

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member - Environment
Date of Decision:	12 January 2010
Decision Title:	The London Plan – Waste Management Implications
Decision Reference:	1136
Report From:	Director of Environment

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1. Executive Summary

1.1. The purpose of this paper is to consider the implications for Hampshire of the policies for waste and resource management contained in the Consultation Draft Replacement Plan for London and a “Minor alteration to the consultation draft replacement London Plan” (“the Plan”). The Plan was published for public consultation on 12 October and the minor alteration in December 2009. Comments are invited on its policies and proposals by 12 January 2010.

1.2. This paper seeks to:

- set out the relevant details of the London Plan and the context in terms of waste and resource management planning policy for the South East and for Hampshire;
- consider the implications of the plan for Hampshire;
- highlight the key issues and suggest how the County Council should respond to the Plan by:
 - (i) resisting the landfilling of London’s waste in Hampshire; but
 - (ii) engaging with the Mayor, in collaboration with other south east counties, to explore strategic opportunities for recycling, composting, recovery and treatment of London’s waste.

2. Contextual information

2.1. The Plan is one of a suite of three plans which also include the Transport Strategy and the Economic Development Strategy forming a replacement for the current London Plan, originally published in 2004. Together they will set out a framework for the development of London over the next 20–25 years.

2.2. The Plan's policies for waste are set out as part of its provisions for tackling climate change. The Plan sees the role of waste as a "potentially valuable resource that can be exploited for London's benefit , and not solely a disposal problem" and contains the following strategic policy for waste self sufficiency:

"Policy 5.16 Strategic

A The Mayor will work with London boroughs and waste authorities, the London Waste and Recycling Board (LWaRB), the Environment Agency, the private sector, third sector groups, and neighbouring regions and authorities to:

- a. manage as much of London's waste within London as practicable*
- b. create positive environmental impacts from waste processing*
- c. work towards zero waste to landfill by 2031.*

B This will be achieved by:

- a. minimising waste*
- b. encouraging the reuse of and reduction in the use of materials*
- c. exceeding recycling/composting levels in municipal solid waste (MSW) of 45 per cent by 2015, 50 per cent by 2020 and aspiring to achieve 60 per cent by 2031*
- d. exceeding recycling/composting levels in commercial and industrial waste of 70 per cent by 2020*
- e. exceeding recycling and reuse levels in construction, excavation and demolition (CE&D) waste of 95 per cent by 2020*
- f. improving London's net self-sufficiency through reducing the proportion of waste exported from the capital over time*
- g. working with neighbouring regional and district authorities to co-ordinate strategic waste management across the greater South East."*

2.3. The Plan estimates that the capital produces some 22 million tonnes of waste each year, of which approximately 90% could be recycled or used to generate energy. The "minor alteration" indicates in respect of Borough level waste arisings and apportionments, that the Mayor does not anticipate that the capital will become net self-sufficient until 2031, with only about three quarters sufficiency achieved by 2016 and 85% by 2021.

2.4. In the supporting text, the Plan says that:

"The Mayor will work with London's neighbours in the South East and East of England to co-ordinate strategic waste management across the three regions to reduce the capital's dependency on landfill disposal outside London. He will adopt a flexible approach to how self sufficiency is achieved, so that the

carbon outcome of any treatment method and transportation are given greater consideration in assessing proposals for waste facilities.”

2.5. In considering its response to the consultation, there are two main relevant policy documents which the County Council needs to take into account: the South East Plan, published by the Government in May 2009, and the Hampshire Minerals and Waste Core Strategy, which was adopted by the County Council in 2007 following an independent examination in 2006. The comments of the Inspector who conducted the Public Examination into the Core Strategy are also relevant to the consideration - see paragraph 2.8.

2.6. The South East Plan notes that the (current) London Plan sets targets for recovery, composting and increasing self sufficiency, but that London will continue to be reliant on capacity in surrounding regions well into the plan period. Policy W3 states that:

“Waste authorities ... should provide management capacity equivalent to the amount of waste arising and requiring management within the region’s boundaries, plus a declining amount of waste from London. Provision for London’s export’s will usually be limited to landfill... new permissions will only provide for residues of waste that have been subject to recycling or other recovery process. Waste Planning Authorities should provide landfill capacity for the following apportionment of London’s exported waste: Hampshire, Portsmouth, Southampton and New Forest National Park

2006 – 2015 Zero;

2016 – 2025 0.57 million tonnes (7.8% of the total exported to the South East Region).”

2.7. The Hampshire Minerals and Waste Core Strategy, proposes at policy S6 that:

“provision for London’s landfill requirements post 2016 will be considered by a review of the Strategy.”

The Core Strategy also notes at paragraph 17.3 of the supporting text that:

“Hampshire has no readily available landfill sites which are close to London or are accessible by sustainable transport means. Moreover detailed analysis has shown that Hampshire has insufficient ‘commercially viable’ non-hazardous landfill opportunities suitably located for London’s waste. Given this, provision for the landfilling of some of London’s waste will not be made. This is not to say that Hampshire will not accept any of London’s waste, just that landfill sites will not be provided specifically for it.”

“Provision of landfill for London’s waste will be reconsidered when the Minerals Plan is reviewed. The factors that will be taken into account in this review are: suitable sites being promoted, their location, and whether excess capacity beyond Hampshire’s needs would be provided.”

- 2.8. In his consideration of the issues on dealing with London's waste at the public examination into the Hampshire Minerals and Waste Core Strategy, the Inspector noted that:

"Hampshire has insufficient readily available and commercially viable non-hazardous landfill opportunities within reasonable distance of London or accessible by sustainable means of transport".

On this basis, he recommended that:

"the question of making provision to accommodate London's waste post-2016 will be considered when the Strategy is reviewed".

3. Discussion of Key Issues

- 3.1. The London Mayor is setting ambitious targets in the draft replacement London Plan for the recycling and recovery of waste in London and a direction for improving net self sufficiency in dealing with that waste. In the Plan, the Mayor pledges to work with authorities in the South East in dealing with waste treatment in the capital and landfill disposal outside London. The Mayor also identifies criteria for dealing with self sufficiency which he considers to be realistic and pragmatic. However, whilst this approach is welcomed, it is important to note that the planning and delivery of this strategy will take many years to achieve, with net self sufficiency not expected for London before 2031. This is a recipe for policy drift and decisions being made in default of a finalised strategy that could mean extra landfill being permitted in the south east than what is needed for its own purposes. On the other hand, opportunities may exist for recycling, composting, recovery and treatment of London's waste in the south east. Therefore it is vital that early liaison with authorities in the East and South East of England does take place, and at the earliest opportunity.
- 3.2. With regard to Hampshire's position on accepting London's waste for landfill, there is no evidence to suggest that the stance currently taken by the County Council, as expressed in the Hampshire Minerals and Waste Core Strategy, should change. Hampshire remains critically short of landfill opportunities for non hazardous waste, despite its own policy and achievements in diverting waste from landfill, and so the main opportunities that do exist are required for Hampshire's own waste residues. In any event, they lie in the south west of the County, beyond a sustainable distance for transporting waste residues from London.
- 3.3. It will also be important for the County Council to work with other councils in the South East to ensure that the planned approach is delivered and, where required, appropriate opportunities for siting waste treatment facilities in the South East are explored. These opportunities should be in line with the County Council policy (including the Hampshire Waste Plan as it emerges) and the Mayor's criteria for dealing with self sufficiency and tested through an

appropriate appraisal and consultation process. It is suggested that these points are made strongly in the County Council's response to the Mayor.

4. Recommendations

- 4.1. That Hampshire County Council generally welcomes and supports London's ambitious targets for waste recycling and recovery, set out in the draft replacement London Plan (the Plan), but notes with concern the current timetable for achieving net self sufficiency.
- 4.2. That the County Council objects to the Plan in respect of the proposed timetable for delivering net self sufficiency.
- 4.3. That the County Council engages with the Mayor in delivering the Plan, as part of a co-ordinated approach by authorities in the South East Region, to explore the strategic opportunities for recycling, composting, recovery and treatment of waste beyond London's boundaries and to ensure that any treatment facility proposed in the South East is brought forward only if:
 - (i) the need for it is demonstrated and it is in conformity with the aims and criteria set out in the Plan to meet the targets for recycling and recovery and self sufficiency; and
 - (ii) it is subject to appropriate appraisal and consultation processes.
- 4.4. That the County Council liaises with other county and unitary authorities in South East England, and as appropriate in East England, to obtain a coordinated response to the Plan.
- 4.5. That authority be delegated to the Director of Environment to submit representations to the Mayor's consultation on the waste and resource Management Policies of the draft replacement London Plan, based on the approach set out in this report.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	no
Corporate Business plan link number (if appropriate):	
Maximising well-being:	no
Corporate Business plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Business plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> Hampshire Minerals and Waste Development Framework - Core Planning Strategy	<u>Reference</u> 9401/JS	<u>Date</u> 12 th July 2007
Direct links to specific legislation or Government Directives		
<u>Title</u> Planning and Compulsory Purchase Act		<u>Date</u> 2004

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1. Assessment of the Race Relations (Amendment) Act has been considered in the development of the Framework, which is not expected to compromise equalities in terms of race, creed or gender but to improve well-being for all.

2. Impact on Crime and Disorder:

- 2.1. The proposals have no impact on crime and disorder.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

The proposals put forward are aimed at reducing the carbon footprint across the Hampshire community.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The proposed policy changes aim to improve long term sustainability of waste infrastructure.