

# **Joint Waste Planning in Metropolitan and Unitary Authorities**

**COMPARISON OF JOINT WORKING IN  
NORTH WEST ENGLAND AND  
LONDON**

**MARCH 2008**



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## **1. INTRODUCTION**

- 1.1 This note forms the second part of the Joint Waste Planning in Metropolitan and Unitary Authorities project, co-ordinated by GMGU (Urban Vision Partnership Ltd) and funded by Defra. In progressing the development of guidance on joint working to prepare Waste DPDs, Stage 1 (reported separately) concerned evidence gathering about approaches being undertaken nationally. Stage 2, subject of this note, is based on the evidence gathered in Stage 1, but focuses specifically on comparing and contrasting joint working in the North West (Greater Manchester and Merseyside) and London.
- 1.2 This second stage takes a more thematic approach than covered in Stage 1, concentrating on the most important issues. It also has a primary objective of beginning to build consensus on the range of the most important issues that should be covered in the guidance note (the ultimate purpose of this research project), and also assists to this end by collating experiences (including examples of what has worked well).
- 1.3 The table following in Section 2 summarises the main elements of similarity and difference between the consortia of authorities.
- 1.4 To supplement the analysis presented in this table, Section 3 identifies some of the major issues that appear to be critical in developing joint working. These reflect the comments provided by the project managers/heads of joint units of each of the consortia given in a series of brief telephone interviews undertaken in early January 2008. One of the main objectives of these interviews, in addition to identifying and discussing these main issues, was to canvass views on the nature and purpose of the guidance that should ultimately be prepared. Thus each interviewee was supplied with a draft structure and proposed content developed as a basis for the emerging guidance note. Comments on this structure are also included here.
- 1.5 The Appendix to this note summarises the detailed points raised in each interview.

## 2. SCHEDULE OF MAIN SIMILARITIES AND DIFFERENCES

	Greater Manchester	Merseyside	London			
			North London	South London	East London	West London
<b>No. of authorities</b>	10	6	7	4	4	6
<b>Governance</b>						
<b>Member</b>	Formal Joint Committee (meets every 2 months)	-	- Member Working Party (1 Cabinet member per authority)	- Member Working Party (including cross-party reps)	-	-
<b>Other member arrangements</b>	- delegated arrangements apart from submission and adoption stages which still require Full Council approval.	- delegated arrangements apart from key stages - progress reports to Leaders/CXs	- individual Councils making decisions	- individual Councils making decisions	- individual Councils making decisions	- individual Councils making decisions - detailed Member involvement proposed at key stages (esp. at PO stage)

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<b>Officer</b>	Joint Officer Steering Group (every 1-2 months)	Steering Group - Heads of Planning level	Heads of Planning Group (4-6 times year)  Joint Officer Steering Group (every 6 weeks) - main steering	Joint Officer Steering Group (every 6 weeks)	Joint Officer Steering Group (meeting at least monthly) - Policy Managers	Joint Officer Steering Group (meeting at least monthly) - Policy Managers
<b>Agreement</b>	Local Agreement delegating executive powers to Jt. Cttee. Contains terms of reference (MOU) for member/officer groups	Informal MOU, and Terms of Reference for operation of Steering Group (revision underway)	Formal MOU, including terms of reference for Member, officer groups	Formal MOU now agreed	Terms of Reference, Procedures for Joint Working	Formal MOU

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<b>Operational</b>						
<b>Working arrangements</b>	Joint Unit (GMGU)	Joint Unit (Merseyside EAS)	PM plus Steering Group	PM plus Steering Group	PM plus Steering Group	PM plus Steering Group
<b>Project management</b>	Project Manager in JU	Project Manager in JU	Project Manager in lead authority (Camden) – full time	Project Manager in lead authority (Kingston) – full time	Part time Project Manager from lead authority (Newham)	Project Manager to be appointed based in lead authority (Hillingdon)
<b>Use of consultants</b>	Additional work to supplement Joint Unit.	Input on specific areas: SA, Habitat Regs Assessment, Needs Assessment Otherwise work undertaken by JU	Consultants will undertake all the work (different consultants for different tasks)	not yet established	Most of work	All of work. Commissioning by Spring 2007
<b>Preparatory consultancy work (on project planning)</b>	Strategy Plan and Project Plan prepared by ERM (June 2006)	None (all project planning undertaken in Joint Unit)	Major study for ALG (Nov. 2004, updated Sept. 2005) by LUC			
			Guidance and draft Spec docs. Prepared by LUC (May 2005, updated June 2005)	Strategy Plan and Project Plan prepared by ERM (April 2007)	-	-

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<b>Plan timetable</b>						
<b>Current stage on DPD production</b>	I&O in two stages: I&O1 consultation May/June 2007, I&O2 (sites and detail) in Summer 2008	I&O completed: Mar/April 07 (covered main issues and potential sites) PO now being advanced: target Sept/Oct 2008	I&O to be undertaken – Jan/Feb 08	Not yet started. SA scoping May 2008, I&O in June 2008	I&O consultation: April 2007	Not yet started.
<b>target adoption</b>	Dec 2010	Nov 2010	Dec 2010	Dec 2010	June 2010	April 2010 (but based on June 2008 PO)
<b>consultation</b>	Consultation strategy prepared by consultants (May 2006)	1. compliance with each SCI 2. separate consultation strategy	Communications Group established Protocol agreed. Review of SCIs by consultants – leading to Communications Strategy	Consultation Strategy being drawn up	-	-
<b>MWMS</b>						
<b>Municipal Waste Management Strategy timetable</b>	Both adopted.	Just commenced first review. PFI awarded summer 07	Joint MWMS at draft stage – adoption delayed (need for SEA etc)	MWMS not yet adopted [to be clarified]	Adopted.	Adopted
<b>Dealing with proposals?</b>	planning apps. will be considered under existing UDPs	planning apps. will be considered under existing UDPs	planning apps. will be considered under existing UDPs	Not known	Planning applications not likely to be necessary (facilities in place)	planning apps. will be considered under existing UDPs

### **3. JOINT WORKING: EMERGING MAIN ISSUES**

- 3.1 Consideration of the above table, plus the results of the interviews summarised in the following Appendix, suggested a number of major themes – reflecting similarities or differences – apparent in the approaches taken in the areas studied. Each of these will need to be explored in the development of guidance (Stage 3 of the project). These can be briefly summarised as follows.

#### ***Working Arrangements***

- 3.2 The differences in working arrangements provide the most evident (and most profound) variations between the 6 consortia. Although the subject matter and its considerable complexities is very similar (despite the geographical differences in the areas covered), the management arrangements have evolved in quite different ways. There are several aspects of this variation – particularly concerning the involvement of elected Members, the nature of officer steering arrangements, and the extent to which an in-house team is available to focus on the work.
- 3.3 Only Greater Manchester has an established Joint Committee of elected Members (with delegated powers) with responsibility for progressing the plan. Other consortia engage with elected Members on a more informal, but structured way – others seek to build-in (and allow much time for) Member engagement largely only at key stages. Officer steering structures vary according to frequency of meeting, and seniority (and continuity) of attendance. All these aspects of Member and officer arrangements are clearly derived from what is appropriate and possible in the local circumstances – but equally clearly have significant implications for the success in achieving individual LPA buy-in to the process, and to its likely success in achieving a jointly agreed solution.
- 3.4 Another major variation is the size of the team available to undertake the work on joint waste planning. This ranges from the full joint teams of the North West, to the Project Manager and supporting network of individual LPA officers, in the London consortia. This naturally impacts on the extent to which the work itself will be undertaken in whole or in part by consultants, considered below.
- 3.5 Another key dimension in the differences is the time that has been devoted to establishing the working structures. The more formal structures (eg. Greater Manchester) have invested considerable time (and resources generally) at the start of the process, in the hope of achieving a better long term solution (even if not a quicker one) – in particular which is likely to be successful in brokering acceptance by all parties. There is a significant distinction between those who have invested heavily in planning and in structures – and those more intent in getting on and working out solutions by actually developing the Plan. Whether the early investment of time receives a payback (relative to those

who have plunged into the work) remains to be seen: the ultimate measure of success of any of the approaches assessed here will only be seen when (and if) agreement can be reached by all parties, the plans progress to be judged sound at Public Examination, and beyond the right solutions are delivered.

### ***The Worth of Preparatory Work - and the use of Consultants***

- 3.6 The use of consultants has varied, and will vary, widely. Half of the consortia have invested very substantially in the preparation by consultants of initial strategy and project plans – which were prepared, and given the context at the time of preparation, have each been regarded as very worthwhile. The alternative approach has been to develop the project in-house, and start to grapple with the inevitable complexities as soon as possible. In terms of the future work, there is a clear distinction between those consortia which are intending to pass over all (or most) of the work to consultants, and those who are engaging consultants to produce discrete aspects of supporting work, to the close direction of the steering team. The variations here, and the scope for future delays and degrees of success in tackling issues and achieving local solutions, suggest that further discussion, and an important element of guidance, might be necessary.

### ***Relationship with the LDF Core Strategies, and Developing a Waste Spatial Strategy***

- 3.7 Each consortia has grappled with developing a waste strategy, and ensuring that this fits within the evolving LDFs of the constituent LPAs. A common policy has normally been proposed for inclusion in each LPA's Core Strategy – with more or less difficulty depending on the stage reached in advancing that strategy, and the propensity for the LPA to wish to explore strategic waste issues in the Core Strategy itself. In most cases however the intention has been solely to establish a “peg” on which to hang the Joint Waste DPD work. The extent to which the Joint Waste DPD has developed, or is developing, a strategic component (eg. a vision and strategic spatial objectives) is variable – partly influenced by the views of the respective GO, but also by the extent and complexity of the local issues (eg. whether or not the issues are mainly about site identification, and whether those issues are largely predetermined, or not).

### ***Approaches to Consultation***

- 3.8 Each of the consortia has difficult issues to address in achieving an approach to consultation that is appropriate to the subject matter, and (to be regarded as sound), consistent with each LPA's SCI. Some have found this much more of a problem than others – particularly this is a function of the number of authorities, and the extent to which there are divergences in approach between SCIs. Most consortia have prepared a separate consultation statement (in effect a composite SCI). The differences in approach largely relate to a spectrum between what can be termed a “highest common

denominator” approach (which adopts all the processes recommended in each SCI, and applies all of them to each LPA area) and an approach (more based on feasibility and availability of resources) which differentiates between LPA areas – meeting requirements of each of the individual SCIs separately. This experience suggests at least that guidance might cover the need for early consideration to be given to the issues of joint working, in developing (or now, in reviewing) SCIs, particularly given that the consultation process is very time consuming.

### ***Impact of the Government’s Proposed Changes to the LDF System***

- 3.9 There is unanimity of view that the proposed changes (whilst bringing some welcome flexibilities) will not impact to any significant extent on either the timetable for advancing the joint DPDs, or the approach taken. Whether or not the former concepts of issues and options and preferred options documents are retained, the engagement process will still require considerable engagement to bring out the nature of the potentially complex waste subject matter, and full debate about the preferred approach (and its preference in relation to the alternatives), to comply with SEA requirements at the very least.

### ***Relationship with Municipal Waste Management Strategies (MWMS)***

- 3.10 In most cases a MWMS is in place (or is even being reviewed) for the area covered by the consortium. Generally, a single Waste Disposal Authority covers the consortium’s area – and indeed the experience of joint working on waste disposal and on preparing a MWMS has been a key ingredient in the context which has supported joint working by the Waste Planning Authorities. Given that the MWMS is usually in place, there are consequently issues facing each authority in terms of the procurement process – commonly ongoing during the preparation of the Joint Waste DPD. The response to this situation in each case, apart from where no additional facilities were anticipated to be needed, was that applications for new proposals would need to be judged against existing Unitary Development Plan policies for the time being. Nevertheless, the influence of the emerging DPD proposals might be expected to be taken into account (at least as material factors), the more advanced those proposals become.

### ***What Guidance is Appropriate?***

- 3.11 The results of the interviews (summarised in the Appendix), both in terms of the individual themes which were brought out, and the specific discussion of the emerging draft structure of the proposed guidance note (which had been supplied previously to facilitate discussion) will be taken into account in developing the content of the guidance note. In addition to other relevant ingredients, it is clear that there is valuable experience to build upon,

especially of joint working arrangements; organising consultation processes; developing the strategic component of the DPD (and ensuring its relationship with mainstream LDF Core Strategies); and site selection and evaluation.

### **Conclusions**

- 3.12 It is not the intention of this stage in the project to draw major conclusions about the differences between the six consortia – but to use the experiences that have been collated to help inform the development of the guidance note on joint working to produce waste DPDs. However, one particular message is very clear. Whilst there are many differences in approach, particularly in terms of working arrangements, it is clear that the particular approach adopted has been selected as a consequence of and to fit the local context. In fact in all cases a strongly held view is evident that the approach was both the only way forward (in that local context) and that the approach selected has proved to be adequate (and indeed successful) for the task.
- 3.13 This tends to suggest that there are no simple single solutions that can be recommended – but guidance needs to explain that there is a range of alternative approaches that could be followed, and to help select (and develop) the best approach to fit the particular circumstances.

## **APPENDIX: Summaries of views**

### **GREATER MANCHESTER**

#### Current Stage

Consultation on a first Issues and Options document (I&O1) was undertaken in May/June 2007 (dealing with background information, and broad strategic issues) – work is now engaged in developing a second I&O document, which will introduce site issues. Preferred Options consultation is proposed in Summer 2008.

#### Joint Working Arrangements

Greater Manchester has the most substantial and formal structure of all the consortia – a formal agreement that has led to the establishment of a Joint Committee (of elected Members), supported by the Joint Unit (GMGU).

It is clear that no one of the 10 Greater Manchester authorities could achieve a satisfactory waste DPD on its own – the issues are only practically (and given the RSS context) considered at the GM county level. However, there are a number of other factors that has supported this approach. Data also tends to be at regional and sub-regional level. Perhaps of most practical significance, there has been a strong history of joint working under the lead of the Association of Manchester Authorities (AGMA), including a number of joint officer units (including GMGU), mostly established since the abolition of the metropolitan county council. The relevance of continued joint working at the Greater Manchester level is further heightened now by the development and approach of the Core Cities concept (including the Manchester city region as one of the national Core Cities, and major component in the Northern Way strategy).

#### RSS Issues

Much effort has been devoted to working out the implications of the evolving RSS, and as important, to contributing to its development. This is continuing to be the case, with the review of the waste policy component proposed in taking forward the RSS. Continuing issues relate to the extent to which the eventual RSS will provide guidance which is appropriate in setting a supportive context for sub-areas (and thus defining the basis for addressing self-sufficiency issues), but at the same time will allow sub-area joint working to fulfil its full role – in other words for the principle of subsidiarity to be recognised, permitting joint working to establish the appropriate solutions which are relevant for Greater Manchester. This might mean not unnecessarily prescribing broad locations or mixes of facilities that are better resolved at the sub-regional level. The ongoing dialogue is working to this end. Clearly a strong lead from the RSS about the appropriate scales of sub-regional planning could be a major stimulus (or its absence a deterrent) to joint working.

This debate will also address the extent to which there is a need to provide for national or regional scale facilities, and the need to recognise and plan for cross-boundary issues (at regional, sub-regional and local scales). The consistency soundness test will examine the extent to which the joint plan appropriately integrates with the plans of others in this respect.

### Core Strategy Issues

These have been a major concern in developing waste management planning in Greater Manchester. The authorities have been advised (by GONW) that it is not possible to produce a separate Core Strategy for waste matters – on the basis of the view that there should only be one Core Strategy per authority (ie. the mainstream planning document produced by each authority). This does, nonetheless, conflict with the approach taken in Tees Valley and Berkshire, where 2 Core Strategies are indeed in preparation.

The significance of this is that issues have been raised about how the waste DPD should be linked to each of the LPAs' Core Strategies (which could be a conformity soundness issue), and how and where the "strategic" component of the approach towards waste should be accommodated. The view has been taken (following extensive debate) that a simple strategic policy should be contained in each Core Strategy, that provides the link to the Waste DPD (or "peg" on which to hang the waste approach). This approach has been subject of ongoing discussion with each authority to secure such a CS component (the GM LPAs' Core Strategies, with the exception of Bury's, are not far advanced). However, it is a question of balance, because whilst it is (arguably) necessary to have such a link (ultimately to achieve conformity), any further substantial policies or proposals relating to waste in the LPA's Core Strategy would potentially conflict or be inconsistent with the emerging waste DPD content.

In addition to the Core Strategy issues, concerns are also evident about the scope and extent of the strategic component of the waste DPD. Whilst seeking not to adopt an approach (or terminology) that could conflict or confuse in relation to mainstream LDF work, the emerging waste DPD (through the initial first I&O document) is developing strategic aims and objectives, to deliver a central vision. However, in the case of waste planning, the extent to which central strategic principles can be separated from detailed site considerations (to explain what the principles mean) is also a live issue – the fact that sites (or locational details) were not considered in the I&O1 document has arguably reduced the intelligibility of the alternative strategic issues being discussed.

### Site Selection Issues

This is potentially a major area of concern, which will be addressed in the second I&O document (consultation proposed in Summer 2008). How sites should be identified and compared has been the subject of much work. Information can be

difficult to obtain from the industry at this early stage in the process in bringing forward new sites.

The I&O2 document is likely to adopt a broad-brush comparison approach, examining the implications of alternative approaches (eg. many small sites v. fewer larger sites) in a thematic way, rather than a full quantification (dependent on complex weightings and value judgements, and potentially implying a spurious degree of precision), which might be closer to that proposed elsewhere.

### The Worth of the Previous Studies

Given the nature of staffing for the project, and the comparatively new area of work involved, the preparation of the detailed strategy and project plan by consultants (ERM, 2005) were very useful at the time of their production. However, now experience has moved on – and it is one of the aspirations for this guidance that it should assimilate the lessons and conclusions from such studies, and make it accessible.

### Consultation

A consultation strategy was prepared by consultants (May 2006), which reviewed each LPA's SCI. Somewhat of a differential approach between authorities (to achieve compliance with each individual SCI) is necessary, since variations between SCIs do not permit the same approach (see Merseyside).

### Guidance

The emerging guidance may well be relevant to all forms of joint working on planning issues. Joint working on waste is probably the most common, reflecting the financial imperatives and the history of joint working on waste disposal. A cross-reference to the separate PAS project on LDF joint working will be worthwhile. A large number of detailed comments were also supplied on the draft structure of the guidance note.

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## **MERSEYSIDE**

### Current Stage

Now concluding evidence gathering (including needs assessment – numbers of facilities likely to be required), refining data assumptions and undertaking sensitivity analysis. I&O consultation took place in April 2007 – now moving towards PO “pre-consultation” stage (Feb – April 2008) prior to May 2008 elections. This pre-consultation phase will not explicitly advance site specific proposals (indeed will include a further call for new sites), but will include ideas on a spatial strategy, and specific strategic questions for the industrial sector based on emerging results from the sites method and Needs Assessment. As far as elected Members are concerned, prior to May the dialogue will seek to develop understanding on the issues, through training and site visits (but will include detailed briefing with joint Leaders/Chief Executives). Post May the Preferred Options document will be advanced through each Council’s delegation process (ie. as required to Cabinets, Committees, Scrutiny Boards etc). Approval from each Council’s process – which at this point seeks agreement on content (including sites) - is estimated likely to take between 5 – 10 weeks. The objective is to achieve agreement in time to undertake public consultation on the PO document in Sept/Oct. 2008.

The process adopted by Merseyside is documented through a flowchart described as the “route-map”, which explains how the various activities and sources of information will be integrated. The process was developed in-house (ie. without the strategy/project plans commissioned by consultants adopted elsewhere) as was the project plan and project initiation document.

### Working Arrangements

Although there are no formal member working arrangements (unlike Greater Manchester’s joint committee), frequent briefings are undertaken at joint Leaders/Chief Executives meetings. The production of the DPD is being undertaken by the joint unit (Merseyside EAS), supplemented as necessary by consultancy support. The steer from the main local authorities is achieved through a regular Steering Group meeting (with representatives from Heads of Service) – these have been monthly since project commencement. This has generally provided consistent support – it enables the joint unit to overcome the potential “out of sight, out of mind” context which their separation might otherwise engender, and enable the key message to be secured – that the DPD will not be the Joint Unit’s, but belong to each of the LPAs.

Arrangements have followed the early agreement of an informal Memorandum of Understanding, which included Terms of Reference for the officer working arrangements. This has generally worked well, but is considered capable of improvement. Consequently the Governance arrangements are under review including revised Terms of Reference. This will include the establishment of a supporting Technical Advisory Group (providing technical support to the process, and including representation from industry) and a Stakeholder Group both of which will be

used for pre-consultation activities for Preferred Options and later stages of WDPD preparation.

Working relations between the authorities has been good. It seems likely that the eventual solutions will be shared widely (if not evenly) between all the authorities. It is however, early days as they have yet to move into more tricky political territory associated with Preferred Options and allocations. Nevertheless the process does depend on achieving eventual agreement, which could founder if support from each Council is not forthcoming to the balance of effort in the proposed solution. Preparation of 6 separate waste plans would have been extremely difficult – the likelihood of conflict (and failing to achieve a local solution) would have been too great. The case for sub-regional working seems clear – and the scope of economies of scale strongly evident.

### RSS Issues

Whilst the WDPD is moving towards sub-regional self-sufficiency, scope for simple sub-regional self-sufficiency for all waste streams does not exist, given the complexities of movements in and out of the area particularly with respect to hazardous waste and landfill. However, development of the RSS to-date has not provided a helpful basis for setting the role of the sub-region in its wider regional context. The quality of the RSS evidence has not been sufficient, and it has not addressed key aspects such as the need and scope for provision of regionally significant facilities. Its lack of clarity and doubts over its information base have confused rather than clarified the way forward. The Joint DPD has therefore had to make its own assessments – and much effort has been applied at the local level throughout the region (resulting in greater confidence in the local figures). As the RSS is taken forward in the current review concerning these aspects, there clearly needs to be a strong bottom-up development of understanding, the strategy itself and whether there is any need for RSS to identify regionally significant facilities.

### Use of Consultants

Consultants have been and will be employed for specific tasks – particularly where specialist skills are lacking, where an external view is beneficial, or where clear separation of tasks could enable work to proceed in parallel. The worth is evident of an external second opinion in the form of a “health check” or “helicopter view”. Good quality “consultant managers” are necessary (and present) within the Joint Unit. Consultants can be very effective, but it is essential for the plan-makers to understand the evidence base and issues themselves, and own the solutions. No consultancy support in terms of preparation of an initial project plan was employed (see above), because the complex process (becoming even more complex once work had started) required above all flexibility of response from the team’s management. The project plan and project management systems are therefore maintained in-house. A strong emphasis was also given to a live risk management appraisal and response system.

### Proposed Changes to the LDF System

Support was expressed for the flexibilities now offered. However, all the work undertaken through the previous I&O consultation was necessary spade-work and not abortive – and the future consultation process would still need to be similar to a preferred options consultation. Whether some consultation activities are to form part of a formal stage or pre-consultation is fairly irrelevant in as much as the work and dialogue needs to be undertaken and issues progressed. The main concern however is one of managing communications when progressing politically sensitive issues especially when “sites and commercially sensitive issues” require discussion.

### Consultation Arrangements

Working to ensure consistency with 6 SCIs had been a “nightmare”. Because of their number and the differences between them, it had not been possible to offer the concept of a “highest common denominator” process – ie. offering the same approach in each LPA, which in each case could incorporate all the processes recommended in any of the LPAs’ SCIs. This would not have been possible in terms of time and resources, and indeed the lack of applicability of some of the proposals to the waste issues to be discussed. A combined Consultation Strategy had been compiled (a key part of the evidence base), which developed a differential approach between areas, in each case compliant with the respective SCI. The minimum SCI compliance requirement has been met and added to by WDPD specific pre-consultation events.

### Core Strategy and Strategic Issues

The same difficulties with securing appropriate reference in the Core Strategies of each LPA had been encountered as described in the case of Greater Manchester. A simple common policy had been advanced, to provide a hook in each Core Strategy for the role of the Joint DPD (and thus the basis for judging soundness of the Joint DPD in terms of its conformity with the Core Strategy in each LDF). Given the stage reached in each LDF (the furthest are only at PO stage), there is still scope to integrate this Core Strategy element.

The Joint DPD is intended itself to contain its own strategy, to give spatial direction to the approach proposed to be adopted. It is expected therefore to include a spatial vision and strategic objectives – and an approach that is illustrated on a Key Diagram and supported by the spatial vision. This element of the WDPD is however not referred to as the Core Strategy.

Achieving a relationship between the LPAs’ Core Strategies and the emerging Joint Waste DPD, and developing the strategy at the heart of the latter, had been substantially complicated by the inability to prepare a separate Core Strategy for waste (potentially as a combined DPD with the current joint waste document) – derived from the view (expressed by GONW) that two Core Strategies could not be produced for the same LPA. It is considered that developing a strategy and direction

for the waste DPD would have been significantly easier had preparation of a separate waste Core Strategy/LDF been possible.

### Site Selection

Current effort is focusing on bringing forward sites for consideration at the Preferred Options stage. A mixed approach is being used, balancing detailed evaluation (including an analysis involving quantification, weighting and scores – which will lead to the shortening of a long list of candidates). This process is then supplemented by a softer evaluation of site proposals which includes site visits for the best performing sites (taking into account appraisal of individual site deliverability, sensitivity analysis in relation to receptors). Capacity and spatial location, and the results of Sustainability Appraisal and HRA will then be fed into the process to deliver a range of site preferred options consistent with the preferred options for the spatial strategy.

From this analysis it is likely that the PO document will compare packages of sites and approaches – perhaps reflecting contrasting alternatives such as a focus on resource recovery park(s) or on dispersed facilities with greater proximity to the source of waste arisings. Similarly a contrast might be drawn between a site (opportunity) led strategy, and a spatial approach which seeks a wider distribution (and potentially wider sharing out of responsibilities). One dimension that will be an important consideration in definition of the spatial strategy will be to consider the existing pattern of facilities (the location of which has its own reasoning) and see if any movement from this pattern can be justified.

An ongoing issue with the site work is the concern about when public views should be sought – not to avoid dialogue (which will be essential), but to avoid sites being developed out early, potentially blighted, priced out of availability – or allocated for other uses through the LPAs' LDFs. Adjacent land uses and proposed land uses in allocations DPDs is an important consideration here.

### Guidance Note

It was considered that the most important aspect of this should be influencing future national guidance. The following were considered to be the major aspects that should be covered:

- greater clarity on the purpose and co-ordination of multiple SCIs;
- resolving the Core Strategy relationship;
- clearer guidance on governance arrangements – including what is the best way to secure joint working, taking account of local authority functions and legal requirements;
- a clearer statement on the benefits of joint working, indicating where and why it is appropriate, including consideration of the financial implications ie. costs and rewards for joint working;
- need for less regulatory control over the length of formal consultation periods [this is now provided within the proposed LDF changes];
- guidance on the appropriate scale of Sustainability Appraisal and Habitats Regulations Assessment (which otherwise can appear never ending in scope);

- advice on cross-boundary issues, and how plans for adjacent areas should be taken into account, noting that the concept of “net” sub-regional self sufficiency is a sound one provided it is adopted by all within a WDPD plan area and within that region;
- further information and guidance, particularly from national sources (reducing the burden on local authorities) on key areas such as dealing with greenhouse gas emissions and health issues;
- more explicit recognition that in many areas (particularly metropolitan) large land areas are not available to provide site solutions – and other factors, including geology, often reduce choices yet further and may have an influence on how “net” self sufficiency is achieved;
- greater recognition (than is provided in PPS10) of the significance of the commercial market as the deliverer of the solutions;
- guidance on the implications of failure to achieve agreement between all authorities in a joint process: in particular how can progress be made in practice (eg. taking account of financial realities), and ultimately how can resolution of a meaningful (rather than lowest common denominator compromise) plan be achieved which can be supported through its Public Examination.

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## **NORTH LONDON**

### Current Stage

I&O now ratified – consultation commences 23 Jan 2008 for 6 weeks. A long gestation is planned for Preferred Options document, to allow for passage through individual Councils. The need to allow for differences in timescales has added a year to the overall programme: but the target is still Dec. 2010 for adoption.

The joint MWMS is not yet adopted, reaching a timely agreement has proved difficult – and has now been caught by the requirement to undertake SEA. This has delayed procurement – which will in fact help the DPD to get underway and catch up. But some conflicts on consultation are likely – the WDA is discussing sites, at the time when the I&O document is saying that site selection is not yet fixed. Municipal Waste applications could be imminent. DEFRA guidance (planning for waste authorities) stresses the need to work together: in the light of this, increased effort has been made to work together, and to share representation on the working arrangements.

### Working Arrangements

Officer and Member Groups are working well. A new group of Heads of Planning (assistant Director level) has been instituted to assist working relationships with Members – it needs to be programmed in, but will provide positive support.

The MOU gives only a broad structure. It has been built up based on trust. It might be found wanting in dispute situations, when at decision points – but generally reliance will be placed on trust to get through.

### Worth of Preparatory Work (LUC Studies)

The start was much delayed: there always seemed a reason why they couldn't start. The impact of the EU contracting requirements added a substantial delay. But the LUC Study did kick-start thinking, and has stood the test of time.

It was not considered appropriate to have launched into plan production: they would have fallen at first hurdle. Much discussion has taken place with the other London consortia on the best approach.

Everyone has to find their own way. The key is to get “buy in” from Council officers and Members – which could take weeks, or months.

## Consultants

Most of the tricky issues will be tackled by the consultants. They have found it relatively easy to outsource work to them – with steering from officers. Confidence is placed in the experience of the consultants selected (Mouchel) – with their background in the subject and local government. Good engagement has been achieved by the consultants with Members (in developing the I&O document). The proposed methodology for progressing the work (to PO stage) will be discussed over 3 meetings, with a 4<sup>th</sup> meeting addressing the draft plan (followed by 2 – 3 months to sign off prior to seeking Council approval). A full quantified approach will be followed.

## Risk Management

The consultants keen that authorities consider risks. A workshop was held, helping to focus understanding of how the risks will be addressed, and the consequences of actions. The PAS toolkit will be used.

Main risks identified ...

1. soundness;
2. politics and political alignment;
3. agreements on process, and ratification;
4. cost over-runs;
5. lack of staffing/prioritisation;
6. organised opposition – exploiting differences between boroughs;
7. data quality.

## Core Strategy Relationships

Each CS basically delegates responsibility for waste to the joint DPD. LUC did work on CS policies, which has largely been taken up by LBs. Islington's policy was included by GOL as an example to consider within a range of possible approaches. Issues about whether and where to put development control policies need resolving: they could be placed in LDF Development Control DPDs (GOL is keen to have all the guidance accessible).

## Consultation

Compatibility of SCIs is an issue. All have been reviewed by consultants – following which a consultation group has been established, and a consultation protocol has been agreed. Trying to adopt the “highest common denominator” approach – complying with all the SCIs.

## Proposed Changes to the LDF System

The proposed LDF changes are not considered likely to influence nature of proposed work

## Guidance Note

Generally happy with structure of note.

Agree with need to focus on product: got very hung up on process in North London. Outcomes are the most important – it's about delivering sites for waste. Can get too wrapped up in getting agreements.

Merits of joint working: couldn't have done it on their own. Solutions not in the gift of a single authority. Much history of joint working to build on. Nevertheless the implications of sharing the common burden was the cause of much initial suspicion – which will still need to be played out.

But don't need to find large amounts of land. London Plan Panel apportionment viewed favourably: north London being asked to plan for less than its arisings. But market will be ultimate determinant. New technologies are now much more efficient, and give considerable scope for solutions particularly with co-locating.

Will still need to have a debate about large number of facilities close to arisings versus small number of technologically efficient plants.

No real need for changes in regulations or guidance – but everyone is on a steep learning curve. Didn't initially appreciate the need for each Council to resolve to work together. Need to get full engagement: not easy for steering group representatives to speak for Councils as a whole (which is complicated by the widening significance of the LDF corporately) – but need to get full corporate buy-in.

What value can be added? Will help support joint working, which is very new. Also there is very little background in waste planning (as now required) in metropolitan/London authorities.

The range of topics proposed in the note is considered satisfactory. The main worth of note may be for those starting out.

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## **EAST LONDON**

### Current Progress

Most advanced of all participants. Seeking Member agreement for PO document for consultation in February 2008 (following good support from senior officers). Supportive comments from GLA received in Dec. 2007. GOL commented and made suggestions at the I&O stage (but have not yet commented on the PO document). The PO document will commend the preferred package of sites, with alternatives discarded appraised in a supporting document. The analysis has effectively categorised candidate sites in terms of those considered most suitable, less suitable and least suitable – most suitable appearing in PO document. Only four waste policies are proposed – see below for discussion of CS relationship. Reporting of I&O and SA results will be integrated in the PO document.

The approach has now been greatly assisted by the Greater London apportionment, which sets firm targets for the main categories (figures for each London Borough are summed to give the task for sub area Joint DPD to address). Some of the I&O discussion is now redundant because of the apportionment – but the I&O debate still provided useful basic ground work.

The approach in the PO document is to commit to meeting the apportionment, but to indicate that provision will not be made thereafter - given that the market actually determines what happens, and that East London may well be first to adoption, there is a risk that the early availability of the solutions provided will meet needs elsewhere. This stresses the criticality of monitoring, and establishing the basis for this in developing the strategy.

### Operational Arrangements

They have adopted a very flexible, pragmatic approach – based on getting on and doing it, addressing problems when they were encountered, and finding solutions. The Project Manager is only part-time (about a third), but this operates flexibly, working around peak periods of involvement (eg. relating to the work of consultants). Support from team leader level in each LB has been very good and is critically important. The approach seems to have worked – at least in terms of having now reached the PO stage! No need was felt to engage consultants to prepare strategy and project plans – these were developed by project manager herself.

The Terms of Reference and Procedures for Joint Working documents have worked well (no changes have proved necessary) – although the most rigorous challenge will come when approval is sought for the PO document in February.

Developing individual plans by each authority might just have been possible for most (but not all) authorities. But there is a good history of joint working on waste disposal since 1990s, and good Member buy-in. But equally the scale of problems/issues is not that great – so it is not difficult to find new sites, or provide for one of the 4 LBs which has less opportunities.

In summary, whatever needed to be done, was done – based on a Member commitment to joint working.

### Consultation

Achieving compliance with individual SCIs has not proved to be a major problem – each has tended to stick fairly closely to the minimum required by Regulations. A major effort was undertaken to develop a merged database of consultees covering all 4 LBs. Consultation is undertaken under the letter heading of the lead authority. Waste however is not considered a particularly contentious topic, likely to lead to much public debate.

### Relationship to LDF Core Strategies

A general policy is being included in each LDF, developed in joint discussion. This supports the general waste hierarchy philosophy, provides a commitment to meet the apportionment responsibilities, and criteria for determining proposals in advance of site allocations. This does not seem to have been a problem – with two Core Strategies approaching adoption.

### Use of Consultants

Consultants have not been used to do all of the work (unlike many others) – but are used working specifically to tasks. Thus LUC and ERM helped develop ideas and build the evidence about I&O for consultation, but the draft itself was developed by Project Manager (plus support from officer network). Similarly ERM (developing policies) and LUC (appraising sites: which sites were available for what uses) have contributed base work to help the development of the PO document – but the document and the general approach were developed by the Project Manager.

No particular problems have been encountered in dealing with consultants – since they were working strictly to the tasks identified. Giving consultants the full responsibility however was considered far harder – and thus not the approach taken. The consortia itself needs to take ownership of the issues, and needs to have responsibility for advancing the choices.

### Proposed Changes to LDF system

These are not considered to have any significance – they would have had to prepare a preferred options type document in any case.

### Guidance

The proposed layout is fine, and should be quite useful. There are no particularly critical issues that it needs to cover, where they could have benefited from knowing answers first. The best advice of all is “to keep it simple!”

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## **SOUTH LONDON**

### Current Stage

Just starting work – early planning being undertaken.

### Joint Working

A Members working group has been adopted as they wished to ensure flexibility, and it is particularly important that it allows cross-party representation. With only 4 authorities, it is considered practical (although they consider it might well not be for large numbers, eg. as Manchester). It is important to recognise the time taken to pass through committee cycles – it could be 3 months each time, which might just be manageable for 4 authorities.

It may mean difficulties in making difficult decisions in the future. But each authority couldn't do it on their own. Given the extent of existing joint working (especially on waste disposal), it didn't make sense not to work together.

The joint MWMS has not yet been approved [to clarify], but agreement was reached in April 2007 to work together on Municipal Waste disposal.

It is likely that solutions will differ (and implications of the DPD therefore) throughout the area. Three LBs have scope to use and intensify existing facilities - the other LB will need to consider new opportunities.

There is a clear imperative to deliver however – with strong pressure from Mayor.

### Formal Working Arrangements

Early days, but these seem to be satisfactory. The MOU has now been agreed [to be supplied], indicating Council approval for joint working. The second meeting of the Member working group is about to take place – with a full year's programme to follow, including an emphasis on training (visiting sites and building relationships, etc).

### Early Work by Consultants (ERM)

This was considered very helpful in detailing tasks (particularly for the newly arrived project manager) – but the timetable proposed is now longer relevant because of the subsequent slippage, and also because through comparison with other consortia and neighbouring authorities it was found to be far too optimistic. Whether the preparatory work however was necessary, given the wealth of similar documents prepared for other joint working initiatives, is debatable.

### Core Strategy Integration

The range of examples distributed by GOL has been helpful. They have recognised the need for something in common. Each Core Strategy is not very advanced, and it is therefore possible to insert a common policy. There is considered to be no need for a major strategy component in the DPD – the main issue is about site selection. Developing the monitoring framework for LDF (through AMR) will be an important consideration.

### Consultation

This is also to be discussed at the forthcoming 2<sup>nd</sup> Member Working Group. SCIs across LBs have been reviewed, and a single consultation strategy developed, based on the “highest common denominator” approach. The components of each SCI are however not too different. Some issues have been taxing - about meeting SCI requirements (when simple equity of consultation might have seemed more common sense) – but soundness will require each SCI to be met.

### Impact of LDF Changes

These are considered unlikely to effect the issues and options intentions – and are not thought to effect the likely approach to canvassing views on preferred options (whether formally titled as that or not). Given the sensitive nature of waste issues, more consultation is likely to be necessary.

### Guidance Note

The general structure is considered appropriate. Bringing the main strands of advice together will be an important purpose of the note. Particular priorities for coverage [will come back on] should include the difficulties of site selection. Approach to this at I&O stage will be discussed at the forthcoming 2<sup>nd</sup> Member working party (eg. whether to have one or more documents, covering more or less detail initially). Whether the London Plan provides sufficient prescription regarding site selection (avoiding the need for any further development of strategy) is not yet clear.

Guidance could indicate that the implications of joint working should be given early consideration in drafting (or revising) SCIs.

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## **WEST LONDON**

### Joint Working Arrangements

West London have probably the most informal of all the arrangements considered. The difficulties in establishing working arrangements have derived from the problems of achieving financial agreements, and getting sufficient Council buy-in (eg. in terms of the seniority of officer involvement) to joint working. A tender spec. is due to go out very shortly, to commission consultants to do all the work of preparing the DPD, to be steered by an officer group. A project manager is not yet in post to lead this process (but is hoped to be recruited shortly).

No direct Member involvement is proposed. Any involvement is likely to be through Members engagement with the WDA. Although there has been a failure of Members to be involved (and thus give gravitas to the process) this is not considered to be a particularly significant reason for the lack of initial support. Many political issues, and differences in political control would have rendered Member involvement less rather than more likely to facilitate joint working. A particular concern in the future programme is to build in time (6 months) to allow for extensive political debate and buy-in, in moving from a proposed “towards a Preferred Options” document to agreeing the actual Preferred Options document for public consultation.

There is a likelihood that half of the LBs in the consortia will end up providing for the needs of the other half (comprising much smaller LBs, with less opportunities). The reality of this has not necessarily been recognised, and won't be until site proposals are advanced. However, in terms of the overall targets, the Panel report on the London Plan appears to be very satisfactory: the consortium are “more than happy” with the targets.

The prospect of Housing and Planning Delivery Grant for joint working has clearly raised the profile of the arrangements with senior officers.

### Proposed LDF Changes

These are unlikely to be significant – there will still be a need to consult on a preferred options type document, and given the nature of waste issues, to undertake substantial consultation.

### Consultation

The approach is generally to seek to achieve the best of each of the 6 SCIs.

### The Worth of Preparatory Studies

The initial work by consultants (eg. holding of workshops, studies of available sites) was definitely worthwhile, and has established a strong base. This will need to be fully taken into account by the consultants to be commissioned to prepare the DPD. Undertaking this preparatory work did not of itself lead to delay – since the real reasons for delay in starting off related to financial and organisational issues (see

above). Conversely, starting off without this initial preparation could well have led to uninformed and abortive work. Starting early on the preparation would have been less possible than in other locations (eg. East London) where the history of joint working has been stronger.

### Guidance

The structure is thought to be good – but there is concern about overlaps and duplication. The approach may depend on the audience (and thus whether all components are necessary). The proposed aims section (in the introduction) is important – it should be expanded to cover aims and objectives of joint working, and the fundamental purpose.

It is important to cover the fundamentals. Particular concerns relate to site identification and to development control policies [will send annotated note?].

Coverage should stress that all waste streams (not just municipal) need to be addressed. The consortium's tender spec. [to be supplied] covers this particularly – it will go out 14<sup>th</sup> Jan 2008 for the prescribed EU tender period – for a consultancy to do all the work. The perspective of officers on the steering group tends to be on municipal waste issues – so the wider coverage in the spec. will be important.

Concerns were expressed that there may be conflict between national and regional (London) guidance about the requirement for self-sufficiency.

The significance and reality of market forces needs to come out strongly in the note – the market does not respect administrative boundaries.

Some comments on the perceived advantages and disadvantages:

- the significance of achieving economies of scale as a motive for undertaking joint working is very important – within which the opportunity to make best use of resources should be given the most weight. Expertise is very limited for this specialist area. Scope for reducing Public Examination costs could be significant – a wider benefit for Government and PINS also;
- however, the scope for reducing preparation time through joint working is considered doubtful. Similarly, whether there is a real opportunity to deliver a clearer waste policy statement will need to be judged through practical experience;
- the importance of joint working in terms of increased powers for lobbying should also be stressed – in terms of dealing with commercial operators, but also at national and London (GLA) levels;
- the scale of consideration should offer particular scope for innovation in technical approaches, including in relation to transport solutions.

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