

**MINUTES OF THE MEETING OF THE LOCAL PLAN CABINET SUB-COMMITTEE  
HELD ON TUESDAY, 7 JULY 2015**

**COUNCILLORS**

**PRESENT** Ayfer Orhan, Ahmet Oykenner, Alan Sitkin and Daniel Anderson

**OFFICERS:** Joanne Woodward (Head of Strategic Planning and Design), Natalie Broughton (Planning Policy Team Leader), Lauren Laviniere (Principal Planning Officer) and Gerry Ansell (Principal Planning Officer), Jane Creer (Secretary)

**ALSO ATTENDING:** Councillor George Savva (Associate Cabinet Member)  
Mr Jeff Lever and Ms Evelyn Ryan on behalf of Pinkham Way Alliance  
Ms Esther Kurland, Chair, Hadley Wood Neighbourhood Planning Forum

**1**

**WELCOME AND APOLOGIES FOR ABSENCE**

The Chair welcomed everyone to the meeting.

Apologies for absence were received from Councillor Bambos Charalambous and Councillor Vicki Pite.

Ian Davis (Director of Regeneration and Environment) was not in attendance due to his role as an environmental advisor to the North London Waste Authority.

**2**

**DECLARATIONS OF INTEREST**

Councillor Anderson declared a non-pecuniary interest in Report No. 38 - Draft North London Waste Plan – Agreement for Consultation as he served as the Council nominated representative on the North London Waste Authority, and as a representative on the North London Waste Authority Planning Members Group (Minute No. 6 below refers).

Councillor Sitkin and Councillor Oykenner declared that they were Directors of Lee Valley Heat Network as a non-pecuniary interest in relation to Report No. 38 Draft North London Waste Plan – Agreement for Consultation (Minute No. 6 below refers).

**3**

**URGENT ITEMS**

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NOTED that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012. These requirements state that agendas and reports should be circulated at least five clear days in advance of meetings.

**4**

### **ORDER OF THE AGENDA**

**AGREED** that the order of the agenda be varied to accommodate members of the public in attendance at the meeting. The minutes follow the order of the meeting.

**5**

### **REVISIONS TO MEMORANDUM OF UNDERSTANDING BETWEEN THE NORTH LONDON BOROUGHES PREPARING THE NORTH LONDON WASTE PLAN**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director of Regeneration and Environment (Report No. 36) seeking approval of the Revised Memorandum of Understanding between the north London boroughs.

NOTED

1. Receipt of a deputation from Mr Jeff Lever and Ms Evelyn Ryan on behalf of Pinkham Way Alliance, submitted in writing and circulated to Members in advance of the meeting. Members were requested to adopt three amendments before approving the Memorandum of Understanding.
2. Pinkham Way Alliance requested new paragraphs at the end of paragraph 8.3 in respect of production and publication of minutes of Planning Officers Group (POG), Heads of Planning (HOP) and Planning Members Group (PMG) meetings. Officers had noted the points made, but advised that this concerned detailed operational matters and was not necessarily a level of detail that is relevant for inclusion in the Memorandum of Understanding.
3. Pinkham Way Alliance requested deletion of clause 12 of the Memorandum of Understanding. Officers advised that the Council was still considering its legal position on this matter in conjunction with the six other London boroughs in order to reach agreement on clause 12. The Chair agreed to work with the Head of Strategic Planning and Design to organise meetings with the six boroughs to discuss this.
4. Pinkham Way Alliance requested that the NLWP Principal Planning Officer be added to the Organisational Arrangements chart. Officers noted that that the NLWP Principal Planning Officer was currently in place but this change was not considered a critical change.

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5. Clarification by officers that the Memorandum of Understanding had to be in a form agreed by each borough, and they recommended that the Cabinet Member for Economic Regeneration and Business Development approve any further changes.
6. The response on behalf of Pinkham Way Alliance. It was considered that had minutes of meetings been more widely disseminated previously, failure at the examination in public stage could have been prevented. They still requested their amendments be included if possible, and the necessity for clause 12 was questioned.
7. Members thanked Pinkham Way Alliance for their interest and that their views were received sympathetically. Councillor Sitkin would be involved in further changes to the Memorandum of Understanding.

### **Alternative Options Considered:**

None. A signed Memorandum of Understanding is already in effect, if this is not revised, details contained within the agreement would be out of date.

**DECISION:** The Cabinet Sub-Committee agreed:

- a) to approve the Revised Memorandum of Understanding between the north London boroughs (set out in Appendix 1 of the report);
- b) to agree that any further changes be approved by the Cabinet Member for Economic Regeneration and Business Development.

### **Reason:**

Revising the NLWP Memorandum of Understanding will ensure that the legal basis for delivering the Waste Plan is up to date.  
(Key Decision – reference number 4147)

## **6**

### **DRAFT NORTH LONDON WASTE PLAN - AGREEMENT FOR CONSULTATION**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director of Regeneration and Environment (Report No. 38) seeking approval of the draft North London Waste Plan (NLWP).

### **NOTED**

1. Receipt of a deputation from Mr Jeff Lever and Ms Evelyn Ryan on behalf of Pinkham Way Alliance, submitted in writing and circulated to Members in advance of the meeting. Members were requested to approve the draft NLWP, subject to the removal of Area A22-HR Friern Barnet Sewage Works (LEA 4).

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2. Pinkham Way Alliance questioned whether all sites in the plan had been taken into account to see if they complied with planning policies. Officers responded regarding the appropriate criteria for this level of document. The sites and areas assessment criteria were set out on page 62 of the draft NLWP.
3. The Chair clarified that at this meeting, approval was being sought for the draft plan to be put for public consultation.
4. Pinkham Way Alliance stressed that the Pinkham Way area was a highly valuable site for nature conservation and unsuitable for a waste plant or waste transfer station. A decision on the site's designation from LB Haringey as the relevant planning authority was awaited, and the site should therefore not be included in the draft plan. They considered that a plan which included the Pinkham Way area would not pass the examination in public, and asked that Members question any inclusion of the site.
5. The response of officers that the deputation was noted. It was confirmed that all inclusions in the draft plan followed an extensive site search and assessment of all sites identified at this stage for consultation. The document was being recommended for approval as a draft for consultation at the first stage. This would offer the local community and stakeholders the opportunity to give their views. A submission version would then be proposed. A decision by LB Haringey on the Pinkham Way site designation would be made in advance of the waste plan preparation.
6. Councillor Sitkin noted the points made and confirmed he would be involved in further changes to the draft NLWP.

### **Alternative Options Considered:**

1. The north London Boroughs, as Waste Planning Authorities (WPAs) are required to prepare a Waste Local Plan. Article 28 of the European Union (EU) Waste Framework Directive states that all member states must prepare a Waste Management Plan. The National Waste Management Plan for England, supported by the National Planning Policy for Waste (NPPW), identify that the National Waste Management Plan will be supported by each WPA's Waste Local Plan and as such it is a statutory requirement to prepare this document.
2. The London Plan apportions an amount of waste to each borough that must be managed in their areas. Local Plan documents are required to be in general conformity with the London Plan. The NLWP demonstrates how London Plan requirements will be met.
3. In line with the National Planning Policy Framework to ensure the NLWP is justified, a separate Options Appraisal report tests a range of options to demonstrate that the North London Boroughs have considered reasonable alternatives and that Plan follows the most appropriate strategy.

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**DECISION:** The Cabinet Sub-Committee agreed:

- a) to approve the draft North London Waste Plan (set out in Appendix 1 of the report) for public consultation;
- b) to agree that any further minor changes to the draft NLWP can be approved by the Cabinet Member for Economic Regeneration and Business Development.

**Reason:**

1. The preparation of a Waste Local Plan is necessary to meet statutory requirements transposed down from the EU.
2. The Mayor's London Plan requires boroughs, as part of preparing their Local Plans, to allocate sufficient land and identify waste management facilities to meet waste apportionment targets. Enfield's Local Development Scheme (2013-2016) commits to this objective being met through the preparation of the NLWP.

(Key Decision – reference no. 4071)

**7**

### **DESIGNATION OF (A) HADLEY WOOD NEIGHBOURHOOD PLANNING FORUM AND (B) HADLEY WOOD NEIGHBOURHOOD PLANNING AREA**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director of Regeneration and Environment (Report No. 35) seeking approval of the application for the Hadley Wood Neighbourhood Planning Forum and approval of the parts of the Hadley Wood Neighbourhood Planning Area as depicted in Drawing 6697B at Appendix 1 of the report.

**NOTED**

1. Introduction by Gerry Ansell, Principal Planning Officer, confirming that this matter represented the first step in the process for neighbourhood planning. If approval was given for these proposals then this would give the forum neighbourhood planning powers as described in paragraph 3.1 of the report. An application for the neighbourhood forum and area was validated in March 2015 and was subject to public consultation which ran from 15/04/15 to 27/05/15. Consultation responses were listed in Appendix 2 of the report. The report detailed officers' evaluation. Officers considered that the Hadley Wood Neighbourhood Planning Forum met the relevant tests set out in legislation and national planning practice guidance. The Neighbourhood Planning Area application was subject to officers' analysis. It was concluded that the core area was sound, but there were concerns about some of the boundaries as detailed in part 4 of the report. The area considered acceptable was set out in Appendix 1 of the report. It was therefore recommended that the sub-committee refuse the application for the Hadley Wood Neighbourhood Planning Area as submitted, but approve

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the parts of the neighbourhood area as depicted in Appendix 1 of the report.

2. The Chair invited comments from Ms Esther Kurland, Chair, Hadley Wood Neighbourhood Planning Forum. She advised that the boundaries submitted had been agreed at a vote by the Forum, but that she did not object to the revisions proposed by officers.
3. Councillor Orhan suggested that a deferral of the decision may be appropriate, to give an opportunity for further discussions.
4. The Cabinet Sub-Committee agreed a brief adjournment of the meeting to allow Members to receive advice from officers.
5. When the meeting resumed, further clarification was received from Esther Kurland and officers on the proposed boundaries of the neighbourhood planning area.
6. The officers' recommendations were supported by the Cabinet Sub-Committee with one abstention.

### **Alternative Options Considered:**

1. It was understood from the applicants that alternatives have been considered and discussed in drawing up their proposals. For example the Forum submission states:

*"We did approach the Coombe Close Residents Association, who represent people living on the eastern part of Cockfosters Road and the residential streets that run north from it to the golf course to see if they wished to be included in our area. Unfortunately they had not indicated a preference to date so we have not been able to included [sic] them."*

2. In assessing this application with respect of the neighbourhood area legislation provides that *"the authority must exercise their power of designation so as to secure that some or all of the specified area forms part of one or more areas designated (or to be designated) as neighbourhood areas."*
3. In other words if there are elements of the areas that are not acceptable then Council may designate part of the area. As can be seen from the recommendation an alternative boundary is recommended for designation.

**DECISION:** The Cabinet Sub-Committee agreed:

- a) to approve the application for the Hadley Wood Neighbourhood Planning Forum;
- b) to refuse the application for the Hadley Wood Neighbourhood Planning Area as submitted for the following reason:

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The boundaries encompassing the West Lodge Park Hotel and grounds, Slopers Pond Farm and an area to the east of Cockfosters Road (south of Ferny Hill) would encroach into farm land and open green belt and do not include boundaries that have a clear relationship with the main settlement at Hadley Wood. Moreover, insufficient justification has been provided to support these areas being included within the neighbourhood area. Such arrangements will result in harm to the interests of providing an appropriate planning framework for the area and the delivery of sustainable development;

c) to approve the parts of the neighbourhood area as depicted in Drawing 6697B at Appendix 1 of the report.

### **Reason:**

#### Conclusion on the Neighbourhood Planning Forum

Having regard to the criteria for determining the Forum, officers are satisfied that the Hadley Wood Neighbourhood Planning Forum is an appropriate body under section 61F(5) of the Town and Country Planning Act 1990.

#### Conclusions on the Neighbourhood Planning Area

As proposed the neighbourhood area is considered (in part) to be unacceptable by virtue of its extension beyond areas having a clear boundary and relationship with the main area. Notwithstanding this the proposed area is considered, in general, to be basically sound. In line with government guidance it would be appropriate for the Council to use its powers to allow those parts of the application area that are suitable. These are proposed as a revised boundary and depicted in Drawing 6697B at Appendix 1 of the report.

(Key Decision – reference no. 4075)

## **8**

### **MEMORANDUM OF UNDERSTANDING BETWEEN THE NORTH LONDON WASTE PLAN BOROUGHES AND THE LONDON LEGACY DEVELOPMENT CORPORATION**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director of Regeneration and Environment (Report No. 37) seeking approval of the Memorandum of Understanding with the London Legacy Development Corporation (LLDC).

### **NOTED**

1. Introduction by Lauren Laviniere, Principal Planning Officer, confirming that the LLDC was the planning authority for an area which included parts of Hackney and Waltham Forest and was responsible for planning for waste within their defined area. The Memorandum of Understanding would set out how the boroughs and the LLDC would work together to deliver an effective strategy for waste for North London. Table 2 in Paragraph 13 of the

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Memorandum of Understanding was highlighted, setting out sites potentially suitable for waste management use. The draft NLWP referred to sites included in this Memorandum of Understanding.

2. Officers confirmed that all considerations were set out in the report.

### **Alternative Options Considered:**

None. The Duty to Co-operate is a statutory obligation; a Memorandum of Understanding is recognised as an appropriate method of complying with this.

**DECISION:** The Cabinet Sub-Committee agreed:

a) to approve the Memorandum of Understanding with the London Legacy Development Corporation (as set out in Appendix 1 of the report).

### **Reason:**

The Memorandum of Understanding with the London Legacy Development Corporation is related to the Duty to Co-operate requirement. It will help inform the content of the NLWP, and will help demonstrate legal compliance when the NLWP is submitted for Examination.

(Key Decision – reference number 4146)

## **9**

### **MINUTES OF THE MEETING HELD ON 21ST APRIL 2015**

AGREED that the minutes of the Local Plan Cabinet Sub-Committee held on 21<sup>st</sup> April 2015 be approved.

## **10**

### **DATES OF FUTURE MEETINGS**

NOTED the following future meetings:

Wednesday 15<sup>th</sup> July 2015 at 7:30pm.

Wednesday 9<sup>th</sup> September 2015.