



CABINET

18 January 2012

REPORT

Subject Heading:

Havering Local Development Framework:
Adoption of Joint Waste Development Plan
Document (DPD)

Cabinet Member:

Councillor Robert Benham

CMT Lead:

Cynthia Griffin, Group Director Culture and
Community

Report Author and contact details:

Peter Hall, Development Planning Team
Leader
Tel : 01708 432522
E-mail: peter.hall@havering.gov.uk

Policy context:

LB Havering Local Development
Framework

Financial summary:

The costs of adoption are expected to be
minor as they only involve publicity for the
adoption process. They will be met from
existing budgets within the Development
and Transport Planning Group. The
adoption itself will have no impact on
Council budgets.

Is this a Key Decision?

Yes

Is this a Strategic Decision?

Yes

When should this matter be reviewed?

It would be appropriate for the Overview
and Scrutiny Committee to review this
decision not less than 18 months from
when the policies come into force.

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	[✓]
Championing education and learning for all	[]
Providing economic, social and cultural activity in thriving towns and villages	[✓]
Valuing and enhancing the lives of our residents	[✓]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

- 1.1 The London Boroughs of Barking and Dagenham, Havering, Newham and Redbridge have prepared a Joint Waste Development Plan Document (DPD) which will be part of the Local Development Framework(s) for the respective boroughs. Preparation of the Joint Waste DPD builds on the strong partnership agreement which the four Councils already have with the East London Waste Authority (ELWA) for managing municipal solid waste and which covers the geographical extent of the four boroughs. The main purpose of the Joint Waste DPD is to ensure there is sufficient waste management capacity across the four boroughs to manage the apportionment set by the London Plan (2011) for municipal and commercial and industrial waste.
- 1.2 Following Member approval within each of the boroughs, the Joint Waste DPD has been through appropriate consultation in line with the Town and Country Planning Regulations. It has been the subject of an independent examination by an Inspector appointed by the Government. The Planning Inspectorate has now approved the Joint Waste DPD subject to a number of binding changes being made. Officers consider that these changes do not significantly alter the Plan and recommend that the Plan is adopted.

The other boroughs are progressing adoption in parallel with Havering.

RECOMMENDATIONS

- 2.1 That Cabinet:
 - (1) Recommend that Council adopt the Joint Waste Development Plan Document (DPD), incorporating the Inspector's recommended changes (attached as Appendix 2) in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 and the subordinate legislation made thereunder.

REPORT DETAIL

1 Background

- 1.1 The London Boroughs of Barking and Dagenham, Havering, Newham and Redbridge have prepared a Joint Waste Development Plan Document (DPD) which is part of the Local Development Framework. The main purpose of the Joint Waste DPD is to ensure there is sufficient waste management capacity across the four boroughs to manage the apportionment set by the London Plan (2011) for municipal and commercial and industrial waste.
- 1.2 The Joint Waste DPD has been through appropriate consultation in line with the Town and Country Planning Regulations and has been the subject of an Examination by an independent Inspector appointed by the Government. The Planning Inspectorate has now approved the Joint Waste DPD subject to a number of binding changes being made (see Appendix 1). **Officers consider that these changes do not significantly alter the Plan and recommend that it should be adopted.**
- 1.3 The Joint Waste DPD meets the London Plan waste apportionment through a combination of safeguarding existing waste management capacity and allocating sites for new facilities. As previously approved by Cabinet the Plan identifies the need for three new waste management sites within Havering; Ferry Lane North (two small scale facilities), Gerpins Lane and Hall Farm.

2 The outcome of the Examination

- 2.1 The Examination took place in April 2011 and, at the instruction of the Inspector, included a further round of consultation on further minor changes. Only a limited response was received and this was principally from those bodies who had previously submitted representations, in particular the GLA.
- 2.2 The Councils received the Inspector's Final Report on the examination in November 2011. (A copy of the report is in the Members' Resource Room) The Planning Inspectorate has approved the Joint Waste DPD subject to a number of binding changes being made. Officers consider that these changes do not significantly alter the Plan and therefore this report recommends that the Cabinet agree to its adoption by Council.
- 2.3 The main differences to the previous version of the Plan approved by Cabinet are as follows:
- The time span of the DPD has been revised from 2010-2020 to 2011-2021
 - The revised (lower) London Plan apportionment has been included in the Joint Waste DPD and it makes clear that the need for additional waste management capacity will be monitored against this figure.

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- Maps of the Schedule 1 and Schedule 2 sites have been included in the final DPD
 - A schedule of superseded policies has been added as Appendix 2 to the final DPD
- 2.4 A copy of the proposed Joint Waste DPD incorporating the Inspector's recommended changes is attached as Appendix 2. It retains the structure and format of the version last considered by Members.
- 2.5 As before, it includes five policies:
- Policy W1: Sustainable Waste Management
 - Policy W2: Waste Management Capacity, Apportionment and Site Allocation
 - Policy W3: Energy Recovery Facilities
 - Policy W4: Disposal of inert waste by landfilling
 - Policy W5: General considerations with regard to waste proposals.

3 Adoption Process

- 3.1 Subject to Cabinet and Council agreeing adoption, officers will take the necessary steps to progress the final adoption of the DPD. The DPD cannot be adopted until approved by all four Local Authorities and this is scheduled for January – February 2012. Following approval by all four Local Authorities, an Adoption Notice is required to be published in the press [Romford Recorder] and copies of the DPD to be made available on the Council website and libraries.

REASONS AND OPTIONS

Reasons for the decision:

Please see legal implications (below)

Other options considered:

The Council could choose not to adopt the Joint Waste DPD. However, Cabinet previously approved the pre-submission version of the plan and officers consider that the changes recommended by the Inspector do not alter it significantly.

IMPLICATIONS AND RISKS

Financial implications and risks:

The costs of adoption are expected to be minor and will be met from existing budgets within the Development and Transport Planning Group.

The costs of the Examination were equally shared by all four boroughs and work out at £9,500 each. For Havering, this will be met from Planning Delivery Grant.

The adoption itself will have no impact on Council budgets, either collection or disposal.

The recommended new sites will be privately funded, and depend on operators coming forward.

Legal implications and risks:

Section 23(5) of the Planning and Compulsory Purchase Act 2004 requires that a Development Plan Document is adopted by resolution of the authority (Council). This is the course of action that officers recommend that Cabinet take for the Joint Waste DPD.

Human Resources implications and risks:

The administrative process of adopting the Joint Waste DPD will be undertaken within existing resources by the Development Planning team. There are no further HR implications arising from this report

Equalities implications and risks:

None relating directly to this decision.

BACKGROUND PAPERS

None