of taxable members’ allowances may be considered to give rise to a disclosable pecuniary interest under the subject of ‘Employment, office, trade or vocation’ set out in the regulations.</p> <p>That means that any member in receipt of taxable allowances from another authority would have to register such as a DPI.</p>
Q.	How much detail do I need to give about my employment?
A.	<p>It is not enough simply to put, for example, ‘management consultant’ or ‘teacher’. Sufficient detail should be given to identify your company or employer. This aids transparency and allows people to see where potential conflicts of interest may arise.</p> <p>Where you have a sensitive employment which should not be disclosed you should discuss this with your Monitoring Officer (see ‘sensitive interests’ below). While the law on sensitive interests only applies to where there is a fear of intimidation there may be employment, such as certain sections of the military, which cannot be disclosed for other reasons so you should always seek advice if in doubt.</p>

Q.	How much detail is required of land-holdings?
A.	Sufficient detail should be given to identify the land in question. An address and, where the address is not sufficient, a field number or map reference will usually meet the requirement. A plan identifying the land may be useful in some situations but is not a requirement.
Q.	Do you have to register the land-holdings of your employers or bodies you have shareholdings in?
A.	No. There is no requirement to list the land-holdings of companies or corporate bodies included in the register. The only requirement is to register any tenancy between such bodies and the authority. Obviously, you can only be expected to register those you ought reasonably to be aware of.
Q.	What is a “body exercising functions of a public nature”?
A.	<p>Although it is not possible to produce a definitive list of such bodies, here are some criteria to consider when deciding whether or not a body meets that definition -</p> <ul style="list-style-type: none"> ● Does that body carry out a public service? ● Is the body taking the place of local or central government in carrying out the function? ● Is the body (including one outsourced in the private sector) exercising a function delegated to it by a public authority? ● Is the function exercised under legislation or according to some statutory power? ● Can the body be judicially reviewed? <p>Unless you answer “yes” to one of the above questions, it is unlikely that the body in your case is exercising functions of a public nature.</p> <p>Examples of bodies included in this definition: government agencies, other councils, public health bodies, council-owned companies exercising public functions, arms-length management organisations carrying out housing functions on behalf of a council, school governing bodies.</p>

Q.	Do local campaigning or Facebook groups need to be registered?
A.	<p>Membership of local campaign or Facebook groups will only need to be registered if they are bodies:</p> <ul style="list-style-type: none"> ● Exercising functions of a public nature; ● Directed towards charitable purposes; or ● One whose principal purpose includes influencing public opinion or policy. <p>Generally it is unlikely that these groups will be regarded as formal bodies to be registered. However, each case should be considered on its own merits. 'A Body' is defined as 'a number of persons united or organised'. Some groups are very united on their cause and organised but their purpose must fall under one of the functions listed above.</p> <p>There must also be some formality to the membership, such as registration for example. Simply attending a meeting of a local campaign does not of itself make you a 'member' of that organisation.</p>
Q.	What about membership of a political party or trade union?
A.	<p>The second category of other registerable interests refers to membership of a body or being in a position of general control and management of a body, one of whose principal purposes includes the influence of public opinion or policy. This includes any political party or trade union. Memberships of political parties and Trade Unions therefore need to be registered. Remember that if as a consequence of membership of a political party or a trade union any payment or financial benefit is received, it is likely to come under the Sponsorship category of DPI.</p>
Q.	Do I need to register my membership of the Freemasons?
	<p>A Council cannot require a member to register membership of a Masonic Lodge specifically any more than it could require registration of any other specifically named organisation.</p> <p>The requirement to register outside interests is a more general requirement to register outside organisations and seeks to achieve</p>

	<p>a balance between ‘need to know’ and privacy. These general requirements include membership of any charitable organisation or ‘body directed to charitable purposes’. This would in effect capture Freemasonry through membership of the Grand Charity which meets that definition as well as individual lodges which may have a specific charitable purpose. It is possible for a freemason to disclaim membership of the Grand Charity, leaving just membership of the United Grand Lodge and their individual lodge which may therefore not fall within that category as, whilst individual lodges might make donations to charitable causes, their primary function and objects are not charitable; thus a mason could in theory not meet the requirement to register membership of charitable bodies by opting out of the Grand Charity.</p>
Q.	What is sensitive information?
A.	<p>It may include your sensitive employment (such as certain scientific research or the Special Forces) which is covered by other legislation or interests that are likely to create serious risk of violence or intimidation against you or someone who lives with you. For example, disclosure of your home address where there has been a threat of violence against you or where there is a court order protecting your whereabouts.</p> <p>You should provide this information to your monitoring officer and explain your concerns regarding the disclosure of the sensitive information; including why it is likely to create a serious risk that you or a person who lives with you will be subjected to violence or intimidation. You do not need to include this information in your register of interests, if your monitoring officer agrees, but you need to disclose at meetings the fact that you have an interest in the matter concerned (see guidance on declaring interests).</p>
Q.	What happens if the monitoring officer does not agree that the information is sensitive?
A.	<p>It is for the Monitoring Officer to decide if the information is sensitive. You must notify the Monitoring Officer of the information which you think is sensitive and give your reasons and any supporting evidence.</p>

	<p>If the Monitoring Officer agrees, this information does not need to be included in the register of interests. However, if the Monitoring Officer disagrees then it must be registered.</p>
Q.	What happens if the information stops being sensitive?
A.	<p>You must notify the monitoring officer of any change in circumstances which would mean that the sensitive information is no longer sensitive within 28 days of the change, for example a change in employment. The information would then be included in the authority's register of interests.</p>
Q.	Who should you notify when registering your interests?
A.	<p>The Localism Act and the Code both say that the Monitoring Officer is responsible for maintaining the register. You must therefore notify your Monitoring Officer of your interests to be registered.</p>
Q.	Does setting the Council Tax give rise to a Disclosable Pecuniary Interest?
A.	<p>You do not have a disclosable pecuniary interest if you are voting on the Council Tax. Guidance issued by the Government in 2013 made clear that 'any payment of, or liability to pay, council tax does not create a disclosable pecuniary interest as defined in national rules; hence being a council tax payer does not mean that you have to seek a dispensation to take part in the setting of council tax or local arrangements for council tax support'.</p>
Q.	What if I am unaware of an interest?
A.	<p>You can only declare an interest in a matter that you are aware of. For example, a company of which your father-in-law is a director may have made an application to the Council. You may not be aware that he is a director, and you are not expected to ask about the business affairs of your relatives or acquaintances simply because you are a councillor.</p> <p>A reasonable member of the public would expect you to know about certain interests of course; so for example it would be reasonable</p>

for you to know your daughter's address or job, but not necessarily any shareholdings that she may have.

2.0 Registration of Gifts and Hospitality

As a Councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept within 28 days of the offer being made.

- 2.1 In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered.
- 2.2 However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Frequently asked questions	
Q.	What does 'hospitality' mean?
A.	Hospitality can be defined as any food, drink, accommodation, or entertainment freely provided or heavily discounted.
Q.	How much detail should I include on the register?
A.	Where you register gifts or hospitality you should include the name of the person or organisation who gave you the gift or hospitality; the date on which you received it; the reason it was given; and its value or estimated value.
Q.	How do I know if gifts or hospitality have been offered to me because of my role as a councillor?
A.	<p>The code says you must register any gift or hospitality received <i>in your capacity as a councillor</i> if the estimated value exceeds £25.</p> <p>You should ask yourself whether you would have received the gift or hospitality if you were not on the local authority. If you are in doubt as to the motive behind an offer of a gift or hospitality, we recommend that you register it or speak to the clerk or monitoring officer before deciding whether to accept it. You should also refer to the local authority's policy on gifts and hospitality.</p> <p>You do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family, or gifts which you do not accept. However, you should apply common sense when you consider how receipt of a gift might be interpreted. For example, if you are the chair of the planning committee and a birthday present arrives from a family friend who is also an applicant just before a planning application is due to be considered, then you need to think about how this would be interpreted by a reasonable member of the public.</p>
Q.	What about gifts or hospitality I do not accept?
A.	The code makes it clear that the presumption is that you do not normally accept gifts or hospitality. While gifts or hospitality can be

	<p>offered for benign reasons it is important for your reputation, the reputation of the local authority and the need to reassure the public that decision-making is not being improperly influenced, that you do not accept gifts or hospitality wherever possible.</p> <p>Simply accepting gifts or hospitality and then registering it does not mean that it may be seen as reasonable. Accepting an expensive meal from somebody who is negotiating for a contract with the council, for example, is not 'made right' by being recorded on a public register.</p> <p>There will be times, however, where turning down hospitality or gifts could be seen as causing unnecessary offence. For example, if you have been invited as a ward councillor to a local festival or faith celebration along with other members of the community then it may be entirely appropriate to accept the hospitality. However, you should always exercise particular caution if the organisers are involved in ongoing negotiations with the local authority on a particular matter.</p> <p>Where you are offered a gift or hospitality but decline it you should nevertheless notify the monitoring officer. That helps the authority to identify if there are any patterns and to be aware of who might be seeking to influence the authority.</p>
<p>Q.</p>	<p>What about gifts or hospitality that falls below the limit in the code?</p>
<p>A.</p>	<p>You should always notify the monitoring officer of any gift or hospitality offered to you if it could be perceived as something given to you because of your position, especially where the gift or hospitality is from somebody who has put in an application to the local authority (or is about to) even where that hospitality falls below £50 or the limit set by the local authority.</p> <p>While that would not be a matter for the public register it again allows the authority to be aware of any patterns.</p> <p>Also, an accumulation of small gifts you receive from the same source over a short period of say a couple of months that add up to £50 or over should be registered in the interests of transparency.</p>

Q.	What if I do not know the value of a gift or hospitality?
A.	The general rule is, if in doubt as to the value of a gift or hospitality, you should register it, as a matter of good practice and in accordance with the principles of openness and accountability in public life. You may therefore have to estimate how much a gift or hospitality is worth. For example, if you attend a dinner as a representative of the authority which has been prepaid by the sponsors you would need to make an informed judgment as to its likely cost.
Q.	What if I'm at an event but don't have the hospitality or only have a small amount?
A.	<p>The best way to preserve transparency is for you to assess the hospitality on offer, whether it is accepted or not. This is because it would clearly not be in your interests to be drawn into arguments about how much you yourself ate or drank at a particular occasion. For example, you may find yourself at a function where relatively lavish hospitality is on offer, but you choose not to accept it. You may go to a champagne reception but drink a single glass of orange juice for example.</p> <p>As a guide you should consider how much a person could reasonably expect to pay for an equivalent function or event run on a commercial basis. What you have been offered is the value of the event regardless of what you actually consumed. Clearly where you are in any doubt the prudent course is to register the hospitality.</p>
Q.	Is there a minimal threshold where I wouldn't have to notify the monitoring officer?
A.	The code is about ensuring that there is transparency and accountability about where people may be trying to influence you or the local authority improperly. However, in the course of your duties as a councillor you will be offered light refreshments or similar on many occasions. It is perfectly acceptable to have a cup of tea or biscuits at a meeting with residents at the local community centre for example and there may be times when an external meeting lasts

	<p>all day and the organisers offer you a sandwich lunch and refreshments.</p> <p>The Government’s guide to the Bribery Act for employers says that ‘the Government does not intend that genuine hospitality or similar business expenditure that is reasonable and proportionate be caught by the Act, so you can continue to provide bona fide hospitality, promotional or other business expenditure. In any case where it was thought the hospitality was really a cover for bribing someone, the authorities would look at such things as the level of hospitality offered, the way in which it was provided and the level of influence the person receiving it had on the business decision in question. But, as a general proposition, hospitality or promotional expenditure which is proportionate and reasonable given the sort of business you do is very unlikely to engage the Act.’</p> <p>You should use your discretion and think how it might look to a reasonable person but always seek the views of the monitoring officer or clerk where you are a parish councillor if in doubt.</p>
<p>Q.</p>	<p>What are ‘normal expenses and hospitality associated with your duties as a councillor’?</p>
<p>A.</p>	<p>As well as the minimal threshold hospitality above there will be times when you are paid expenses which include an element for food and drink as part of your role.</p> <p>The focus of the code is on the source of the hospitality and its nature. Hospitality does not need to be registered where it is provided or reimbursed by the authority or where it is clearly ancillary to the business being conducted, such as an overnight stay for an away-day. Therefore, hospitality at a civic reception or mayor’s ball would not need to be registered.</p> <p>However, the hospitality should be registered if it is provided by a person or body other than the authority and is over and above what could reasonably be viewed as ancillary to the business conducted. You might meet dignitaries or business contacts in local authority offices. However, if such meetings take place in other venues, such as at cultural or sporting events, this should be registered as hospitality.</p>

	<p>If you are away at a conference and you are offered entertainment by a private company or individual or attend a sponsored event you should consider registering it.</p>
Q.	<p>What if my role involves me attending regular events or receiving gifts or hospitality?</p>
A.	<p>Some roles in a local authority will inevitably involve being offered more entertainment than others because of the ‘ambassadorial’ nature of the role. For example, the Mayor or Speaker will be invited to a large number of functions and the leader of the local authority may be attending events as political leader of the local authority.</p> <p>Although the Mayor or Speaker may attend many social functions, they are not exempt from the requirement to register hospitality as individual councillors. However, where the hospitality is extended to the office holder for the time being rather than the individual, there is no requirement under the code to register the hospitality against your individual register. The question a councillor needs to ask themselves is, “Would I have received this hospitality even if I were not the Mayor/Speaker?” If the answer is yes, then it must be registered.</p> <p>If matters are recorded, any entry on the register should make it clear that gifts or hospitality are being accepted because of the office held and, where possible, any gifts accepted should be ‘donated’ to the local authority or to charity or as raffle prizes for example.</p> <p>Gifts that are clearly made to the local authority, for example a commemorative plaque which is kept on display in the local authority’s offices, do not need to be registered in the councillor’s register of gifts and hospitality. However, such gifts ought to be recorded by the local authority for audit purposes.</p>



Code of Conduct Complaints

Assessment, Investigations and Hearings Procedure Note

DRAFT

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Introduction

Section 28, Localism Act 2011

(6) A relevant authority other than a parish council must have in place—

- (a) arrangements under which allegations can be investigated, and
- (b) arrangements under which decisions on allegations can be made.

(7) Arrangements put in place under subsection (6)(b) by a relevant authority must include provision for the appointment by the authority of at least one independent person—

- (a) whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate, and
- (b) whose views may be sought—
 - (i) by the authority in relation to an allegation in circumstances not within paragraph (a),
 - (ii) by a member, or co-opted member, of the authority if that person's behaviour is the subject of an allegation ...

As required by the Localism Act, the Council must have in place arrangements under which allegations that an elected member or co-opted member of the Council has failed to comply with the Council's adopted Code of Conduct can be considered and decisions made on such allegations. It is for the Council to decide the details of those arrangements, but they must appoint at least one Independent Person whose views are to be taken into account before making a decision on a complaint that they have decided to investigate.

This procedure guide sets out the arrangements which the Council has adopted.

For the purposes of this procedure note, the word "councillor" is used to encompass the elected Mayor, an elected councillor or a co-opted member of the council who has voting rights.

Making a complaint

Complaints should be submitted to the Council's Monitoring Officer using the [Code of Conduct complaint form](#). This form ensures that the Monitoring Officer is provided with all the information they need to process the complaint and that your consent to share information has been obtained.

If the complainant requires assistance to complete the form, this can be obtained from [TO BE INSERTED].

The Monitoring Officer will not consider a complaint other than via the complaint form unless there are extenuating circumstances. If the complainant considers that there are extenuating circumstances then they can discuss this with [TBI].

If the complaint is being made on behalf of a number of individuals, one person should be nominated as the single point of contact to whom all correspondence will be addressed.

The Monitoring Officer will acknowledge receipt of the complaint within 5 working days'

Disclosing the complainants identity

Requests from complainants to withhold their identity, so that they remain anonymous to the subject of the complaint, are only granted in exceptional circumstances. This is because the Monitoring Officer has to balance the right of the councillor to properly understand the complaint against them and respond to it.

Jurisdictional Assessment

Upon receipt of a complaint the Monitoring Officer will first establish whether the complaint passes the jurisdictional test.

Complaints will not pass the jurisdictional test if:

- The subject of the complaint is no longer a councillor or was not a councillor at the time of the alleged conduct;
- The complaint is made anonymously, unless there is a clear public interest in doing so and the Monitoring Officer considers that a fair investigation can be carried out;
- The same, or substantially the same, alleged conduct has been the subject of a previous Code of Conduct allegation and there is nothing further to be gained;
- The complaint is essentially against the action of the Council as a whole and cannot properly be directed against an individual councillor;
- The complaint does not relate to the conduct as a councillor;
- The complaint is a service complaint;
- The complaint is about conduct which is the subject of legal proceedings against the Council involving the complainant (for the avoidance of doubt in

this context legal proceedings means actual or contemplated legal proceedings or matters subject to mediation in which the Council is involved either as a claimant, defendant or interested party).

- The complaint is about an officer of the Council.

Where a complaint identifies potential criminal conduct (including a failure to register disclosable pecuniary interests) or regulatory breach by a councillor, the Monitoring Officer will refer the complaint to the police or such other regulatory agencies as may be appropriate. The Monitoring Officer will take no further action until any related criminal / regulatory investigation, proceedings or processes have been concluded.

If the complaint does not pass the jurisdictional test then no further action will be taken and the complainant will be informed accordingly along with the reason.

Threshold Assessment

Once the complaint has passed the jurisdictional assessment, the complaint will then move to the threshold assessment phase.

If the Monitoring Officer believes that clarification of the complaint is required at this stage, then they will contact the complainant accordingly and invite them to provide that clarification within 10 working days of receipt of the request. Where there are exceptional or mitigating circumstances, this timeframe may be extended. In the absence of that clarification being provided, the complaint will be closed.

The Monitoring Officer will usually notify the councillor that a complaint has been received either on receipt or when any necessary clarification has been provided. The Monitoring Officer will invite the councillor to submit any comments on the complaint. Any comments should usually be submitted within 10 working days from the date of notification unless there are exceptional or mitigating circumstances. In doing so, the Monitoring Officer will make clear that no judgment one way or the other has been made about whether the allegation is in fact true. In deciding whether to notify the councillor, the Monitoring Officer will also take into consideration whether there are any risks in so doing; for example, if the Monitoring Officer considers that telling the councillor would lead to a risk of evidence being destroyed or a risk of the complainant being intimidated. Where the Monitoring Officer concludes that the identity of the complainant should be afforded anonymity, the councillor will still be provided with full details of the complaint save for any specific information that might lead to the identity of the complainant being disclosed.

It is the responsibility of the Monitoring Officer to conduct the threshold assessment. However, they have the absolute discretion to refer the complaint to the Assessment Sub-Committee of the Standards Committee.

In deciding whether the complaint reaches the threshold assessment, the Monitoring Officer (or Assessment Sub-Committee) will consult with the Independent Person and take into account their opinion. The Monitoring Officer (or Assessment Sub-Committee) will take into account the following factors:

<p>Potential breach</p>	<p>Does the complaint contain sufficient evidence to demonstrate a potential breach of the code?</p> <p>To assist in coming to a decision, the Monitoring Officer may refer to other information which is readily available; for example, copies of agendas, reports and minutes of meetings, recordings of Council meetings, copies of the Members' entry in the Register of Members' Interests.</p>
<p>Official capacity</p>	<p>Was the councillor acting in their capacity as a councillor at the time of the alleged conduct?</p>
<p>Date of the conduct complained of</p>	<p>How long ago did the conduct complained of take place?</p> <p>If the conduct complained of took place more than six months ago, then consideration will be given as to any reasons for the complainant's delay in making their complaint along with whether there is a risk that it would not be possible to properly investigate the complaint due to the passage of time; for example if people's recollections have faded.</p>
<p>Type of complaint</p>	<p>Does the complaint appear to be trivial, malicious, vexatious, politically motivated or tit-for-tat?</p> <p>Where the complaint appears to relate to the 'rough and tumble' of political debate and pertains to conduct between councillors rather than between councillors and the public or officers, in most instances no further action will be taken.</p>

<p>Public interest</p>	<p>Is an investigation in the public interest?</p> <p>The public interest covers a wide range of values and principles relating to the public good, or what is in the interests of society. Thus, for example, there is a public interest in transparency and accountability, to promote public undertaking and in upholding standards of integrity and in ensuring justice and fair treatment for all.</p>
<p>Remedies</p>	<p>Are there alternative, more appropriate remedies that should be explored?</p> <p>Depending upon the circumstances, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation.</p> <p>Similarly, If the councillor makes a reasonable offer to settle the complaint informally, but the complainant is not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.</p>
<p>Multiple complaints</p>	<p>Have multiple complaints been submitted about the same conduct / course of conduct?</p> <p>In the interests of the efficient use of resources, the Monitoring Officer may decide that only one complaint should go forward for investigation, with the other complainants being treated as potential witnesses in that investigation</p>

The threshold assessment will normally be concluded within 25 working days of receipt of the complaint. However, in some instances this may take longer, for example where the Monitoring Officer decides to seek clarification or if they decide to refer the matter to an Assessment Sub-Committee. The Monitoring Officer will advise the complainant of any delays to concluding the assessment.

The potential outcomes of the threshold assessment are as follows:

- No further action should be taken because the complaint does not reach the required threshold;
- To refer the complaint for local resolution (which might involve an apology or training or some other form of mediation)
- To refer the complaint for formal investigation

The complainant and councillor will be advised of the outcome of the threshold assessment, including the reasons for the decision.

Assessment Sub-Committee

Where the Monitoring Officer decides to refer the threshold assessment to the Assessment Sub-Committee, that Sub-Committee will be drawn from the main body of the Standards Committee. If the Assessment Sub-Committee includes co-opted representatives, then they will not have voting rights by law.

Any member of the Standards Committee, against whom a Code of Conduct complaint has been made, shall not be selected as a member of the Assessment Sub-Committee until consideration of their complaint has been concluded.

The Assessment Sub-Committee is like any other committee or sub-committee of the Council and must follow the rules that apply to committees. The rules around access to information also apply as they do to other committees – that is the hearing will be in public unless there are lawful reasons for all or part of it to be heard as exempt or confidential matters.

The sole purpose of the Assessment Sub-Committee is to determine whether or not the complaint reaches the threshold for an investigation; it does not determine whether or not the councillor has breached the code of conduct.

The potential outcomes of the Assessment Sub-Committee are those referred to earlier in this document.

Investigation

While investigations are not covered by the right to a fair hearing under Article 6 of the European Convention on Human Rights as the outcome of any hearing will not impact upon the rights of the person to carry on the role as a councillor, any investigation must nevertheless abide by the principles of natural justice.

The investigation will therefore be undertaken with some key principles in mind:

- **Proportionality.** That is, the investigation should strive to be proportionate to the seriousness or complexity of the matter under investigation. Where a matter is straightforward or relatively simple, the investigator may choose not to follow all of the steps in this guidance if the matter can be resolved more proportionately.
- **Fairness.** The investigation should make sure that the subject member knows what they are accused of, has an opportunity to make comments on the investigation, including on a draft report, and where appropriate, all sides feel they have had the chance to put their side of the issue. Again this would need to bear in mind the nature of the complaint – for example, an alleged failure to register an interest may be largely a factual matter rather than one that needs to hear from other parties. A councillor quickly admitting to an error may not need further detail to be probed.
- **Transparency.** As far as is practical and having regard to an individual’s right to confidentiality, investigations should be carried out as transparently as possible – all parties should be kept up to date with progress in the case
- **Impartiality.** An investigator should not approach an investigation with preconceived ideas and should avoid being involved where they have a conflict of interest.

The Monitoring Officer may carry out the investigation in person, subject to any conflict of interest; for example, if they had advised the councillor on the matter regardless of whether the councillor followed the advice or not. Alternatively, the Monitoring Officer may delegate the investigation to the Deputy Monitoring Officer or any other named individual (including someone who is not an officer of the Council). Where the investigation is delegated, the Monitoring Officer will oversee the conduct of the investigation, save where a conflict exists in which case they will make arrangements for another suitable person to oversee the investigation, and will ensure that the scope of the delegation is recorded in writing.

For the purposes of this procedure note, the word ‘investigator’ will be used to refer to the person conducting the investigation, no matter their identity.

Disclosure of information

Any information received by the investigator is confidential to the investigative process until the investigation is completed. The only exception to this is if there is a statutory requirement to disclose it.

Scope of the investigation

The investigator will first establish the scope of the investigation. If the initial complaint had made several different allegations the investigator must be clear whether they are investigating them all or only part of the allegations. The investigator should also be clear which parts of the Code they are investigating the conduct against, although this may change to include other or different provisions during the investigation as it develops.

Having established the scope of the investigation, the investigator will contact:

- The complainant
- The councillor
- The Independent Person

The investigator will explain what it is they are investigating and what will happen next. They will inform the councillor that they have the right to seek the views of the Independent Person and be represented at any interviews with the investigator.

Evidence of new breaches

During the course of an investigation, the investigator may uncover evidence of conduct by councillors that breaches the Code of Conduct, but extends beyond the scope of the investigation. The powers of the investigator relate only to the allegation that is under consideration therefore if this happens the investigator will tell the person they obtained the information from that they cannot investigate the possible breach as part of the existing investigation. They should tell them that they may wish to make a separate complaint to the Council and if the council considers it needs further action it could be subsequently added to the investigation. Alternatively, the investigator may refer the matter to the Council as a new complaint.

Deferring the investigation

If the investigator becomes aware of any circumstances that might require the investigation to be deferred, they will, if they are not the Monitoring Officer, notify the Monitoring Officer of the relevant facts and reason why a deferral may become necessary.

The Monitoring Officer will consult with the Independent Person and subsequently make a decision whether to defer the investigation.

Purpose of the investigator's report

The report is an explanation of all the essential elements of the case and a justification for the investigator's conclusion as to whether there has been a breach of the Code or not. The report should cover:

- agreed facts;
- any disputed facts together with your view, if appropriate, as to which version is more likely;
- whether those facts amount to a breach of the code or not; and
- your reasons for reaching that conclusion.

Draft reports

The investigator will produce a draft report of the conclusion of their investigation. Where the investigator is not the Monitoring Officer, the draft report will be shared with the Monitoring Officer so that they can satisfy themselves that the investigation is of an acceptable standard.

The draft report will then be sent to the relevant parties with a deadline for providing comments thereon. Where appropriate relevant extracts may be sent to particular parties; for example, witnesses

The investigator is under no obligations to accept any comments made, but where comments are not accepted, the investigator will make a note explaining why this is the case.

Final report

The final report will be issued by the Monitoring Officer and will be sent to:

- the subject member
- the complainant
- the Independent Person

The report must make one of the following findings, on the balance of probabilities:

- that there have been one or more failures to comply with the Code of Conduct
- that there has not been a failure to comply with the Code

If it is concluded that there has been no failure to comply with the Code, the Monitoring Officer will advise the complainant and councillor accordingly that this is the case and no further action will be taken.

If it is concluded that there has been a breach of the Code, then the Monitoring Officer will determine:

- Whether to refer the matter to the Hearing Sub-Committee for consideration;
- Whether to seek a local resolution of the complaint.

Local resolution

If the Monitoring Officer thinks that the complaint can reasonably be resolved locally, they will consult with the Independent Person, the councillor and the complainant as to a resolution of the complaint. Possible local resolutions may include the councillor accepting that their conduct was unacceptable and offering an apology.

Hearing Sub-Committee

For reasons of fairness and proportionality, the Hearing Sub-Committee should ordinarily take place within three months of the date on which the investigator's report was completed. Where that is not possible, for example because the matter is awaiting the outcome of other matters being dealt with by outside bodies or other investigations into the subject member, the Monitoring Officer should notify the relevant parties of the reason for the delay and an estimated timescale.

The timing of the Hearing Sub-Committee should, however, provide sufficient time for all parties involved to prepare their case and to consider whether there are any witnesses that they would wish to call.

Once a date has been set for a Hearing the monitoring officer should notify:

- The councillor
- The investigator
- The Independent Person
- The complainant

The Monitoring Officer will ask for a written response from the councillor to ascertain whether the councillor:

- Wants to be represented at the hearing
- Disagrees with any of the findings of fact in the investigation report, including reasons for any of these disagreements
- Wants to give evidence to the hearing, either verbally or in writing
- Wants to call relevant witnesses to give evidence to the standards committee
- Wants any part of the hearing to be held in private
- Wants any part of the investigation report or other relevant documents to be withheld from the public

The investigator will be asked if they wish to call any witnesses.

Composition of the Hearing Sub-Committee

The Hearing Sub-Committee will be drawn from the main body of the Standards Committee. If the Hearing Sub-Committee includes co-opted representatives, then they will not have voting rights by law.

Any member of the Standards Committee, against whom a Code of Conduct complaint has been made, shall not be selected as a member of the Hearing Sub-Committee until consideration of their complaint has been concluded.

Representatives

The councillor and investigator may choose to be represented by counsel, a solicitor, or by any other person they wish. The Hearing Sub-Committee may withdraw its permission to allow a representative if that representative disrupts the hearing.

Non-availability of councillor / witnesses

If the councillor is unable to make the specified date, the Hearing Sub-Committee may arrange for the hearing to be held on a different date, provided that they are satisfied that the subject member has given an acceptable reason. Where the councillor does not give an acceptable reason or does not reply within a specified time, the Hearing Sub-Committee should proceed with the date and may consider the report in the subject member's absence. The councillor should not be able to evade having the case heard simply by refusing to cooperate and the Code of Conduct makes the failure to cooperate a potential breach.

If one or more witnesses are unavailable on the given date the Monitoring Officer will decide how material they would be to the hearing and whether another date needs to be looked for. Witnesses, especially members of the public, often play an important part in the process and should be treated with courtesy and respect.

The hearing

The Hearing Sub-Committee is like any other committee or sub-committee of the Council and must follow the rules that apply to committees. The rules around access to information also apply as they do to other committees – that is the hearing will be in public unless there are lawful reasons for all or part of it to be heard as exempt or confidential matters.

Members of the Hearing Sub-Committee are required to bear in mind that the Hearing Sub-Committee is not a court of law; it does not hear evidence under oath, but it does decide factual evidence on the balance of probabilities.

The Hearing Sub-Committee will work at all times in a demonstrably fair, independent and politically impartial way. This helps to ensure that members of the public, and members of the authority, have confidence in its procedures and findings. Decisions should be seen as open, unprejudiced and unbiased. All concerned should treat the hearing process with respect and with regard to the potential seriousness of the outcome, for the councillor, the Council and the public.

Evidence

The Hearing Sub-Committee, through its chair, controls the procedure and evidence presented at a hearing, including the number of witnesses and the way witnesses are questioned.

In many cases, the Hearing Sub-Committee may not need to consider any evidence other than the investigation report and any other supporting documents. However, the Hearing Sub-Committee may need to hear from witnesses if more evidence is needed, or if people do not agree with certain findings of fact in the report.

The Hearing Sub-Committee can allow witnesses to be questioned and cross-examined by the councillor, the investigator or their representatives. Alternatively, the Hearing Sub-Committee can ask that these questions be directed through the chair. The Hearing Sub-Committee can also question witnesses directly and the Independent Person should also be asked if they wish to ask any questions.

If the Hearing Sub-Committee believes, however, that questions are irrelevant or oppressive then the Chair should stop that particular line of questioning.

Generally, the councillor is entitled to present their case as they see fit, which includes calling the witnesses they may want and which are relevant to the matters to be heard. However, the Hearing Sub-Committee has the right to govern its own procedures as long as it acts fairly. For this reason, the Hearing Sub-Committee may limit the number of witnesses if the number is unreasonable.

Making a finding

Once the Hearing Sub-Committee has heard all the relevant evidence it should suspend the hearing and retire to consider its findings in private.

Before retiring, the chair should invite the Independent Person to give their views to the Hearing Sub-Committee to which regard must be had in reaching a decision. These views will be given in open session so that all sides can have a chance to challenge them as necessary. The Independent Person should not retire with the Hearing Sub-Committee as they are not part of the formal decision-making process.

Any officer who retires with the Hearing Sub-Committee is there to advise on matters of procedure and law.

If the Hearing Sub-Committee, after retiring, decides that it needs to reconsider certain matters it is able to reconvene to ask further questions.

Once the Hearing Sub-Committee has reached its decision it should reconvene to inform the subject member. Where a breach has been found, it should then invite representations as to any aggravating or mitigating factors before retiring again to consider an appropriate sanction.

It is good practice to ensure that a short written decision is available on the day of the hearing, and while matters and reasons for the decision are fresh in mind, to prepare the full written decision in draft on that day. The officer providing administrative support to the Panel will normally also draft minutes of the meeting.

The Hearing Sub-Committee should give its full written decision to the relevant parties as soon as possible after the hearing. In most cases this should be within one week of the hearing.

The relevant parties are:

- The subject member
- The complainant
- The relevant Independent Person

Sanctions

There is no definitive list of possible sanctions. If the Hearing Sub-Committee finds that a subject member has failed to follow the Code of Conduct and that they should be sanctioned, it needs to be clear which sanctions it has the power to impose and which matters are reserved to Council or need to be referred to a relevant political group.

Typical sanction may include one or a combination of the following:

- Report its findings in respect of the councillors's conduct to Council;

- issue a formal censure;
- recommend to the councillor's Group Leader (or in the case of un-grouped members, recommend to Council) that they be removed from any or all Committees or Sub-Committees of the Council;
- recommend to the Elected Mayor that the councillor be removed from positions of responsibility;
- instruct the Monitoring Officer to arrange training for the councillor;
- recommend to Council that the councillor be removed from all outside appointments to which they have been appointed or nominated by the Council;
- recommend to Council that it withdraws facilities provided to the councillor by the Council for a specified period, such as a computer, website and/or email and internet access; or
- recommend to Council that it excludes the councillor from the Council's offices or other premises for a specified period, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings and/or restricts contact with officers to named officers only;
- if relevant, recommend to the Secretary or appropriate official of a political Group that the councillor be removed as Group Leader or other position of responsibility.

Under the Code of Conduct, a failure to comply with any sanction imposed may, of itself, be a breach of the Code.

When deciding on a sanction, the Hearing Sub-Committee should ensure that it is reasonable and proportionate to the councillor's behaviour. Before deciding what sanction to issue, the Hearing Sub-Committee should consider the following questions, along with any other relevant circumstances:

- What was the councillor's intention?
- Did the councillor know that they were failing to follow the Code of Conduct?
- Did the councillor get advice from officers before the incident? Was that advice acted on or ignored?
- Has there been a breach of trust?
- Has there been financial impropriety, for example improper expense claims or procedural irregularities?
- What was the result or potential result of failing to follow the Code of Conduct?
- How serious was the incident?
- Does the councillor accept they were at fault?
- Did the councillor apologise to the relevant people?

- Has the councillor previously been warned or reprimanded for similar misconduct or failed to follow the Code of Conduct before?
- Is the councillor likely to do the same thing again?
- How will the sanction impact on the councillor's ability to carry out their role?

Factors which may make a case more serious may include:

- trying to gain an advantage or disadvantage for themselves or others
- dishonesty or breaches of trust
- bullying

Sanctions involving restricting access to an authority's premises or equipment or contact with officers should not unnecessarily restrict the councillor's ability to carry out their responsibilities as an elected representative or co-opted member.

Mitigating factors may include:

- An honestly held, although mistaken, view that the action concerned did not constitute a failure to follow the provisions of the Code of Conduct, particularly where such a view has been formed after taking appropriate advice.
- The councillor's previous record of good service.
- Substantiated evidence that the councillor's actions have been affected by ill-health.
- Recognition that there has been a failure to follow the Code; co-operation and any steps to address or rectify the effects of that failure; an apology to affected persons where that is appropriate, self-reporting of the breach by the councillor
- Compliance with the Code since the events giving rise to the complaint.

Aggravating factors may include:

- Dishonesty
- Continuing to deny the facts despite clear contrary evidence.
- Seeking unfairly to blame other people
- Failing to heed appropriate advice or warnings or previous findings of a failure to follow the provisions of the Code.
- Persisting with a pattern of behaviour which involves repeatedly failing to abide by the provisions of the Code

Publicising the outcome

The Monitoring Officer will arrange for a summary of the decision and reasons for it to be published on the Council's website.

If the Hearing Sub-Committee finds that the councillor did not fail to follow the authority's Code of Conduct, the public summary must say this and give reasons for this finding. In such cases, the councillor is entitled to decide that no summary of the decision should be made publicly available.

If the Hearing Sub-Committee finds that the councillor failed to follow the Code but that no action is needed, the public summary should:

- say that the councillor failed to follow the Code, but that no action needs to be taken
- outline what happened
- give reasons for the Hearing Sub-Committee's decision not to take any action

If the Hearing Sub-Committee finds that a councillor failed to follow the Code and it imposed a sanction, the public summary should:

- say that the councillor failed to follow the Code
- outline what happened
- explain what sanction has been imposed
- give reasons for the decision made by the Hearing Sub-Committee

The Hearing Sub-Committee's reports and minutes should be available for public inspection in the same way as other Council committee papers.

Appeals

There is no right of appeal against any decision taken by the Monitoring Officer, the Assessment Sub-Committee or the Hearing Sub-Committee.

If the complainant or the councillor considers that the complaint has not been considered properly by the Panel, they may be able to complain to the Local Government and Social Care Ombudsman or make an application to judicially review the decision.

Document Retention

Documentation relating to the complaint will be retained for a period of six years from the date of the complaint's final determination, which includes any subsequent legal proceedings.

Minutes of the Standards Committee and its Sub-Committees will be retained in the same way as the minutes of other council decision making bodies.

Revision of these arrangements

The Standards Committee will be advised of any in-year changes to these arrangements that are necessary to take account of any changes in legislation or decisions from the Courts or Local Government and Social Care Ombudsman

Status of procedure note

This procedure note is intended as a guide to the process which the Council will adopt in considering complaints of alleged breaches of the Code of Conduct.

For the avoidance of doubt, the processes set out may be departed from where it is necessary to do so in order to secure the effective and fair consideration of any matter. Where there is a departure from the process this will be recorded in writing, including the reasons for that departure.



ESTABLISHMENT OF A CONSTITUTION COMMITTEE	
COUNCIL 26 January 2022	CLASSIFICATION: Open Appendix 1
WARD(S) AFFECTED N/A	
Director: Dawn Carter-McDonald, Monitoring Officer and Director of Legal and Governance Services	

1. SUMMARY

- 1.1 This report seeks to establish a Constitution Committee whose broad remit will be to
- (a) review areas in the Constitution to ensure that they are fit for purpose and propose appropriate changes;
 - (b) receive requests to review certain areas of the Constitution;
 - (c) consider changes proposed by Members, Officers and Committees; and
 - (d) recommend proposed changes to Council for approval.

2. RECOMMENDATIONS

- 2.1 That Council
- i) Establish a Constitution Committee whose terms of reference are set out at Appendix 1.
 - ii) Approves the membership of the Constitution Committee as set out in Appendix 2.

3. BACKGROUND

- 3.1 Hackney Council's Constitution in its current form dates from May 2011. Since 2011 there have been 30 re-issues of the Constitution. Changes have been made:
- to reflect changing legislation;

- to reflect the updated terms of reference of various Council Committees, Panels, Commissions and Sub-Committees;
- to correct errors;
- to change terminology; and
- to introduce greater clarity around certain Council procedures etc.

However, the Council has not during this time embarked upon a complete review and refresh of the Constitution.

3.2 During the summer of 2021, the Governance Service undertook a survey of Members and Senior Officers and how useful the current Constitution was in terms of explaining the decision-making structures and processes and how accessible it was as a document. Although the response rate was not particularly high, certain threads could be drawn out from the responses:

- Little knowledge / public awareness of the Constitution amongst residents, businesses and other organisations;
- The Constitution is complex and needs simplification;
- Large sections are not easy to understand and it is not easy to navigate;
- Needs to be greater awareness of scrutiny functions; and
- No mention of digital ways to engage.

The responses would demonstrate support for a wider review of the Constitution.

3.3 Views on a review and refresh of the Constitution, and how that might be progressed, have also been sought in a number of informal meetings, such as Members' Reference Group, which has demonstrated support not only for a review of the Constitution but also for the establishment of a Constitution Committee.

3.4 Now that the worst of the additional pressures brought by both Covid-19 and the cyber attack have largely abated, this is a perfect opportunity to undertake a wider review and refresh of the Constitution.

3.5 The review would **not** seek to change the balance of decision-making within the Council or how decisions are made generally, rather it would aim to provide greater clarity for the public and Members alike as to how the Council operates and improve upon the information provided to the public / businesses / other organisations generally with regards to the operation of the Council and with particular reference as to how they can become involved with the formal aspects of Council decision-making.

3.6 To support that review and refresh, it is proposed that a Constitution Committee be established. The proposed terms of reference for the Committee are set out at Appendix 1.

- 3.7 It is proposed that the Committee would initially determine how best the required contents of the Constitution can be organised and then consider the wording for all sections of the Constitution from drafting prepared by the Officer Constitution Group. If significant amendments are suggested by the Committee, then Officers would undertake further work on those sections and bring them back to a future meeting of the Committee. Only once the Constitution Committee is content with all of the proposed wording would the amended form of the Constitution be reported to full Council for approval / adoption. However, the precise organisation of the work would be a matter for the Constitution Committee to determine at their first meeting.
- 3.8 The current arrangements are for proposed amendments to be prepared by the Officer Constitution Group and for these then to be considered at various informal meetings, including Members' Reference Group, prior to being reported to full Council for approval or being taken forward by the Monitoring Officer in the case of minor amendments.
- 3.9 It is considered that the establishment of a Constitution Committee would:
- Improve transparency for residents and Members, as the Committee would meet in public and papers would be publicly available;
 - Provide greater structure and formality to this critical and important work;
 - Provide greater certainty as to delivery in a timely manner; and
 - Raise the importance and visibility of the Constitution across the Council and amongst the public.
- 3.10 If time permits within the Council's schedule of meetings, the intention would be to hold one meeting of the Constitution Committee in advance of the elections in May 2022 so that the parameters for this work can be set, thus permitting the Officer Constitution Group to commence drafting.

4. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 4.1 Based upon the current Member Allowances' Scheme, no financial implications arise as a consequence of establishing a Constitution Committee.

5. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 5.1 Section 37 of the Local Government Act 2000 requires that the Council must prepare and keep up to date a document known as the Constitution which contains a copy of the Council's standing orders,

a copy of the Council's code of conduct, and such other information (if any) as the Council considers appropriate. In addition, Article 15 of the Constitution requires the Monitoring Officer to monitor and review the operation of the Constitution and to make recommendations for the way in which it could be amended in order to achieve its purposes.

- 5.2 Previously there was also a requirement that the Constitution had to comply with any direction issued by the Secretary of State which detailed the information that any constitution ought to contain. That requirement has been repealed (in so far as authorities in England are concerned); however, the direction remains a useful checklist for what matters a constitution ought to cover.
- 5.3 In addition, in preparing or keeping up to date the Constitution, the Council must also have regard to any guidance issued by the Secretary of State under section 9Q of the Act. Guidance previously issued by the Secretary of State entitled "Modular constitutions for English local authorities" has now been archived, but it remains extant and will be of relevance to the work of the Committee.
- 5.4 With regards to the establishment of Committees, Council is responsible for establishing, and all appointments to, its non-executive committees and commissions as set out in Part 2 - Article 4 of the Constitution. The Council is required, under sections 15-17 of the Local Government & Housing Act 1989 and the Regulations made under that act, to comply with political balance rules when appointing 'Ordinary' Committees (i.e. committees appointed under Sections 101 and 102 of the Local Government Act 1972). These Rules provide that seats on 'Ordinary' Committees must be allocated in line with the following principles in order of precedence:
- (a) That not all seats on a body are allocated to the same political group.
 - (b) That the majority of seats on the body are allocated to a political group which has a majority of the Council's membership.
 - (c) That, subject to principles (a) and (b) above, the total number of seats across all the ordinary Committees shall be allocated to each political group in the proportion of their size on the Council as a whole.
 - (d) That, subject to principles (a) to (c) above, seats on each individual body shall be allocated to each political group in the same proportion as to their size on the Council as a whole.

APPENDICES

Appendix 1 - Constitution Committee Terms of Reference

Appendix 2 - Nominations received for membership of the Constitution Committee (to follow)

BACKGROUND PAPERS

None.

Report Author	Louise Humphreys Head of Legal and Governance Services louise.humphreys@hackney.gov.uk Tel 020 8356 4817
Comments of the Group Director of Finance and Corporate Resources	Jackie Moylan Director, Financial Management jackie.moyland@hackney.gov.uk Tel: 020 8356 3032
Comments of the Director of Legal and Governance	Dawn Carter-McDonald Director of Legal and Governance Services dawn.carter-mcdonald@hackney.gov.uk Tel: 020 8356 6234

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Draft Terms of Reference of the Constitution Committee

1. Composition

Membership – The Constitution Committee will comprise 5 members:

- One member of the Executive who will be responsible for reporting the views of Cabinet to the Committee;
- One Member of the Majority Group who is not a member of the Executive who will be responsible for reporting the views of the Majority Group to the Committee;
- One Member of the Opposition Group(s) who will be responsible for reporting the views of the Opposition Group(s) to the Committee;
- One member of the Audit Committee; and
- One member of the Scrutiny Panel

2. Chair

The Chair will be appointed either at the AGM of Council or at the first meeting of the Committee in each municipal year.

3. Role and Function

The Constitution Committee

- (a) Shall review areas in the Constitution to ensure that they are fit for purpose and propose appropriate changes;
- (b) Receive requests to review certain areas of the Constitution;
- (c) Consider changes proposed by Members, Officers and Committees;
- (d) Recommend proposed changes to Council for approval.

The Constitution Committee will set its own work programme. The following persons / bodies can request that it considers a particular area of the Constitution for review:

- The Mayor
- Full Council
- Party Whips
- The Monitoring Officer

The Constitution Committee has no decision making powers and will make recommendations to full Council.

The Constitution Committee can invite any Member or Officer to speak on a particular item under consideration (e.g. the s151 Officer if the Committee is looking at the rules relating to the setting of the budget).

4. Frequency of Meetings

4 meetings per municipal year

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AMENDMENTS TO THE COUNCIL CONSTITUTION	
COUNCIL 26 JANUARY 2021	CLASSIFICATION: Open
WARD(S) AFFECTED: N/A	
DIRECTOR: Dawn Carter-McDonald, Director of Legal and Governance Services	

1. SUMMARY

- 1.1 This report sets out the progress of the second phase of the Constitution Review and asks Council to approve a number of changes to its Constitution.

2. RECOMMENDATIONS

- 2.1 It is recommended that Full Council:
- i) approve the amendment to the Budget and Policy Framework Rules (appendix 1)
 - ii) approve the amendment to the special urgency provisions (appendix 2)
 - iii) approve an amendment to the deadlines for Council and Cabinet questions to four clear working days before the meeting.

3. BACKGROUND

- 3.1 The Council commenced a phased review of its Constitution in 2019. The primary goal of this was to modernise, improve consistency and create a more publicly accessible document. The first phase of this review was completed in spring 2020, with a number of changes being approved by full Council.
- 3.2 A second phase began in summer 2020. This identified the following priorities from a list of areas for future development:
- 3.2.1 Motions;
 - 3.2.2 Petitions Scheme
 - 3.2.3 Layout of Terms of Reference

- 3.3 As a result of this work, several related changes to the Constitution were approved by Full Council in February 2021
- 3.4 The work for the second phase was undertaken by the Constitution Review Group (CRG), an officer group established to research, develop and present the proposed changes for feedback from Councillors. Deputy Mayor Bramble acted as Lead Member. All Councillors were invited to provide input via several meetings of the Members' Reference Group throughout the process.
- 3.5 On the basis of feedback from the Member Reference Group in February 2021, feedback from Councillor and senior officer surveys and meetings of the CRG, the following areas were identified as a priority to take forward -
- 3.5.1 Scrutiny - Community Engagement Task and Finish Group;
 - 3.5.2 Amendments to the Budget and Policy Framework to include how opposition group budgets were considered by the Full Council; and
 - 3.5.3 Terms of Reference review - a number of terms of reference were identified as pending further review as a follow on to the work conducted in 2020/21.
- 3.6 The Scrutiny Task and Finish Group scope was drafted and agreed upon by both the Chair of the Scrutiny Panel and Excellence in Governance Group (EiGG) in the summer of 2021. Following a refocus of resources onto budget scrutiny in light of the Council's financial challenges, the Scrutiny team and Chair requested that this work be deferred until after May 2022.
- 3.7 The proposed amendment to the Budget and Policy Framework has been signed off by the s151 Officer / Group Director for Finance and Corporate Resources and the Director of Legal and Governance. The Mayor and Deputy Mayor Bramble have both had an opportunity to review and comment.
- 3.8 The review of Committee terms of reference in 2020/21 identified a need to formalise or update the following terms of reference in 2021/22:
- 3.8.1 Standards Assessment Sub-Committee and Standards Hearing Sub-Committee - both were approved by the Standards Committee on 11 January 2022;
 - 3.8.2 The Integrated Commissioning Board's terms of reference, which were approved by Cabinet on 13 September 2021; and
 - 3.8.3 Minor amendments to the terms of reference of the Growth Boroughs Partnership Joint Committee and Children and Young People Scrutiny Committee. These amendments were agreed by the Monitoring Officer under delegated powers because the amendments concerned minor changes in committee membership only.

- 3.9 In addition, an amendment to the special urgency provisions as set out in the Council's Access to Information Procedure is proposed. This will serve to clarify the application of these special urgency provisions to non-executive decision-making as well as executive.
- 3.10 The Mayor has requested that the deadline for Public Questions to Cabinet be brought forward to enable members of the public to review the agenda upon publication and submit their question on the Monday prior to a Cabinet meeting. It would be prudent to amend the Full Council deadline as well to ensure consistency. It is therefore proposed that approval is given to make the necessary changes in the Constitution.
- 3.11 The Member Reference Group met in December 2021 to review the proposed amendments and provide feedback.
- 3.12 Council is also asked to consider proposals for a Constitution refresh, with a view to modernising the Council's governance tools and improving accountability and public participation. These proposals are set out separately in an accompanying report.

4. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 4.1 There are no financial implications as a result of the proposed amendments.

5. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 5.1 The Local Government Act 2000 places a legal duty on local authorities to prepare and keep up to date the Constitution. In addition, Article 15 of the Constitution requires the Monitoring Officer to monitor and review the operation of the Constitution and to make recommendations for the way in which it could be amended in order to achieve its purposes.
- 5.2 Changes to the Constitution may be approved only by Full Council save for minor amendments which are consequential upon statutory or regulatory change or to rectify errors or to update arrangements consequential upon other external factors. It is not considered that these proposals fall within the scope of those amendments which may be approved without a resolution of the Full Council. However, there are several references to the deadline for public questions for both Cabinet and Full Council in the Constitution, and the report recommends the Monitoring Officer is given responsibility for approving these minor amendments throughout.

APPENDICES

Appendix 1 - Amendment to the Budget and Policy Framework Rules
Appendix 2- Amendment to the special urgency provisions

BACKGROUND PAPERS (as defined by Local Government (Access to Information) Act 1985)

None.

Report Author	Andrew Spragg Governance Services Team Leader andrew.spragg@hackney.gov.uk 020 8356 5036
Comments of the Director of Legal and Governance Services	Louise Humphreys Head of Legal and Governance Services louise.humphreys@hackney.gov.uk 0208 356 4817
Comments of the Director of Finance and Corporate Resources	Ian Williams Group Director of Finance and Corporate Resources ian.williams@hackney.gov.uk 020 8356 3003

4.3	Budget and Policy Framework Procedure Rules	
	1 Responsibility	
	1.1 Full Council will be responsible for the policy framework, the annual Council Tax requirements and the budget as set out in Article 4. Once the Council Tax requirement and the budget and policy framework are in place, it will be the responsibility of the Cabinet to implement it in so far as it relates to Cabinet functions.	
	2 Process for developing the framework	
	2.1 The process by which the budget and policy framework is developed shall be as follows:	
	i.	Before a plan / strategy or a budget needs to be adopted, the Cabinet will publish initial proposals for the budget and policy framework, having first canvassed the views of local stakeholders as appropriate and in a manner suitable to the matter under consideration. Any representations made to the Cabinet shall be taken into account in formulating the initial proposals and shall be reflected in any report dealing with them. If the matter is one where a Scrutiny Commission has carried out a review of policy, then the outcome of that review will be reported to the Cabinet and considered in the preparation of initial proposals.
	ii.	The Cabinet may consult a Scrutiny Commission on its policy proposals for advice. The Scrutiny Commission may report to Cabinet on the outcome of its deliberations. The Cabinet should allow the Scrutiny Commission four weeks, or a reasonable time, to respond to the initial proposal unless they consider that there are special factors that make this timetable inappropriate. If it does, it will inform the Scrutiny Commission of the time for response when the proposals are referred to it. The Commission may establish task / finish panels to carry out the policy review.

	<p>iii. Having considered the report of a Scrutiny Commission, the Cabinet, if it considers it appropriate, may amend its proposals before submitting them to the Full Council meeting for consideration. It will also report to Full Council on how it has taken into account any recommendations from the Scrutiny Commission, or its reasons for not doing so.</p>
	<p>iv. Full Council will consider the proposals of the Cabinet and may adopt them, amend them, or substitute its own proposals in their place. In considering the matter, Full Council shall have before it the Elected Mayor and Cabinet's proposals and any report from any relevant Scrutiny Commission.</p>
	<p>v. Any Opposition Group may submit an alternative budget proposal for consideration by Full Council. This should be provided in writing to Governance Services by 5pm one working day before the meeting. Amendments may be considered after this deadline with the agreement of the Chief Finance Officer and Monitoring Officer.</p>
	<p>vi. In developing alternative proposals, an Opposition Group must seek the advice of the Chief Finance Officer. This is so the Chief Finance Officer can fulfill their statutory duty to comment on the robustness of the estimates and the adequacy of reserves contained within the alternative proposal as required by section 25 of the LGA 2003.</p>
	<p>vii. When considering any alternative budgets the Council shall consider each individually, in the order they were received by Governance Services, having been signed off by both the Chief Finance Officer and the Monitoring Officer. Each alternative proposal shall be moved and if seconded shall be debated. At the conclusion of the debate on that individual proposal a vote shall be taken. This process shall apply to each alternative proposal in turn. No amendments to the alternative proposals previously advised shall be allowed.</p>

	viii.	Full Council's decision will be published in accordance with the Access to Information Procedure Rules contained in this Part and a copy shall be given to the Elected Mayor. The notice of decision shall be dated and shall state either that the decision shall be effective immediately (if Full Council accepts the and Cabinet's proposals without amendment) or (if the Cabinet's proposals are amended), that Full Council's decision will become effective on the notice of decision, unless the objects to it in that period.
	ix.vii ..	If the Elected Mayor objects to the decision of Full Council, they shall give written notice to the Monitoring Officer to that effect prior to the date upon which the decision is to be effective. The written notification must state the reasons for the objection. Where such notification is received, the Monitoring Officer shall convene a further meeting of Full Council to reconsider its decision and the decision shall not be effective pending that meeting.
	x.vi i.	The further Full Council meeting must take place within 10 clear working days of the receipt of the 's written objection. At the further Full Council meeting, the decision of Full Council shall be reconsidered in the light of the objection, which shall be available in writing for Full Council.
	xi.v iii.	Full Council shall at that meeting make its final decision on the matter on the basis of a two thirds majority. The decision shall be made public in accordance with the Access to Information Procedure Rules contained in this Part and shall be implemented immediately.
	xii.i x.	In approving the budget and / or policy framework, Full Council will also specify the extent of virement within the budget and degree of in-year changes to the policy framework which may be undertaken by the Cabinet in accordance with paragraph 5 and 6 of these Rules. Any other changes to the budget and policy framework are reserved to Full Council.

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4.2	Access to Information Procedure Rules
	1 Scope
1.1	These rules apply to all meetings of Full Council, the Scrutiny Panel, the Scrutiny Commissions, meetings of the Elected Mayor and Cabinet, and its Committees. In addition, key decisions (taken by the Elected Mayor and Cabinet, a committee of the Cabinet, individual Councillors of the Cabinet, officers or under joint arrangements) and all Council Committees and Sub-Committees.
	2 Additional Rights to Information
2.1	These rules do not affect specific rights to information contained elsewhere in this Constitution or the law, including the Freedom of Information Act 2000.
	3 Rights of Press and Public to Attend Meetings
3.1	The press and public shall, subject to the exceptions contained in these rules, be entitled to attend all meetings subject to the capacity of the room in which the meeting is held. Unless there is another meeting being held in the room in which the meeting is to be held the press and public will be admitted to the room 30 minutes before the meeting is due to start.
3.2	Separate seating will be provided for the press and public. Admission will be available on the basis of 'first come, first served' with no seating being reserved. Where a meeting is being held in the Council Chamber the public (who are not invited guests) are only entitled to admission to the public gallery.
3.3	Except in respect of disturbances and inappropriate behaviour the press and public may only be excluded from a meeting in respect of business relating to confidential or exempt information as defined in the relevant legislation and set out below. Any resolution, excluding press and public, shall specify the nature of the confidential and/or exempt information relating to the business to be transacted which justifies the exclusion.

	<p>3.4 At meetings of the Full Council, in addition to Members or officers of the authority's, only invited guests and those asking questions, or presenting petitions or deputations shall be admitted to the floor of the Council Chamber. This is on the understanding that their presence will be restricted to the duration of the relevant item.</p>
	<p>4 Rights of Press and Public to Report on Meetings</p>
	<p>4.1 At any meeting of the Council and its committees that are open to the public the press and public may report on the meetings through any audio, visual or written methods. They may use digital and social media providing they do not disturb the conduct of the meeting. The person reporting or providing the commentary must be present at the meeting.</p>
	<p>4.2 Those wishing to film, photograph or audio record a meeting are asked, if possible, to notify the Council's Monitoring Officer by noon on the day of the meeting. Failing this to notify the Chair at the start of the meeting.</p>
	<p>4.3 The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.</p>
	<p>4.4 The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.</p>
	<p>4.5 The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.</p>

	<p>4.6 All those visually recording a meeting are requested to only focus on recording Councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.</p>
	<p>4.7 If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease, and all recording equipment must be removed from the meeting room (see also Rule 27.4). The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.</p>
	<p>4.8 Providing verbal commentary during a meeting is not permitted.</p>
<p>5 Notice of Meetings</p>	
	<p>5.1 Except in cases of special urgency (see Rule 17), the Council will give at least 5 clear working days' notice of any meeting (this excludes both the day of the meeting and the day on which the meeting is called (see Rule 29.1). This notice will include the time and place of the meeting.</p>
<p>6 Access to Agenda and Reports before a Meeting</p>	
	<p>6.1 The Council will make available to the public copies of the agenda and any reports for a public meeting at Hackney Town Hall and on the Council website when these are made available to the Elected Mayor and Cabinet or another decision making body and, in any event, at least 5 clear days (see Rule 29.1) before the meeting except:</p>
	<p>i.</p> <p>Where the meeting is convened at shorter notice in accordance with Rule 16 (general exception) or Rule 17 (cases of special urgency), copies of the agenda and report shall be available to the public from the time the meeting is convened; and</p>

	ii.	Where an item is added to the agenda, copies of the item, the revised agenda including copies of any reports of the meeting shall be available for the public from the time that the item was added to the agenda.
	7 Items of Business	
	7.1 An item of business may not be considered at a meeting unless:	
	i.	A copy of the agenda including the item (or a copy of the item) is available to the public at least 5 clear working days before the meeting (see Rule 29.1); or
	ii.	Where the meeting is convened at shorter notice in accordance with Rule 16 (general exception) or Rule 17 (cases of special urgency), from the time the meeting is convened.
	7.2 Where the item of business relates to a key decision Rules 12 - 15 of these Rules also apply.	
	8 Supply of Copies	
	8.1 The Council will supply copies of:	
	i.	Any agenda and reports which are available to the public;
	ii.	Any further statements or particulars necessary to indicate the nature of the items in the agenda; and
	iii.	If the Monitoring Officer thinks fit, copies of any other documents supplied to Councillors in connection with an item.
	8.2 The documents listed in 8.1 will also be available to the public through the Council's website.	
	9 Access to Minutes and Papers after a Meeting	

	9.1	The Council will make available copies of the following for six years after any meeting of the Cabinet and its Sub-Committees, Full Council, Overview and Scrutiny or any Committee or Sub-Committee
	i.	The minutes of the meeting and records of decisions taken, together with reasons, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information
	ii.	A summary of any proceedings not open to the public where the minutes if made available to inspection would not provide a reasonable, fair and coherent record;
	iii.	The agenda for the meeting; and
	iv.	Reports relating to items when the meeting was open to the public.
	9.2	There are additional requirements for the Elected Mayor and Cabinet which shall operate as in Rules 20 – 25.
	10 Background Papers	
	10.1	The report author will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in their opinion:
	i.	Disclose any facts or matters on which the report or an important part of the report is based; and
	ii.	Which have been relied on to a material extent in preparing the report; but
	iii.	Do not include published works or documents which disclose exempt or confidential information (as defined in Rule 11), or the advice of a political advisor or assistant.

10.2	When a copy of a report for a private or public meeting is made available for inspection by the public, at the same time, the Council shall make available for inspection:	
	i.	A copy of the list of background papers to the report; and
	ii.	At least one copy of each of the documents included in that list.
10.3	The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.	
10.4	When a copy of the whole, or part of a report, for a meeting is made available to the public, this will be available on the Council's website. The reports and the list of the background papers can be printed on request.	
	11 Exclusion of Access by the Public to Meetings	
11.1	<u>Confidential information – requirement to exclude public</u> The public must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information would be disclosed.	
11.2	<u>Meaning of confidential information</u> “Confidential information” means:	
	i.	Information provided to the local authority by a government department upon terms (however expressed) which forbid disclosure of the information to the public; or
	ii.	Information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court, and in either case, a reference to the obligation of confidence is to be construed accordingly. This includes information excluded under Freedom of Information Act 2000 or the Data Protection Act 2018.

	11.3	<p><u>Exempt information – discretion to exclude public</u> The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed</p>						
	11.4	<p><u>Meaning of exempt information</u> “Exempt information” means information falling within the following seven categories (subject to any qualification); as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972.</p>						
		<table border="1"> <thead> <tr> <th data-bbox="376 633 975 689">Category</th> <th data-bbox="975 633 1394 689">Condition</th> </tr> </thead> <tbody> <tr> <td data-bbox="376 689 975 1227">1. Information relating to an individual</td> <td data-bbox="975 689 1394 1227">Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.</td> </tr> <tr> <td data-bbox="376 1227 975 1740">2. Information which is likely to reveal the identity of an individual</td> <td data-bbox="975 1227 1394 1740">Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.</td> </tr> </tbody> </table>	Category	Condition	1. Information relating to an individual	Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.	2. Information which is likely to reveal the identity of an individual	Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.
Category	Condition							
1. Information relating to an individual	Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.							
2. Information which is likely to reveal the identity of an individual	Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.							

		<p>3. Information relating to the financial or business affairs of any particular person (including the authority holding the information)</p>	<p>Information falling within this paragraph is not exempt if it must be registered under various statutes, such as the Companies Acts, Charities Acts, Friendly Societies Acts, Industrial and Provident Societies Acts or the Building Societies Acts. The public interest condition set out above also applies.</p>
		<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority</p>	<p>Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.</p>
		<p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings</p>	<p>Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below</p>

	6. Information which reveals that the authority proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment	Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.
	7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	Information falling within this paragraph is exempt if, and so long as, in the opinion of the Monitoring Officer, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information provided it is not otherwise prevented from being exempt by virtue of Rule 11.5 below.
	11.5 Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and County Planning General Regulations 1992.	
	11.6 If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which in their opinion relate to items during which the meeting is likely not be open to the public.	
	Where the whole or part of any report for a public meeting is not available for inspection by the public, every copy of the report shall be marked “not for publication” and it shall be stated on the report:	
	i.	That it contains confidential information;

	ii.	The description of exempt information (by reference to the description in 11.4.1 above) by virtue of which the decision-making body is likely to exclude the public during the item to which the report relates; or
	iii.	That the report or part of the report contains the advice of a political assistant.
	12 Application of Rules to the Executive	
12.1	Rules 13 - 29 apply to the Elected Mayor and Cabinet, its committees and individuals. If the Elected Mayor and Cabinet, meets to take a key decision or meets in public, then it must also comply with Rules 1 – 11 unless Rule 16 (general exception) or Rule 17 (cases of special urgency) apply.	
12.2	Key Decision A key decision is an Elected Mayor and Cabinet decision which is likely to:	
	i.	Result in the Council incurring expenditure or the making of savings that is, significant having regard to the Council's budget for the service or function to which the decisions relates, or
	ii.	Be significant in terms of its effects on communities living or working in a ward comprising two or more wards in the area of the Council.
	13 Procedures before taking decisions	
13.1	Subject to Rule 16 (general exception) and Rule 17 (cases of special urgency), a key decision should not be taken unless:	
	i.	A notice (to be known as an Elected Mayor and Cabinet Meetings and Key Decisions Notice) has been published in connection with the matter in question; and

	i.	Where the decision is to be taken at a meeting of the Elected Mayor and Cabinet or its committees, notice of the meeting has been given in accordance with Rule 5 (notice of meetings)
	14	Elected Mayor and Cabinet Meetings and Key Decisions Notice
	14.1	An Elected Mayor and Cabinet Meetings and Key Decisions Notice will be published on the Council website and made available at Hackney Town Hall 28 clear days (see Rule 29.2) before a key decision is to be made.
	14.2	The Cabinet Meetings and Key Decisions Notice will contain matters which the Elected Mayor has reason to believe will be the subject of a key decision to be taken by the Cabinet, a Committee of the Elected Mayor and Cabinet, individual members of the Cabinet, Officers or under joint arrangements in the course of the discharge of an and Cabinet function during the period covered by the notice.
	15	Content of the Executive Meetings and Key Decisions Notice
	15.1	Each notice must contain in relation to each matter the following particulars:
	i.	That a key decision is to be made on behalf of the Council;
	ii.	The matter in respect of which a decision is to be made;
	iii.	Where the decision maker is an individual, their name and title, if any;
	iv.	Where the decision maker is a decision-making body, its name and details of its membership;
	v.	The date on which, or the period within which, the decision is to be made;

	vi.	A list of the documents submitted to the decision maker for consideration in respect of the key decision that is to be made;
	vii.	The address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
	viii.	That other documents relevant to those matters may be submitted to the decision maker; and
	ix.	The procedure for requesting details of those documents (if any) as they become available.
	15.2	In addition, it will contain the following:
	i.	A unique reference number;
	ii.	A brief summary of the need for the decision and the impact of its implementation;
	iii.	The wards affected by the decision; and
	iv.	A notice that the decision-making body intends to meet in private after its public meeting to consider reports which contain exempt or confidential information. This notice must include a statement of the reasons for the meeting to be held in private.
	15.3	The above particulars in 15.2 must not contain any exempt information, the advice of a political assistant, and must not contain any confidential information.
	16	General Exception

	<p>16.1 Where a matter which is likely to be a key decision has not been included in the Cabinet Meetings and Key Decisions Notice, and it is impracticable to defer the decision until it has been included on the next Notice, then subject to Rule 17 (cases of special urgency), the decision shall only be taken if:</p>
	<p>i. The Monitoring Officer has informed, in writing, the Chair of the Scrutiny Panel, or, if there is no such person or if the Chair is unable to act, has informed the Speaker;</p>
	<p>ii. The Monitoring Officer has made copies of that notice available to the public at Hackney Town Hall and on the Council's website; and</p>
	<p>iii. At least 5 clear days (see Rule 29.1) have elapsed since the Monitoring Officer complied with (ii).</p>
	<p>16.2 As soon as is reasonably practicable after the Monitoring Officer has complied with 16.1, they must make available at Hackney Town Hall and the Council's website a notice setting out the reasons why compliance with Rule 14 is impracticable.</p>
17 Cases of Special Urgency	
	<p>17.1 Where the date by which a key decision must be taken makes compliance with Rule 16 (general exception) impracticable, then the decision shall only be made where the decision maker obtains the agreement of the Chair of the Scrutiny Panel that the taking of the decision is urgent and cannot reasonably be deferred.</p>
	<p>17.2 If there is no Chair of the relevant Scrutiny Panel, or if the Chair is unable to act, then the agreement of the Speaker or in their absence the Deputy Speaker will suffice.</p>
	<p>17.3 Where the date by which a non-executive decision must be taken makes compliance with Rule 5 (Notice of Meetings) or Rule 6 (Access to Agenda and Reports before a Meeting) impracticable, then the decision shall only be made where the decision maker obtains the agreement of the Speaker or, in their absence, the Deputy Speaker.</p>

	<p>17.43 As soon as it is reasonably practicable after the Monitoring Officer has obtained agreement under 17.1 or 17.3, the decision maker must make available at Hackney Town Hall and on the Council's website a notice setting out the reasons that the meeting is urgent and cannot reasonably be deferred.</p>
	<p>17.54 The Elected Mayor will submit a quarterly report to Full Council on Cabinet decisions taken under this rule in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which each decision was made.</p>
	<p>17.6 The Monitoring Officer will submit a quarterly report to Full Council on non-executive decisions taken under this rule in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which each decision was made.</p>
	<p>18 Private meetings of the Cabinet or its Committees</p>
	<p>18.1 A private meeting is a meeting, or part of a meeting, of the decision-making body during which the public are excluded during an item of business relating to confidential or exempt information as set out in Rule 11. A private meeting is also a meeting where a Councillor(s), or members, of the public have been excluded in order to maintain orderly conduct or prevent misbehaviour.</p>
	<p>19 Procedures prior to private meetings</p>
	<p>19.1 A notice will be published on the Council's website and made available at Hackney Town Hall 28 clear days (see Rule 29.2) before a key decision is due to be taken. This notice will identify that the decision-making body intends to meet in private after its public meeting to consider reports which contain exempt or confidential information. This notice will include a statement of the reasons for the meeting being held in private.</p>
	<p>19.2 At least 5 clear days (see Rule 29.1) before a private meeting a notice will be published on the Council website and made available at Hackney Town Hall. This notice will include a statement of the reasons for the meeting to be held in private, details of any representations received concerning why the meeting should be held in public, and a statement of the response to any such representations. This notice will be included as part of the published agenda for the meeting.</p>

	<p>19.3 Where the date by which a meeting must be held makes compliance with Rules 19.1 and 19.2 impracticable, the meeting may only be held in private where the Monitoring Officer has obtained agreement of the Chair of the relevant Scrutiny Commission that the taking of the decision is urgent and cannot reasonably be deferred. If there is no Chair of the relevant Scrutiny Commission, or if the Chair is unable to act, then the agreement of the Speaker or in their absence the Deputy Speaker will suffice.</p>
	<p>19.4 As soon as reasonably practicable after the Monitoring Officer has obtained agreement under 19.3, the decision maker must make available at Hackney Town Hall and on the Council’s website a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred.</p>
	<p>20 Recording of Executive Decisions made at meetings</p>
	<p>20.1 As soon as is reasonably practicable after a meeting of a decision making body at which an Elected Mayor and Cabinet decision has been made, whether held in public or private, the Monitoring Officer (or if they are not present, the person presiding at the meeting) shall ensure that a written statement is produced in respect of every executive decision made at that meeting which includes:</p>
	<p>i. A record of the decision including the date it was made;</p>
	<p>ii. A record of the reasons for the decision;</p>
	<p>iii. Details of any alternative options considered and rejected at the meeting by the decision-making body at the meeting when the decision was made;</p>
	<p>iv. A record of any conflict of interest declared by any Councillor of the decision-making body which made the decision; and</p>

	v.	In respect of any declared conflict of interest, a note of any relevant dispensation granted by the Chief Executive or Monitoring Officer.
		This information will be included in the decision notice and will be in the minutes of the meeting.
	20.2	Decisions taken at a meeting may only be taken on the basis of a written report, setting out key legal, financial, service and corporate implications, and may not be taken unless the proper Officer or their nominee is present.
	21	Recording of Cabinet Decisions made by individual Councillors of the Elected Mayor and Cabinet
	21.1	When an Officer prepares a report, which is to be given to an individual Councillor for decision, they must first give a copy of that report to the Monitoring Officer.
	21.2	Individual decisions may only be made by Councillors of the Cabinet in the presence of the Chief Executive, Chief Finance Officer or Monitoring Officer or their nominee (unless they waive that requirement) and the Officer whose responsibility it is to record the decision.
	21.3	As soon as is reasonably practicable after an individual Councillor has made a Cabinet decision, the Monitoring Officer shall ensure that a written statement is produced which includes:
	i.	A record of the decision including the date it was made;
	ii.	A record of the reasons for the decision;
	iii.	Details of any alternative options considered and rejected by the Councillor when making the decision;
	iv.	A record of any conflict of interest declared by any other Cabinet member who has been consulted as part of the decision-making process; and

	v.	In respect of any declared conflict of interest, a note of any relevant dispensation granted by the Chief Executive or Monitoring Officer.
21.4	All decisions taken individually by Members of the Cabinet must be based on written reports setting out significant legal, financial, service and corporate implications.	
22	Recording of Executive Decisions made by Officers	
22.1	As soon as is reasonably practicable after an Officer has made a decision, which is closely connected to the discharge of a function which is the responsibility of the Cabinet, the Officer shall notify the Monitoring Officer and shall ensure that a written statement is produced which includes:	
	i.	a record of the decision including the date it was made;
	ii.	A record of the reasons for the decision;
	iii.	Details of any alternative options considered and rejected by the Officer when making the decision;
	iv.	A record of any conflict of interest declared by any Cabinet Councillor who is consulted by the Officer which relates to the decision; and
	v.	In respect of any declared conflict of interest, a note of any relevant dispensation granted by the Chief Executive or Monitoring Officer.
23	Availability of documents following Executive and Non-Executive decisions	

	<p>23.1 As soon as is reasonably practicable after an Elected Mayor and Cabinet decision has been made, the Monitoring Officer will ensure that a copy of the record in compliance with Rules 20 - 22 and Rule 30, and any report considered at the meeting or by an individual Councillor or Officer and is relevant to the decision recorded, is made available to the public at Hackney Town Hall and on the Council's website.</p>
	<p>23.2 The Monitoring Officer will ensure that any newspaper making a request for a copy of any of the documents listed in 23.1 will be supplied with those documents on payment by the newspaper of postage, copying or other necessary charges.</p>
	<p>24 Additional rights of access to documents for Councillors</p>
	<p>24.1 All Councillors are entitled to inspect any document which is in the possession or under the control of the Executive and contains material relating to any business transacted at a public meeting at least 5 clear days before the meeting (see Rule 29.1).</p>
	<p>24.2 If a meeting is convened or an item is added to the agenda at shorter notice than 5 clear days (see Rule 29.1), then a document must be available when the meeting is convened or the item added.</p>
	<p>24.3 All Councillors are entitled to have access to any document which is in the possession or under the control of the Elected Mayor and Cabinet and contains material relating to:</p>
	<p>i. any business transacted at a private meeting; or</p>
	<p>ii. Any decision made by an individual Councillor or Officer in accordance with executive arrangements, within 24 hours of the meeting concluding or the decision being made.</p>
	<p>24.4 Councillors are not entitled to have access to documents disclosing exempt information as defined by paragraphs 1, 2, 4, 5, and 7 of Schedule 12A of Local Government Act 1972 (See Rule 11.4).</p>
	<p>24.5 Councillors are entitled to have access to documents as defined by paragraphs 3 and 6 of Schedule 12A of the Local Government Act 1972 (see Rule 11) unless the information relates to terms proposed or to be proposed in negotiations for a contract.</p>

	<p>25 Additional rights of access to documents for Members of the Scrutiny Commissions</p>
<p>25.1</p>	<p>Members of the Scrutiny Commissions are entitled to have made available to them a copy of any document requested which is in the possession or under the control of the Elected Mayor and Cabinet. Where documents contain material relating to any business transacted at a meeting of a decision making body; or any decision made by an individual Member or Officer in accordance with executive arrangements a copy must be provided, as soon as reasonably practicable and no later than 10 clear working days following the request being received.</p>
<p>25.2</p>	<p>No Member of a Scrutiny Commission is entitled to a copy of:</p>
	<p>i. A document containing exempt or confidential information unless: a) That document contains information relevant to an action or decision that the Member is reviewing or scrutinising; or b) That document contains information relevant to a review contained in the work programme of the Scrutiny Commission of which they are a Member.</p>
	<p>ii. A document or part of a document containing advice provided by a political adviser or assistant.</p>
<p>25.3</p>	<p>If the Elected Mayor and Cabinet determines that a Member of a Scrutiny Commission is not entitled to a copy of the document, it must provide the relevant Commission with a written statement setting out the reasons for this decision.</p>
	<p>26 Reports to the local authority where the key decision procedure is not followed</p>

	26.1	Where the Elected Mayor and Cabinet are of the opinion that a decision is not to be treated as a key decision, the relevant Scrutiny Commission may require the Elected Mayor and Cabinet to submit a report containing:
	i.	The decision and the reasons for the decision;
	ii.	The decision-maker;
	iii.	Why the decision was considered not to be a key decision.
	26.2	The Scrutiny Commission can specify the reasonable period within which the report should be submitted.
	27	Confidential information, exempt information and advice of a political adviser or assistant
	27.1	Nothing in these Rules is to be taken to authorise or require the disclosure of confidential information in breach of the obligation of confidence.
	27.2	Nothing in these Rules authorises or requires the Council to disclose to the public or make available to the public any document or part of a document if, in the opinion of the Monitoring Officer, that document or part of a document contains or may contain:
	i.	Confidential information, or
	ii.	Contains or is likely to contain exempt information, or
	iii.	The advice of a political adviser or assistant.
	27.3	Nothing in these Rules authorises or requires documents relating to an Elected Mayor and Cabinet decision made by a Councillor or Officer to be disclosed to the public, or made available to the public, when, the documents contain confidential information and, requires documents relating to that decision to be disclosed to the public, and made available to the public. Where the disclosure of the documents would, in the opinion of the Councillor or Officer making the decision, give rise to the disclosure of exempt information or the advice of a political adviser or assistant.

	27.4	Nothing in these Rules requires a decision-making body to permit the taking of any photographs of any proceedings or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place (see Rule 4).
28 Summary of the availability and supply of documents		
	28.1	Any document required by any provision of these Rules will be open to inspection by members of the public during Officer hours at Hackney Town Hall and on the Council's website.
	28.2	Members of the public may make a copy of a document or request for it to be copied. The Council can charge a reasonable fee for the inspection, copying, postage and transmission or supply of documents (see also Rule 8).
	28.3	Members of the public can reproduce or provide commentary on any document available for inspection.
	28.4	Rules 28.2 and 28.3 do not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is the Council, nothing done pursuant to that paragraph constitutes an infringement of the copyright.
	28.5	Where any document is required by these Rules to be –
	a)	Made available to the public; or
	b)	Supplied in pursuance of Rules 8 and Rule 23;
		the publication of any defamatory matter contained in the document is privileged, unless the publication is proved to be with malice.
	28.6	Any written record of a decision or any report required by Rule 23 to be made available to the public, will be retained by the Council and made available for inspection by the public for a period of at least six years beginning on the date on which the decision, to which the report or record relates, was made.
	28.7	The rights of public inspection of documents are in addition to other rights they may have.

	<p>29 Definition of ‘Clear Days’ Notice’ with regard to the Access to Information Procedure Rules</p>
<p>29.1</p>	<p><u>5 Clear Days’ Notice</u> As per the definition of ‘Clear Day’ in part 1 of the Constitution, where it states in these Rules that 5 clear days’ notice is required this means that 5 clear working days’ notice must be provided, and excludes weekends and bank holidays as well as the date of issue of the notice and the date on which the meeting is to be held.</p>
<p>29.2</p>	<p><u>28 Clear Days’ Notice</u> Where it states in these Rules that 28 clear days’ notice is required, 28 clear days includes working days, weekends and bank holidays, but excludes the date of issue of the notices and the date of the meeting at which the decisions are to be taken.</p>
	<p>30 Recording of Non-Executive Decisions made by Officers</p>
<p>30.1</p>	<p>As soon as is reasonably practicable after an Officer has made a non-executive decision, as described in paragraph 30.2 below, the Officer shall notify the Monitoring Officer and shall ensure that a written statement is produced which includes:</p>
	<p>i. A record of the decision including the date it was made;</p>
	<p>ii. a record of the reasons for the decision;</p>
	<p>iii. Details of any alternative options considered and rejected by the Officer when making the decision; and</p>
	<p>iv. A record of any conflict of interest declared by any Member of the Council who has declared an interest in relation to the decision.</p>

	30.2	Those non-executive decisions by Officers which must be recorded, as set out in paragraph 30.1 above, are those decisions made under the delegated authority of the Council, a Committee or Sub-Committee, or a Joint Committee, taken either:
	i.	Under a specific express authorisation; or
	ii.	Under a general authorisation and the effect of the decision is to – a. Grant a permission or licence; b. Affect the rights of an individual; or b) Award a contract or incur expenditure which materially affects the Council's financial position.
	30.3	The requirement in paragraph 30.1 to produce a written record of any decision that falls within paragraph 30.2 is satisfied where, in respect of a decision, a written record containing the information referred to in paragraph 30.1(i) and (ii) is already required by legislation other than the Openness of Local Government Bodies Regulations 2014.

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CHILDREN AND FAMILIES SERVICE FULL AND MID-YEAR UPDATE REPORT TO MEMBERS 2020-21 (UPDATED SEPTEMBER 2021)	
COUNCIL 26 JANUARY 2022	CLASSIFICATION: OPEN
WARD(S) AFFECTED All wards	
GROUP DIRECTOR: Jacquie Burke, Group Director, Children and Education	

1. SUMMARY

1.1 Children's Services in Hackney work in partnership to protect children, keep them safe from harm and help them thrive. The Children and Families' Service is the key service designed to protect children by working with families to support safe and effective parenting where children are at risk of significant harm. Where it is not possible for children to be safely cared for within their family network, the local authority will look after those children. This report provides Councillors with an oversight of activities within the Children and Families' Service, including performance updates and information about key service developments and information about vulnerable adolescents and adoption. The report also includes information on Young Hackney, the Council's early help, prevention and diversion service for children and young people aged 6-19 years old and up to 25 years if the young person has a special education need or disability. Information on the service's work with children and young people through Hackney of Tomorrow (Hackney's Children in Care Council) is included in the report.

2. RECOMMENDATIONS:

2.1 Council is recommended:

i) to note the Children and Families Annual Report 2020-21

3. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

3.1 This annual report covers the period 2020-21.

3.2 The outturn for 2020/21 for the Children and Families Service on a net budget of £61.5m was an overspend of £3.2m after use of grants and reserves of £10.5m including a drawdown on the Commissioning

Reserve of £3.9m and £4.7m of Social Care Grant funding. The overspend of £3.2m including £2m of Covid-19 related expenditure incurred by the service. There has been a requirement to draw down from the Commissioning Reserve since 2012/13 due to the increased number of children in care and a shortage of in-house foster carers.

- 3.3 The financial position for 2021/22 is a net budget of £61m for the Children and Families Service, and the service is forecasting to overspend by £2.4m (as at October 2021) after use of reserves and drawdown of grants totalling £13.2m (including full use of the commissioning activity reserve of £3.7m and £6.3m of Social Care Grant funding). The overspend of £2.4m includes £1.2m of Covid-19 related expenditure incurred by the service. Within the current forecast, cost reduction proposals have been agreed by the service to reduce the overspend.
- 3.4 The Children and Families Service has continued to make contributions to the efficiency agenda of the Council. Over the previous eight years the service has delivered £11.6m savings with a further £280k being delivered in 2021/22. The increase in commissioning costs has been driven by an increase in the number of looked after children since 2011/12. There is a continuation of a large proportion of children being placed with independent fostering agencies (IFAs) due to a lack of suitable in-house foster carers. The cost of an IFA care arrangement is significantly greater than that of an in-house care arrangement.
- 3.5 Hackney has also seen an increase in residential care arrangements since 2015 adding considerable budget pressures with an average annual unit cost of £250k. We are also seeing a rise in the number of under 18s in high-cost semi-independent care arrangements. Where young people in their late teens are deemed to be vulnerable, and in many cases are transitioning from residential to semi-independent care arrangements, where they still require a high level of support and in extreme circumstances bespoke crisis packages. These pressures have been recognised by the Group Director of Finance & Corporate Resources with a growth of £10.1m in total included in the budget.

4. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 4.1 It is a priority of this Council to strive to improve the economic, social and environmental well being of its inhabitants. The Children and Families Annual Report 20/21 provides an oversight of the activities within the Children and Families Service designed to protect children. In line with Section 4.2 of the Constitution, this report is presented to Full Council to enable Councillors to note and discuss the strategic direction that the Children and Families Service will take to ensure that children at risk are protected from significant harm.

APPENDICES

Appendix 1 - Children and Families Annual Report 2020-21

BACKGROUND PAPERS (as defined by Local Government (Access to Information) Act 1985)

None

Report Author	Jacque Burke, Group Director of Children and Education Tel: 020 8356 8677 jacque.burke@hackney.gov.uk
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**CHILDREN
& FAMILIES**

Annual Report

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2020/21



Working for every **child**

 **Hackney**

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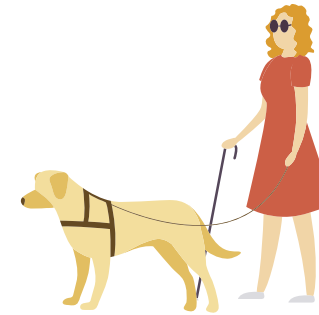
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Foreword

It gives me great pleasure to introduce the Children and Families Service annual report for 2020/21.

This has been a challenging year marked by the Covid 19 pandemic, the impact of the criminal cyber attack in October 2020 and significant changes in leadership. The Hackney Children and Families workforce has shown great resilience, making a difference to the lives of vulnerable children whilst constantly focusing on learning and improving practice.

The Covid-19 pandemic significantly impacted how we worked with children and their families over the last eighteen months. Overnight on 23rd March 2020, schools closed to most pupils, much of the Children and Families Service became 'virtual' and staff and multi-agency colleagues found new ways to work under national lockdown. I have seen our staff work tirelessly to maintain meaningful and effective relationships with children and

families, to provide additional support to domestic abuse victims, to ensure children continued to receive free school meals and that those in need were provided with internet access or devices to continue their education remotely. The progression of the vaccination programme has meant key workers in Hackney were able to resume all face to face statutory visits to children in March 2021, and from July 2021 the Children and Families Service has returned to using the office space on a rota basis.

Hackney Council was the victim of a serious cyberattack in October 2020. For the Children and Families Service, the attack meant that the social care management system (Mosaic) and document management systems (Comino and eDOCS) were unavailable. We took immediate steps to safeguard and support children and families including working closely with partner agencies to gather essential information. We

also took immediate action so that practitioners could continue to record their work from the first day of the cyberattack and we have built an interim social care recording system. We rebuilt our live performance reporting system (Qliksense) and with our ICT colleagues worked to recover information from our historic records. A read-only version of Mosaic has been available from June 2021 and the aim is for all case recording to be completed on a new Mosaic system from April 2022.

We continue to recognise that racism and oppression remains prevalent in Britain today and is systemic and endemic across society. In July 2020, Children and Families Services committed to create and implement our anti-racist action plan. Our Anti-Racist Position Statement makes clear the journey we need to take as a service to improve the experience of the children and families of Hackney who are disproportionately affected

by racism, as well as the experience and progression of staff. A new Diversity and Inclusion Lead started in role in the Children and Families Service in June 2021, and this role will steer and champion the work of the anti-racist action plan.

Throughout 2020/21 there have been a number of changes to senior leadership impacting on the Children and Families Service. A stable senior management team is now in place: the new permanent Director of Children's Social Care started in June 2021, with the new Group Director for Children and Education starting in August 2021 and a new Chief Executive starting in October 2021. Within the Children and Families Service, a new permanent Head of Corporate Parenting was appointed in October 2021.

In May 2021, Hackney Youth Justice Service participated in a HM Inspectorate of Probation thematic inspection on the theme

Councillor Anntoinette Bramble

Deputy Mayor and Cabinet Member
for Education, Young People and
Children's Social Care



of the experiences of black and mixed heritage boys in the youth justice system. Overall inspectors found “significant deficits” in the quality of work conducted nationally by youth offending services and partner agencies with black and mixed heritage boys and made a total of 18 recommendations. However, Inspectors named Hackney as a good practice example for the effective use of data to assess the quality and impact of service delivery for this cohort of boys and were positive about our practice in this area during their verbal feedback to senior leaders. It is painful to read about the disproportionate numbers of black and mixed heritage boys in the

youth offending service, this points us to look across the system and at the help and support we could be offering at a much earlier stage. We are continuing to learn and improve our services based on the findings of this national thematic inspection.

In July 2021, Ofsted undertook a two-day focused visit in Hackney on the theme of arrangements for children in need or subject to a child protection plan. They found evidence of dedicated scrutiny by senior leaders and strengthened management oversight, that risk to children is understood and responded to appropriately, and clear planning and decision-making provide direction and clarity to our

work. Most importantly, inspectors found that children are safe. We welcome this feedback, the advice on where to strengthen our practice and the recognition that we are on a positive journey of improvement. We know that we have further work to do to achieve consistently good practice to meet our aspiration to provide good and outstanding services for our children and families in Hackney.

As we reflect on the past year I once again find myself inspired by the tireless work of all those who make up the Children and Families Service. In the face of a global pandemic and a cyberattack, often battling challenging personal circumstances,

the service has continued to strive for excellent outcomes for the children and families of Hackney, keeping them at the heart of all our work.

As we consider the coming year I am excited by the prospect of our continued journey of improvement with a stable and dedicated senior management team and our highly skilled workforce. Our new improvement plan is focusing on our aspirations for the service, really hearing the child’s voice, a self knowing and confident service and practice that is manifestly anti-racist.

Key data about the Children and Families Service



2,930 referrals were received in 2020/21, a 42% decrease from 5,031 received in the previous year.



3,858 social work assessments were completed, a 22% decrease from the 4,923 completed in 2019/20.



237 children were supported on Child Protection Plans as at 31 March 2021, a 3% decrease compared to 245 children at the same time in 2020.



An estimated total of 6,179 young people accessed universal services offered through Young Hackney during 2020/21, based on 58,047 named and anonymous attendances. This reflected a reduction of 72% of named individuals accessing Young Hackney Universal services from 2019/20, linked to pandemic lockdown periods.



426 children were looked after as at 31 March 2021, a 1% decrease from 432 children at the same time the previous year.



182 children entered care during 2020/21, a 21% decrease from 229 children in 2019/20.



72 young people aged between 14 and 17 entered care in 2020/21, a large decrease compared to 119 young people from this cohort entering care in 2019/20. This represented 40% of the total number of children who entered care in 2020/21, compared to 52% in 2019/20.



10% of looked after children had three or more care arrangements in 2020/21, compared to 12% in 2019/20.



77% of children who have been looked after for more than 2.5 years were in stable care arrangements of more than 2 years in 2020/21, an improvement from 64% in 2019/20.



376 care leavers aged between 17 and 21 were being supported by the Leaving Care service at 31 March 2021, a 12% increase compared to 335 at the same point in 2020.

Priorities for the year ahead



1. Proud to be Hackney: We will reset the Practice Model for Hackney Children's Services, so it describes a whole system approach to supporting children and families. The refreshed vision of practice will describe our values and principles. It will outline how children and families can expect to be supported from education, early help right through to leaving care or transition to adult services. Every practitioner will employ a systemic approach as a way of understanding the lived experience of our children and families. We will focus on relationships and work collaboratively. We will always recognise that individuals are embedded in their social context and remain curious about this. This practice model will enable us all to understand our roles and responsibilities as part of a wider system supporting Hackney children. It will focus on making a difference for every child.



3. Proud to work with partner agencies to help children and families get the right support at the right time: We will support the ongoing development of a culture within Hackney where we work collaboratively to hear the voices of children and families with the aim of co-creating solutions as a partnership to meet children's needs in order to improve outcomes for children. We will hear and be appreciative of multiple professionals' perspectives and voices about how children's needs can best be met and ensure as a partnership that we are clear on our roles, responsibilities and associated powers.



4. Proud to work with partners to improve safety for adolescents in the community: We will foster trusted relationships with young people within which they will experience safety in the context of their families, peer groups, schools and neighbourhoods. Young people in Hackney will achieve positive outcomes, agency and independence as a result of responsive support and engagement informed by knowledge of adolescent development and contextual safeguarding.



2. Proud to keep children safe and listen to children and families in the shaping of our services: Our practice will ensure that the voices of children and their loved ones will shape the multi-agency plans of support that are offered to them. We will strengthen our commitment to ensuring that all children and families have the opportunity to share their experiences with us, in order to inform the strategic development of our services.



5. Proud to be Anti-Racist: Our leadership and practice will address racism and discrimination leading to disproportionality in the experiences of our children and families and of our staff in the workplace whilst also seeking to influence the broader context of our children and families lives



6. Proud to promote a learning culture focused on outcomes for children, where great practice can flourish: Our Quality Assurance Framework and Workforce Development Strategy are inextricably linked enabling us to become an organisation that focuses upon learning and development-quality assurance activities are embedded across the service at all levels and drive practice improvement with a strong commitment to feedback mechanisms to support learning, promote consistently good or better practice achieve best outcomes for our children



7. Proud to support our workforce to do their very best for children in Hackney: We recognise that having a skilled, resilient, stable and engaged workforce, equipped with the tools they need to do their jobs well, is crucial to achieving the best possible outcomes for children. We acknowledge that this requires a relentless focus on the recruitment, development and retention of staff. We want to demonstrate that we are proud of our staff and want them to be proud of working for Hackney's children. We hope to promote Hackney as a great place to build a career working with children and families.



The Experiences and Progress of Children Who Need Help and Protection

We are proud of our response to the challenges of the Covid-19 pandemic; with services and practice adapting to meet the needs of our children and families in this period. We have re-modelled our 'front door', launching the Hackney MASH in July 2021. This change has provided clarity of thresholds for partners and our own practitioners with more families accessing early help more quickly. We have improved the timeliness of our assessments as well as clearer management oversight and quicker decision making for

children. This means that children are more likely to get access to early help quicker, will only be subjects of statutory plans when necessary and increasingly or the appropriate length of time to ensure their needs are met. There is good work taking place across the service but our focus is on ensuring consistency of support to all of our children and families. There is more work to do to ensure the quality of plans and that children's case records are up to date, including records of visits to children.

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“We are proud of our response to the challenges of the Covid-19 pandemic...”





Early Help

Early Help Review

In 2019 it was agreed by senior officers and councillors that a review of Hackney Council’s internal Early Help model should be undertaken. This review was intended to give confidence that Hackney’s Early Help model is still fit for purpose and that it will continue to be so in the coming years. The review covers Early Years and Children’s Centres, Young Hackney and the Family Support Service. The review was paused for a period of 6 months due to the impact of the pandemic, with activity resuming in January 2021. The review has identified short, medium and long term priorities which will be brought to Cabinet in January 2022. As part of the preparation for the delivery of these priorities, and to strengthen the front door identification of risk, the Context Intervention Unit has moved into the Multi-Agency Safeguarding Hub (MASH). In addition to this the three Children in Need Family Support Units from the Family Intervention and Support Service have moved across to the Early Help Family Support Service.



Young Hackney is the Council’s early help, prevention and diversion service for children and young people aged 6-19 years old and up to 25 years if the young person has a special education need or disability. The service works with young people to support their development and transition to adulthood by intervening early to address adolescent risk, develop prosocial behaviours and build resilience.

An estimated total of 6,179 young people accessed universal services offered through Young Hackney during 2020/21, based on named and anonymous attendances. This reflected a reduction of 72 % of named individuals accessing Young Hackney Universal services from 2019/20 when 22,787 named individuals accessed Young Hackney provision. This reduction is due to the impact of the pandemic and associated restrictions; including social distancing measures and school closures. Youth Hubs were closed in line with Government requirements and re-opened when they were able to, with appropriate measures in place. There were 58,047 attendances by named children and young people aged 6-19 years during 2020/21, compared to 170,780 during 2019/20 at the wider youth provision delivered through Young Hackney and commissioned services for young people. This has increased for the first 6 months of 2021/22 with 63,351 attendances from April-September 2021 recorded. To support covid messaging, intervene in contexts of harm and to support emotional wellbeing, Young Hackney conducted regular detached outreach work (10 sessions per week) throughout the pandemic. A ‘virtual youth hub’ offering activities and

support operated during lockdowns when national guidance restricted group activities.

Young Hackney delivered targeted support to 1,834 young people in 2020/21, a 28% increase compared to the 1,434 interventions delivered in 2019/20. The average number of days that children and their families were supported by Young Hackney as at 1st April 2021 was 216 days, a higher average than a year ago of 189 days. This increase may be a reflection of the impact of the pandemic and associated restrictions, and the challenges

of undertaking direct work with young people as frequently as was possible when restrictions were not in place.

Audits of the Young Hackney Service undertaken in April 2021 reviewing case recordings indicate that practice requires improvement, with key decisions generally recorded on file, unit meeting minutes generally up to date, and decision-making forum key minutes on file. Auditors found well-recorded discussions with managers on file, although in general recording required improvement.

Evidence of Impact

The Early Help Review will strengthen our learning about the impact of our early help work around a clear quality assurance framework. Feedback about the service is gathered from children and families. Some highlights over the past year include:

- *“Thank you for all the support. I really enjoyed our meetings and having a safe time to talk about things that were bothering me. You helped me to be myself and not worry about getting into trouble for saying how I felt. You have also helped me to think why getting good GCSEs is important and my future.”* Feedback from a young person about their Young Hackney worker
- *“It was a good experience to be able to build trust and speak with professionals, because sometimes things can be hard to keep to yourself.”* Feedback from a young person about Young Hackney support
- *“It helped to make amends and with my feelings and stuff I have been through. I have learnt so much more now than I ever have and I didn’t think I would receive the help I did from you. I liked talking to someone about what’s going on in my head, I feel like it really helped, as I did not have someone outside of*

family to do that with.” Feedback from a young person about Prevention and Diversion support

- *“All the support, I never got the support with school until you came along, when you weren’t here, me and my Mum were struggling, but then you helped that. Relationship has massively improved with my Mum, thanks to you. Like it helped me with my emotions, made me feel calm, stay out of trouble and be a better person.”* Feedback from a young person about their Prevention and Diversion worker
- *“Our Young Hackney worker has been a godsend, she supported us and worked wonders with my child, she has also been a great support to me in many moments in which I was discouraged she gave me precious advice, she became kind of part of my family. My child is now doing very well, he matured a lot and I think Young Hackney has played a very important role in his life supporting and listening to him. Our Young Hackney worker managed to gain his trust and my child opened up to her and he knew he could count on her at times he needed. I cannot be grateful enough for the support our Young Hackney worker has given us both.”* A parent’s feedback about their Young Hackney worker

- *“I felt that my Young Hackney worker was always very supportive and attended the most important meetings around my son’s education. It’s thanks to them that my son got the diagnoses finally, the worker was very persistent with the school and external services. She always tried to make contact with my son and built a good relationship with him, she was a very good spokesperson for him and always understood what I was going through as a mother. She was encouraging and praised my efforts a lot which really enforced my parenting. I’m very thankful to Young Hackney for their support during some difficult times.”* **Feedback from a young person’s mother about her Young Hackney worker**

- *“The Young Hackney worker has gone out of his way to support both me and my daughter. I have appreciated his offer to follow-up things for me and really valued the time he has offered to listen to me. The Young Hackney worker has consistently been there for my daughter, which has been having a positive impact on her. I feel like the Young Hackney worker genuinely cares for my daughter’s well-being, and I was very grateful and thankful for having him as part of our support network.”* **Feedback from a young person’s parent about their Young Hackney worker**
- *“ I would just like to thank you for your time, I have seen so many better things since your work with him, so thank you thank you thank you.”* **A parent’s feedback about their Prevention and Diversion worker**



Youth Justice

The Youth Justice Service works with all young people in Hackney who are arrested or convicted of crimes and undertakes youth justice work including bail and remand supervision and supervising young people who have been given community or custodial sentences. Young people are supported by a multi-agency team including a Forensic Psychologist, the Virtual School, Speech and Language Therapists, the Police, a Nurse, Probation Services, a Substance Misuse Worker and a Dealing Officer.

	2018/19	2019/20	2020/21
No. of first time entrants to Youth Justice system in Hackney	82	88	79

The overall number of young people entering the youth justice system for the first time in Hackney in 2020/21 was 79, a decrease from 88 young people in 2019/20. This reduction in numbers has largely been influenced by the pandemic and associated lockdowns which has seen a reduction in overall conviction rates across London, as well as lengthy waits at all stages of the criminal justice process across the country. With courts returning to some normality of process in recent months, Hackney has seen a return to pre-lockdown rates of first time entrants to the youth justice system, with 38 first time entrants during April-September 2021. However, Hackney’s first time entrant rate remains below the rates seen by comparator youth offending teams according to most recently available data.

The most recent national reoffending figures for Hackney relate to October 2018 to September 2019. The Covid-19 pandemic had impacted the Youth Justice Board’s ability to access the Police National Database. The average number of re-offences per child who reoffends for England and Wales is 3.8; in Hackney this is 2.6. We assess this comparatively strong performance as

being related to the strategic, management and practice approaches taken across Hackney by the local authority and its partners.

94% of the young people referred to the Youth Justice Prevention and Diversion Team via Triage in 2020/21 were successfully diverted from becoming first time entrants to the youth justice system. However, early help for young people at risk of becoming involved in crime is still not effective enough at preventing the most serious youth crime: the small number of young people referred to the Prevention and Diversion Team from Triage who have gone on to enter the youth justice system have in many cases faced extremely serious charges against them. The number of youth diversion work referrals that the Prevention and Diversion Team is receiving from the police experienced a slight increase from 117 in 2019/20 to 127 in 2020/21.

In May 2021, Hackney Youth Justice Service participated in a HMI Probation

thematic inspection on the theme of the experiences of black and mixed heritage boys in the youth justice system. Inspectors considered Hackney's Out of Court Disposal work a strength, with black and mixed heritage boys successfully diverted from Court. Inspectors were also impressed by Hackney's assessment tool (created following a Youth Justice Board peer review in 2019) which considers structural disadvantage. Hackney was cited as a good practice example in the thematic inspection report for the effective use of data to assess the quality and impact of service delivery. There were recommendations for all Youth Offending Teams to improve practice in this area, and the Hackney Youth Justice Service will be focusing on further developing the Service's existing reducing disproportionality action plan. This includes working to develop the deferred prosecution scheme; developing trauma informed and anti-racist practice within the partnership and improving parental engagement and the voice of the child.

Evidence of Impact

In December 2021, HMI Probation published the 'Effective practice guide - Black and mixed heritage boys in the youth justice system Based on: A thematic inspection of the experiences of black and mixed heritage boys in the youth justice system'. Hackney Youth Justice Service was used as an example of effectiveness for tackling disproportionality in stop and searches and in out-of-court-disposals. The foundation for these approaches was a solid evidence base to enable it to understand disparity and over-representation in terms of ethnicity but also vulnerability - where children were in care or subject to child protection processes.

Stop and search

Hackney Young Futures Commission (2,400 young people aged 10-25 in Hackney were consulted about their experience of life

in Hackney) found that young people were concerned about the approach to stop and searches in Hackney. The Safer Young Hackney Strategic Board raised this and the Police Chief Inspector agreed to audit searches in May 2020. 74 searches were reviewed and showed that officers were not always following the expected procedure and that recording could be improved. As a result of this, the supervisors of those officers were contacted with the review findings, and the Chief Inspector asked the learning and training division to revisit stop and search training with the results of this audit. This *"allowed a much more open conversation about searches, and Youth Offending Service practitioners are now much more likely to advocate on behalf of the children, asking the police to review cases and, if necessary, support complaints."*

Out of court disposals

Hackney Youth Justice Service performs well compared to the national trend of underrepresentation of ethnic minority children in Youth Offending Team out-of-court cohorts. This is in part due to a considered out-of-court disposal assessment, developed by Young Hackney, the Youth Justice Service, the speech and language team. This is also supported by clear communication materials with children and their families - HMI Probation thanked Hackney for sharing these key documents as a good practice example for the practice guide. The other key aspects of the approach in Hackney include strong partnership work, our youth work model engagement, and work with police colleagues. The outcomes are

fed back to the officer in charge regarding progress, outcome and, where appropriate, the next steps, even for informal disposals. This *“builds confidence in the service for black and mixed heritage boys, specifically:*

- *the process is transparent*
- *it is explained in understandable language, which builds trust*
- *they get the experience of being listened to*
- *people are able to opt for the decision which is less damaging for the future.”*



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Domestic Abuse Intervention Service

The Domestic Abuse Intervention Service (DAIS) works with anyone experiencing domestic abuse who is living in Hackney, aged 16 or over, of any sex and gender, and of any sexual orientation. The service works with clients and partner agencies to assess and reduce risk and offers an assertive, interventionist, social-work-informed approach to protecting victims from harm, using the Safe and Together model which aims to reduce the necessity for the removal of children into care by holding perpetrators to account for their behaviour and

protecting survivors of domestic abuse. The service also intervenes with perpetrators of domestic abuse to reduce the risk they pose. The service leads within the Council and across the partnership on Eliminating Violence Against Women and Girls and on providing and developing Hackney's Multi Agency Risk Assessment Conference (MARAC) for 'high risk' cases and delivers training also to partner agencies.

Following an initial rise of up to 60 % in referrals at the beginning of the Covid restrictions period, referral numbers to DAIS fluctuated then stabilised over the course of 2020/21. The average weekly number of referrals across 2020/21 was 26, slightly above the weekly pre-Covid rate of 25 cases per week. From April 2021 to November 2021 there has been an average weekly referral rate of 25 cases.

The fortnightly MARAC (Multi Agency Risk Assessment Conference) is a multi-agency meeting to discuss and take action on cases of domestic abuse where there is a 'high risk' of death or serious injury. Numbers have continued to rise during and following the Covid restrictions. 2020/21 saw a total of 595 cases discussed at MARAC, an increase of 21 % on the 492 cases heard in 2019/20. If the rate from April - September 2021 is maintained across the remainder of this year, there will be 734 cases heard, an increase of 23 % on 2020/21. This will represent a 49 % increase in two years of high-risk domestic abuse being identified. The MARAC has continued throughout and since the Covid restrictions period to operate successfully, moving immediately to an online fortnightly meeting. Police, the Council and partner agencies have found the online forum to be

more efficient regarding multi-agency participation, sharing information before and during the meeting and agreeing joint actions to reduce harm. Throughout the Covid restrictions period DAIS was offering in-person meetings as needed and this remains the case. The Perpetrator Programme has been delivered virtually for public health reasons and this is not felt to have had a negative impact on uptake as where people have not been

able to access virtual groups they have been offered in-person one-to-one programme work. Some positives have been that men have been able to access the programme who would not have otherwise been able to due to work commitments / travel time etc, with one man maintaining engagement even when overseas.

Evidence of Impact

The Domestic Abuse Intervention Service (DAIS) has been fully operational for over five years and over 5,000 women have been referred to the service. No-one referred to DAIS has been killed as a result of domestic abuse. No perpetrator referred to DAIS has killed anyone.

Hackney Young Futures Commission (2,400 young people aged DAIS clients give positive feedback about DAIS. After DAIS' intervention, 76% of clients feel less likely to *"have to change what I say or do based on how [the perpetrator] might react"*. 69% report

feeling less worried about being hurt again. 88% reported that DAIS had considered well any issues relating to their identity.

In terms of partner agency feedback on training provided by DAIS, 97.5% describe it positively with 72.5% describing training as *'very useful'* with 97% reporting that their practice will be improved as a result of the training. 97% found DAIS to be an accessible service. 97% said if they had a friend or relative being hurt by someone they loved, they would recommend DAIS to them.



Identifying and responding to children's needs and appropriate thresholds

Front Door Review and development of MASH

In February 2020 a review of Hackney's children's social care 'front door', the First Access and Screening Team (FAST) began. The review was initiated as the 'front door' of children's services had seen a steadily increasing level of contact, referral and assessment rates, particularly when compared to comparator boroughs, and in turn a higher proportion of social work assessments that ended in no further action. Quality assurance activity also demonstrated some confusion over the application of thresholds amongst partner agencies, the seeking of consent when making a referral to statutory social work services and an over reliance on social work assessment by partners, particularly within educational settings.

Activity on the Front Door Review accelerated in 2021, and in February 2021 FAST launched a professional consultation line for designated leads to seek advice and guidance. The Hackney Multi Agency Safeguarding Hub (MASH) was launched from 1st July 2021, bringing Hackney in line with other authorities across London. The development of the MASH is focused on better informed multi-agency decision making so that

children and families get the right service at the right time, with a joint mission across the partnership to reinforce the respectful and consistent application of seeking consent from children and families, and a focus on proportionate assessment with a clear commitment and emphasis on clear and streamlined pathways to services. The MASH now includes an Education representative as well as an Early Help hub.

Our Multi-Agency Safeguarding Hub operates as a single point of contact for members of the public and professionals who are seeking advice and information, and/or who want to make a request for support for a child or young person in Hackney who may be in need of help or protection. A multi-agency Daily Risk Meeting was implemented in early October 2021. This meeting is well attended by agency colleagues including Adult Services, Probation, Police, Health and Housing. Our work on consent / reinforcing partnership responsibility and the consultation line is also impacting on improving the quality and reducing the volume of contacts / referrals. The ongoing development of the Early Help hub will help ensure that families are able to access the right service at the earliest possible opportunity and a consistency of approach across the Council (in terms of access to targeted Early Help support).

“The development of the MASH is focused on better informed multi-agency decision making” ...

Evidence of Impact

Consultation line

The consultation line in the MASH is working well, with 423 calls to the line since it launched in February 2021 to 8th December 2021. 30 audits were undertaken over July-October 2021 and found that overall, appropriate advice and guidance was provided, with referrers directed to early help/other resources as appropriate or given clear advice about how to make an effective referral; the use of the consultation line has resulted in no need for a referral to be made in 57% of cases reviewed; and the use of the consultation line is embedding well within the service and the wider partnership. A City and Hackney Safeguarding Children Partnership internal

and external audit of the quality of referrals in September 2021 clearly evidenced that the consultation line improved the quality of referrals. The audits identified that there is still more work to be done with referrers particularly around consent, and referrers providing details of support networks including fathers and extended family members at the point of referral. Similar findings were found by the external auditor commissioned by the partnership in Autumn 2021. The City and Hackney Safeguarding Children Partnership is leading on progressing improvement work with partner agencies about the quality of referrals based on these audit findings.

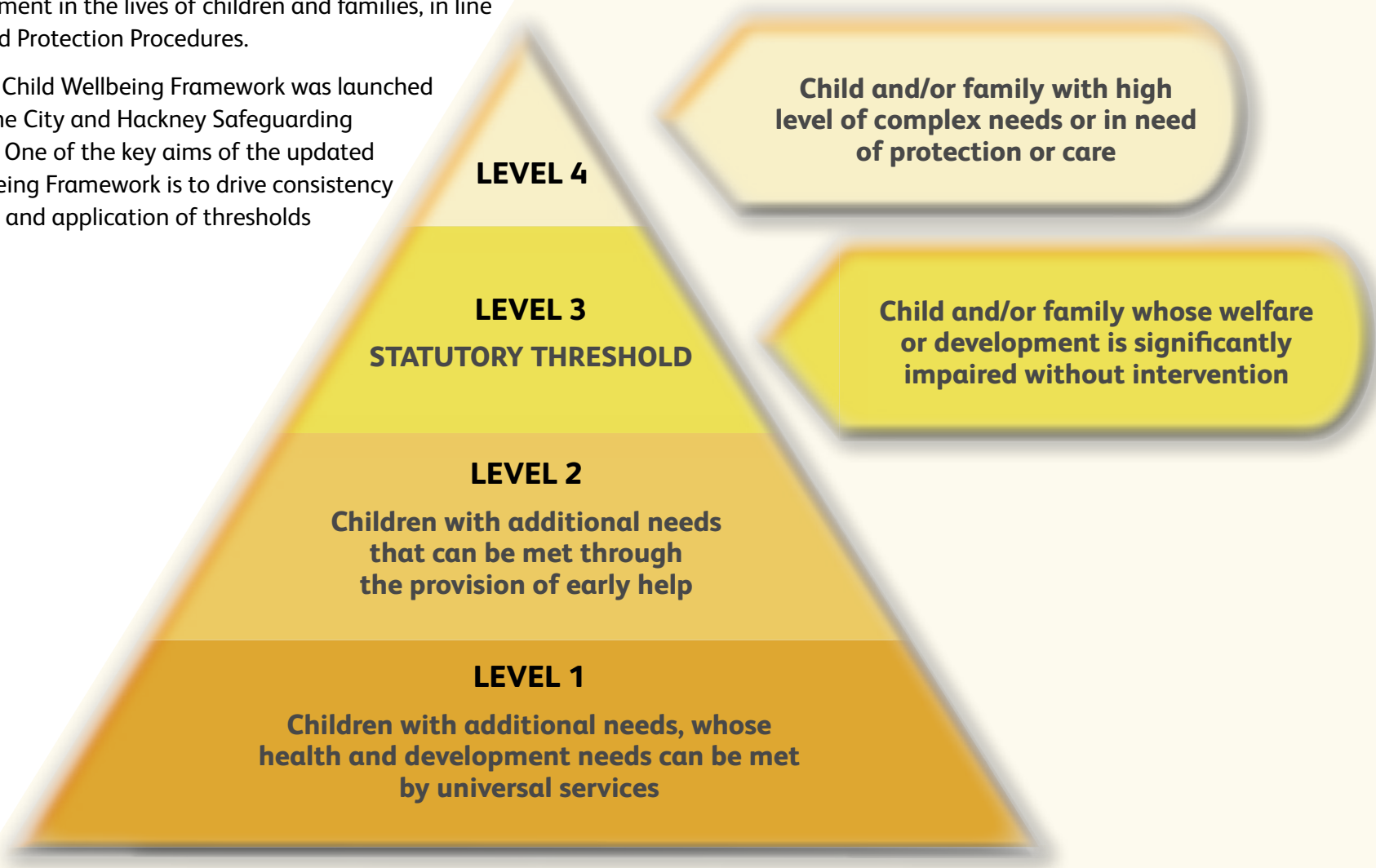


Revised Hackney Child Wellbeing Framework

As part of our review of the 'front door' function the Hackney Child Wellbeing Framework has now been revised to reflect the four levels of multi-agency involvement in the lives of children and families, in line with the London Child Protection Procedures.

The revised Hackney Child Wellbeing Framework was launched in July 2021 led by the City and Hackney Safeguarding Children Partnership. One of the key aims of the updated Hackney Child Wellbeing Framework is to drive consistency in the understanding and application of thresholds with partners.

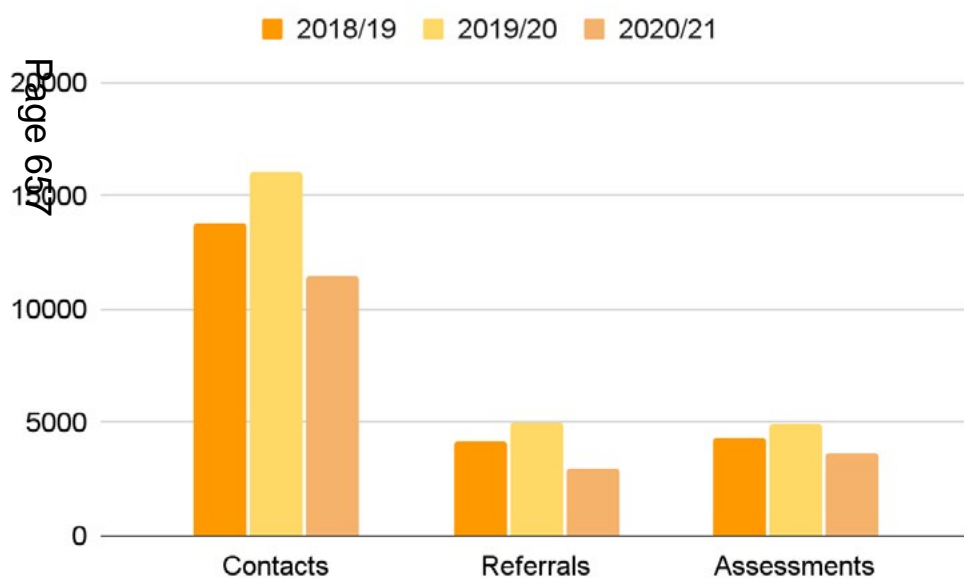
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Contacts, referrals and assessments

Contacts, referrals and assessments all reduced in 2020/21 compared to 2019/20. There was a 28 % decrease in the number of contacts, a 42 % decrease in the number of referrals and a 22 % decrease in the number of assessments completed.

	Outturn 2018/19	Outturn 2019/20	Outturn 2020/21	Apr to Sep-21
Number of contacts	13,767	16,044	11,473	5,740

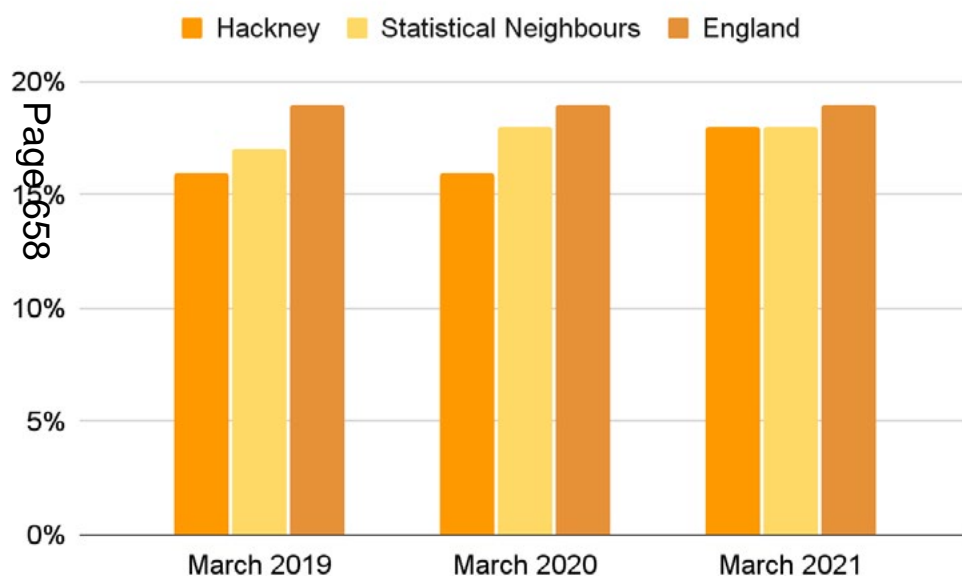


While demand for statutory children’s social care in Hackney has increased in the last 5 years, there was a 42 % decrease in referrals received in 2020/21, compared to 2019-20. This is partly linked to a decrease in referrals seen nationally during the pandemic. Hackney’s referral rate in the first half of 2021/22 (487) is far more in line with the rates seen in statistical neighbour authorities than was previously the situation in 2019/20. This is also linked to the changes driven by the Front Door Review, including improved early help pathways through the successful piloting of an embedded ‘Early Help Hub’ within the Multi Agency Safeguarding Hub, ensuring children, young people and families are able to get the right support for them, as quickly as possible. Children in need of help and protection receive a timely response from the MASH. The most recent data shows that in October 2021, where the threshold is met for intervention, all contacts are progressed within 24 hours. An initial decision is made within 24 hours for 98 % of contacts received. Further analysis of the reduction in contacts at the front door and whether this is a result of improved partnership working or whether there are issues with the interim recording system that need to be addressed will be completed in December 2021.

	Outturn 2018/19	Outturn 2019/20	Outturn 2020/21	Apr to Sep-21
Number of Referrals	4,190	5,031	2,930	1,556
Rate of Referrals per 10,000 population	658	788	459	487
Statistical neighbours	574	581	497	n/a
England	545	535	494	n/a

	Outturn 2018/19	Outturn 2019/20	Outturn 2020/21	Apr to Sep-21
Percentage of cases which were re-referrals which had been open in the past 12 months	16%	16%	18%	14%
Statistical neighbours	17%	18%	18%	n/a
England	19%	19%	19%	n/a

	Outturn 2018/19	Outturn 2019/20	Outturn 2020/21	Apr to Sep-21
Number of social work assessments completed	4,290	4,923	3,664	1,588
Rate of assessments per 10,000 population	674	771	604	497
Statistical neighbours	513	529	477	n/a
England	539	554	518	n/a



Hackney's re-referral rate of 18% for 2020/21 is in line with statistical neighbours (18%) and the England average (19%).

Although the number of social work assessments completed in Hackney reduced by 22% between 2019/20 and 2020/21, the rate of assessments per 10,000 in Hackney (604) was higher than both statistical neighbour (477) and England (518) averages in 2020/21. This was partly due to the very high number of assessments completed in Hackney in April and May 2020, where these referrals had come into the system in the first few months of the year and due to the volume of assessments held in the service at the time, some of these assessments took longer to complete and were completed in the first two months of 2020/21, contributing to the higher number and rate when compared with other local authorities for the same time period. The rate of assessments completed in the first half of 2021/22 (497) is higher than the 2020/21 statistical neighbour and but lower than the national average.

	Outturn 2018/19	Outturn 2019/20	Outturn 2020/21	Apr to Sep-21
Percentage of social work assessments completed within 45 working days	63 %	64 %	77 %	92 %
Statistical neighbours	86 %	88 %	94 %	n/a
England	84 %	85 %	89 %	n/a

Performance on assessments completed within 45 working days improved from 64 % in 2019/20 to 77 % in 2020/21. Performance against this indicator was also affected by the high volume of assessments completed in the first two months of 2020/21 (April and May 2020) and the timeliness of these assessments. Performance against this indicator was significantly better in the remaining months of 2020/21. 92 % of assessments were completed within 45 working days during April - September 2021, which is just below the statistical neighbour average of 94 % and better than the England average of 89 %.

Evidence of Impact

Routine audits are undertaken on the quality of Child and Family Assessments. 52 audits from March - November 2021 show that practice is not consistently good, with 60% rated as good or outstanding, and 40% rated as requires improvement or inadequate; however, recent audits show stronger performance.

Strengths included timely, well-informed assessments, engaging fathers and evidencing the voice of the child. Areas for improvement included recording issues and the evidence of management oversight needing to be clearer on the child's case file.

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Listening Together Pilot

As a service, we are committed to offering families the best opportunities to support their children at times of need. However, we have found that many of the children who are being referred to us do not require the kind of statutory, long term, intensive support that our social workers provide. Families have told us that our first involvement in their private lives can at times feel intrusive, frightening and be a stressful experience. Our anti-racist and anti-oppressive approaches to working with families means that we need to find ways of listening to families experiences and develop authentic, family-based, and inclusive ways of stepping into families' lives once a referral is made to us.

As a result, the service is piloting the Listening Together project from

November 2021. This is aimed at offering families who have a child referred into the Access and Assessment Service, a more respectful, transparent and collaborative response. A Listening Together meeting will be offered to a small number of families as an alternative to 'assessment as usual'. If the family agrees, they will be asked to invite any supportive person in their network to attend the Listening Together meeting with them. The social worker will then invite the family's professional network to attend the same meeting. This meeting will take place within 10 days of the initial visit to the family. By the end of the meeting, there will be a plan that the family and everyone present has created. This written record will then form part of the social work assessment and will be sent to all those in attendance. The pilot will be evaluated by the What Works Centre to ensure that we are open to learning from families and professionals as the pilot proceeds.

Local Area Designated Officer

Organisations where employees and volunteers work with children (including foster carers and prospective adopters) are required to have clear and accessible policies and procedures to manage occasions when allegations are made against staff or volunteers. As part of that, organisations have to appoint a Designated Safeguarding Lead to whom the allegations are reported, who would then report it to the Local Authority Designated Officer (LADO) who has the responsibility to manage and have oversight of allegations.

The LADO service received 174 contacts during the period of 1st April 2020 to 31st March 2021 which is a decrease of 135 (44 %) on the previous year

(309 contacts). This is linked to the Covid-19 pandemic where the country had two lockdowns that included school closures, with the exception of access to key worker children; schools and nurseries are the dominant employment groups that generate referrals to the LADO service. The decrease for the Hackney LADO service is in line with a similar trend across LADO services in London as shared at the London LADO network meeting as well as in peer supervision.

The occupations with the highest number of contacts were school support staff (23 %), teachers (22 %) and nursery workers (11 %). This is consistent with previous years and is likely attributable to the higher ratio of children to staff given schools and day care provisions have higher numbers of children accessing services compared with health or leisure facilities for example.

Evidence of Impact

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Practice audits of LADO work are conducted every 6 months by the Service Manager and Practice Development Managers in the Safeguarding and Reviewing Team. The most recent audit in September 2021 looked at 27 LADO cases. These consistently find timely responses from the LADO service, positive working relationships between the LADO and partner agencies, clear actions and outcomes being achieved. What routinely remains

problematic is a lack of written referrals/information being received from referrers, and partners not providing updates of feedback from their internal investigations as requested by the LADO. This results in additional work for the LADO in terms of having to outline phone conversations in emails so that the network is clear on advice provided and actions expected, and requesting updates.



Making good decisions and providing effective help

Strategy Discussions

A multi-agency practice protocol on Strategy Discussions was completed in November 2020, shared and agreed upon by all partner agencies. Training and video guidance for practitioners on strategy discussions is published on the City and Hackney Safeguarding Children Partnership website. Working agreements are in place with the police to set out pathways for engaging officers in Strategy Discussions from different sections of the Police in accordance with the type of harm that a child may be exposed to. The

Metropolitan Police have agreed to hold Strategy Discussion / Missing Child Meetings within 24 hours rather than within 72 hours for children at highest risk of harm when children are missing.

1,077 strategy discussions were held in 2020/21, a 34% decrease compared to 1,633 strategy discussions held in 2019/20. This corresponds to the decrease in referrals about children and families over the same period.

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Evidence of Impact

A multi-agency Strategy Discussion audit of 15 strategy discussions was led by the City and Hackney Safeguarding Children Partnership in July 2021 and has complemented the activity in this area undertaken to date by Hackney Children and Families Service. 22 organisations participated in this audit, including 8 GP Practices and 8 Schools. 100% of Strategy Discussions audited included the Police; 66.7% were attended by Health colleagues. Auditors were also asked to comment on attendance by Education (60% attendance), Child and Adolescent Mental Health Services and Adult Services (both 7% attendance) at strategy discussions. For all children, decisions were made to effectively respond to the safeguarding needs. Strengths in practice included: there was high confidence that the decisions and actions made at the strategy discussion made children safer;

agencies sharing sufficient information to confidently inform decision making and action planning; and the significant majority of strategy discussions evidenced relevant information sharing about significant others within the family and were clear on the next steps and action planning. Strategy discussions were clear on the steps and timescales for immediate and short-term support for the child. Areas for improvement included: consistent use by all agencies of the City and Hackney Safeguarding Children Partnership Guidance and Agenda Template to guide strategy discussions; the Children and Families Service to amend its interim recording template for strategy discussions to match the headings set out in the partnership agenda template; and improvement in the circulation of formal minutes of strategy discussions. The Partnership also understands the need to improve the engagement

of ELFT at strategy discussions by ensuring ELFT practitioners involved with families (both adults and children) are identified and invited. This improvement will be supported via the introduction of an ELFT role within the new Hackney MASH model.

This audit noted that the quantity of research that can be carried out by the Metropolitan Police Service on all concerned individuals is limited by the time constraints of strategy discussion notification and Police capacity to undertake these checks in full. That said, the Police have confirmed that all relevant parties are scanned, and a fast-time snapshot of information is compiled to allow for the

risk management discussion. The Police audit lead assessed that there was sufficient information shared to enable good discussion and informed decision making around risk management. The partnership audit identified no disparities between information shared at the Initial Child Protection Conference not being shared at the strategy discussion affecting the immediate safety of the child(ren). A further external audit of strategy discussions is being commissioned by the City and Hackney Safeguarding Children Partnership and is scheduled for January - February 2022 to further review progress in this area.

Children supported on Child in Need Plans

	Jan 2021	July 2021	Sep 2021
Snapshot of children supported on Child in Need Plans (within the Children in Need Service)	865	699	619

There has been a decrease in the number of children supported on Child in Need Plans, which is linked to increased oversight by managers to ensure that children are on the correct plan according to thresholds, as well as a corresponding drop in referrals and assessments over the same period.

Evidence of Impact

Audits of support for children on Child in Need Plans take place on a regular basis. 23 audits from April - November 2021 show that practice requires improvement, with audits from July 2021 onwards showing an improvement in audit scores. The audits showed that 66% of visits were held in accordance with Practice Standards, 63% of plans were goal-focused and outcome-oriented; 66% included fathers / male carers, only 25% included explicit consideration of Family Group Conferences and 20% included the wider family network. In order to strengthen the recording of Child

in Need visits, a template for visit records has been introduced. Files were audited before and after the template was introduced in October 2021 and show that Child In Need visit recording has improved from requires improvement to good since the introduction of the visit recording template. During the focused visit, Ofsted noted that *“most children are on a child in need or child protection plan when this is needed. Decisions to step cases up or down are mostly appropriate in response to changes in risk”*.

Children supported through Child Protection Plans

The number and rate of children supported on Child Protection Plans decreased over the course of 2020/21 following increased management oversight and this decrease has continued with 197 children supported on a Child Protection Plan as at the end of September 2021 (a rate of 31 per 10,000 as at September 2021).

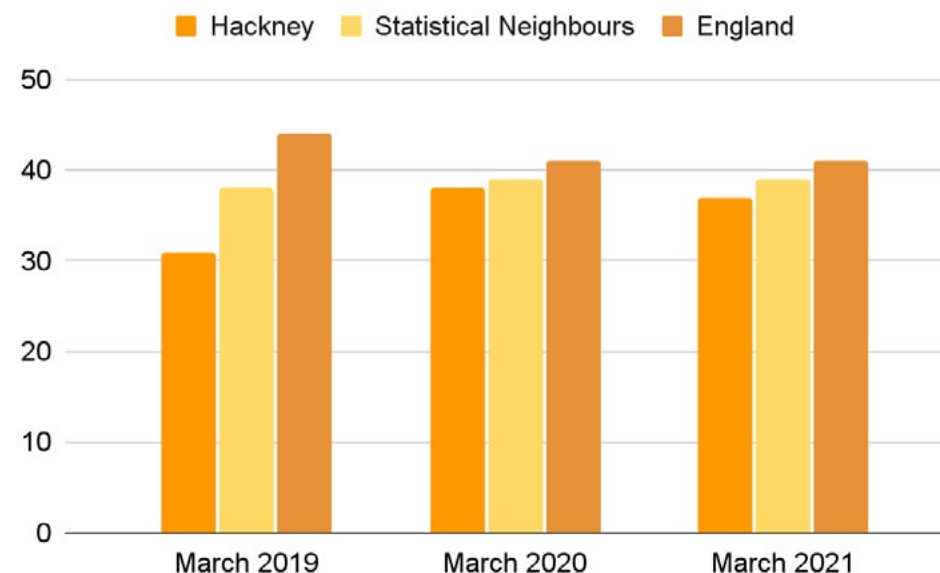
Number of children supported on Child Protection Plans

March 2019	March 2020	March 2021	Sept 2021
194	251	237	197

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Children supported on Child Protection Plans per 10,000 population aged under 18

	March 2019	March 2020	March 2021	Sept 2021
Hackney	31	38	37	31
Statistical Neighbour	38	39	39	n/a
England	44	41	41	n/a



This decrease is mostly accounted for by the decrease in Initial Child Protection Conferences with 312 held in 2020/21 compared to 432 in 2019/20. This trend has continued into 2021/21, with 131 Initial Child Protection Conferences held between April-September 2021. The duty consultation process between our Safeguarding and Reviewing Team (Child Protection Chairs) and the social work units has better supported appropriate threshold decisions for children.

Duration of closed Child Protection Plan (percentage)

	March 2019	March 2020	March 2021	Sept 2021
Under 3 months	27 %	24 %	34 %	34 %
3 - 6 months	30 %	17 %	31 %	17 %
6 - 12 months	24 %	40 %	32 %	33 %
1 - 2 years	13 %	16 %	20 %	16 %
2+ years	6 %	3 %	3 %	1 %

The percentage of Child Protection Plans closing at 3 months increased from March 2020 to March 2021. As a result of this, an audit in March 2021 was undertaken for Child Protection Plans ending after 3 months. This audit found that we had been overly risk averse and the child's lived experience needed to be better understood at the Child in Need stage. As a result we have strengthened the consultation process in the Safeguarding and Reviewing Team for all children. There has also been a move to listen to how young people feel they would be best supported, looking at individual needs of each sibling based on their age, functioning, and specific needs. A Practice Development Manager from the Safeguarding and Reviewing Team now

attends strategy meetings to ensure there is independent review and that all options have been considered, for example whether to consider a Child in Need Plan and then step up at three months if no progress has been made. We are continuing to closely monitor this area.

The percentage of children supported on Child Protection Plans for 2 years or longer has decreased from 3 % in March 2020 to 1 % in September 2021. All children who have had a Child Protection Plan for more than 2 years have had a parallel process for either Public Law Outline pre-proceedings or care proceedings underway.

We cannot currently report on the number or percentage of children who became subject to a Child Protection Plan for a second or subsequent time due to the impact of the cyberattack in October 2020 on our recording systems. We are working on reviewing historic data to be able to report on this performance indicator.

A Child Protection Impact and Tracking Meeting is held every 6 weeks consisting of Service Managers and Heads of Service which systematically reviews Child Protection Plans that have been open 9-12 months, 13-15 months, 16 months+, repeat plans, and plans ending at the first review, to ensure appropriate application of thresholds.

Evidence of Impact

The most recent meeting in November 2021 reviewed 13 audits of children supported on Child Protection Plans, and found that practice requires improvement. Auditors found that the actions in children's plans clearly link to achieving the goal and improving the experience of the child; that timescales are generally clear and proportionate; and that generally the Chair's oversight was evident on the file, with clear contingency planning in place. Auditors also found that the written quality of plans could be improved,

including ensuring that issues of identity have been considered fully, with an appropriate number of goals included in the plan.

In April 2021, City and Hackney Safeguarding Children Partnership undertook a multi-agency audit of Child Protection Conferences. Auditors found that partner agency attendance and report timescales for Child Protection Conferences needs to improve. Recommendations as a result of this included for City and Hackney

Safeguarding Children Partnership to produce an animated video setting out expectations for professionals invited to Child Protection Conferences; to host anonymised examples of model Child Protection reports on the City and Hackney Safeguarding Children Partnership website; and to review the availability of multi-agency guidance on sharing child protection reports with families. Recommendations for the Children and Families Service included

revising the guidance and templates to provide greater clarity about the expected content from agencies in Child Protection reports, particularly for those that do not regularly attend Child Protection Conferences. Partner agency recommendations included promotion and monitoring report submissions and timescales, including planning audits to check the quality of reports and adherence to timescales for reports.

Child Protection Plans - visits and seeing children alone

94 % of children on Child Protection Plans were visited within 20 working days between 18 October - 14 November 2021. 68 % of children supported on a Child Protection Plan had a recorded visit within 10 working days as at 10th November 2021 in line with Practice Standards, with a further 17 % having a recorded visit within the last 20 working days. We introduced a new visit form in August 2021 in our interim recording system to more accurately track whether children were seen alone when they were visited. In successful

visits, we can see that for 84 % of visits to children on a Child Protection Plan, children were seen during the visit (as at 10 November 2021) and that in 46 % of instances where children were seen, they were seen alone during the visit. We know that this needs to be improved and understand that this is likely to relate to recording issues - we are working on this to ensure visits and children seen alone are recorded accurately and in a timely manner. Our practice standards make very clear how important it is that children are seen and spoken to alone wherever practicable, and where this does not happen, the rationale for this must be recorded on the child's file.



Public Law Outline (PLO) and court proceedings

Practice guidance for all staff on the application of good practice in Public Law Outline (PLO) was issued in February 2020. The aim of this guidance is to achieve confidence and competence in our staff when managing such complex work. Sitting alongside this practice guidance is our protocol

between children’s social care and the Council’s Legal Service, developed in February 2021. This protocol has enabled us to ensure greater consistency in legal representation within PLO and care proceedings. With a focus on the definition of roles, obligations and escalation policies and detailed agreed timescales we have a robust approach to ensuring we are clear on how we protect and safeguard children together. The Family Justice Board guidance from March 2021 is currently being embedded into the PLO process in Hackney.

Evidence of Impact

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8 audits on our PLO work were undertaken in March 2021 and found that practice required improvement, with limited records available due to the cyberattack meaning that not all the evidence to show the progress within timescales was on the child’s file, although the audit found that PLO minutes on file were of a good quality. There was also good evidence through the PLO process that all options for the child’s future care - within and outside of the family network - were openly being discussed with parents and being proactively explored. Since April 2021 we have had a dedicated Service Manager tracking and monitoring the quality and progress of plans for children who enter into PLO.

During the Ofsted focused visit in July 2021, inspectors found: *“for children involved in the Public Law Outline (PLO) and pre-proceedings work, decision-making is usually prompt and consistent. A timely response and effective tracking by managers help families to engage in this process and ensure that delay is avoided. When children’s circumstances are not improving through child protection planning, the PLO and pre-proceedings work are applied effectively to reduce risk, averting the need for proceedings in some cases. For a small number of children, earlier application of the PLO could have been considered.”* The visit highlighted that for some children on Child Protection Plans, escalation to PLO could happen sooner.

At the Children’s Resource Panel, out of the 58 referrals made between June and November 2021, 39 of which have been for consideration of initiation of PLO or Care Proceedings, there have been 8 children in 7 families for whom it was identified that escalation to PLO could have taken place sooner. One was an unborn child for whom it would have been helpful to initiate specialist assessments prior to birth, one was a child living in a mother and baby mental health unit. 6 children in 5 families were in relation to the child

living in circumstances of neglect with fluctuating changes in parenting capacity, all of whom were supported through Child Protection Plans. This theme was shared with Service Managers, Practice Development Managers and Consultant Social Workers in our Driving Quality and Improvement in Performance meeting in November 2021 to raise awareness of the thematic issues arising and improvements required.

Service Managers review the progress of Child Protection Plans at 9 months and Child in Need Plans at 9 and 15 months, to consider whether escalation could possibly occur at an earlier stage. This is also mirrored in scrutiny of PLO pre-proceedings progress by the Head of Service. Service Managers will be reviewing progress via audit in January 2022. The Head of Service is closely monitoring this area through monthly court tracker meetings. There has been an increase in the number of children in PLO since July 2021, when there were 9 children in PLO and no children waiting to start PLO. At the first week of December 2021, 14 children were in PLO.

The number and rate of care applications decreased in 2020/21 and was higher than the national rate of care applications.

	2018-19	2019-20	2020-21
Hackney number of care applications	66	107	75
Hackney care applications per 10,000 child population	10.3	16.4	11.4
England care applications per 10,000 child population	11.3	10.8	10.5

The time taken to complete care and supervision proceedings was an average of 38 weeks in Hackney in 2020/21, compared to a national average of 41 weeks. This is an increase for Hackney from 32 weeks in 2019-20, and the national average of 32 weeks in 2019/20. This has increased nationally since April 2020 due to the pressures on the court system as a result of the Covid-19 lockdown. The national average target for the length of court proceedings is 26 weeks.



Clinical Support

Clinical Service

Over the past ten months we have undertaken a process of resetting our Clinical Service in line with the areas for improvement identified by Ofsted in 2019. This has been specifically to: remove avoidable drift and delay; improve the timeliness and effectiveness of pre-proceedings work; inform the assessment of children living in neglectful environments; and support the safeguarding of children who are missing education or who are home educated. The service aims to integrate a mental health and wellbeing offer across the Children and Families Service as we know that children and young people who access children’s social care are at greater risk of mental health difficulties. By moving to a ‘stepped care’ clinical model the service is able to work with a broad range of children and families from early intervention, as well as for our most vulnerable children and young people in care or on the edge of family breakdown, in a responsive, targeted offer. The Clinical Service offers both a direct and indirect offer:

- Indirect Clinical Offer: This is open to all families and individuals open to the Children and Families Service. The main part of this offer is consultation, but also includes training, supervision and court work. Clinicians complete assessments for court proceedings as part of the Public Law Outline. These range from assessments with parents, individual children or family groups, making use of specialist assessment tools and approaches as applicable.
- Direct Clinical Offer: This is only available to children and families in the Children and Families Service with an allocated social worker, or open to the Youth Offending Team. This includes those in receipt of a Child in Need plan, a Child Protection Plan or Children in Care.

During 2020/21, the Clinical Service received 435 referrals. This is a decrease

from 476 referrals received during 2019/20 but covers the pandemic period. Demand has increased since then and between April - September 2021, the Clinical Service received 609 referrals and the Service was working with a total of 662 children/families during that period.

Children with acute mental health/complex needs

Like many local areas, Hackney has experienced a significant increase in referrals to Children and Adolescent Mental Health Services (CAMHS) which includes an increase in acute presentations on the cusp of, or at Tier 4 level, with a shortage of beds in adolescent mental health in patient facilities leading to challenges in identification of suitable care arrangements for a small number of children. Planning meetings for these children have engaged senior leaders and Directors where required in order to agree upon an effective plan of intervention and care arrangements. Concerns about the challenges expressed by both Children's Social Care and CAMHS were

escalated to City and Hackney Safeguarding Children Partnership. Work is currently taking place to develop a revised joint protocol in the context of the current challenges and to explore opportunities to commission new joint funded care arrangements.

The pandemic has impacted activity and created a surge in CAMHS activity, coupled with an increase in the complexity of presentations. This is applicable across all services but specific areas, such as eating disorders and crisis, have seen larger demand, as demonstrated by the increased level of referrals seen across City and Hackney services. Throughout the pandemic local need has been continually monitored through the CAMHS Alliance Board and additional contingency planning meetings with providers to ensure that service delivery is responsive to local need and mitigations are put in place where necessary. A number of local system adaptations have been made as a result, with accelerated rollout of digital solutions to widen availability of treatment options for young people.

“Like many local areas, Hackney has experienced a significant increase in referrals to Children and Adolescent Mental Health Services.”





Participation and direct work with children and families

Hackney Youth Parliament

Hackney Youth Parliament delivered weekly online sessions during the Covid-19 lockdowns. During this time, Hackney Youth Parliament have delivered workshops on debating, Black history, the Orthodox Jewish community, and undertaken applications and interviews of all those wishing to be on the ballot as they recruited new members. Over 40 young people were interested in taking part in our new forums and 15 young people put themselves forward to go on the election ballot through the online election process that attracted 2,500 young people to vote. 6 of these young people were elected in June 2021 and form the core of Hackney Youth Parliament and are the leaders of the three new forums. Over the next 2 years, each forum will focus on issues pledged in their manifestos. This includes Life after Covid, policing, mental health in schools, and all forums will undertake work in promoting opportunities to increase work experience and life skills training. Hackney Youth Parliament now meets twice weekly and has over 35 young people taking part. Hackney Youth Parliament has also elected 2 representatives to the London Youth Assembly and the British Youth Council. Hackney Youth Parliament have attended the Hackney Children and Young People Scrutiny Commission, and have presented their manifestos at a full cabinet meeting with the Mayor. They have also met with Hackney Council's new Chief Executive and have made progress by ensuring Hackney reviews its work experience offer to young people with a view to expanding this in the future to create more opportunities.

Children's Rights Service

Hackney's Children's Rights Service provides a range of support to children and young people who are supported by, or have been supported by, Hackney Children's Social Care, with priority given to children who are looked after, leaving care or supported on Child Protection Plans. The team provides an independent service that helps young people have their voice heard through advocacy; represents children's wishes and feelings; and provides information to children and young people about their rights and entitlements.

The team also offers an Independent Return Home Interview service to young people who have been reported missing by their parents or carers. This provides a safe space to allow young people to talk in confidence about their experiences and to create safety plans. During 2019/20 there were 821 recorded missing episodes, in relation to 108 children and young people. Due to the cyber attack, full year data for 2020/21 is not available; however, during October 2020 - March 2021 there were 259 missing episodes recorded on the interim recording system. If this were doubled to give a 12 month picture it would be substantially lower than the number of missing episodes recorded the previous year. However, lockdown restrictions did impact on the number of children going missing, with a lower number of children going missing fewer times, as there were fewer activities to open to go to and more scrutiny of people spending time outside.

During October 2020 - March 2021 there were 59 Return Home Interviews submitted on the interim recording system, which translates to Independent

Return Home Interviews being undertaken in 23 % of missing episodes, in relation to 34 young people. This is a smaller percentage of Independent Return Home Interviews being accepted than last year, but more individual children having an Independent Return Home Interview completed.

As this data has not been cleansed and does not represent the full 12 month period, there are a number of caveats around how accurate this is and the conclusions that can be drawn from it. However, Children's Rights Officers continue to attend the daily discussion with Hackney Missing Police to actively follow up with children who are or have been missing in the Borough. The Children's Rights Service is also copied into all Emergency Duty Team alerts for missing children who are living outside of Hackney so proactive follow-up can take place with social workers regarding the offer of the Independent Return Home Interview. We know that social workers or care workers may complete Return Home Interviews but at times this information is captured in visit case records rather than the Return Home Interview record on our interim system, so this will not show in our reporting. Even when children decline a Return Home Interview, efforts are always

made by those working with them to discuss any missing episode and try and resolve any issues which may be contributing to a young person going missing. All Children's Social Care staff are now attending the mandatory Safety Planning training which is taking place each month facilitated by the Children's Rights Service and Context Intervention Unit to increase skills around safety planning with young people even if this is outside of a specific Return Home Interview.

Since April 2020 the Children's Rights Service has offered advocacy to all children aged 5 and over who are supported through a Child Protection Plan. The team has developed additional resources for practitioners in terms of focusing discussions with children to obtain their views. The service facilitated two workshops with Consultant Social Workers and Practice Development Managers in July and September 2021 focussing on evidencing the voice of the child so these managers can quality assure Child Protection reports more thoroughly. 134 children have been referred to the Children's Rights Service for Child Protection during the year, representing 49 % of all referrals.

Evidence of Impact

Audits of Children's Rights Officer work are regularly undertaken, with 11 audits undertaken in February 2021 and audits currently underway in December 2021. The audits clearly demonstrate the quality of the relationship between the young people and their Children's Rights Officer, with Children's Rights Officers being able to provide positive and constructive feedback to young people when their requests or expectations are unrealistic or unsafe. The audits highlight excellent examples of advocacy and clearly evidencing and supporting young people to contribute their views, experiences and hopes for their future,

which was meaningful to decision making and planning. Where audits were not graded as highly this was due to a lack of recording and evidence of the relationship building that had gone into creating the advocacy relationship. Given difficulties relating to the cyberattack and changes in staffing within the team, increasing consistency around recording remains an area for development for the service.

Feedback gathered about how young people felt about their working relationships with their Children's Rights Officers and the outcomes achieved is universally positive and encouraging that

young people unanimously felt listened to and treated equally and fairly by their Children's Rights Officers. Young people made the following comments about the Children's Rights Service:

- "She has helped me with EVERYTHING. She is always there when I call and lots more"

- "They helped me with all of the above and more"
- "They helped me with everything I needed"

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- *"She has helped me with EVERYTHING. She is always there when I call and lots more"*
- *"They helped me with all of the above and more"*
- *"They helped me with everything I needed"*





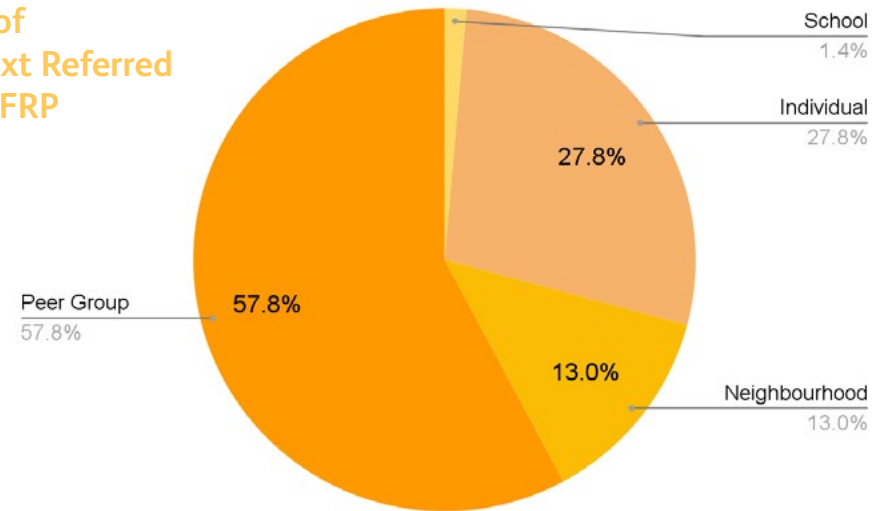
Identifying and responding to all types of abuse recognising the vulnerability of specific groups of children

Context Intervention Unit

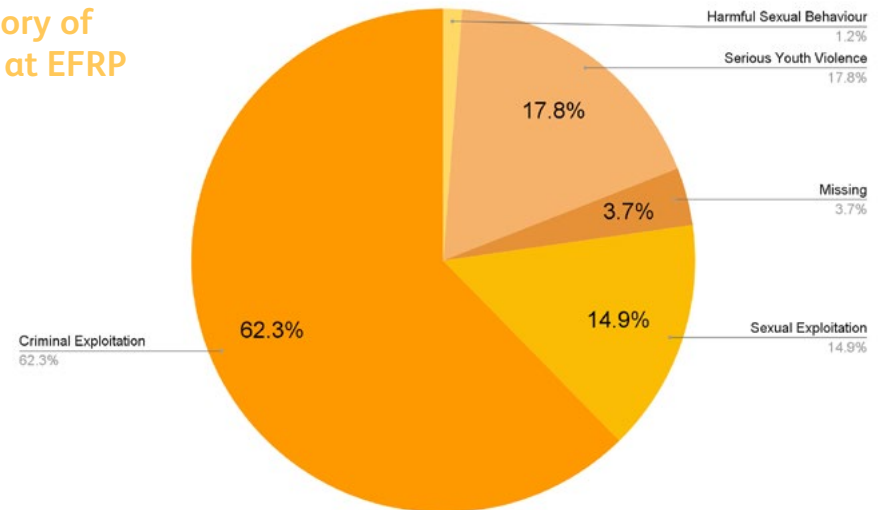
The Department for Education provided funding from October 2020 to September 2021 to take forward the embedding of contextual safeguarding in Hackney. This has enabled the formation of a unit to drive the implementation and embedding of Contextual Safeguarding in Hackney through undertaking and modelling assessments and interventions of 'contexts of concern' (e.g. peer groups, schools, locations) in partnership with statutory and non-statutory partners, developing practice and confidence within the Children and Families Service and across partner agencies and undertaking an evaluation of the impact of contextual safeguarding on practice. The Context Intervention Unit moved to the Multi Agency Safeguarding Hub (MASH) in the Family Intervention and Support Service in September 2021. An external evaluation of the Contextual Intervention Unit is being undertaken by the University of Sussex, who will report on findings in September 2022.

Hackney's Extra Familial Risk Panel (EFRP) facilitates partnership safeguarding interventions where a child or young person - or a group of children / young people - are harming or being harmed by others. The Panel considers in particular contexts of concern (peer group, school, neighbourhood/location). Partners find that EFRP supports agencies to better understand what is happening for the young people they are working with, supports healthy challenge between agencies and has led to improved system approaches to safeguarding individuals and contexts, for example the EFRP process prompting police opening up new lines of enquiry or to identify previously 'unseen' young people as being at risk. Discussions have also highlighted areas agencies can strengthen to improve their service delivery to all children. A total of 87 'cases' have been discussed at EFRP, representing 204 young people and 5 locations between October 2020 and August 2021.

Type of Context Referred into EFRP



Category of Harm at EFRP



The most common type of harm referred into EFRP is criminal exploitation, followed by serious youth violence and criminal exploitation. There can be multiple types of harm recorded for one young person. The most common combination of harm is criminal exploitation and serious youth violence.

Neglect

Following the feedback from Ofsted during our 2019 ILACS inspection that a small number of children on Child Protection Plans were experiencing neglectful circumstances for too long, we have undertaken much work to strengthen our management oversight and decision-making for these children. We audited children who had been open to services for more than 12 months in April 2020 and found that practice required improvement. In July 2020 we undertook a Practice Week on the impact of neglect, engaging staff in a series of seminars and workshops. This included learning from research and a range of practice tools. While the experience itself was positive, staff were unable to evidence the difference they make to children in such circumstances. In February-March 2022 we will begin to 'train the trainer' on the NSPCC Graded Care Profile II via City and Hackney Safeguarding Children Partnership and roll out the Graded Care Profile Tool across all partner agencies in Hackney to avoid drift and delay for these highly vulnerable children and families, and more clearly evidence neglect. A subsequent full Live Learning Audit of children in possible neglectful circumstances is currently underway in November-December 2021 which will also support our understanding of current practice and any additional barriers presented by Covid-19 and the cyber attack for these vulnerable children.



Disabled Children's Service

We continue to focus on driving improvements in the Disabled Children's Service through a strategic action plan.

All new referrals for an assessment from the service are made through the Multi Agency Safeguarding Hub (MASH) and all children of school age should have an Education, Health and Care Plan in place.

At the end of March 2021, the service was working with 374 children and young people. Of these, 258 were male and 116 were female. This is a 7% decrease compared to 2019/20, when the service was working with 402 children and young people.

Age breakdown of children open to Disabled Children's Service

Age	Number of Children
5 or under	42
6 - 8	76
9 - 11	87
12 - 14	79
15+	90
Total	374

The Disabled Children's Service worked hard during the Covid lockdown periods to be responsive to the needs of disabled children and their families. Many young people's education was disrupted which impacted on their

routines and stability. There were also heightened concerns about children’s health needs. Initially there were concerns about maintaining existing support packages but these continued where families were happy for them to do so (some families did not want the risk of carers entering the home). The service maintained high levels of contact with families and put in additional support where needed.

Short breaks are defined as any service or activity outside of school hours which gives the family of a disabled child or young person a break from their caring responsibilities, and gives the disabled child or young person an enjoyable experience. There are currently seven commissioned short breaks providers in Hackney, including providers offering support specifically within the Orthodox Jewish community.

	Mar 2019	Mar 2020	Mar 2021
Number of young people accessing short breaks	1,400	1,599	1,388

The decrease in the number of young people accessing short breaks is due to the Covid pandemic when services were closed during the year.

Since April 2021, children receiving care packages who are also on Child in Need Plans in relation to safeguarding concerns have transferred to the Disabled Children’s Service. This minimises transitions, provides more consistency and ensures that processes are clearer for families. Audits of the Disabled Children’s Service since April 2021 have included looking at assessments undertaken as well as plans when we have had safeguarding concerns about a child. These audits have found that practice requires improvement, with increasing confidence by staff when assessing and planning for these children following training, and clear evidence of management oversight on the file in general. Although practice is generally good, more work needs to be done to capture the voice of the child in plans which decreased the overall average audit grade.



Private Fostering

A child under the age of 16 (under 18, if disabled) who is cared for, or proposed to be cared for, and provided with accommodation by someone other than a parent, person with parental responsibility or close relative for 28 days or more is described as being privately fostered. Local authorities do not approve private foster carers, but are required to assess a private fostering arrangement to ensure that the welfare of privately fostered children is being safeguarded and promoted. As at 30 September 2021, nine private fostering arrangements were open to Hackney. All open privately fostered children have been known to Hackney for over a year and these arrangements have been ratified by the Care Planning Panel. All private fostering children’s records are audited regularly. The most recent audit in October 2021 found that 8 of the 9 audits were rated as ‘good’ with one rated as ‘outstanding’ and for all audits, there were no safeguarding concerns identified.

Vulnerable children in education

Highly effective joint work was undertaken across the Children and Families Service and Hackney Education within phase 1 of the Covid-19 response to vulnerable children and young people in Hackney. When schools (partially) closed due to the Covid-19 outbreak, a Covid-19 response function was created within Hackney Education to work with the First Access and Screening Team (FAST) - now the MASH - to ensure children not in school were safeguarded. This also processed referrals from school staff who had not been able to successfully contact a child while they were learning off-site and were seeking help to ascertain their safety and wellbeing. The response function was staffed on a rota basis by a group of Hackney Education managers who each had an expert understanding of the local school system and existing relationships with Hackney schools. Some children were offered

places within schools (according to the school and the Children and Families Service assessing this as appropriate) during the first lockdown period, although take up of this offer was low, as it was across much of the country, especially in London. There was an increased take up of school places in the lockdown period in January/February 2021. Education support for looked after children and their foster carers was provided by the Virtual School, and virtual activities for all children were provided by Young Hackney. When we were able to, Young Hackney safely introduced in-person activities.

In September 2020, when schools reopened to all pupils in Hackney, as they also did nationally, there was a sharp increase in parents opting to home educate their children. Concern about Covid-19 was the main reason given by parents, although some parents wanted to carry on with home education having had a positive experience during the first lockdown. To ensure that children did not unnecessarily lose their school place, pupils were not removed from their school's admission register until Hackney Education had made contact with their parents. This enabled intent to be confirmed and any misconceptions to be addressed, which meant some children remained in school education settings. The sharp increase in the number of children being home educated put pressure on our suitability assessment timescales. To ensure children were safeguarded, other Hackney Education officers were tasked with carrying out well-being home visits ahead of the suitability assessment. These visits led to some children returning to school education settings.

Children missing education

There were 586 children missing education as at 31 March 2021. This is a decrease from 648 children missing education at the end of March 2020. Nationally, a number of parents withdrew children from education settings in response to anxiety about the Covid-19 pandemic in March 2020. Locally in Hackney, the majority of children missing education are from the Orthodox Jewish community, with these children attending unregistered educational settings. As at September 2021, of 613 children missing education, 571 children were from the Orthodox Jewish community. Over the last 18 months a rapid improvement plan in relation to children missing education was developed and implemented. Key developments included:

- The development of a structure for a bi-annual teaching and a learning forum to support parents in securing positive outcomes for children and young people.
- Development and adoption of a protocol to set out our approach to engender improved relationships with the Orthodox Jewish community to establish whether or not children and young people are electively home educated.
- Launch of updated Elective Home Education policy with schools in July 2020. Public campaign (November 2020) - includes settings within the Orthodox Jewish community.
- Redesign of Elective Home Education assessment framework in accordance with statutory guidance.
- A cross service / multi agency protocol to unregistered settings, has been live since the start of September 2020.



The Experiences and Progress of Children in Care and Care Leavers

We ensured that children, young people and their carers were supported through the challenges of the pandemic, particularly in regards to their education and participation. Our changes to decision-making panels for children at the edge of care and in care are starting to ensure that only those who cannot safely live at home are coming into care and we hope to strengthen our work for our adolescents on the edge of care further over the coming year. Children in care arrangements are experiencing

greater stability. We have work to do to overcome the challenges we faced in securing health checks for our children during the pandemic and are focusing on ensuring we provide good transitions for our care leavers, with improvement in pathway plan completion rates a key area of focus. There is good work taking place across the service but our focus is on ensuring consistently high standards of practice for all of our children.

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We ensured that children, young people and their carers were supported through the challenges of the pandemic...





Making good decisions for children

Information about our looked after children

411 children (64 per 10,000) were looked after at the end of September 2021 compared with 426 children (67 per 10,000) at the end of March 2021, and 432 children (68 per 10,000) at the end of March 2020 (a 1 % decrease from March 2020 to March 2021).

There has been a significant decrease in the number of looked after children in Hackney over the last 10 months from a peak of 477 children (75 per 10,000) in November 2020, to 411 children (64 per 10,000) in September 2021. This follows a sustained increase in the number of looked after children per 10,000 during the first half of 2020/21. The September 2021 looked after children rate (64 per 10,000) is slightly higher than the 2020/21 statistical neighbour average (63 per 10,000) but is now lower than the 2020/21 national average (67 per 10,000).

Number of children in care as at 31 March

	2018/19	2019/20	2020/21	Apr to Sep 21
Number of children in care at snapshot date	405	432	426	411
Children entering care	212	228	182	64
Children leaving care	195	208	181	106

Rate of children in care as at 31 March

	2018/19	2019/20	2020/21	Apr to Sep 21
Rate of children in care per 10,000	64	68	67	64
Statistical neighbours	63	60	63	n/a
England	65	65	67	n/a

The number of unaccompanied asylum seeking children accommodated by the local authority decreased from 45 in March 2020 to 31 children in March 2021, with 30 children in this cohort as at 30th September 2021. This number represents 7.3 % of our total cohort of looked after children at the end of September 2021, a decrease compared to 10.6 % of our total cohort at the end of March 2021.

Routine audits take place for our children in care with the Head of Service, Service Managers and Practice Development Managers all undertaking these. From June - November 2021, audits found that practice requires improvement, with generally good recording and good management oversight evident on the child's case file, with concerns about safety or wellbeing well addressed. Improvements needed to be made in terms of ensuring up-to-date reports and plans were captured on the child's case file and that visits are recorded and on the child's file within timescales.

Age breakdown of looked after children at 31 March 2021

Age	2019		2020		2021	
	England	Hackney	England	Hackney	England	Hackney
Under 1	5 %	19 (5 %)	5 %	20 (5 %)	5 %	18 (4 %)
1 - 4	13 %	26 (6 %)	14 %	35 (8 %)	14 %	47 (11 %)
5 - 9	18 %	58 (14 %)	18 %	55 (13 %)	19 %	57 (13 %)
10 -15	39 %	153 (38 %)	39 %	173 (40 %)	39 %	157 (37 %)
16 +	24 %	149 (37 %)	24 %	149 (34 %)	23 %	147 (34 %)

Age of children entering care

Age	2019		2020		2021	
	England	Hackney	England	Hackney	England	Hackney
Under 1	19 %	24 (11 %)	19 %	22(10 %)	20 %	23 (13 %)
1 - 4	18 %	22 (10 %)	17 %	28 (12 %)	18 %	19 (10 %)
5 - 9	18 %	19 (9 %)	16 %	26 (11 %)	17 %	20 (11 %)
10 -15	28 %	58 (27 %)	27 %	71 (31 %)	26 %	49 (27 %)
16 +	18 %	89 (42 %)	20 %	81 (36 %)	20 %	71 (39 %)
Total		212		229		182

There was a 21 % decrease in the number of children coming into care in 2020/21. Hackney continues to have a significantly high proportion of young people who enter care at an older age, with 39 % of young people entering care aged 16 or above, compared to the England average of 20 %.

Prior to November 2020, there had been a particular increase in the number of 15-17 year olds coming into care. Some of the increase in the number of children in care in 2020 was also due to court proceedings being delayed due to the impact of the pandemic that meant that some children remained looked after rather than progressing to other arrangements. The decrease in the number of looked after children since November 2020 is linked to a number of factors including a focus within the service on edge of care work to support young people where there is a risk of family breakdown as well as changes to the Children's Resource Panel where there is senior management oversight of decisions for children to enter care. The Panel has been refreshed to offer a higher level of respectful challenge and high support, with a focus on mobilising resources to step in to a family and reduce harm, keeping children at home where possible, enabling us to be more confident that we have the right children in our care.

The Corporate Parenting Service undertook a review of all semi-independent care arrangements for 16/17 year olds in February 2021 and all residential care arrangements in June 2021 to ensure that these were the best homes for these children and young people. As a result of this review the Head of Service for Corporate Parenting reviewed the panels where decisions are made about care planning for children to ensure that there is critical oversight by senior leaders at key points for children who are at risk of coming into care, and that there is critical quality assurance for those children and young people already in our care. This has included sharpening the focus of existing panels, and adding new panels such as our Ensuring Quality Care Panel and Temporary Approval and Unregulated Care Panel to replace our previous Care Planning Panel.

There was a decrease in the number of children leaving care, with 181 children leaving care in 2020-21 compared to 208 children in 2019-20. The destinations for children leaving care in 2020-21 were as follows:

Returned home	40	Custody	5
Special Guardianship Order	14	Other	117
Adoption	5		

The majority of children who left care at the end of March 2021 (most of those included in the 'other' category above), left as a result of turning 18 and becoming care leavers. This reflects the significant proportion of children who enter care in Hackney aged 16 or above.

Edge of care pilot

In recent years our population of children in care has risen disproportionately to many other inner London boroughs and this trend has been primarily driven by the high number of adolescents coming into our care. We have been concerned that of those children entering our care in adolescence, a significant proportion are from Black or global majority backgrounds and have suspected or diagnosed additional learning needs. Often, these children are experiencing disruption simultaneously at home and at school, as they struggle to have their needs fully understood and met in both arenas. Many have experienced a number of disrupted care

arrangements within their family networks already. In this context, finding an alternative home for them where they can feel safe, secure and settled is often a real challenge.

The overall aim of the edge of care service will be to keep more children living with their families safely, where it is possible to do so, and where it is not, ensuring those children who need to be in our care are offered this support at the right time, without delay. Whilst the service will primarily focus on reducing the number of adolescents coming into care as the result of family breakdown, we plan to develop the service over time to offer additional support for the safe step down from care for some children, and to stabilise care arrangements for others. Having reviewed what works elsewhere, alongside our current edge of care offer, our plan is for the new service to adopt a clear methodological approach of brief solution focused therapy, which sits in line with our wider systemic approach to practice. We have secured Clinical Commissioning Group funding to undertake a research evaluation of a 6 month pilot of the service, allowing us to understand its effectiveness in terms of achieving positive outcomes for our children and in order to inform ongoing development. In line with our wider organisational commitment to an anti-racist lens on our practice, an element of this research will focus on the disproportionality of Black and dual heritage boys in the Youth Justice System and how this intersects with our population of children on the edge of care. We plan to pilot this approach from late 2021 - recruitment is underway in November 2021 and the service should be fully staffed by February 2022.

Evidence of Impact

Feedback from children and young people in care

Each year we undertake a survey of our children in care and care leavers. In January - March 2021, we surveyed our looked after children. Headlines from this survey, with 19 responses, include:

- 89% said they know who their social worker is
- 79% said they understood what their social worker tells them (an increase from 70% in the last survey in 2020)
- 84% said they have someone to speak to where they live
- 100% said that they think their carer / key worker cares about them

86% of children in care aged 12 to 14 said they knew who their Independent Reviewing Officer was. This was similar for 15 to 18 year olds, at 80%. This is much higher than the last survey in 2020 where 60% and 59% of young people knew their who their Independent Reviewing Officer was respectively.

The response rate for this survey was low (19 responses were received), so work is underway in the newly-restructured Safeguarding and Quality Assurance Service to better support children and young people's engagement in future surveys.

Children in care - visits and children seen alone

76 % of children in care were visited within 30 days as at 10th November 2021. In 69 % of visits where children were seen, the child was seen alone during the visit. We know that this needs to be improved and understand that this is likely to relate to recording issues - we are working on this to ensure visits and children seen alone are recorded accurately and in a timely manner.



Fostering Service

The Fostering Service approved ten mainstream foster carer households during 2020/21, an increase on the nine households approved in 2019/20. The Fostering Service continues to develop our foster carer recruitment and retention strategy, using learning from recent years. Since April 2021 we have approved 11 new fostering households, with 15 more currently in the recruitment process and 3 further households awaiting the start of a fostering assessment as at November 2021. Since 2020, 13 Supported Lodgings Hosts have also been recruited.

In April 2018 we introduced the role of Consultant Matching Officer to address the high vacancy rates for our in-house foster carers, which was

37% of our in-house foster carers at that point in time. The vacancy rate is now 7% as at November 2021 showing we are now much better at using our own in-house fostering capacity through matching our children with appropriate in-house foster carers.

A total of 28 foster carers resigned or had their approvals terminated during 2020/21 due to a change in their circumstances, a standard of care issue or retirement. Research has shown that on average approximately 13% of foster carers leave the role each year nationally.

Evidence of Impact

In November 2020, Hackney of Tomorrow, our Children in Care Council, were consulted about their views on children and young people's input to foster carer reviews. As a result of this, in February 2021, we updated the practice guidance for staff in relation to including children's voices in the foster carer review process. In June 2021, a total of 20 brief audits were undertaken on the cohort of carers who had most recently been subject to an Annual Review. Auditors reviewed the foster carer files and were asked to comment on whether the voice of the child was represented in the review process. Auditors found that practice in this area requires improvement. In 95% of annual reviews there were children living in the foster home at the time of the Annual

Review, however, in 30% of the audits it was felt by auditors that the voice of the child was not represented in the review process; when the voice of the child was captured, this was through direct feedback via feedback forms. In 82% of audits where a sibling group was living in the foster home, not all the voices of the sibling group were captured. In response to this audit, unit coordinators in the Fostering Service have been reissued with guidance about recording when feedback forms have been shared with children, and amendments have been made to the Fostering Social Workers Report template to ensure that the voice of the child is more clearly evidenced. We have scheduled to re-audit this area of practice to monitor the impact following these changes.



Participation and direct work with children in care and care leavers

Hackney of Tomorrow (HoT) - Children in Care Council

Over the past 18 months, Hackney's participation programme has focused on two key objectives: firstly, enhancing the ability of Hackney's Corporate Parenting Service to communicate directly with the young people in its care, ensuring that these young people receive clear and consistent information regarding their care status, rights/entitlements, and any specific opportunities available to them; secondly, to develop the Junior Division of our Children in Care Council, which gives younger children in care the opportunity to participate in and develop the services that they receive from their corporate parents. Highlights from the Hackney of Tomorrow activity over the last 18 months includes:

- In response to the pandemic, HoT operated virtually, then moved to a hybrid model to give children the choice of how to attend weekly meetings and participation projects. This has enabled a wider group of children and young people to connect with HoT.
- Working alongside the Placement Management Unit in the re-tendering of contracts for the semi-independent accommodation pathway for care leavers.
- *Real Talk: Our Views on Social Work Terminology* - From June to September 2020, HoT worked alongside Speech and Language

Therapists from the Virtual School in order to produce a document that presents young people's responses to social work terms and aims to change the use of language within Hackney Children and Families Service.

- HoT met with the Contact Centre provider in September 2020 to advise about the improvements that they would like to see in the service and its facilities. One significant improvement the young people asked for was the provision of a space just for teenagers.
- Hair in Care - in February 2021, HoT planned and commissioned the production of a training film for foster carers, which focused on the difficulties of growing up with afro hair whilst in the care system. The film also presents some practical advice on how to look after afro hair, as many young people have experiences of living with carers who aren't able to meet their needs in this respect.
- Youth Inspection - From November 2020-August 2021, HoT undertook a youth inspection of the Looked After Child Review process. This approach consisted of a peer-delivered survey interview of children and young people who have recently had their Looked After Child Review.



Helping and protecting looked after children

Independent Chairs and Looked After Child Reviews

During the Covid-19 lockdown restrictions, Looked After Reviews were being held virtually. The meeting format limited some of the choices children had about the venue of the meeting and the activity to be completed. However, it did not significantly impact attendance and engagement, and

it also offered some opportunities to engage with some attendees who otherwise would not have been able to attend an in-person meeting. All reports and minutes from the meetings continue to be written to the child in an age appropriate way. Through a more child and young person centred approach, these records contribute to life story work and provide a record of achievement for the child.

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Evidence of Impact

Feedback on Looked After Review meetings from children and young people:

- *“It focused on where I’ll be in the next six months, what my plan is and my progression. It’s good to know that I have a plan”*
- *“I like the fact that I received a warning about the fact that my review was coming up. It gave me time to think about what I wanted to talk about”*
- *“We just talked - it was online on the computer, which I thought was better than it being in person”*
- *“Sometimes I don’t ask questions in my Looked After Child review because I can just bring it up with my social worker one on one and feel like there’s less pressure”*

Unfortunately due to the cyber attack it is not possible to report how many Looked After Reviews were held and how many took place within timescale. As ever every effort is made to ensure reviews take place within statutory timescales. Where this has not been possible the Service Manager will make

a note of the reasons for this on the child’s record. Requests to change the planned date of a Review, if within 6 weeks of the meeting, need to be agreed by the respective Heads of Service. Depending on the needs of the child the Chair may meet or speak with the child in the interim.

During October 2020 - March 2021 92% of looked after children aged over 4 years participated in their Looked After Review by either attending and directly contribute their views, or chose an alternative means of participation including asking an advocate or nominating another person to share their views, or sharing views through a facilitative medium such as in writing or through pictures. This demonstrates that a change in service delivery methods during lockdown periods did not affect the ability to engage children in their review meetings. Whilst Chairs continue to try and

engage young people in their reviews through an activity based approach this required adaptation within a virtual meeting format. However, Chairs were creative and utilised methods such as 'scavenger hunts'; where virtual attendees all had to find an item which made them happy then show and explain why to the other attendees, or attendees play a piece of music that they felt represented the young person, children putting emojis in the chat function to represent feelings about certain topics etc.

Evidence of Impact

The Hackney of Tomorrow youth inspection of Looked After Child Reviews during November 2020-August 2021 found that:

- 84% of young people understood what their review was before they took part
- 95% of young people felt those attending their review cared about them
- 90% of young people felt their review was focused on them
- 85% of young people felt their review would benefit them in the long run

Young people commented:

- *I know my Social Worker wants the best for me and this comes out a lot in my reviews*
- *With everything that was said and any decisions that were made, my opinion was asked.*



Health of looked after children

Physical health of looked after children

Hackney Looked After Children Health Service is delivered by a dedicated team closely aligned with Hackney’s universal school-based health service and is co-located with the Virtual School to promote the delivery of a more holistic and integrated service to our looked after children and young people.

Percentage of looked after children whose health checks were in time during a 12 month period

	2018/19	2019/20	2020/21
Hackney	91 %	96 %	91 %
England	90 %	90 %	n/a

The number of children with an up to date health assessment has maintained a comparable performance to the England average.

Percentage of looked after children whose immunisations are up to date

	2018/19	2019/20	2020/21
Hackney	70 %	57 %	59 %
England	87 %	88 %	n/a

The number of children with up to date immunisations is low, and work is underway with the Council’s Public Health Service to understand this across the City of London and Hackney.

Percentage of looked after children who have an up to date dental check

	2018/19	2019/20	2020/21
Hackney	71 %	81 %	64 %
England	85 %	86 %	n/a

The number of children with an up to date dental check has declined due to the effect of the Covid-19 pandemic. Covid-19 had a significant impact nationally on the performance for health assessments, optician and dental checks, as well as immunisations as sections of the health service closed to in-person appointments or refocused resources in efforts to contain the impact of the pandemic. Work is underway to ensure children and young people we care for are now up to date with these checks following the easing of lockdown restrictions.



Mental health of looked after children

The completion rate for SDQs (Strength and Difficulty Questionnaires) decreased from 77 % of looked after children in 2019/20 to 73 % in 2020/21, in part due to the challenges of completing health assessments overall during the pandemic. However, we know that this is an area of critical importance for our looked after children, so we have now shifted our focus to ensure that SDQ scores are completed prior to a Review Health Assessment, so that mental health needs as well as physical needs can be reviewed at this forum. For those children with an SDQ score, we can see that there has been an improvement in the average score per child - with an average of

11.8 (a lower score is better - high scores are indicative of greater difficulties) in 2020/21 compared to 13.4 in 2019/20.

Our in-house clinicians support children in care in multi-agency planning using a trauma-informed and attachment-focused approach, making sense of children’s behaviours and needs in the context of their earlier life experiences. Clinicians will also support in building care arrangement stability through training and consultation to foster carers and special guardians, that focuses on developing lasting and therapeutic relationships between children and their care-givers. For our care leavers, the Clinical Service will support them to access local services and offer assessment or intervention in a time-limited, goal focused approach. The Clinical Service also supports children living with a Special Guardian and children who can access the Adoption Support Fund.

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Strengths and difficulties questionnaire	2018-19	2019-20	2020-21	England 2020-21	SN 2020-21
Children looked after for at least 12 months aged 4 to 16 with an SDQ score	79.0 %	77.0 %	72.6 %	80 %	86 %
Average score per child	14.7	13.4	11.8	14	12



“Our in-house clinicians support children in care in multi-agency planning using a trauma-informed and attachment-focused approach.”





Learning

The Virtual School

The Virtual School team provides additional educational support for children looked after, from early years all the way through to post-16 education and training opportunities, which provides continuity for children and young people in care. The Virtual School is well-resourced and includes a variety of roles including social pedagogues, learning mentors, an occupational therapist and speech and language therapists.

Key Stage 4

The progress for pupils in Key Stage 4 is monitored throughout the year and where necessary individual targeted support is offered. Where it is felt appropriate, 1 to 1 tuition is offered. All Year 11 pupils receive support to identify appropriate pathways once statutory schooling has ended, and when necessary, are accompanied to college open days and interviews by a member of the Virtual School staff.

Key Stage 4 Attainment in 2020

The GCSE examinations did not take place in 2020 and all children were given a grade by teacher assessment. The usual measures of Progress 8 and attainment 8 do not apply and only passes in English and maths can be reported.

In 2020 the results reported on all the children in our looked after cohort who were in year 11 and does not take into account the usual Department for Education measure of children who have been in care for at least a year.

Percentage of children achieving Grade 4 at Key Stage 4

	Grade 4 and above
English Language	21 %
English Literature	24 %
Maths	22 %

There are no national comparable measures available for this year.





Key Stage 2

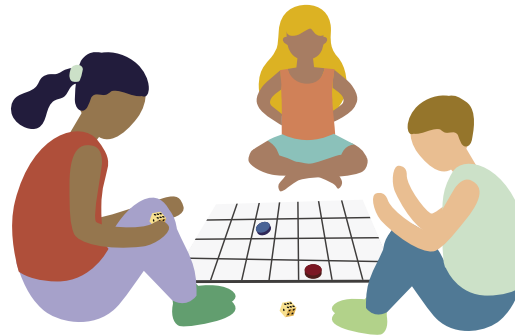
Pupils in year 6 are closely monitored and additional support is provided if it is necessary. All pupils are offered support for the transition to secondary school, and links are made with designated teachers before children transition to their new school.

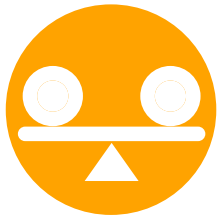
In 2020 no SATs tests took place. Children were teacher-assessed against the national standard. This year the usual reporting mechanism of the Department for Education does not apply and all young people in the cohort have been included.

Percentage of children working at the required standard at Key Stage 2

	Working at the required standard
Reading	35 %
Writing	31 %
Maths	28 %

There are no national comparable measures available this year.





Stability and permanence

Care arrangement stability

Percentage of looked after children with three or more care arrangements in one year

	2018/19	2019/20	2020/21
Hackney	13 %	12 %	10 %
Statistical Neighbour	11 %	10 %	9 %
England	11 %	11 %	9 %

There has been a positive decrease in the number of children experiencing three or more care arrangements over the course of a year - the 2020/21 outturn was 10 % which is in line only slightly higher than the statistical neighbour and national averages of 9 %. However, the proportion of adolescents coming into care who have more complex needs and experience greater care arrangement instability has increased. In recognition that this will be an ongoing issue in Hackney due to older children entering care, the Head of Corporate Parenting has reviewed the panels where decisions are made about care planning for children to ensure that there is critical oversight by senior leaders at key points for children who are at risk of coming into care, and that there is critical quality assurance for those children and young people already in our care. The Corporate Parenting Service is also introducing an Edge of

Care pilot to try and keep adolescents safely at home wherever this is possible. Recruitment to this project is currently underway.

The percentage of children aged under 16 who have been looked after for more than 2.5 years, who have lived in the same home for over 2 years

	2018/19	2019/20	2020/21
Hackney	62 %	66 %	77 %
Statistical Neighbour	70 %	71 %	70 %
England	69 %	68 %	71 %

There has been a positive increase in the proportion of children aged under 16 who have been looked after for more than 2.5 years, who have lived in the same home for over 2 years (77 % in 2020/21 compared to 66 % in 2019/20). Hackney's performance against this indicator is better than the statistical neighbour and England averages in 2020/21. While this may reflect the impact of the pandemic, we have continued to invest in our fostering service to support stability for children in our care. This has included a new therapeutic fostering group; a new support group for male carers; the continued expansion of the Mockingbird Model and ongoing oversight of decision-making around planned and unplanned moves for children through a multi-agency panel that focuses on stability for children.

Care arrangement types as at 31 March 2021

Care arrangement type	Number of looked after children
Foster care arrangements	304 (71 %)
Placed for adoption	3 (1 %)
Care arrangements with parents	23 (5 %)
Secure units, children's homes and semi-independent living accommodation	96 (23 %)
Total	426 (100%)

The vast majority of Hackney's looked after children are living with foster carers and the service continues to increase the number of in-house foster carers available to support them. At 31 March 2021, 156 children were living with in-house foster carers including connected persons carers and 148 children were living with Independent Fostering Agency carers.

Care arrangements for looked after children by location at 31 March 2021

Care arrangements location	Number of Children
Hackney	101 (24 %)
Under 20 miles from Hackney	223 (52 %)
Over 20 miles from Hackney	71 (17 %)

(Note - distance for unaccompanied asylum seeking children is not captured within this performance measure)

The majority of our looked after children were living in homes in or within 20 miles of Hackney at 76 % in March 2021 - this was the same percentage in March 2020. The majority of Hackney's looked after children are living in homes within commuting distance of Hackney. There is a strong focus on ensuring that all children, regardless of where they are living, receive the same level of support.



Mockingbird Project

The Fostering Network's Mockingbird programme is an innovative research-based method of delivering foster care using the Mockingbird Family Model, developed in the USA. The model centres on a constellation where one foster home acts as a hub, offering advice, training and support to 6-10 satellite foster or kinship families. The hub home builds strong relationships with all those in the constellation, empowering families to support each other and to build on strengths and overcome problems before they escalate or lead to breakdown. Evaluations of the Mockingbird Family Model show improved outcomes for children, young people and carers, with improved stability of care arrangements, connection with siblings, and foster carer support and retention. The project launched Hackney's first hub home in August 2019, with the second constellation established in October 2021, and a third planned to start in December 2021. The Mockingbird model promotes stability and continuity for children and young people - to date we have only had one care arrangement breakdown within the model and this child was able to be moved to another carer within their constellation who they already knew well.

Hackney is part of Adopt London North which consists of six local authorities: Hackney, Camden, Islington, Enfield, Barnet and Haringey...



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Adoption

In October 2019, Adopt London North took over responsibility for adoption services in Hackney - this means that they manage the recruitment of prospective adopters, matching children to adoptive families and the adoption process for children and families, as well as post-adoption support. In 2020/21, 5 looked after children ceased to be looked after and were adopted in Hackney (3% of those children who ceased to be looked after in 2020/21) - which is lower than the 11 children in 2019/20 and 12 children in 2018/19. This is below our statistical neighbours, that had an average of 5% of children leaving care via adoption in 2020/21.

The average time in days between a child entering care and moving in with their adopted family (adjusted for foster care adoptions) in Hackney

between 2017-2020 was 388 days, similar to the England average of 367 days and the statistical neighbour average of 362 days. The average time in days between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family between 2017-2020 was 233 days in Hackney; this is slower than the England average of 175 days and slightly slower than the statistical neighbour average of 221 days. The average time in days between a child entering care and a placement order being approved between 2017-2020 was 190 days in Hackney, faster than the England average of 261 days and the statistical neighbour average of 294 days. Many of the increases for these indicators were as a direct result of the challenges the Courts faced during the Covid-19 pandemic.



Care Leavers and transitions

Care Leaver information

376 care leavers aged between 17 and 21 were being supported by the Leaving Care service at 31 March 2021, a 12% increase compared to 335 at the same point in 2020. This number has decreased to 299 care leavers aged 17-21 at the end of September 2021. There were 79 care leavers aged 22 and older being supported as at 31st March 2021, the same number as at March 2020. This has decreased to 72 care leavers being supported aged 22 and older as at 30th September 2021.

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	2018-19	2019-20	2020-21	SN 2020-21	England 2020-21
% of care leavers aged 19-21 who were in education, employment or training	65 %	65 %	56 %	55 %	53 %
% of care leavers aged 19-21 who were in suitable accommodation	80 %	86 %	87 %	86 %	85 %
% of care leavers aged 19-21 who were in higher education	11 %	10 %	11 %	8 %	6 %

56% of Hackney care leavers aged 19 or 20 were in education, employment or training in 2020/21. This is in line with statistical neighbours (55%) but lower than the 65% in Hackney in 2019/20. Some of this decrease in performance is linked to the impact of Covid-19 on employment opportunities for care leavers (the statistical neighbour average is the most recently published data and is for the previous year). The consistent support offered by the Virtual School and social workers during the last year has again resulted in a low number of care leavers who are NEET (not in education, employment or training). There has been an increase in the percentage of care leavers who were in higher education in Hackney - from 10% in 2019-20 to 11% 2020-21, much higher than the national average of 6%.

The percentage of care leavers aged 19-21 who were in suitable accommodation in 2020/21 was 87%, an increase from 86% last year. Housing is a challenge both locally and nationally but the Service will continue efforts to improve the number of care leavers in suitable accommodation in partnership with the Council's Housing Needs Service.

Pathway plans

While pathway plan performance is improving with 47% of pathway plans for care leavers reviewed within 6 months as at 31st March 2021, which has increased to 58% as at 30th September 2021, there is still more work to do to achieve the 100% compliance target set by the service for the end of March 2022. Data as at November 2021 shows that 31% of pathway plans were out of timescale, an improvement on September 2021 when 44% were out of timescale. A new panel has been established with the Service

Manager and Practice Development Manager reviewing all out of date pathway plans from October 2021.

Evidence of Impact

Pathway plans

An audit of 8 pathway plans for care leavers aged 18 and older took place in May 2021 and found that practice in this area required improvement. Good examples of plans were written directly to the young person, clearly captured specific areas of strength and need, and it was evident that practitioners had developed strong, open, trusting relationships with young people over time. In some instances, the frequency of contact with young people needed to improve in line with our practice standards, and the style of pathway plans needed to be more consistent and written to the young person. Next steps to improve practice in this area included ensuring visits to care leavers were taking place in line with our practice standards and recorded correctly. These areas are being closely monitored by managers in the service.

Audits of support for care leavers take place routinely to understand the quality of practice in this area. From May - July 2021, 12 audits show that practice is rated as requires improvement, with greater focus on the quality and timeliness of pathway plans needed, and an increase in management oversight needed. There was generally good safety planning on the young

person's case file where this was necessary, as well as good overall recording evidenced on the young person's case file.

Care leavers annual survey

Each year we undertake a survey of our children in care and care leavers. In January-March 2021, we surveyed our care leavers and headlines from this survey include, from 21 responses:

- 81% said they find it easy to speak to their Leaving Care worker - an increase from 73% in the last survey in 2020.
- 90% said their Leaving Care worker helps wthem with problems they have - an increase from 76% in the last survey.
- 90% said their Leaving Care worker does what they say they will - an increase from 73% in the last survey

57% said they have someone to speak to where they live, plus another 33% replied 'sometimes'. This is a considerable improvement from the last survey in 2020 where only 13% said they had someone to speak to where they live (plus another 20% said 'sometimes').

Apprenticeships and employment support for care leavers

The Employment Pathways Team within Hackney Works manages a range of early career programmes. This includes supported internships; the new government Kickstart Scheme which aims to generate six-month work placements for 16-24 year olds who are currently on Universal Credit and at risk of long-term unemployment; and also the Hackney Council apprenticeship programme, which guarantees an interview for care leavers. Hackney Council currently offers more than 100 apprentice placements in many different departments, such as Housing, ICT, Trades, Business Administration, Youth Work, and Finance. Currently the programme has a 75 % success rate, in terms of supporting those enrolled

on an apprenticeship into work or a higher level apprenticeship at the conclusion of their apprenticeship. As well as the Council offering a range of apprenticeships within the Council, the Council also works with other local providers in the private sector to develop apprenticeship opportunities, although these apprenticeships do not offer a guaranteed interview for care leavers. Currently, wherever appropriate, the Virtual School and the Leaving Care Service support young people to apply for local apprenticeship opportunities and spend time with each young person who applies to ensure their application form is the best it can be. Work is underway to further strengthen our employment offer to care leavers within the Council, with a number of proposals being explored with senior leaders, including ring-fencing opportunities for care leavers.

Evidence of Impact

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Disabled looked after children and transitions

An audit was undertaken in October 2021 on the theme of the experiences of our looked after children and care leavers who are disabled. These included a review of practice for: 6 looked after children who have a disability; 4 care leavers who have a disability and 2 in-house foster carers who care for a child with a disability. The audits found evidence of good practice, including long-term settled and loving homes, high quality recording and detailed, well-considered reports and high levels of multi-agency support. Audits also found areas of improvement needed, including the need to do more to begin transition planning for disabled children earlier, with greater clarity required within the service about transition processes for disabled looked after children, including a stronger understanding across the service of the options available post-18

and how we best prepare young people and their carers for this transition. As a result of this audit, multi-agency practice guidance about transition planning for looked after children who are disabled is being developed with Adult Social Care in November/ December 2021 to clarify roles, responsibilities and processes in the hope of improving this transition process for our young people.

Leaving Care Welfare and Benefits

Following the introduction of a dedicated Leaving Care Welfare and Benefits Officer in March 2020, we have had a 34% increase in the number of care leavers claiming the correct benefits for their accommodation. Hackney is currently at 73% of all eligible young people claiming which is the highest figure we have had in the last 5 years.

Young people have been feeding back about their experience of using the Leaving Care Welfare and Benefits service:

- *“The officer was easy to reach if I had any queries. She would take any phone calls to help guide me through any bits I was uncertain with. She answered any questions my carers and I had and was also very lovely and understanding!”*
- *“I am really bad at filling out forms, that’s one of my weaknesses but the officer guided me through everything and was patient with me and when I made mistakes she told me what to correct and I was able to complete everything.”*





The Impact of Leaders on Social Work Practice with Children and Families

A significant number of changes to our practice model have been made over a relatively short period of time as part of our accelerated focus on improvement in 2021, which some staff have told us they have found challenging. Work is underway to fully embed these changes and ensure that staff at all levels fully understand the expectations of their roles. Good progress is being made in terms of our focus on anti-racist practice and

leaders are appropriately refining the approach to quality assurance to evidence the quality of practice and impact of changes. The complex work to develop a comprehensive case recording system for the Children and Families Service has continued to be a top priority for the Council and this is being driven by senior leaders to ensure social workers have the tools they need to do their jobs well.

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A significant number of changes to our practice model have been made over a relatively short period of time as part of our accelerated focus on improvement in 2021 ...





Strategic Leadership

Driving improvement

Our focus on improvement accelerated from early 2021, with a refocused energy to make the changes needed to improve our service for children at pace. This has included taking decisive action to improve management oversight on cases, through reviewing our line management structure as well as introducing robust supervision arrangements. The legacy of the cyberattack in October 2020 cannot be understated, and the complex work to develop a comprehensive case recording system for the Children and Families Service has continued to be a top priority for the Council. The new Group Director of Children and Education has driven this work since she started in post in August 2021. There is a commitment and clear plans in place to ensure that practitioners are able to record on children's case files on a comprehensive recording system (Mosaic) by April 2022, and this plan and timescales have been communicated to practitioners.

The Ofsted focused visit in July 2021 provided a helpful stocktake and an external perspective on where we are at in our improvement journey and confirmed that we know ourselves well through our quality assurance framework. Inspectors found that: "dedicated scrutiny by senior leaders and strengthened management oversight mean that children in Hackney are benefiting from improving social work practice when they are in need or on a child protection plan." The Ofsted visit also provided additional external scrutiny of the changes we have made to the Hackney model of social work over the last year to further strengthen management oversight of frontline practice, and increase transparency and accountability in the service.

We have worked on refreshing our improvement plan to incorporate the learning from the focused visit and to stretch ourselves to focus on getting to outstanding in terms of the support we provide to children and families.

The refreshed improvement plan is themed around the priorities outlined at the start of this report. Strong governance arrangements continue to monitor and drive our improvement, with an officer board chaired by the Chief Executive, and a member board co-chaired by the Mayor and Lead Member providing clear accountability for senior leaders.

Changes to Hackney model of social work

Focus on increasing the line of sight of senior leaders and management oversight

Many of the changes that have been introduced over the last year aim to increase the line of sight from senior leaders to frontline practice. These include the introduction of the Need to Know Forum and Need to Know Briefings from March 2021 to ensure a clear line of sight up to the statutory Director of Children's Services on practice where there are matters of high risk that relate directly to a child, young person and/or family or where there are other serious high risk matters that impact significantly on the local authority. As well as the introduction of a new monthly quality assurance process that all managers from the frontline to senior managers in the service take part in (further information is included in the section on Learning Culture below).

We have focused on strengthening management oversight, including through the realignment of the Practice Development Manager role from Spring 2021 to create an additional level of management without case holding responsibility in the Family Intervention and Support Service and the Corporate Parenting Service, with an increased emphasis on leadership and a focus on ensuring consistency of practice across social work units.

We have also strengthened the Children’s Resource Panel, chaired by the Director of Children’s Social Care, to make it clearer that the panel makes the decision as to whether or not a child is going to come into the care of the local authority. The panel also reviews and approves requests for residential care arrangements and approval of care arrangements of children at home with parents.

Case allocation and introduction of individual professional casework supervision

In February 2021 we fundamentally changed the way that work with

children is allocated within the service, with children now allocated to individual social workers as opposed to a social work unit. This change has engendered individual accountability for individual social workers, improved transparency and provided more equity and consistency in terms of case management across individual social work units across the directorate.

One of the key improvements in the service in 2021 was the roll out of individual professional casework supervision from April 2021, following on from the introduction of individual case allocation. A new supervision policy was introduced, supported by mandatory training for every practice manager in the Children and Families Service.

Evidence of Impact

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Regular supervision audits have been scheduled to monitor the quality of supervision being delivered and the recording of this on children’s files. Casework supervision records will provide key evidence about the progress of children’s plans and the quality of management oversight in achieving great outcomes for children in accordance with Hackney’s practice standards. An audit of 67 supervision records undertaken in May/June 2021 found that 58% were graded ‘good’ or better (6% outstanding, 52% good, 33%

requires improvement and 9% inadequate). The audits evidenced a very strong focus on outcomes and progress of the child’s plan, strong voice of the child, very strong management oversight, and clear contingency planning. Areas for improvement identified included exploration of identity / anti-racist practice / social GRAACES and this will be addressed through our anti-racist action plan.

- ... A new supervision policy was introduced, supported by mandatory training for every practice manager in the Children and Families Service.





Anti-Racist Practice

Children and Families Service Anti-Racist Position Statement

Hackney Children and Families Service is committed to eradicating systemic racism, discrimination, injustice, making anti-racism a foundation of our practice. We will be a voice and force for change, for every child and family that we work for and with, to recognise and address the impact of racism on children and families within our practice, to apply our antiracist principles in all of our interactions with and decision-making about children and to determinedly and actively, demand the same from our partners. We will be committed to calling out racism, discrimination, microaggressions and will ensure that this is addressed at all levels in the council to ensure that children and their families and the workforce are supported and valued.

Within Hackney Children and Families Service, we acknowledge the harm and impact of racism and that the experience of our Black staff and those from other global majority ethnic groups, is not the same as that of our white staff and we are committed to ensuring that all voices are represented and heard at every level providing support to staff who experience work-based racism and microaggressions. To that end, making sure that our workforce reflects the community which we serve, especially at the senior leadership level.

Our Anti-Racist Action Plan Goals

- 1. Inclusive Recruitment and Aspirational Support for Staff:** Staff workforce is representative of the child and family population in Hackney at all levels, including at senior leadership levels.
- 2. Anti-Racist Leadership and Practice with Children and Families:** Leadership and practice with children and families takes a pro-actively anti-racist stance to address racism, discrimination and inequality.
- 3. Promoting Anti-Racist Practice to influence broader systems that affect children and families' lives:** Leaders and practitioners across the Children and Families Service take action to address structural racism and proactively lead, support and constructively challenge the broader system including in partnership discussions as required.

Building upon work undertaken as part of the Improving Outcomes for Young Black Men Programme, in July 2020, Children and Families Services committed to create and implement our anti-racist action plan. Our Anti-Racist Position Statement, makes clear the journey we need to take as a service to improve the experience and progression of our staff but, importantly, the Children and Young people of Hackney who are disproportionately affected by racism. We are committed to fighting racism and being anti-racist in the Children and Families Service. From the beginning, we knew that to really achieve this, anti-racism work had to take a “grassroots” approach, including the broadest possible range of experience and perspectives from across the whole of our diverse workforce.

Currently, colleagues involved in the action plan represent the diversity of our workforce, with accountability held by the Senior Leadership Team and representatives from Black and Global majority ethnic staff who form our Promoting Racial Equality Leadership Group (PRELG). Our new Diversity and Inclusion Lead role steers the anti-racist action plan, ensuring that our working groups and focus groups are a safe space for everyone involved - valuing all perspectives and experiences equally. This ethos is important as it allows colleagues from different areas and levels of position to come together with openness and honesty. Our initial achievements include:

- Re-launch of the Promoting Racial Equality Leadership group in October 2021.
- Lets Talk Anti Racist Podcast Series over summer-autumn 2021.
- Reviewed and made recommendations in respect of our Children and Families Service Recruitment Protocol and developed our Anti-Racist Practice Standards which will be launched January 2022
- 3 year programme of anti-racist conversations through Action Learning Sets for all staff; first round to be evaluated by end 2021
- Racialised trauma peer support groups launched in partnership with the Corporate Strategy and Policy team - September-December 2021
- First joint workshop with colleagues in Hackney Education to review synergy in respective anti-racist action plans and opportunities to closely collaborate took place November 2021
- Diversity in Recruitment Champion Training due to be initiated January 2022
- Children and Families Service Anti Racist Praxis Conference on Racial Trauma - scheduled for April 2022



Workforce and caseloads

A refreshed Workforce Development Strategy for 2022 onwards is being finalised to further develop our workforce to meet the need for accountable, flexible and highly skilled practitioners and support staff.

A particular focus for the service over the coming year is the recruitment and retention of staff. We will be reviewing our offer to social workers to ensure we are able to recruit excellent social workers at all levels in the highly competitive London jobs market, as well as strengthening our induction, training and development offer to retain and progress our staff.

An extensive training and learning programme is currently in place which includes a comprehensive ASYE (Assessed and Supported Year in Employment) programme for newly qualified social workers with 13 ASYE social workers in the service at November 2021; and a staff training programme, which is informed and developed with feedback from staff. We will be working on further strengthening these learning programmes over the coming months, including for new managers.

A refreshed exit interview process has now been in place since April 2020.

All staff leaving the organisation are offered the opportunity to contribute feedback through exit interviews. Over the past 3 months, 11 exit interviews were conducted with staff leaving the organisation. Key findings from exit interviews are analysed in more detail and discussed at the Workforce Development Board, chaired by the Director of Children's Social Care to ensure this quality assurance information informs our action plans for the service.

Staff wellbeing

Regular virtual drop in and engagement sessions have continued with the new leadership to ensure that staff views are listened to. The Staff Reference Group that was established in summer 2020 has also continued to meet, acting as a critical friend and sounding board to senior leaders on service improvement and policy development, as well as overall staff wellbeing. Following changes in senior leadership the Staff Reference Group has been relaunched and is now meeting with the Director of Children's Social Care every 6 weeks.

Evidence of Impact

We have carried out a number of surveys over the last 18 months to understand staff welfare and wellbeing. These have included the Research in Practice Social Work Organisational Research Diagnostic (SWORD) in summer 2021 and a Council-wide staff survey in Autumn 2021.

Research in Practice Social Work Organisational Research Diagnostic survey

The findings of the Research in Practice Social Work Organisational Research Diagnostic (SWORD) were largely positive and 130

members of staff responded. **Overall:**

- 17% of staff felt their work was mildly stressful;
- 45% found work to be moderately stressful;
- 28% found work to be very stressful; and
- 7% found work to be extremely stressful

Areas of strength identified in the survey included:

- 87% of staff agree that managers are available when they need support
- 88% of staff responded positively in relation to feeling respected and supported by their colleagues
- 83% of staff responded positively when asked if they found their job meaningful
- 71% of staff feel they are able to access the training needed to do their job
- There was a general sense that staff are treated fairly (81% positive response rate) and that staff feel they are trusted to do a good job (92% positive response rate)

Areas to develop:

- 64% of staff responded negatively when asked if change was managed sensitively with a balance maintained between change and stability with 29% of respondents 'strongly disagreeing' with this statement
- 65% of respondents disagreed that there was an understanding of the impact of organisational change and action taken to manage it effectively

These findings have influenced the development of the refreshed Workforce Development Strategy for 2022 onwards that is currently being finalised.

Council staff survey

The findings from the Council-wide staff survey in Autumn 2021 for the Children and Education Directorate were broadly in line with the Research in Practice survey. 82% of staff feel that their manager genuinely cares about their wellbeing, 79% of staff feel that they are part of a team, and 81% of staff are able to take time out from work when they need to. Key areas for improvement include that only 30% of staff think that morale is high (this was in line with the findings for the wider Council), 23% think that something is done when someone is not performing in their role, and 39% think that leaders have communicated a motivating vision.

We recognise that morale in some parts of the service may be lower following the impact of the pandemic and the cyberattack, together with the process of embedding some of the changes we have introduced over the last year to improve and drive progress for children. Ofsted confirmed what we already knew in July 2021 that “many staff are very happy working in Hackney and feel well supported through a unique and complex set of challenges. For some staff, the pace of change has been too quick and they have not felt as well informed as they would have liked. The skilled workforce recognises the benefits of the changes and understands that some resetting of baseline expectations was necessary. Senior leaders understand that, having laid solid foundations, there is more work to do to support staff during the ongoing changes.”

We recognise that we have further work to do to ensure we manage change well and keep staff on board with any further changes we make to improve practice and outcomes for children and families, and to continue to embed the changes we have already made.

Workforce data

Percentage of agency social workers

	2019	2020	2021
Hackney	28.1 %	32 %	22 %
Statistical Neighbour	23.1 %	22 %	n/a
England	15.8 %	15.4 %	n/a

There has been a decrease of 10 percentage points in the percentage of agency staff as a total of our social workers as at 30 September 2021, which has brought us in line with the statistical neighbour average of 22 % in 2020. The service has focused on recruiting staff permanently wherever possible, including recruiting existing agency staff to permanent roles, and reducing staff numbers where demand has been reduced as a result of the changes we have made in managing thresholds at the front door, and the reduction in referrals as a result of the pandemic. In 2020, the higher agency staffing reflected measures that were put in place during the year to temporarily increase social worker capacity to respond to increases in demand in the service.

Vacancy rate for permanent social workers

	2019	2020	2021
Hackney	24 %	23 %	22 %
Statistical Neighbour	22 %	21 %	n/a
England	16 %	16 %	n/a

Hackney's vacancy rate for permanent social workers has continued to decrease from 24 % in 2019 to 22 % as at the end of September 2021.

This is closer to our statistical neighbours, but still higher than the England average for the last year.

Percentage rate of social worker turnover

	2019	2020	2021
Hackney	8.3	15.9	11.7
Statistical Neighbour	16.8	16	n/a
England	15.1	13.5	n/a

Our social worker turnover rate reduced from 15.9 in 2020 to 11.7 in 2021, representing an improvement in retaining social workers during this period. As our practitioners have faced considerable challenges over the last year including the continued pandemic and the significant impact of the cyberattack in Hackney on our recording systems and their day to day work experience, we are proud that our social worker turnover rate actually decreased during this period meaning we were able to support and retain staff.

Cases (children) per social worker (based on FTE equivalents)

	2019	2020	2021
Hackney	18	16.4	14
Statistical Neighbour	15	14.0	n/a
England	17	16.3	n/a

Hackney's average social worker caseload, as calculated using the Department for Education methodology, has decreased over the past year as the number of children and the number of social workers have reduced in the service. However this measure does not reflect an accurate picture of caseloads for our social workers as it divides the number of children we

are supporting equally across all case holding social workers, including our Consultant Social Workers and ASYE social workers who hold smaller caseloads. As at 30 September 2021, the average caseload for social workers (excluding Consultant Social Workers) was 17 children. This figure still does not account for the lower caseloads held by our ASYE social workers, so the reality for some social workers will be higher than this average caseload figure.

As a result of individual casework allocation we are now more effectively able to monitor caseloads for individual practitioners and this enables us to be more agile in allocating resources according to need. Our aim is that

ASYE Social Workers will hold no more than 11 or 12 children; case holding social workers will hold around 18 children; and Consultant Social Workers will hold approximately 5 children, alongside their management duties. The very nature of work in the Access and Assessment Service means that caseloads will fluctuate around these numbers at times. The weekly Children and Families Management Team allows for a weekly check in with Heads of Service on any specific workload pressures and an opportunity to step in to find solutions as a focused leadership team, coupled with the implementation of the Driving Quality, Improvement and Performance (DQIP) framework, there is now a strong line of sight from the Director to the frontline practitioner.

... As a result of individual casework allocation we are now more effectively able to monitor caseloads for individual practitioners and this enables us to be more agile in allocating resources according to need...





Learning culture

Continuing to strengthen our approach to Quality Assurance

Our quality assurance framework is focused on continuous improvement and we strive to ensure that we are always learning from the children and families we support. We revisit our framework regularly and our most recent changes to the audit programme include our response to the cyberattack and subsequent lack of access to children's records by introducing a 'Live Learning' audit approach. We have also introduced clearer audit moderation and follow-up processes, with further work to fully embed these across the service being introduced in the coming months.

For audits are moderated by the auditor's line manager, who will be at a Head of Service level or more senior. For brief audits, these are moderated by a Service Manager who does not oversee the work being audited, using a moderation tool. All audits that have found practice to be 'requires improvement' or 'inadequate' are subject to a re-audit once 3 months have passed, to check that improvement actions highlighted by the auditor have been complete, and that practice for that child/ren has now reached 'good'. Where practice is found to be 'inadequate' in an audit, responsible Service Managers are required to undertake 2 dip sample audits of practice so as to explore whether this is as a result of practice with just one child or whether there is a theme of poor practice with an individual practitioner. Each line manager has a responsibility for tracking practice improvement following an audit outcome of 'inadequate'.

Quality assurance is not limited to audit activity however, and as part of our work to strengthen our approach to quality assurance, we have also

reviewed the support needed to deliver wider assurance such as feedback from children and families and how this links to our workforce development and improvement work. In May 2021 our Safeguarding and Learning Team was formally restructured following a consultation and became the Quality Assurance and Improvement Team with 4 distinct hubs, one of which is dedicated to Quality Assurance. Within the Complaints and Feedback Hub we have recruited a dedicated permanent family feedback officer to more proactively gather and analyse feedback from children and their families, including through the development of parent/carer and young people advisory groups. A refreshed family feedback programme will be launched in Spring 2022 to ensure this programme is driving improvements to practice and is a key strand of our quality assurance framework.

During the Ofsted focused visit, inspectors found "managers and leaders are well informed through an audit process that provides a targeted focus on specific areas of practice that have needed development, such as multi-agency strategy discussions and fuller 'live learning' audits". We were already aware that we needed to strengthen our audit moderation process and following up the impact of audits and Ofsted also recognised this as outlined above.

We have worked to increase the number of Independent Chairs in order to reduce caseloads to enable Chairs to have more effective oversight of practice including through introducing a consistent approach to mid-point monitoring between Looked After Reviews and Child Protection Conferences and engaging Independent Chairs in our audit programme. During the Ofsted focused visit in July 2021, inspectors noted that "independent reviewing officers maintain effective oversight that includes a helpful mid-

point review”. An audit of the mid-way oversight on 27 Child Protection Plans that took place in August-September 2021 found that this area requires improvement, with practice improving as the use of the mid-way oversight tool was embedded, with evidence the plan was progressing for the child, or concerns being escalated by the Independent Chair if not.

There has been an increased focus on escalations by Independent Chairs following the cyberattack in October 2020, however the interim social care system makes it harder to record and understand the response to

escalations by Chairs. Escalations have generally been in relation to a lack of or late reports, and lack of progression of actions in plans. We do know that there has been an inconsistent response to escalations when they are raised. In order to better support this work and improve practice, a monthly Independent Chair escalation oversight meeting with the Heads of Service for the Family Intervention and Support Service and Corporate Parenting was introduced from November 2021.

Evidence of Impact

The cyberattack in October 2020 meant that we were prevented from accessing any of our records for children and also meant that we did not have a service wide recording system to access newly created records at that point in time. Service areas continued with routine brief audits, contacting individual practitioners and managers to access key documents that they held within unit shared files. In this context we adapted our approach to auditing and introduced a ‘Live Learning’ approach to our full Case Review Day audits, engaging practitioners in an Appreciative Enquiry dialogue whilst reviewing records created for children since October 2020, with a focus for this audit round in particular upon the impact of the cyberattack upon practice and our evidence of practice since that time. This audit took place in April 2021 and found that practice required improvement. **The audit found that:**

- Practitioners know families well and have positive relationships with children

- Positive exploration of identity with assessments and interventions
- Recording does not reflect practice (includes cyber attack impact/challenges of interim system)
- Escalation with partner agencies not consistently taking place
- Not enough challenge to families blocking visits citing Covid-19

Areas for improvement identified included the need to resolve the ICT issues affecting practitioners’ ability to record effectively; the need to ensure plans are goal-focused with time-frames and reviews in place to measure practice; the need to strengthen escalation with partner agencies; and engagement with fathers.

Key to our strengthened approach to quality assurance is the introduction of the Driving Quality, Improvement and Performance (DQIP) forum from June 2021 - the central Children and Families Service meeting to evidence and

reflect on the quality of practice in the service. This involves a monthly cycle of managers at all levels of the organisation evidencing and reflecting on what is working well / what are we worried about / what needs to happen in

the following areas:

- the workforce
- practice
- service performance in the 3 months
- feedback from quality assurance

The DQIP framework increases transparency and accountability within the system and supports a 'bottom up' approach to quality assurance so that all levels of managers are involved in the process and are accountable for performance and improvement in their units/services. The monthly DQIP forum, chaired by the Director of Children's Social Care, has a critical role in the quality assurance of the Children and Families Service as the forum where quantitative and qualitative learning is brought together in combination with reporting from every practice line manager in the service. The purpose of the DQIP framework is to quality assure against the standards that have been set for practice across the Children and Families Service and to drive improvements in practice in a transparent way. This includes information from the Safeguarding and Quality Assurance Service to support our learning about the impact of practice, such as Independent

Chair escalations; complaints learning; feedback from children and families; internal audits; City and Hackney Safeguarding Partnership multi-agency audits; and learning from Child Safeguarding Practice Reviews. Four DQIP cycles have taken place to date, and we are continuing to embed and develop this process to ensure it has impact and drives improvements in practice.

Further to staff feedback following the Ofsted ILACS inspection and a successful pilot in 2020, we have also developed an approach to ensure senior and middle managers get a better sense of live practice across the service, ensuring that we are better connected and supportive of frontline practitioners whilst identifying strengths and any areas for further development across the service. Learning Visits provide an opportunity for line managers and senior managers to accompany practitioners to home visits or meetings with families to provide support and to ensure senior and middle managers retain direct experience of live practice and to enable them to experience the quality of practice across our services to children and their families. We will be rolling out Learning Visits across the service from January 2022 and incorporating the learning into our monthly DQIP quality assurance framework.

... A refreshed family feedback programme will be launched in Spring 2022 to ensure this programme is driving improvements to practice and is a key strand of our quality assurance framework.





Financial Update

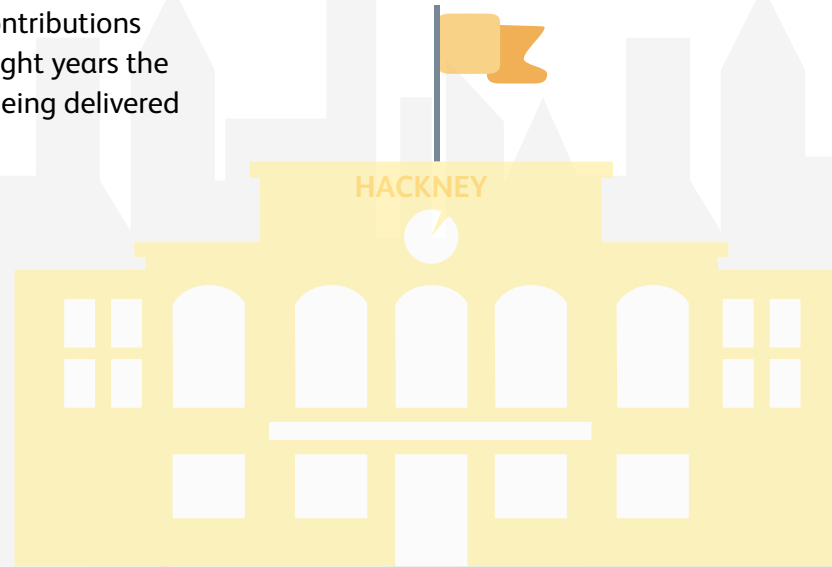
The outturn for 2020/21 for the Children and Families Service on a net budget of £61.5m was an overspend of £3.2m after use of grants and reserves of £10.5m including a drawdown on the Commissioning Reserve of £3.9m and £4.7m of Social Care Grant funding. The overspend of £3.2m including £2m of Covid-19 related expenditure incurred by the service. There has been a requirement to draw down from the Commissioning Reserve since 2012/13 due to the increased number of children in care and a shortage of in-house foster carers.

The financial position for 2021/22 is a net budget of £61m for the Children and Families Service, and the service is forecasting to overspend by £2.4m (as at October 2021) after use of reserves and drawdown of grants totalling £3.2m (including full use of the commissioning activity reserve of £3.7m and £6.3m of Social Care Grant funding). The overspend of £2.4m includes £1.2m of Covid-19 related expenditure incurred by the service. Within the current forecast, cost reduction proposals have been agreed by the service to reduce the overspend.

The Children and Families Service has continued to make contributions to the efficiency agenda of the Council. Over the previous eight years the service has delivered £11.6m savings with a further £280k being delivered

in 2021/22. The increase in commissioning costs has been driven by an increase in the number of looked after children since 2011/12. There is a continuation of a large proportion of children being placed with independent fostering agencies (IFAs) due to a lack of suitable in-house foster carers. The cost of an IFA care arrangement is significantly greater than that of an in-house care arrangement.

Hackney has also seen an increase in residential care arrangements since 2015 adding considerable budget pressures with an average annual unit cost of £250k. We are also seeing a rise in the number of under 18s in high-cost semi-independent care arrangements. Where young people in their late teens are deemed to be vulnerable, and in many cases are transitioning from residential to semi-independent care arrangements, where they still require a high level of support and in extreme circumstances bespoke crisis packages. These pressures have been recognised by the Group Director of Finance & Corporate Resources with a growth of £10.1m in total included in the budget.



Front cover image:
Children at Simon Marks School for Festive Film 2020
by Dog Leap Films

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ANNUAL REPORT OF THE PENSION COMMITTEE 2020-21	
Council MEETING DATE (2021/22) 26 January 2022	CLASSIFICATION: OPEN
WARD(S) AFFECTED N/A	
GROUP DIRECTOR Ian Williams, Group Director- Finance & Corporate Resources	

1. SUMMARY

- 1.1 The purpose of this report is to detail the role of the Pensions Committee and summarise the key activities and achievements in 2020/21 that demonstrate how the Committee has fulfilled its role as the Scheme Manager for the London Borough of Hackney Pension Fund. This report will be presented to full Council at its January 2022 meeting as a summary of the Committee's activities

2. RECOMMENDATIONS:

- 2.1 Council is recommended to note the report.

3. BACKGROUND

- 3.1 Delegated powers under the Council Constitution have been given to the Pensions Committee to oversee the management of the Pension Fund as the Scheme Manager and are set out in the Terms of Reference for the Committee.
- 3.2 The Pensions Committee is a committee of the Council and reports annually on the work undertaken at Committee. The attached report covers the 2020/21 Financial Year, during which the Committee has met 4 times to cover a broad spectrum of pension related business. The full programme of work and training undertaken by the Committee is set out in the Appendix to this report.
- 3.3 Members continued with an extensive training programme during the year which reflected the key requirements laid down in the CIPFA Knowledge and Skills Framework.

- 3.4 The Annual Report of the Committee evidences the work that the Committee has undertaken and demonstrates that it has discharged its responsibilities effectively both in terms of its legal responsibilities under the LGPS Regulations and the Committee's Terms of Reference.
- 3.5 The coming year will continue to provide the Committee with an extensive work programme which includes work on the continued implementation of its investment strategy following its refresh during 2020/21 and its ambitions to reduce its exposure to fossil fuel reserves and focus on other areas of responsible investment. The Committee will consider its progress towards meeting its current carbon exposure target and the development of a new target for the future. The Committee will also continue to closely monitor the quality of membership data submitted to the Fund, with ongoing work for officers on process improvements within the Council. A number of policy reviews will also be undertaken to update current arrangements. Ongoing training for the Committee in relation to both the Knowledge and Skills Framework and pertinent investment and governance issues will continue to be a regular feature as will monitoring of funding levels and investment performance

4. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

- 4.1 The Pensions Committee acts as Scheme Manager for the London Borough of Hackney Pension Fund and is responsible for the management of approximately £1.86 billion worth of assets and for ensuring the effective and efficient running of the Pension Fund.
- 4.2 The decisions taken by the Committee impact directly on the financial standing of the Fund and can therefore affect its funding level and its ability to meet its liabilities. These decisions could therefore also impact on the contribution rates payable by employers participating in the Fund, including the Council itself.
- 4.3 There are no immediate financial implications arising from this report.

5. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 5.1 The Council's Constitution gives the Pensions Committee responsibility for a wide range of functions relating to management of the Council's Pension fund. In carrying out those functions the Committee must have regard to the various legislative obligations imposed on the Council as the Fund's Administering Authority, particularly by the Local Government Pension Scheme (LGPS) Regulations 2013.

5.2 The annual report of the Pensions Committee's activities demonstrates how it has undertaken and fulfilled its statutory and constitutional responsibilities during 2020/21.

APPENDICES

Appendix 1 - Annual Report of the Pensions Committee 2020-21

BACKGROUND PAPERS (as defined by Local Government (Access to Information) Act 1985)

None

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APPENDIX 1

Annual Report of the Pensions Committee 2020-2021

I

ANNUAL REPORT OF THE PENSIONS COMMITTEE 2020/21

1. CHAIR'S INTRODUCTION – COUNCILLOR ROBERT CHAPMAN

1.1 The Pensions Committee is responsible for the management of the Pension Fund and acts on behalf of the London Borough of Hackney as the administering authority. We have responsibility for all aspects of managing the Pension Fund, including the Fund's investments, maintaining member records and ensuring that governance arrangements are appropriate. This is a considerable responsibility; the Pension Fund was valued at £1.864bn at 31 March 2021 and has circa 25,000 members.

1.2 2020/21 has been a busy year for the Hackney Pension Fund, with a focus on the development of a revised investment strategy and the start of a review of the Fund's approach to responsible investment. The Fund has also continued to implement significant improvements to its third party administration service in addition to dealing with the continuing impact of the Covid-19 pandemic throughout the year.

1.3 As reported in 2019/20, the interim review to assess progress against the target of reducing its exposure to fossil fuel reserves by 50% over 6 years showed that we had reduced exposure to carbon reserves by 31.4% between July 2016 and June 2019, well over halfway to its target of 50% over 6 years, with 60% of the target reduction already achieved. Following on from that review, the results were used to inform a revised investment strategy agreed during 2020/21 to help meet our overall target of at least a 50% reduction in exposure to future CO2 emissions.

1.4 We are proud to have responded to this issue early and to have been one of the first LGPS funds to set and transparently monitor performance against a carbon reduction target.

1.5 Looking to investment more widely, 2020/21 was once again a volatile year for investment markets. However, over the year to 31st March 2021, the Fund returned +25.6%, above the local authority pension fund average of +22.7%. The Fund's strongest performing asset class in absolute terms was equities although all asset classes in which the Fund is invested returned positive results. Whilst the Fund made no physical significant allocation changes during the year, drawdown to the private debt mandates agreed during 2018/19 continued throughout the year and the Fund agreed a new investment strategy to be implemented during 2021/22 focusing on pooling assets within the London CIV and more sustainable mandates. The

Fund's approach to investment in infrastructure was also agreed as part of the revised investment strategy.

1.6 The Fund's 2019 actuarial valuation saw the funding level improve to 92%, allowing the Council's contribution rate from 33% to 31.5% for 2020/21, with a further reduction to 30.0% planned for 2021/22. Since 31st March 2019, economic conditions have changed very considerably and as reported in last year's report and accounts, the funding level had decreased to 82.4% at 31st March 2020. I am pleased to report that by the end of 2020/21, the funding level had recovered and improved to 102%, representing a small surplus of £24m as at 31 March 2021, largely a result of the positive investment performance as outlined previously.

1.7 2020/21 has also seen another busy year for our administration team. The team have worked hard over the year to continue to ensure that pensions and other benefits continue to be paid as they fall due despite difficulties posed by the ongoing effects of the Covid pandemic. Improvements to the Fund's administration service have continued to be a major focus with further development of the new fund website and continued work on introducing online member and employer self-service.

1.8 The team have also continued a major program of work with the Council's payroll and ICT teams to help improve the quality of data submitted to the Fund. The team have assisted in the development of a new interface for the Council to submit data. We have experienced significant issues with data quality in recent years and, this interface is therefore seen as key to resolving many of these issues going forward. It is anticipated that the new interface will be completed and running live by mid-late 2021/22.

1.9 The Committee agrees a training programme each year to ensure that it is able to evidence it has met the requirements of the CIPFA Knowledge and Skills programme and is able to fulfil the governance role with which it is charged. The Committee takes this aspect extremely seriously and training forms a key part of the agenda for each meeting, along with Committee Members and officers attending additional external training on a regular basis.

1.10 Details on the work and training undertaken by Committee during the municipal year 2020/21 are set out in section 3 of this report. Section 4 provides an outline of the anticipated work during 2021/22 financial year..

1.11 I would like to take this opportunity of expressing my personal appreciation for the hard work and commitment to the Hackney Pension Fund that the rest of my Committee Members have put in, given the considerable challenges that we face in managing a £1.9 billion pension fund during a period of considerable upheaval for

both the LGPS and the wider economy. I would also like to thank the hard work put in by our specialist advisors, the Group Director of Finance and Corporate Resources and his staff over the past year.

Cllr Robert Chapman
Chair- Pensions Committee

2. COMMITTEE MEMBERSHIP AND ATTENDANCE

2.1 The following Councillors were members of the Committee during the 2020/21 municipal year –

Cllr Robert Chapman (Chair)
Cllr Michael Desmond (Vice Chair)
Cllr Kam Adams
Cllr Rebecca Rennison
Cllr Polly Billington
Cllr Ben Hayhurst

In addition, Jonathan Malins-Smith is co-opted to the Committee as the Scheme Member Representative. Henry Colthurst is the co-opted Employer Representative.

2.2 The table below outlines Members' attendance at Pensions Committee meetings during the 2020/21 municipal year and the training sessions at which members were in attendance. It is noted that Members have a large number of commitments, including other public meetings and ward commitments, and are therefore not always available to attend meetings of the Committee.

Committee Members Attendance 2020/21								
	24 June		30 September		14 January		15 March	
	Meeting	Training	Meeting	Training	Meeting	Training	Meeting	Training
Cllr Robert Chapman (Chair)	P	P	P	P	P	P	P	P
Cllr Michael Desmond (Vice Chair)	P	P	P	P	P	P	P	P
Cllr Kam Adams	P	P	P	P	P	P	P	P
Cllr Polly Billington	P	p	P	P	P	P	P	P
Clr Rebecca Rennison	P	P	A	A	P	P	A	A
Cllr Ben Hayhurst	A	A	A	A	P	P	P	P
Co-opted Members								
Henry Colthurst	P	P	A	A	P	P	P	P
Jonathan Malins-Smith	P	P	A	A	P	P	P	P
P=Present								
A=Absent								

3. WORK UNDERTAKEN DURING 2020/21

3.1 The Pensions Committee has responsibility for the strategic management of the Pension Fund, which by the end of the financial year held £1.86bn worth of assets with 24,937 scheme members. We are responsible for deciding the broad asset allocation of the Pension Fund along with its strategic direction and for ensuring the long term solvency of the Fund, i.e. the ability to pay the pensions of all past, present and future scheme members. During the year, we have considered a wide range of issues and taken a number of key decisions affecting the Pension Fund. The work of the Committee has broadly fallen under the following categories during the year:

3.2 Governance and Administration

3.2.1 We have again seen considerable fluctuation in the funding level over the year, driven not only by volatility in asset values but also by changes in liability values as a result of changes in inflation and gilt yields. At the time the Committee approved the 2019 valuation in March 2020, the overall funding level was 92%. By the end of 2020/21, this had improved significantly to 102%. As part of the triennial valuation, the Council's employer contribution rate will reduce further, ultimately to 30% by 2021/22 (31.5% in 2020/21).

3.2.2 Compliance with The Pension Regulator's Code of Practice has continued to feature on our agenda during 2020/21. Although following the Code itself is not a legal requirement, it sets out how the Regulator expects the requirements of the Public Sector Pensions Act 2013 to be met. The Regulator has the power to take action if the requirements of the Act are not met and uses the Code to help decide what action to take. As part of our responsibility for the governance of the Fund, we use a compliance checklist to help monitor whether or not the Fund is meeting the required standards and request additional work in the few areas in which the Fund has not yet achieved full compliance.

3.2.3 In recent years, the Fund has experienced significant issues with the quality of membership data supplied by its employers and particularly that supplied by the Council, the Fund's largest employer. The Council has experienced difficulties with data provision since the introduction of the new Local Government Pension Scheme (LGPS) in 2014. It changed payroll provider in July 2017 and, whilst improvements continued to be made, it has still struggled to provide adequate data since. We have monitored this situation closely for some time, particularly as the Fund was required to make a further report to the Pensions Regulator concerning late issuance of Annual Benefits Statements (ABSs) to members for 2018.

3.2.4 During the year, the Committee continued to monitor officers' progress in working with both the Council and Equiniti, the Fund administrator, to develop new processes for data provision. Significant progress has been made in developing an automated interface process to provide data on a monthly basis. Although that work was not complete at the end of the financial year, we are pleased to note that significant progress has been made, both in terms of the timeliness and accuracy of data provision and the relationship between the Council's payroll and ICT teams and the Pension Fund.

3.2.5 The administration team continued to implement the new contract with Equiniti, our third party administrator, during the year, offering significant improvements to the Fund's administration service, although there has been some impact from the Covid situation, particularly during the early part of the year. New interim processes have been agreed where required in order to ensure an efficient service was provided to members and that benefits continued to be paid in a timely manner. Further improvements to our online presence are planned for the future, including online member and employer self-service during the 2021/22.

3.2.6 At the start of the municipal year, we reviewed the business plan for the year, setting out a timetable for both activities required to meet the Fund's objectives for the year and for the regular review of policy documents. The Business Plan also sets

out draft Committee agendas for review to ensure that key items of business are dealt with at appropriate intervals.

3.3 Investments/Asset Allocation

3.3.1 2020/21 was another volatile year in financial markets. The start of 2020 broke records with markets plummeting as the spread of Covid-19 continued to force lockdowns across the globe. However, as the position improved as a result of the breakthrough regarding vaccinations, by the end of 2020/21 markets had performed strongly.

3.3.2 As a result, over the year to 31st March 2021, the Fund returned +25.6%, outperforming its customised benchmark by 3.4%. This return was above the local authority pension fund average of +22.7% and put the Fund in the 41st percentile of funds signed up to PIRC's Local Authority Pension Performance Analytics service (about 2/3rd of local authority funds).

3.3.3 The Fund's strongest performing asset class in absolute terms was equities, particularly global markets. However, all asset classes in which the Fund is invested returned positive results.

3.3.4 The Fund made no significant allocation changes during the year; however, it should be noted that both private debt mandates are still in the drawdown phase and so the previous decisions to invest in this asset class via reduced equity allocation continued to be implemented during the year.

3.4 LGPS Structural Reform and the London CIV

3.4.1 Asset pooling is now firmly underway across the LGPS, with all 8 asset pools in England and Wales now operational. Decisions around manager selection are now moving to asset pools where suitable strategies are available; however, investment strategy decisions remain firmly with individual funds. Asset allocation and investment strategy decisions for the Hackney Pension Fund are therefore still made by the Pensions Committee as the body responsible for the management of the Fund.

3.4.2 The Fund's current Investment Strategy Statement sets out its medium term plans for moving its assets to the London CIV. With no common mandates with other London boroughs, the Fund had no assets moved to the pool automatically. However, the first mandates under the pooling regime were invested during 2018/19. No further investments were made via the London CIV during 2019/20 or 2020/21, although the Fund continued to work with the LCIV and the fund's investment advisors to look at opportunities in this area. This will be a key focus of the revised

investment strategy agreed during 2020/21 which will see significant new allocations to investments within the London CIV.

3.4.3 Cllr Robert Chapman, Chair of the Hackney Pensions Committee, and Ian Williams, S151 officer for Hackney, have both continued to sit on the Shareholder Committee of the LCIV, further underlining the Fund's commitment to the pooling arrangements.

3.4.4 The move to mandatory asset pooling has created a number of challenges for both LGPS funds and asset pools themselves. We have been generally supportive of the move to asset pooling; we have looked to maintain and improve a positive relationship with the London CIV whilst challenging where appropriate to ensure that the CIV acts in the interests of its client funds and helps us to deliver our strategic investment requirements.

3.5 Responsible Investment

3.5.1 As a Committee, we take very seriously the Fund's responsibilities as a shareholder in the companies that it holds, and considerable time and discussion has taken place on ways to improve the Fund's stewardship arrangements. One issue particularly recognised is that of fossil fuels and their impact on climate change. We recognise that these issues present systemic risks to the planet, but could also have a material impact on the financial position of the Pension Fund. We therefore have a long running work plan in place to ensure that this issue is addressed within the Fund's investment strategy.

3.5.2 In 2017, we committed to reducing the Fund's exposure to fossil fuel reserves by 50%, reducing the Fund's exposure to carbon risk and aligning it with the 2 degrees scenario set out in the Paris Agreement. During 2018/19 we made significant changes to our equity portfolio to help meet this target, making substantial investments in two different strategies aimed at reducing our carbon exposure.

3.5.3 Firstly, we invested 10% (approx. £150m) of the Fund's assets in Blackrock's MSCI Low Carbon Target Fund, to help reduce our exposure to fossil fuels and carbon emissions while maintaining exposure to a wide range of global markets. The allocation was funded by reducing exposure to the FTSE Allshare Index, which represented the Funds most significant exposure to fossil fuel companies. We also invested £195m in RBC GAM's Global Sustainable Equity strategy via the London CIV, which invests in companies with long term, sustainable revenues, with a strong focus on Environmental, Social and Governance (ESG) factors.

3.5.4 In addition to the restructure of the equity portfolio, we made a commitment to a significant allocation to private debt during 2018/19, with mandates of £95m and £65m awarded to Permira and Churchill respectively. We continued to fulfil that commitment during 2020/21 as further drawdowns of capital were requested by the managers. This move to private debt results in a shift from holding cap listed equities to lending to mid-sized companies. Whilst the new strategies do not specifically exclude all fossil fuel exposure, the nature and size of the companies involved means the Pension Fund is reducing its exposure to large multinational fossil fuel companies. The move has and will continue therefore to help the Fund lower its exposure to fossil fuel reserves, as set out in the Fund's carbon reduction target.

3.5.5 As set out in the introduction to this report, the Fund has already made great strides in reaching its carbon reduction target. The results of the review of progress completed during 2019 showed that we had reduced exposure to carbon reserves by 31.4% between July 2016 and June 2019 - well over halfway to its target of 50% over 6 years, with 60% of the target reduction already achieved. The Fund is therefore on track to achieve its target ahead of time and could even outperform it. The new Investment Strategy agreed during 2020/21 strengthened the Fund's work in this area with a focus on moving investments into more sustainable mandates within the new pooling arrangements.

3.5.6 The Fund remains a member of the Local Authority Pension Fund Forum (LAPFF), which is a collection of Local Authority funds who by acting collectively are able to apply pressure to management of companies to improve their governance standards. Cllr Rob Chapman, the Chair of the Pensions Committee, now sits as part of the LAPFF executive.

3.5.6 During the year, the Fund has continued to push for effective outcomes within its new, pooled mandates, focusing on engagement with the London CIV to help the pool company develop its approach to stewardship. We have seen a continued increase in the profile of Responsible Investment at the London CIV during the year and hope to see continued progress during 2021/22.

3.6 Financial Monitoring including Annual Report and Accounts

3.6.1 At the Pensions Committee meeting on 30th September 2020 the Committee were presented with the 2019/20 Pension Fund Annual Report and Accounts for approval, pending completion of the audit. The Fund's auditors subsequently issued an unqualified opinion, without modification, on the Pension Fund financial statements and concluded that the Pension Fund financial statements within the Pension Fund's Annual Report were consistent with the Pension Fund financial

statements within the Statement of Accounts of the Council. Unfortunately though, due to the impact of Covid and the cyber attack on Hackney Council IT systems, the audit certificate was not issued until 21 October 2021.

3.6.2 A revised Pension Fund Treasury Strategy was approved by the Committee at its meeting in September 2020.

3.8 Training

3.8.1 To enable Committee Members to meet their fiduciary and regulatory responsibilities, the Committee were provided with a training session prior to each meeting. The CIPFA Knowledge and Skills Framework sets out in considerable detail the level of knowledge and skills that are expected of Committee Members who hold responsibility for the management of LGPS Funds; it is therefore vital to ensure that appropriate levels of training are available to the Committee.

3.8.2 The topics covered in the training programme for Members were provided in line with the Knowledge and Skills Framework to help ensure that the Committee are able to achieve the level of specialist knowledge required of them.

3.8.3 The topics covered during the year in line with the Knowledge and Skills Framework are outlined in the table below:

Dedicated Training - Committee	Date
Investment Strategy (KSF ?)	30/09/2020
£95k Exit Cap (KSF ?)	14/01/2021
Risk Management (KSF ?)	15/03/2021
Supplemental Training - Committee	Date
Infrastructure Investment (KSF ?)	24/06/2020
Pension Fund Report and Accounts (KSF2)	30/09/2020

3.9 Ad-hoc Projects

3.9.1 The Committee also reviewed a number of other projects during the municipal year covering a range of topics including those set out below:

- Policy Reviews – The Pensions Administration Strategy was reviewed and approved by the Committee during the year as part of a rolling programme to ensure that policy documents are reviewed on a regular basis and any necessary changes are considered and approved.
- GMP / Under and Overpayments Policy - The Committee considered a specific under and overpayment policy setting out the parameters for decision making in respect of these situations arising. It further considered the specific approach to such occurrences as a result of the ongoing GMP exercise.

4. WORK PROGRAMME 2021/22

4.1 During the 2021/22 municipal year, the following reports are expected to be submitted to the Committee for consideration –

- Report and Accounts 2020/21
- 2021/22 Budget
- Business Plan 2021/24
- London CIV Update
- Investment Strategy, including responsible investment and new target for climate change
- Infrastructure Investment
- Quarterly monitoring – covering Funding, Investment, Governance, Administration
- Membership data quality update
- GMP rectification exercise
- McCloud
- Regulatory changes and consultations
- Pension Fund Risk Register
- Training Programme
- Policy reviews

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GENDER AND ETHNICITY PAY GAP 2021	
COUNCIL 26 JANUARY 2022	CLASSIFICATION: OPEN
WARD(S) AFFECTED: All	
GROUP DIRECTOR: Ian Williams, Group Director, Finance and Corporate Resources	

1. SUMMARY

- 1.1 As of April 2018 the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, Hackney Council has published information relating to the differences in pay between men and women. The Gender Pay Gap report is published annually on both the council's website and on a dedicated central government site. This is the fifth annual report for Hackney Council.
- 1.2 The current Covid pandemic has exposed and exacerbated inequalities in society and the Council knows the impact of the pandemic has not been felt equally amongst our communities. This makes it more important than ever that the Council understands the pay gap, examines every aspect of our services, including recruitment and retention practices as well as our workplace policies to ensure that the Council is as inclusive as possible.
- 1.3 Hackney is proud to be an open, inclusive and diverse borough and a place that people are proud to call home. Everyone can feel they belong here regardless of social background, the young and old, disabled people, parents and carers, those who practice a religious faith or belief and those who do not, people from different ethnic and racial backgrounds, all genders, gender identities and sexualities. Our workplace must reflect these values.
- 1.4 In 2020, the Council also launched its local recruitment campaign to ensure that more Hackney residents explore job opportunities at the Council.
- 1.5 The Council is committed to ensuring that as an employer and as a workplace, all our policies and practices advance equality of outcome and promote demographic diversity. In July, 2020, Full Council passed an anti-racism motion, resolving to Improve the diversity of the senior

leadership of the Council, build on the Inclusive Leadership Training, and maintain the 'excellent' rating in future Local Government Equality Framework peer challenges and work with partners to improve diversity across the public sector.

- 1.6 To inform the Council's priority areas for improvement, it wants to continue to gather robust gender and equality profiles of our workforce to identify and address disparities in the diversity of our workplace and provide the evidence base to tackle any barriers to equality of opportunity.
- 1.7 The analysis on the gender pay gap shows that unlike many other parts of the labour market, the gender pay gap actually favours women in Hackney Council. The Council recognises the need to protect the current and relative gender equality that exists at senior levels of the organisation, especially given the structural inequalities which exist for women in the labour market more broadly.
- 1.8 It is important to note that the Government's gender pay gap reporting laws currently make no mention of transgender or non-binary employees – employers can only classify staff as 'male' or 'female'. It is therefore important that this legal requirement is conducted sensitively and as inclusively as possible. As with the previous report, this one should therefore be taken in the context that as an employer the Council recognises that this binary distinction does not fully capture our workforce.
- 1.9 The Council has also taken the decision to undertake an ethnicity pay gap analysis, despite the fact that a government announcement means it is unlikely to be required by law anytime soon. The Council will continue to do this because of its commitment to fairness and to enhancing the diversity of our workforce. The Council continues to back calls for mandatory reporting of annual ethnicity pay gaps.
- 1.10 The Council is keenly conscious that there remains under-representation of certain communities in our workforce and there is still under-representation of staff from culturally and ethnically diverse communities at senior levels. The Council is committed to taking practical action to address these disparities. The Council wants to foster and promote an inclusive leadership culture, in which managers feel more confident in promoting equality and addressing workforce diversity.
- 1.11 Hackney, as a borough, has a reputation as a beacon of diversity where all of its communities are supported and celebrated. This report is part of its work to ensure that as a Council and as an employer the Council also embody these values.

The use of the term Black Asian and Minority Ethnic and Black Minority Ethnic in this report

- 1.12 This paper recognises the challenges of discussing ethnicity and that everyone has an ethnic group. BME stands for Black and Minority Ethnic. BAME stands for Black, Asian and Minority Ethnic. In writing this report, the Council was mindful of the need to avoid 'othering' non-white ethnicities. For the purposes of reporting and recording Hackney Council's ethnicity pay gap, it was important to ensure figures are comparable across reporting bodies. This report therefore refers to specific ethnic identities. It also discusses Black and Minority Ethnic communities as a single group in order to capture data on people who may be facing similar challenges and/or to enable a single direct comparison. Although the terms Black, Asian and Minority Ethnic and Black Minority Ethnic are used in this report, their limitations are acknowledged.
- 1.13 In general Hackney prefers the term 'Culturally and Ethnically Diverse'.
- 1.14 Intersectional differences within specific groups may also impact on experience and could be lost in the generality of the information provided. Here, intersectionality refers to overlapping interdependencies such as race, class and gender, that may impact on individuals.

2. RECOMMENDATION

- 2.1 Council is recommended to note the Gender and Ethnicity Pay Gap reports

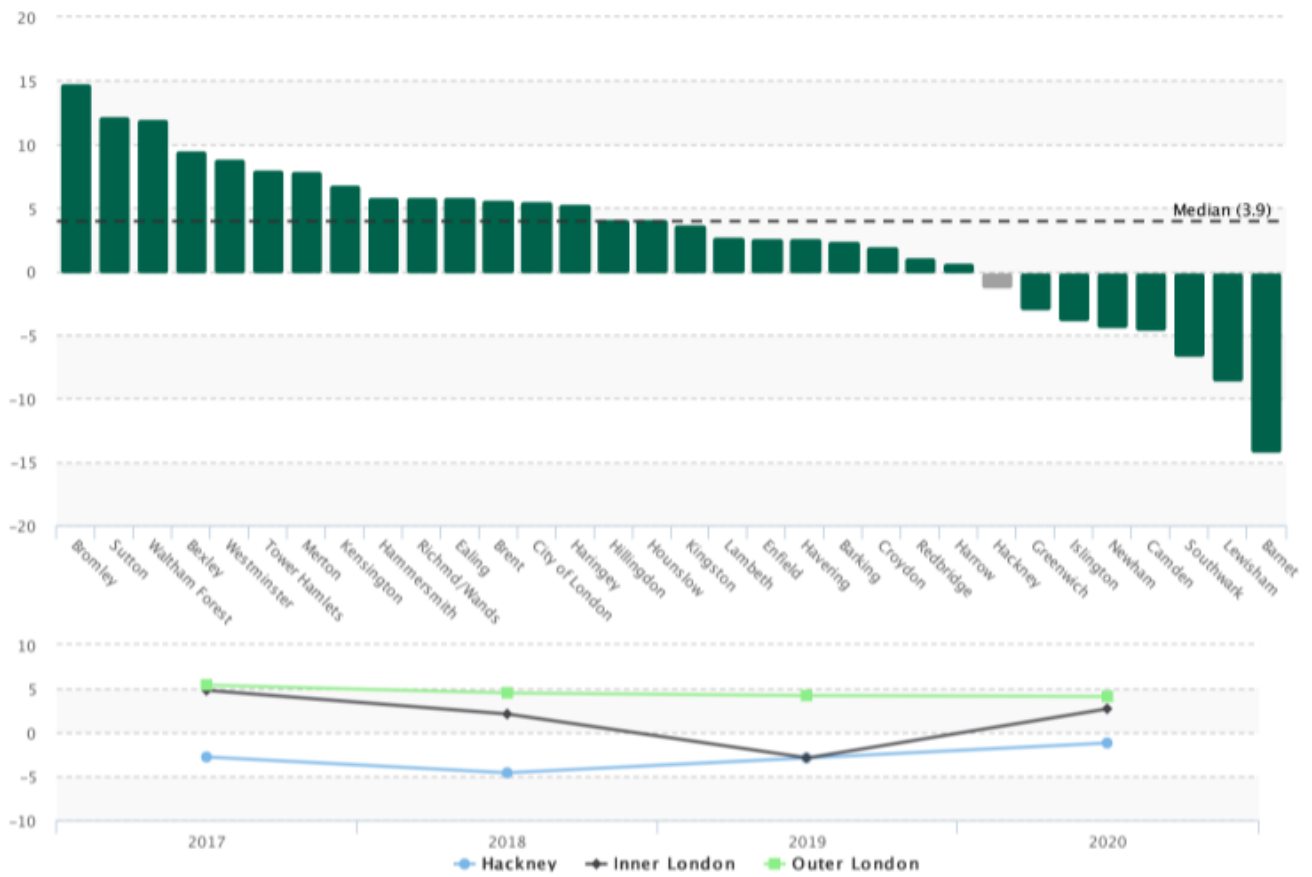
3. PAY GAP REPORTING

- 3.1 The law (the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017) requires that the Council calculate and report the gender pay gap annually. This was first done in March 2018, based on the data as at 31 March 2017. This report gives the statistics for the fifth gender pay gap report (2021/22 reporting year), with data as at 31 March 2021. The required statistics will be uploaded to the Government Equalities website in compliance with the legislation. The gender pay gap tables are also available on the Council's website for each year.
- 3.2 The way the gender pay gap is to be calculated is set down in statute and is very specific. The Council must calculate the statistics for both ordinary pay and bonus pay. In our context, bonus pay applies only to the Fair Pay scheme operating in Housing.
- 3.3 The gender pay gap remains in favour of women employees. It is -1.24% as measured by the mean or -2.52% as measured by the

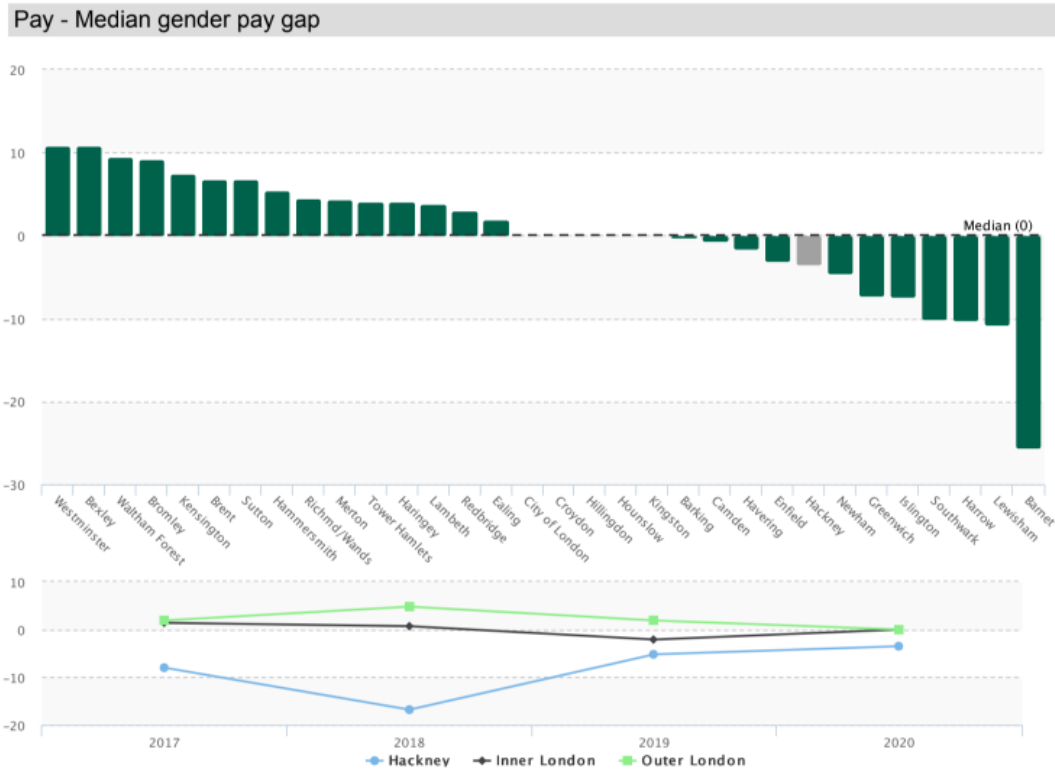
median. The measure more typically used is the median. The rates in March 2020 were -1.16% (mean) and -3.53% (median) in favour of women. The gap exists primarily for two reasons. Firstly, because, although there are more women in each quartile, the higher proportion of men are in the lower quartile - typical job titles include Operative - Cleaner, Environmental Operative and Grounds Maintenance employees. Secondly, because in the higher quartiles, more employees are women than men. The full data is shown at Appendix 1.

- 3.4 It is important to note that the pay gap does not indicate that women are paid more than men in any particular job. The Council operates a nationally recognised and equality proofed pay and grading scheme and is confident that for the same job, men and women are paid equally. The gap arises because, on average, women are in more highly paid jobs than men across the workforce.
- 3.5 It is worthy of particular note that in the highest quartile there are a higher proportion of women than men (54.25% vs 45.75%).
- 3.6 The gap in favour of men in terms of bonus pay remains. However, it is not possible to draw conclusions from this because so few women receive a bonus. Men overwhelmingly benefit from the Fair Pay scheme.
- 3.7 The Fair Pay scheme applies to 155 operatives working in trades in the Housing Department. Job titles include, for example, carpenters and electricians. Productivity payments are based on evidenced, actual measurements of performance, most importantly the time taken to perform tasks.
- 3.8 Comparative data on the Gender Pay Gap is presented but comes from different sources and is indicative.
- 3.9 Comparative data is available from The HR Metrics Benchmarking Services (provided by London Councils). The comparative data for the 32 boroughs who have inputted data for the 2020/21 reporting year is provided below. The snapshot date is 31 March 2020.
- 3.10 Hackney's comparative position is as follows:

Pay - Mean gender pay gap



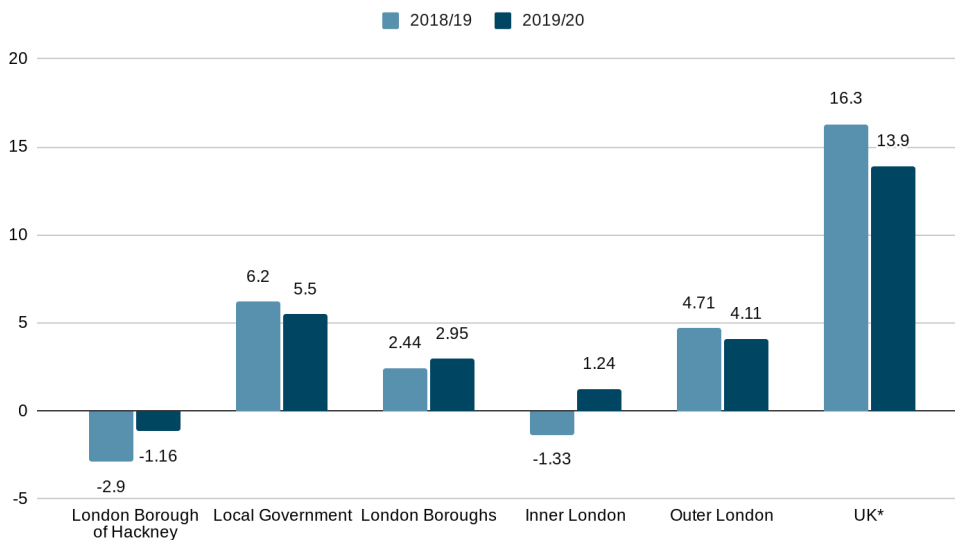
3.11 Hackney's mean gender pay gap of -1.2% falls in the first quartile of all the London boroughs, and the second quartile for inner London. The average median for London boroughs is 3.9%.



3.12 Hackney's median gender pay gap of -3.53% falls in the first quartile of all the London boroughs, and the second quartile for inner London. The average median for London boroughs is 0% .

3.13 Data provided by the ONS provides the following picture:

Average % Mean Gender Pay Gap 2019 and 2020



3.14 **Average Mean Gender Pay Gaps 2019 and 2020:** The average mean gender pay gap values for Local Government indicate that

women were paid 5.5% less than men in 2020. This compares to 6.2% less in 2019. In other words, on average for every £1 paid to male employees, only 94.5p was paid to women employees (93.8p in 2019).

3.15 **Average Median Pay Gap data 2019 and 2020:** Table below shows the average median pay gap figures for 2019 and 2020.

Sector	Average % Median Pay Gap	
	2018/19	2019/20
London Borough of Hackney	-5.24	-3.53
Local Government	4.05	3.57
London Boroughs	0.65	0.27
Inner London	-2.53	-0.24
Outer London	2.55	0.61
UK	17.4	14.9

3.16 The average of the median values for Local Government indicates that in 2020 women were paid 3.57% less on average than men. In other words, for every £1 that the median man was paid, the median woman was paid 96.4p. This compares to 4.05% in 2019.

* Data for UK Gender pay gap averages taken from ONS - Annual Survey of Hours and Earnings (ASHE)

3.17 The ONS website notes that interpreting average earnings data is difficult at this time because COVID-19 has impacted the data for 2020. This was affected both in terms of wages and hours worked and also disruption to the collection of data from businesses and as ONS states, this means that comparisons with 2020 need to be treated with caution.

3.18 In Hackney, the position for the past 3 years (2019, 2020, 2021) is as follows:

2019		2020		2021	
Mean	Median	Mean	Median	Mean	Median
-2.9%	-5.24%	-1.16%	-3.53%	-1.24%	-2.52%

- 3.19 At the time of the first gender pay gap report there was a commitment made by the Cabinet Member to produce an ethnicity pay gap on the same basis as the gender pay gap in future years. This has been done and is shown in Appendix 2.
- 3.20 The ethnicity pay gap shows that there is a pay gap in favour of white employees of 15.09% as measured by the mean, and 12.94% as measured by the median. This is because there is an increasing proportion of white employees as compared to Black and Minority Ethnic employees, in each higher quartile. The over representation of Black and Minority Ethnic employees in the bottom quartile (65.58% vs 34.42%) is particularly noteworthy.
- 3.21 This compares to the position in 2020, which showed a 15% mean and 12.11% median. The lower quartile was 65.49% vs 34.51%.
- 3.22 The Council recognised this as an issue some time ago and has been working on delivering a corporate equalities action plan. This is summarised in section 3 of this report.
- 3.23 Although ethnicity pay gap reporting is not currently mandatory, on 24 June 2020 the government responded to a parliamentary petition to introduce mandatory ethnicity pay gap reporting, stating that it is currently analysing detailed responses it received from its consultation on ethnicity pay reporting, which ran from October 2018 to January 2019. Race and ethnic disparities is thought to be an issue that is on the government's agenda and likely to come to the fore. Mandatory ethnicity pay gap reporting may be mandatory in the future. There is no further government update.
- 3.24 The data within this report is for directly employed Council staff.

4. CORPORATE EQUALITIES ACTION PLAN SUMMARY

Introduction

- 4.1 Promoting a diverse workforce has been an explicit Council priority since 2018, and this is reflected in the Single Equality Scheme which was adopted in November that year.
- 4.2 An action plan has been developed based on taking a dual focus, promoting demographic diversity and promoting an inclusive leadership culture

Key equality issues and indicators

- 4.3 The **key equality issues** identified at the start of the programme were:

Workforce diversity

- The under-representation of Black and culturally and ethnically diverse, and disabled staff at senior¹ levels.
- The under-representation of disabled staff at all levels.
- The variations in workforce diversity between different directorates.
- The need to protect the current gender equality which exists at senior levels of the organisation, given the structural inequalities which exist for women in the labour market more broadly.

Staff satisfaction

- Much lower rates of satisfaction amongst disabled staff and (to a lesser extent) ethnic minority staff over the last three surveys.
- Disabled staff and those from Black and minority ethnic backgrounds, are much more likely to disagree that the Council is committed to equality and diversity in practice than white staff and non disabled staff.

Hidden inequalities

- The Equality Act originally contained a clause which would have placed a requirement for local authorities to address socio economic inequalities as part of their equality work. Although the Government ultimately decided not to implement this socio economic duty, Hackney Council decided to adopt this on a voluntary basis. This means that when the Council considers equality and cohesion it fully considers socioeconomic inequality across the work the council does, including how the Council can make the workforce more inclusive and support progression across pay grades.

- 4.4 The **key indicators of success** for the Corporate Equality Action Plan are:

- The gap is closed between the 82% (81% in 2016) of staff who feel Council is committed to Equality in policy and 69% (71% in 2016) who feel the Council is committed in practice (this went up from 61% to 70% in 2011 and peaked at 73% before falling to 71% in 2016 and now 69%)
- There are a higher proportion of disabled staff working at the Council

¹ By Senior we mean officers who are service heads and above / by grade we mean PO10 and above. However, when we consider what actions we need to take, we need also to focus on PO5 upwards, so that we are developing a pool of potential managers who can progress into more senior roles.

- Senior management is more reflective of Hackney’s diversity (ethnic origin and disability)
- Managers feel more confident and competent in promoting equality and addressing workforce diversity (need baseline)
- Disabled staff are more satisfied with the Council as an employer and higher proportion feel Council is committed to Equality in practice
- A narrowing of the ethnicity pay gap

Responding to these issues

The case for diversity

- 4.5 Research has shown that having a **demographically diverse workforce** can help businesses to be successful, drive innovation and capture new markets. In the public sector². Having a diverse workforce is seen as a way of **bringing in a diversity of experiences and perspectives to better meet the needs of residents and improve service**. It is also seen as a way of tapping into and harnessing talent from across the whole community.
- 4.6 Research reported in the Harvard Business Review also makes the case that a workforce which reflects a diversity of perspectives also **supports innovation**³. This research talks about **acquired diversity** versus demographic diversity and considers the benefits of promoting a culture which values and welcomes a diversity of perspectives. Through programmes that tackle key inequalities such as the Improving Outcomes for Young Black Men Programme, we have reached the conclusion that promoting a more inclusive leadership culture needs to be part of the way we **tackle underlying and systemic issues that might drive inequalities**. By questioning traditional behaviour patterns and decision making structures we will be better able to identify the institutional change which is needed to tackle key inequalities.

Taking a dual approach

- 4.7 Actions which promote a demographically diverse workforce and those which promote “acquired diversity” can also reinforce each other. By promoting a more inclusive leadership culture, the workforce may become more welcoming to people from different backgrounds as well as ensuring that, where a workforce is not demographically diverse, there is a culture which values and draws on a diversity of perspectives.

²

<https://www.local.gov.uk/our-support/workforce-and-hr-support/local-government-workforce/equalities-and-inclusion> and

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/658488/Strategy_v10_FINAL_WEB6_TEST_021117.pdf

³ <https://hbr.org/2013/12/how-diversity-can-drive-innovation>

- 4.8 By promoting a demographically diverse workforce, we are more likely to promote an inclusive leadership culture that draws on the perspectives of people from different backgrounds. In seeking to achieve a more demographically diverse workforce, we need to ensure we develop specific and tailored responses to complex inequalities, rather than bland, generic responses. Alongside this, more **practical action is needed to address poor levels of staff satisfaction among disabled staff** with regards to management and leadership. Failure to tackle this specific equality issue could undermine wider efforts to promote workforce diversity outlined above.

Workstreams

- 4.9 The programme includes a number of “business as usual” and “stretch” strands of activity:

Business as usual:

1) **Organisation Development**

Key Outcome: Coherent well utilised organisational development programme promoting equality and diversity for staff and managers, utilising apprenticeship levy to upskill managers if appropriate.

2) **Communication**

Key Outcome: All staff are aware of organisation commitment to equality and diversity and can recognise ways that the policies are put into practice.

Stretch:

3) **Improving the employee journey for disabled staff from recruitment through to progression**

Key outcomes:

Barriers for disabled staff are removed across the employee journey from recruitment through to progression and promotion.

Managers see the benefits of employing disabled staff and can do so competently and confidently.

Supported employment opportunities are created within the Council.

4) **Promoting an inclusive leadership culture**

Key outcome: Senior managers understand, value and promote an inclusive leadership culture systematically as part of addressing workforce diversity.

5) **Tackling the lack of diversity at senior levels, with regards to Black and Minority Ethnic and disabled staff**

Key outcomes:

We have a better understanding of the specific reasons for the lack of Black and Minority Ethnic and disabled staff representation at senior levels.

We have identified positive actions needed to address issues and barriers.

We have identified opportunities to make processes more open and transparent.

Update on the implementation of the Corporate Equality Action Plan - Progress against success measures

- 4.10 Our workforce data shows progress in most of the areas, but there is still work to be done. Between March 2019 and March 2021 data for the top 5% earners revealed that:
- The percentage of women rose from 50 to 55%;
 - The proportion of disabled top earners rose from 2.2 to 3%;
 - The proportion of the top earners who are ethnically diverse rose from 21.5 to 25.7%; and
 - The proportion of top earners identifying as LGBTQIA+ rose from 6.2 to 6.5%.
- 4.11 For the workforce overall, the data showed that:
- The proportion of part-time workers rose from 14% to 16%.
 - The percentage of women in the workforce overall rose from 52.5 - 54%;
 - The proportion of disabled staff overall has risen from 4.7 - 5.2%;
 - The proportion identifying as ethnically diverse rose from 50.9 - 51.7%, with those identifying as Black up from 33.5 - 34.1%;
 - The percentage of staff identifying as Lesbian, Gay or Bisexual rose from 3.4 - 3.5%, and those identifying as 'other', which may include colleagues who are Transgender, Non-Binary or Gender-Non-Conforming rose from 0.14 - 0.22%.
- 4.12 The average age of the workforce rose from 44.5 - 45.4 years, which might suggest that we have more to do in attracting younger workers.
- 4.13 Our 2021 staff survey was launched in September. Results show the percentage of staff who say that senior managers are committed to inclusivity has risen from 45% in 2020 to 50% and the percentage of staff who believe the Council is committed to equality in practice has risen from 57% in 2020 to 62% in 2021.
- 4.14 There are still disparities in responses between different groups. Disabled staff, staff from Black and Mixed heritage groups and carers, especially those who provide high numbers of unpaid care reporting lower levels of satisfaction. Satisfaction levels among colleagues who choose not to disclose their equality characteristics are also generally lower than for those who disclose.

Work undertaken to implement the Corporate Equality Programme in the past year

Training

- 100 senior managers were trained in Inclusive Leadership before the Pandemic.
- During the pandemic:
 - The Inclusive Leadership and Cultural Humility training were adapted to be delivered remotely and an additional 150 managers undertook each course.
 - Cultural Humility training is now being rolled out to colleagues in Customer Services and Public Health (not just managers).
 - Education Services are planning to make Inclusive Leadership and Cultural Humility training available to staff (not just managers).
 - A short course was developed for Leaders Week 2020, blending the main aspects of Inclusive Leadership, Cultural Humility and talking about racism which was delivered to around 350 managers. During the same week an online session with Dr Shola Mos-Shogbamimu attracted over 400 staff and a session with Cllr Carole Williams, Dr Sandra Husbands and Sonia Khan also attracted over 100 staff.
 - In Leader's Week 2021, sessions on anti-racism, inclusive recruitment, Managing Disabled Staff and Meet the Inclusion Champions reached around 300 managers.
 - Cllr Carole Williams, Lead Cabinet Member for Employment, Skills and Human Resources led a show and tell session for 178 staff updating on anti-racism and inclusive leadership.
 - A training course on managing disabled staff was developed by disabled staff and delivered to managers.
 - An online Equality, Diversity and Inclusion in Public Service module has been developed aimed at frontline staff across the system. It includes information about meaningful conversations with residents (59 staff have enrolled and 2 passed to date). A similar module is available for managers.
 - An online video module featuring Sonia Khan, Lisa Aldridge and Solomon Rose (former lead for the Improving Outcomes for Young Black Men programme) discussing institutional racism and the role of leadership in tackling this was produced and piloted as part of a 'think piece' discussion debrief with staff (21 managers).

Guidance and culture

- An Inclusive Management Toolkit was launched, summarised in 9 short slide decks, which were released weekly (1265 unique views to date).
- Think Inclusive conversation video series was launched, recording conversations with colleagues on a range of topics such as microaggressions, intersectionality, power and privilege, the importance of using the right language and terminology, the difference

between diversity and inclusion. These videos aim to raise the organisation's literacy around race and racism.

- The Think Inclusive conversation club started in November 2020. This is a six-weekly gathering inviting colleagues to read a short article or view a Ted Talk as a way of opening up discussion about a particular topic around diversity, inclusion and belonging and to share learning. We have between 15 and 30 staff from across the council in attendance and 90 staff have opted in to the mailing list;
- In early 2021, we refreshed our pool of Inclusion Champions with an additional 26 new recruits, taking the total number of champions to 60. Champions have all been trained in the principles of inclusive leadership and then have options to become trainers, develop work in their divisions or work on cross organisational policy development.
- Six Inclusion Champions have been trained to lead Action Learning Sets.
- There have been ongoing communications about this programme and our wider work on Equality and Diversity through a range of channels like Staff Headlines, Google Communities, Show and Tells, training and Managers' Forums;

Policy and process change

- Equality Works was engaged to act as critical friends during the recruitment of two group directors and the new Chief Executive.
- Inclusion champions were involved in the recruitment of a number of senior directors and Chief Executive.
- A collaborative and co-produced approach was taken to review the bullying and harassment policy and the grievance policy with staff from across the council, representatives from staff-led forums, the unions and HR. New policies around bullying, microaggressions and harassment and grievance resolution have been launched.
- Over 200 staff attended seven workshops to discuss the impact of the Council's Hybrid working arrangements with colleagues from a range of protected groups e.g. disability, sexual orientation, ethnic background, gender.
- Candidate applications are now anonymised as standard practice.

Service-specific change

- We have been working with Directors to look at developing workforce diversity action plans that are specific to their area and for this to be embedded within their service delivery plans. HR have released a new scorecard on the workforce profile. Strategic Delivery have completed a short analysis that can be used by Directors to guide their actions.
- Diversity and inclusion are now embedded into staff surveys and pulse surveys so that there is always data around this area (for instance the recent wellbeing survey).

Best practice and shared approaches

- The Council has been convening a number of discussions with partners across the Borough to discuss how approaches to inclusive leadership can be shared, including resources and joining up opportunities (partners include health, education, voluntary and community sector, private business).
- The strategic delivery and policy team have also been sharing our approach through a range of forums and have been approached by different local authorities to share our resources and learning:
 - We wrote an article for Apolitical (a digital platform highlighting best practice for public servants across the world)
 - A Case study on inclusive leadership, based on Hackney's experience, is featured on the LGA website.
 - We have been approached by Cardiff County Council, Gloucestershire, Tower Hamlets and Islington, Hammersmith and Fulham and numerous others to share our approach and resources.
 - Hackney also contributes to discussions at the Chief Executive London Council's (CELC) tackling racial inequality working groups and Westminster's pan-London forum for ethnically diverse staff. We are leading the development of a consistent approach to inclusive leadership for London through the CELC work. We are also playing a key role in the Transforming Leadership working group and co-chairing a group developing a shared commitment statement for all London Councils to adopt.

What are the planned next steps:

- 4.15 The Council has agreed a Workforce Development Strategy and a number of initiatives are planned to support its implementation, namely:
- A Training Needs Analysis is currently being undertaken by Organisational Development. Managers are being encouraged to discuss training needs with staff during Check-ins and submit the results. The results will be used to inform future learning and organisational development activity across the Council.
 - The Organisational Development team is looking at ways of supporting the management of Hybrid working - this may involve some training, advice from a dedicated staff member and action learning sessions.
 - A Managers academy covering the entire employee journey (including modules on Inclusive Leadership and Cultural Humility) was launched in October, starting with new managers.
 - An AMBIT session was held with managers from across the system in November to bring together the different approaches to training and learning to help inform future approaches.

- We propose continuing to offer the Inclusive Leadership and Cultural Humility training to managers in the Council and beyond as long as there is demand.
- We plan to offer managers who have completed the Inclusive Leadership and Cultural Humility training the opportunity to participate in Action Learning Sets where they can practice applying the learning to practical scenarios.
- We have offered Peer Support sessions for staff within:
 - Children and Families;
 - Managers across the Council
 - Staff across the Council.
 - This will be piloted with staff who have experienced racialised trauma in the first instance.
- We provide regular updates to staff about where we are with our measures of success.

Priorities for the coming year

- 4.16 In the coming year we want to ensure that inclusive leadership remains at the front of people's minds as we move to hybrid working. We need to do more to promote diverse recruitment and career progression by ensuring that the way roles are designed, advertised and recruited to, is fair. We want to ensure that each directorate has clear plans in place to ensure they become more inclusive and diverse.
- 4.17 We want to improve support to our staff networks, enable colleagues to raise concerns safely and develop mentoring and coaching opportunities available to staff. In view of the outcome of the recent staff survey, we need to ensure managers fully understand how to recruit and support disabled staff. We also need to improve the profile of disabled staff within the organisation.

5. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 5.1 Activities proposed in the Action Plan (workstreams 1 - 5) will be funded from the existing service revenue budget. Any consequent proposals which have financial implications will be brought back to Councillors.

6. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 6.1 The Council has complied with its duties to report a gender pay gap as outlined in the report.

APPENDICES

[Appendix 1 - Gender Pay Gap](#)

[Appendix 2 - Ethnicity Pay Gap](#)

EXEMPT

N/A

BACKGROUND PAPERS

None

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Gender Pay Gap Reporting

Statutory Part of the Template Data That Must be Provided Under the Equalities Act		Extra Data for Local Collection by London Councils For Local Benchmarking			
Pay Rates	Gender Pay Gap The difference between Female and Male pay as a percentage of Male pay <i>A minus % means Female employees have higher pay, a positive % means Male employees have higher pay</i>	Gender Pay Gap Female pay as a percentage of Male pay	Hourly Rate Female	Hourly Rate Male	Difference £
Mean Hourly Rate (Male Hourly Rate - Female Hourly Rate) / Male Hourly Rate x 100	-1.24%	101.24%	£ 20.17	£ 19.93	-£ 0.25
Median Hourly Rate As Above Calculation but for Median Hourly Rates	-2.52%	102.52%	£ 19.15	£ 18.68	-£ 0.47

Pay Quartile Information			
Pay Quartiles	Female	Male	Total
Proportion of Female and Male in the Upper Quartile Paid Above the 75th Percentile Point	54.25%	45.75%	100.00%
Proportion of Female and Male in The Upper Middle Quartile Paid Above the Median and at or Below the 75th Percentile Point	58.79%	41.21%	100.00%
Proportion of Female and Male in the Lower Middle Quartile Paid Above the 25th Percentile Point and at or Below the Median	56.10%	43.90%	100.00%
Proportion of Female and Male in the Lower Quartile Paid Below the 25th Percentile Point	50.48%	49.52%	100.00%

Workforce Composition		
Female Headcount	Male Headcount	Total Headcount
626	528	1,154
679	476	1,155
648	507	1,155
583	572	1,155
2,536	2,083	4,619

Bonus Pay	Bonus Gender Pay Gap The difference between Female bonus and Male bonus as a % of Male bonus	Bonus Gender Pay Gap Female bonus as a % of Male bonus	Bonus Pay Female	Bonus Pay Male	Difference £
Mean bonus	17.19%	82.81%	£ 8,462.52	£ 10,219.60	£ 1,757.09
Median bonus	34.18%	65.82%	£ 8,479.11	£ 12,881.80	£ 4,402.70
Bonuses Paid					
Female Paid Bonus as % of All Females	0.16%				
Male Paid Bonus as % of All Males	7.25%				

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Ethnicity Pay Gap Reporting

Pay Rates	BAME Pay Gap The difference between BAME employees pay and White employees pay as a percentage of White employees pay <i>A minus % means BAME employees have higher pay, a positive % means White employees have higher pay</i>	BAME Pay Gap BAME employees pay as a percentage of White employees pay	Hourly Rate BAME Employees	Hourly Rate White Employees	Difference £
Mean Hourly Rate (White Hourly Rate - BAME Hourly Rate) / White Hourly Rate x 100	15.09%	84.91%	£ 18.77	£ 22.10	£ 3.33
Median Hourly Rate As Above Calculation but for Median Hourly Rates	12.94%	87.06%	£ 17.83	£ 20.48	£ 2.65

Pay Quartile Information			
Pay Quartiles	BAME	White	Total
Proportion of BAME and White Employees in the Upper Quartile Paid Above the 75th Percentile Point	37.98%	62.02%	100.00%
Proportion of BAME and White Employees in The Upper Middle Quartile Paid Above the Median and at or Below the 75th Percentile Point	56.17%	43.83%	100.00%
Proportion of BAME and White Employees in the Lower Middle Quartile Paid Above the 25th Percentile Point and at or Below the Median	62.99%	37.01%	100.00%
Proportion of BAME and White Employees in the Lower Quartile Paid Below the 25th Percentile Point	65.58%	34.42%	100.00%

Workforce Composition		
BAME Headcount	White Headcount	Total Headcount
406	663	1,069
601	469	1,070
674	396	1,070
701	368	1,069
2,382	1,896	4,278

Bonus Pay	Bonus BAME Pay Gap The difference between BAME employees bonus and White employees bonus as a % of White employees bonus	Bonus BAME Pay Gap BAME employees bonus as a % of White employees bonus	Bonus Pay BAME Employees	Bonus Pay White Employees	Difference £
Mean Bonus	13.92%	86.08%	£ 9,360.14	£ 10,873.35	£ 1,513.22
Median Bonus	17.12%	82.88%	£ 10,769.33	£ 12,994.32	£ 2,224.99
Bonuses Paid					
BAME Paid Bonus as % of All BAME	2.77%				
White Paid Bonus as % of All White Staff	4.48%				

Black, Asian and Minority Ethnic (BAME) includes employees ethnicity classifications in the following categories (taken from the 2001 Census): Asian/Asian British (inc Chinese), Black/Black British, Mixed/Multiple Heritage and Other Ethnic Group (ie: all other categories than that of White British and White Other). For calculation purposes employees whose ethnicity is Not Known or have indicated they Prefer Not To Say have been excluded.

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USE OF SPECIAL URGENCY PROVISIONS IN EXECUTIVE DECISION MAKING	
COUNCIL 26 JANUARY 2022	CLASSIFICATION: Open
WARD(S) AFFECTED: N/A	
CABINET MEMBER: Mayor Glanville	

1. INTRODUCTION

- 1.1 The Council's Constitution provides that the Mayor will submit a quarterly report to the Council on any Executive Key Decisions taken under the Special Urgency Rule.
- 1.2 This report is therefore submitted to Full Council in compliance with this requirement in respect of decisions taken under the Council's Special Urgency Procedure between 20 October 2021 (the date of the last ordinary Full Council meeting) and 26 January 2021.

2. RECOMMENDATIONS

- 2.1 **Council is recommended to note decisions taken under the Council's Special Urgency Provisions as set out:**

Decision Date	25 November 2021
Executive Body	Officer Key Decision
Report Title	Homerton Area Low Traffic Neighbourhood (LTN)
Decision	<p>Agree to :</p> <ul style="list-style-type: none"> • Note that the report contained the results of the monitoring, consultation responses and objections received for the Homerton LTN

	<ul style="list-style-type: none"> ● Proceed with the statutory process of advertising the necessary Traffic Management Orders to: <ul style="list-style-type: none"> - Permanently create a closure on Barnabas Road 5 metres before its junction with Berger Road, except for cyclists, emergency vehicles and Council’s waste service - Permanently create a closure on Ashenden Road 5 metres before its junction with Glyn Road, except for cyclists, emergency vehicles and Council’s waste service - Permanently create a closure on Meeson Street 5 metres before its junction with Kingsmead Way, except for cyclists, emergency vehicles and Council’s waste service ● Consult on complementary measures to address the issue of an increase in vehicles on Roding Road ● Replace the existing planters with permanent features to improve the look and feel of the environment, subject to funding being available and a favourable consultation response to the design proposal ● Permanently remove parking spaces near closure points that were originally suspended at the same time as the ETO, and replace them with double yellow lines
Reasons for Urgency	<p>The experimental Traffic Regulation order for this scheme was due to expire on 4 December 2021. A delay in making the decision would mean that the Council would have to remove the scheme in its entirety. The scheme sits within the Rebuilding a Greener Hackney / Low Traffic Neighbourhoods programme and residents have been providing the Council with their views during the year. Removing the scheme would risk reputational damage to the Council. The Council would then have to restart the legal process including reconsulting with residents and stakeholders.</p>

3. BACKGROUND

- 3.1 The Council is required to publish key decisions on its website through a public notice at least 28 clear days before an Executive Key Decision is taken by the Mayor, Cabinet, Cabinet sub-committee or by an officer under delegated authority.
- 3.2 Due to reasons of urgency, it may not always be possible to comply with this requirement, and Paragraphs 16 and 17 of the Access to Information

Procedure Rules (Part 4.2 of the Constitution) sets out the procedure to be followed in respect of General Exceptions and Cases of Special Urgency.

- 3.5 Five clear working days must elapse between the notice of a decision being published and that decision being made. Where the conditions regarding the publication of this notice cannot be met, the Special Urgency procedures must be complied with. In all such circumstances, approval is sought from the Chair of the Scrutiny Panel by the Monitoring Officer. As soon as it is reasonably practicable after the Monitoring Officer has obtained agreement, the decision maker must make available at Hackney Town Hall and on the Council's website a notice setting out the reasons why the decision is urgent and cannot reasonably be deferred. This procedure was complied with, and the relevant notice appeared on the Council's website on 23 November 2021.
- 3.4 Paragraph 17.4 of the Access to Information Procedure Rules states that the Mayor will submit a quarterly report to Full Council to inform the Council of all decisions taken under Special Urgency provisions in the preceding three months, which report should include the number of decisions so taken and a summary of the matters in respect of each decision.

4. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 4.1 The financial implications for the decisions taken are considered and contained within the respective reports.
- 4.2 There are no direct financial costs or implications arising from the contents of this report.

5. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 5.1 The Constitutional requirements in respect of decisions taken under Special Urgency provisions are set out in section 3 of this report. Regulation 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 specifies that the Elected Mayor is required to submit a report to the Council at such intervals as may be determined by Full Council. In the case of this Council, it has been determined that this should be quarterly. The Council is required to note the report of the Mayor for information only.

BACKGROUND PAPERS (as defined by Local Government (Access to Information) Act 1985)

None

Report Author:	Jessica Feeney Governance Services Officer jessica.feeney@hackney.gov.uk Tel: 020 8356 5147
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Comments of the Director of Legal and Governance Services	Louise Humphreys Head of Legal and Governance Services louise.humphreys@hackney.gov.uk Tel: 020 8356 4817
Comments of the Group Director of Finance and Corporate Resources	Jackie Moylan Director Financial Management jackie.moylan@hackney.gov.uk Tel: 020 8356 3032



DRAFT COUNCIL CALENDAR 2022/23	
FULL COUNCIL 26 JANUARY 2022	CLASSIFICATION: OPEN
WARD(S) AFFECTED: N/A	
DIRECTOR: Dawn Carter-McDonald, Director of Legal and Governance Services	

1. SUMMARY

1.1 This report asks that Council note the proposed calendar for 2022/23 subject to any changes required following the 2022/23 Annual General Meeting.

2. RECOMMENDATIONS

2.1 Council is recommended to note the proposed Council meeting calendar for 2022/23

3. BACKGROUND

3.1 The Council approves the calendar of meetings at its Annual General Meeting (AGM).

3.2 A draft calendar is provided for noting in advance of its formal approval Councillors and members of the public are able to have early indication of the proposed meeting schedule. This draft is subject to any changes considered at the AGM in respect to the committee structure or the way Council business is conducted.

3.3 The proposed schedule has been circulated to group whips and the former Hackney Management Team for comment prior to publication.

4. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

4.1 The costs of administering the meetings of the Council is managed within allocated budgets. No additional expenditure is likely to be incurred by approving the proposed calendar of meetings.

5. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

- 5.1 Article 4 of Part 2 of the Constitution provides that “[t]he frequency of the meetings of Full Council will be determined annually at Annual General Meeting (AGM)” and this has long been interpreted as including any formal meeting of the Council. Thus the final calendar of meetings will be approved at the AGM in May 2022 in accordance with the Constitution.

APPENDICES

Appendix 1 - Proposed Meeting Schedule 2022/23

BACKGROUND PAPERS

No background papers have been relied upon for the drafting of this report.

Report Author:	Andrew Spragg, Governance Services Team Leader andrew.spragg@hackney.gov.uk 020 8356 5036
Comments of the Director of Legal and Governance Services	Dawn Carter-McDonald, Director of Legal & Governance Services dawn.carter-mcdonald@hackney.gov.uk 020 8356 6234
Comments of the Director of Finance and Corporate Resources	Ian Williams, Group Director Finance and Corporate Resources ian.williams@hackney.gov.uk 020 8356 3003

May, 2022						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
2 Bank Holiday Eid al-Fitr	3 No evening meetings	4 Yom HaZikaron	5 Yom HaZikaron Election Day No evening meetings	6	7	8
9	10	11	12	13	14	15
16	17 No evening meetings	18	19 Lag BaOmer	20	21	22
23	24	25 Full Council AGM (CC)	26 No evening meetings	27	28	29
30 Cabinet (CC)	31 7.00 pm Licensing Committee (CC)					

June, 2022						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		1 6.30 pm Planning Sub-Committee (CC)	2 Spring Bank Holiday	3 HM The Queen's Platinum Jubilee Bank Holiday	4	5
6 Shavuot	7 Shavuot No evening meetings	8 6.30 pm Audit Committee (CC)	9 9.00 am London Borough of Hackney Integrated Commissioning Board and Local Outbreak Board 2.00 pm Licensing Sub Committee D (CC)	10	11	12
13 5.00 pm Cabinet Procurement & Insourcing Committee (CR) 7.00 pm Children and Young People Scrutiny Commission (CC)	14 7.00 pm Licensing Sub Committee B (CC)	15 6.30 pm Pensions Committee (CC) 7.00 pm Living in Hackney Scrutiny Commission (CR)	16 7.00 pm Licensing Sub Committee A (CC)	17	18	19
20 7.00 pm Skills, Economy and Growth Scrutiny Commission (CC)	21 No evening meetings 2.00pm Licensing Sub Committee D (CC)	22 7.00 pm Health in Hackney Scrutiny Commission (CC)	23 No Evening Meetings 2.00 pm Licensing Sub Committee B (CC)	24	25	26
27 6.00 pm Cabinet (CC)	28 6.30 pm Corporate Committee (CC)	29 7.00 pm Inner North East London Joint Health Overview and Scrutiny Committee (CC)	30 7.00 pm Licensing Sub Committee A (CC)			

July, 2022						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3
4	5 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	6 4.00 pm Health and Wellbeing Board (CC) 6.30 pm Planning Sub-Committee (CC)	7 No evening meetings 9.00 am Council Joint Committee (CR) 9.00 am London Borough of Hackney Integrated Commissioning Board and Local Outbreak Board 2.00 pm Licensing Sub Committee A (CC)	8	9	10
11 7.00 pm Children and Young People Scrutiny Commission (CC)	12 6.30 pm Standards Committee (CC) 7.00 pm Licensing Sub Committee B	13 7.00 pm Living in Hackney Scrutiny Commission (CC)	14 2.00 pm Licensing Sub Committee D 7.00 pm Scrutiny Panel (CC)	15	16	17
18 4.00 pm Cabinet Procurement & Insourcing Committee (CC) 6.00 pm Cabinet (CC) 7.00 pm Skills, Economy and Growth Scrutiny Commission (CR)	19 No evening meetings 2.00 pm Licensing Sub Committee E	20 7.00pm Full Council	21 7.00 pm Licensing Sub Committee C	22	23	24
25	26	27 6.30 pm Planning Sub-Committee (CC)	28 No evening meetings 2.00 pm Licensing Sub Committee D	29	30	31

August, 2022						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1	2 2.00 pm Licensing Sub Committee E	3	4 7.00 pm Licensing Sub Committee B	5	6	7
8	9 7.00 pm Licensing Sub Committee A	10	11 9.00 am London Borough of Hackney Integrated Commissioning Board and Local Outbreak Board	12 2.00pm Growth Borough Partnership Committee (CC)	13	14
15	16 7.00 pm Licensing Sub Committee A	17	18 2.00 pm Licensing Sub Committee E	19	20	21
22	23 7.00 pm Licensing Sub Committee B	24	25 7.00 pm Licensing Sub Committee A	26	27	28
29 Bank Holiday	30	31				

September, 2022						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1 No evening meetings 2.00 pm Licensing Sub Committee D (CC) 4.00 pm Health and Wellbeing Board (AH)	2	3	4
5 5.00pm Cabinet Procurement and Insourcing Committee (CC)	6 7.00pm Licensing Sub Committee A (CC)	7 6.30 pm Planning Sub-Committee (CC)	8 2.00pm Licensing Sub Committee E (CC) 7.00 pm Inner North East London Joint Health	9	10	11
12 6.00pm Cabinet (CC)	13 6.30 pm Corporate Committee (CC)	14 7.00 pm Living in Hackney Scrutiny Commission (CC)	15 7.00 pm Licensing Sub Committee D (CC)	16	17	18
19 7.00 pm Skills, Economy and Growth Scrutiny Commission (CR)	20 No evening meetings 2.00 pm Licensing Sub Committee D (CC)	21 7.00 pm Health in Hackney Scrutiny Commission (CC)	22 No evening meetings 2.00pm Licensing Sub Committee E (CC)	23	24	25
26 Rosh Hashana	27 Rosh Hashana	28 Gedaliah Fast 6.30 pm Planning Sub-Committee (CC)	29 2.00 pm Licensing Sub Committee D (CC) 6.30 pm Pensions Committee (CC)	30		

October, 2022						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
					1	2
3 10.00 am Pensions Board (CC) 5.00 pm Cabinet Procurement & Insourcing Committee (CC) 7.00 pm Scrutiny Panel (CR)	4 Yom Kippur Eve	5 Yom Kippur	6 No evening meetings 9.00 Council Joint Committee (CR) 2.00 pm Licensing Sub Committee D (CC)	7	8	9
10 Sukkot	11 Sukkot	12 Sukkot	13 Sukkot 9.00 am London Borough of Hackney Integrated Commisioning Board and Local Outbreak Board 2.00 pm Licensing Sub Committee D (CC)	14 Sukkot	15 Sukkot	16 Sukkot
17 Shemini Atzeret / Simchat Torah	18 Shemini Atzeret / Simchat Torah	19	20 6.30 pm Audit Committee (CC)	21	22	23
24 Diwali Half Term Week 6.00 pm Cabinet (CC)	25 7.00 pm Licensing Sub Committee A (CC)	26 7.00 pm Council (CC)	27 No evening meetings 2.00 pm Licensing Sub Committee D (CC)		29	30
31 7.00 pm Children and Young People Scrutiny Commission (CC)"						

November, 2022						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	2 6.30 pm Planning Sub-Committee (CC)	3 No evening meetings 2.00 pm Licensing Sub Committee D (CC)	4	5	6
7 5.00 pm Cabinet Procurement & Insourcing Committee (CC) 7.00 pm Living in Hackney Scrutiny Commission (CR)	8 7.00 pm Licensing Sub Committee A (CC)	9 4.00 pm Health and Wellbeing Board (CC)	10 9.00 am London Borough of Hackney Integrated Commisioning Board and Local Outbreak Board 2.00 pm Licensing Sub Committee D (CC)	11	12	13
14	15 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	16 7.00 pm Health in Hackney Scrutiny Commission (CC)	17 7.00 pm Licensing Sub Committee A (CC)	18	19	20
21 7.00 pm Skills, Economy and Growth Scrutiny Commission (CC)	22 7.00 pm Licensing Sub Committee C (CC)	23 7.00 pm Children and Young People Scrutiny Commission (CC)	24 No evening meetings 2.00 pm Licensing Sub Committee D (CC)	25	26	27
28 6.00 pm Cabinet (CC)	29 2.00 pm Licensing Sub Committee E (CC)	30 7.00 pm Licensing Committee (CC)				

December, 2022						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1 No evening meetings 2.00 pm Licensing Sub Committee D (CC)	2	3	4
5 5.00 pm Cabinet Procurement & Insourcing Committee (CR) 7.00 pm Health in Hackney Scrutiny Commission (CC)	6 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	7 6.30 pm Planning Sub-Committee (CC)	8 9.00am Council Joint Committee (CR) 9.00 am London Borough of Hackney Integrated Commissioning Board and Local Outbreak Board 7.00 pm Licensing Sub Committee C (CC) 7.00 pm Health in Hackney Scrutiny Commission (AH)	9	10	11
12 6.00 pm Cabinet (CC) 7.00 pm Living in Hackney Scrutiny Commission (CC)	13 7.00 pm Licensing Sub Committee A (CC)	14 6.30 pm Corporate Committee (CC) 7.00 pm Skills, Economy and Growth Scrutiny Commission (CR)	15 2.00 pm Licensing Sub Committee D (CC) 7.00pm INEL (CC)	16	17	18
19 Hanukkah	20 Hanukkah	21 Hanukkah	22 No evening meetings Hanukkah	23 Hanukkah	24 Christmas Eve Hanukkah	25 Christmas Day Hanukkah
26 Boxing day Hanukkah	27 Bank Holiday	28	29	30	31	

January, 2023						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1
2 Bank Holiday	3 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	4 6.30 pm Audit Committee (CC)	5 No evening meetings 2.00 pm Licensing Sub Committee D (CC)	6	7	8
9 7.00 pm Skills, Economy and Growth Scrutiny Commission (CR)	10 7.00 pm Licensing Sub Committee A (CC)	11 6.30 pm Planning Sub-Committee (CC)	12 9.00 am London Borough of Hackney Integrated Commissioning Board and Local Outbreak Board 2.00 pm Licensing Sub Committee D (CC)	13	14	15
16 5.00 pm Cabinet Procurement & Insourcing Committee (CR) 7.00 pm Children and Young People Scrutiny Commission (CC)	17 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	18 6.30 pm Corporate Parenting Board	19 2.00 pm Licensing Sub Committee D (CC) 6.30 pm Pensions Committee (CC)	20	21	22
23 6.00 pm Cabinet (CC) 7.00 pm Living in Hackney Scrutiny Commission (CC)	24 7.00 pm Licensing Sub Committee C (CC)	25 7.00 pm Council (CC)	26 No evening meetings 4.00 pm Health and Wellbeing Board (CC)	27	28	29
30	31 2.00 pm Licensing Sub Committee E (CC)					

February, 2023						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		1 6.30 pm Planning Sub-Committee (CC)	2 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	3	4	5
6 7.00 pm Skills, Economy and Growth Scrutiny Commission (CR)	7 No evening meetings 2.00 pm Licensing Sub Committee D (CC)	8 7.00 pm Health in Hackney Scrutiny Commission (CC)	9 9.00 am London Borough of Hackney Integrated Commissioning Board and Local Outbreak Board 7.00 pm Licensing Sub Committee A (CC)	10	11	12
13 Half Term Week 5.00 pm Cabinet Procurement & Insourcing Committee (CC)	14 2.00 pm Licensing Sub Committee E (CC)	15 6.30 pm Standards Committee (CC)	16 2.00 pm Licensing Sub Committee D (CC) 7.00 pm Living in Hackney Scrutiny Commission (CC)	17	18	19
20 7.00 pm Scrutiny Panel (CC)	21 No evening meetings	22 6.30 pm Planning Sub-Committee (CC)	23 No evening meetings	24	25	26
27 6.00 pm Cabinet (CC) 7.00 pm Children and Young People Scrutiny Commission (CC)	28 2.00 pm Licensing Sub Committee E (CC) 7.00 pm Inner North East London Joint Health Overview and Scrutiny Committee (CC)					

March, 2023						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		1 7.00 pm Full Council (CC)	2 No evening meetings 2.00 pm Licensing Sub Committee D (CC)	3	4	5
6 Purim	7 Purim No evening meetings	8 4.00 pm Health and Wellbeing Board (CC) 7.00 pm Licensing Committee (CC) 7.00 pm Skills, Economy and Growth Scrutiny Commission (CR)	9 9.00am Council Joint Committee (CR) 9.00 am London Borough of Hackney Integrated Commisioning Board and Local Outbreak Board	10	11	12
13 4.00 pm Cabinet Procurement & Insourcing Committee (CC) 6.00 pm Cabinet (CC)	14 7.00 pm Licensing Sub Committee C (CC) 6.30 pm Corporate Committee (CC)	15 10.00 am Pensions Board (CC) 7.00pm Health in Hackney (CC)	16 7.00 pm Licensing Sub Committee A (CC)	17	18	19
20 7.00 pm Children and Young People Scrutiny Commission (CC)	21 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	22 7.00 pm Living in Hackney Scrutiny Commission (CC)	23 No evening meetings 2.00 pm Licensing Sub Committee A (CC)	24	25	26
27	28 7.00 pm Licensing Sub Committee B (CC)	29	30 6.30 pm Pensions Committee (CC)	31		

April, 2023						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
					1	2
3 6.30 pm Planning Sub-Committee (CC)	4 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	5 Passover	6 No evening meetings Passover	7 Good Friday Passover	8 Passover	9 Easter Sunday Passover
10 Easter Monday Passover	11 Passover	12 Passover	13 Passover	14	15	16
17 5.00 pm Cabinet Procurement & Insourcing Committee (CC) 7.00 pm Children and Young People Scrutiny Commission (CR)	18 Laylat al-Qadr No evening meetings 2.00 pm Licensing Sub Committee E (CC)	19 6.30 pm Audit Committee (CC)	20 7.00 pm Licensing Sub Committee B (CC)	21 Eid al-Fitr	22	23
24 6.00 pm Cabinet (CC) 7.00 pm Scrutiny Panel (CR)	25 7.00 pm Licensing Sub Committee C (CC)	26 7.00 pm Health in Hackney Scrutiny Commission (CC)	27 No evening meetings	28	29	30

May, 2023						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 Bank Holiday	2 No evening meetings 2.00 pm Licensing Sub Committee E (CC)	3 6.30 pm Planning Sub- Committee (CC)	4 No evening meetings	5	6	7
8	9	10	11	12	13	14
15	16 No evening meetings	17 7.00 pm Council AGM (CC)	18	19	20	21
22	23	24	25 No evening meetings Shavuot	26 Shavuot	27 Shavuot	28 Shavuot
29 Bank Holiday	30	31				

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