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Date: 15th July 2010

Dear Inspector Kingaby

In addition to the minor amendments set out within the Council's statements sent to you last week, we would also like to suggest the following minor amendments to the Submission Draft Core Strategy.

Policies CS8, CS9 and CS10

Outside these locations, new commercial uses will not generally be appropriate unless they provide services to support the local residential community in that part of the Central Activities Zone.

This clarifies what is meant by "services to support the community" which could be misinterpreted as currently worded.

Glossary definition for Social and community facilities (public)

These facilities are available to, and serve the needs of local communities and others, provided by a local service provider or ~~and~~ are often funded in some way by a grant or investment from a government department or public body or the voluntary sector...


This creates an explicit link between these facilities and the definition of "local service providers" such as the Metropolitan Police and HM Court Services. The link can currently be assumed, however this minor amendment would make it explicit.

Figure 35 Queensway and Westbourne Grove

The key labels the shopping centre as a "District Centre". This should be changed to a "Major Centre".

Thank you for your consideration of these minor amendments. Please advise whether you would like us to upload this letter onto the Council's website, and/or have it added to the Core Documents list prior to the commencement of the hearings.

Yours sincerely

A handwritten signature in black ink that reads "Rosemarie MacQueen". The signature is written in a cursive style with a large initial "R" and "M".

Rosemarie MacQueen
Strategic Director Built Environment

Housing Targets

Westminster has endeavoured to draft its Core Strategy to ensure it reads as well in 10 years' time as it does now. For this reason, we have undertaken an approach to only include policies that are flexible, durable and deliverable over the lifetime of the plan.

Westminster's current housing target is 6,800 new homes for the period 2007/08 – 2016/17. However, it is very likely that in late 2010/early 2011 this will change to be 7,700 new homes for the period 2011 – 2021. Moreover, the Mayor has committed to a review of these targets by 2015/16¹. This is in addition to an original 2004 target of 19,480 units for 1997 – 2016, or 970 per annum. Therefore, in the 10 year period from 2005 to 2015/16 Westminster's target from the London Plan will have changed four times.

The Core Strategy has been written with a timescale of 15 – 20 years. We are committed to achieving the housing target set out in the London Plan, the draft Replacement London Plan, and working with the Mayor in the future to determine new appropriate targets. However, the current London Plan target has not been included within the policy itself: if it was, the policy will be out of date within a year. We believe that the housing policy CS14 is consistent with PPS3 and the London Plan and that it will deliver the required housing within Westminster.

Planning Policy Statement 3 requires Local Development Documents to set out a strategy for the planned location of new housing, including setting the criteria to be used for identifying broad locations and specific sites². Policy CS14 states that housing is the priority use across Westminster except where specifically stated. These areas have other priorities in addition to housing, as noted in the reasoned justification: Special Policy Areas, Opportunity Areas, Core CAZ and the West End Special Retail Policy Area (WESRPA) and the North Westminster Economic Development Area.

Unlike for affordable housing³, there does not appear to be a specific requirement in PPS3 for an overall housing target to be included within Local Development Documents. Therefore, the council has committed to delivering all of the housing it possibly can, which we are confident will achieve both the London Plan target⁴ and the draft Replacement London Plan target⁵. It is considered that this approach meets the specific requirements of PPS3 and will result in a more durable set of policies.

In terms of consistency with regional documents, we consider that the draft Core Strategy is consistent with the London Plan. We also note that the Mayor of London has not raised any general conformity issues relating to housing⁶.

¹ Draft Replacement London Plan paragraph 3.19

² Planning Policy Statement 3 Housing paragraph 38 [CS/NAT/16]

³ Planning Policy Statement 3 Housing paragraph 29 [CS/NAT/16]

⁴ Core Strategy paragraphs 4.8-4.8, Policy CS14 Reasoned Justification and Appendix 4 [CS/CS/01]

⁵ Core Strategy Technical Papers for Submission Draft: Technical Papers 3: Housing and 8: Draft Replacement London Plan paragraph 7 (4) [CS/EB/09]

⁶ Formal Response from the Mayor of London on Westminster's Core Strategy 22nd December 2009 [CS/CS/06 Appendix 9]

Further to your note, we have prepared some additional material to illustrate both past housing delivery and projected future delivery against both the London Plan and the draft Replacement London Plan targets, in order to address any concerns about the deliverability of the required housing.

Key Points:

In the 10 years from 1999 to 2008/09, Westminster delivered 11,610 new homes from all sources, an average of 1,161 per annum. This included 9,935 conventional homes, bringing 1,096 vacant homes back into use and 579 non-self contained housing units. However, it is noted that Westminster has only recorded bringing vacant homes back into use since 2003, and non-self contained housing since 2000⁷.

Over the lifetime of the Core Strategy, to 2024/25, we anticipate delivery of 11,018 new conventional homes, an average of 689 per annum. This accords with the data shown in the Housing Delivery graph, Figure 38, in the Core Strategy. In addition to this, it is reasonable to expect delivery of an average of 81 vacant homes bought back into use per year and 95 non-self contained homes. Historic data would suggest delivery of 183 vacant homes back into use per year. However, with the recession there has been a cut to funding for this and therefore the figure in the SHLAA is considered to be more appropriate. The council's Housing Team who deliver this service have confirmed that this target is appropriate. Similarly, the figure of 95 non-self contained units per year reflects the London SHMAA and is considered to be appropriate. Therefore, over the lifetime of the Core Strategy we expect to deliver an average of 865 new homes per year.

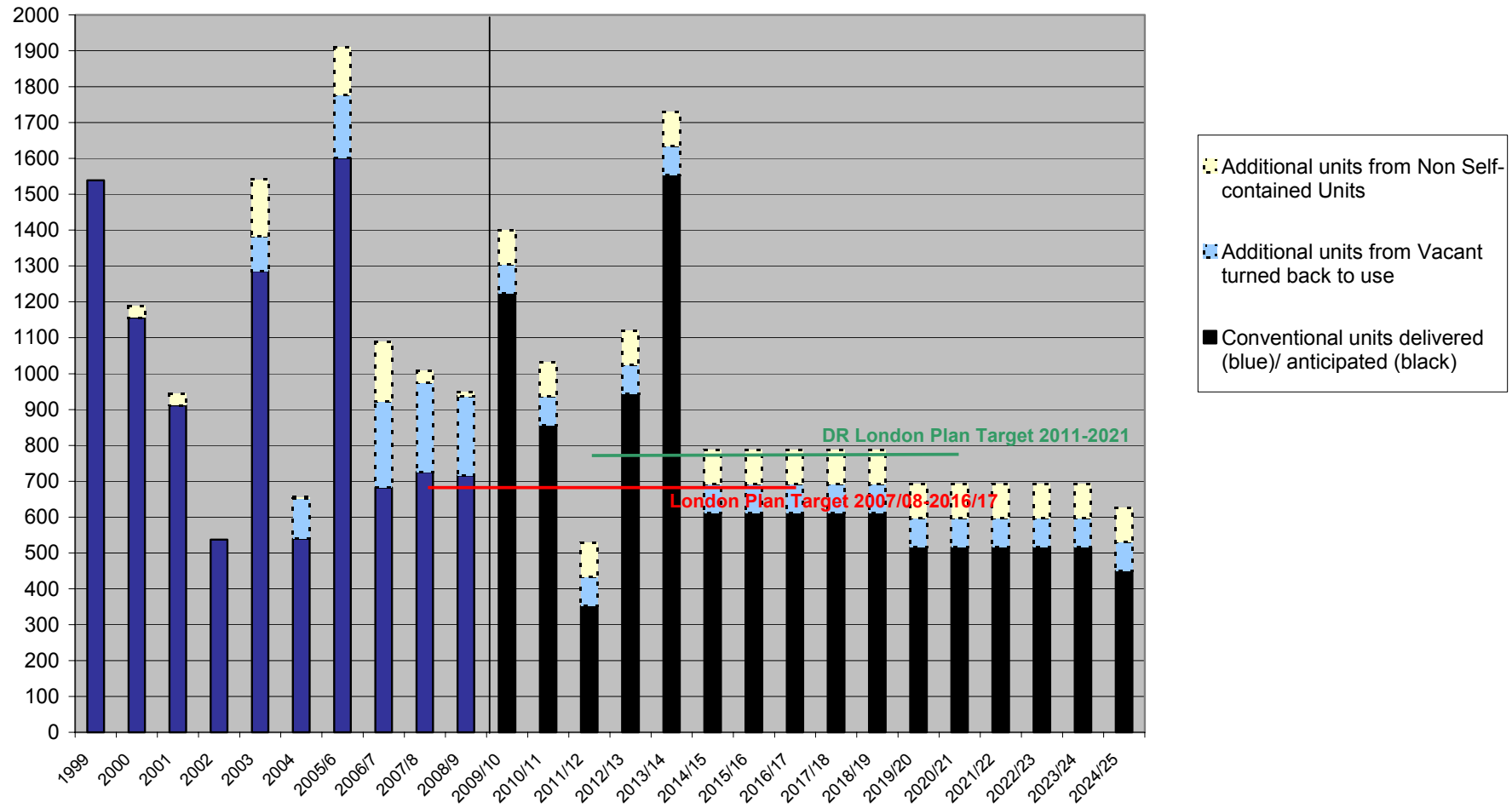
This exceeds both the London Plan and the draft Replacement London Plan targets.

However, we note the uncertainty inherent in housing delivery and therefore wish to continue to prioritise housing above other uses to ensure an appropriate amount of housing comes forward over the lifetime of the plan. We also note that housing delivery is particularly 'lumpy' and therefore additional housing delivery in the earlier years of the Core Strategy would not justify a relaxation of the application of the policies, not least because we expect housing delivery to become increasingly more difficult as sites are 'used up'.

Additional material has been prepared to illustrate these figures, and is set out on the following pages together with tables of the raw data.

⁷ NOTE: Westminster has not historically included these non-conventional homes in its assessments of housing delivery.

Housing Delivery and Projected Delivery against London Plan Targets

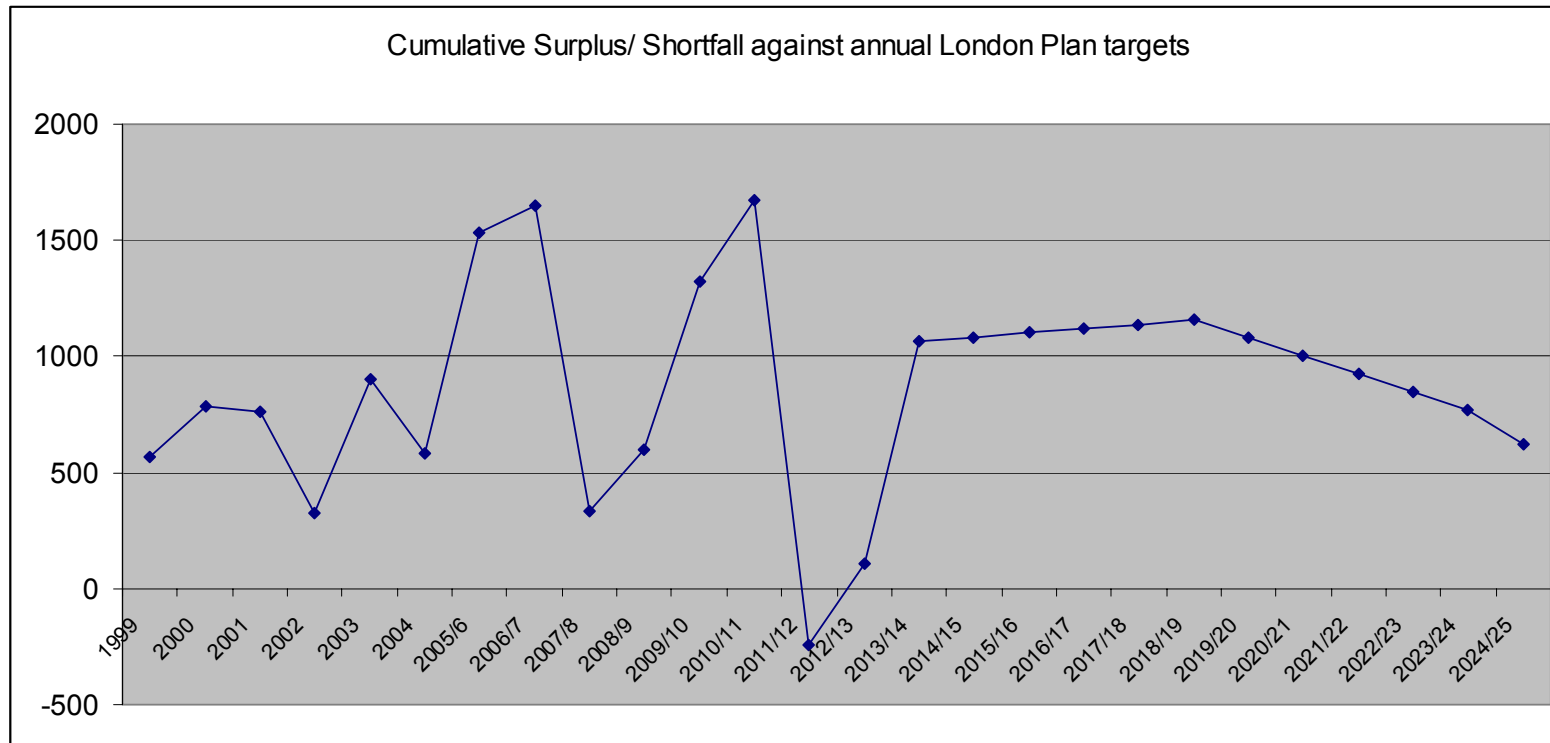


Year	Net total units delivered (up to 2008/09) anticipated (2009/10 onwards)	Net additional units from Vacant turned back to use	Net additional units from Non Self-contained Units	Total Units Delivered/ Projected including Vacant and NSC	London Plan Target	Cumulative Surplus/ Shortfall against annual London Plan targets
1999	1539	<i>no data</i>	<i>no data</i>	1539		569
2000	1156	<i>no data</i>	33	1189		788
2001	912	<i>no data</i>	32	944		762
2002	537	<i>no data</i>	0	537		329
2003	1286	98	157	1541		900
2004	539	113	4	656		586
2005/6	1601	175	137	1913		1529
2006/7	682	240	168	1090		1649
2007/8	726	250	35	1011	6800	331
2008/9	716	220	13	949	6800	600
2009/10	1224	81	95	1400	6800	1320
2010/11	856	81	95	1032	6800	1672
2011/12	352	81	95	528	6800/7700	-242
2012/13	943	81	95	1119	6800/7700	107
2013/14	1553	81	95	1729	6800/7700	1066
2014/15	612	81	95	788	6800/7700	1084
2015/16	612	81	95	788	6800/7700	1102
2016/17	612	81	95	788	6800/7700	1120
2017/18	612	81	95	788	7700	1138
2018/19	612	81	95	788	7700	1156
2019/20	516	81	95	692	7700	1078
2020/21	516	81	95	692	7700	1000
2021/22	516	81	95	692		922
2022/23	516	81	95	692		844
2023/24	516	81	95	692		766
2024/25	450	81	95	626		622

As measured against the 2004 London Plan target of 19,480 units for 1997 – 2016, or 970 per annum

As measured against the 2008 London Plan target of 6,800 units for 2007/08 – 2016/17, or 680 per annum

As measured against the draft Replacement London Plan target of 7,700 units for 2011/12 – 2020/21, or 770 per annum and extrapolated to cover the whole Core Strategy period



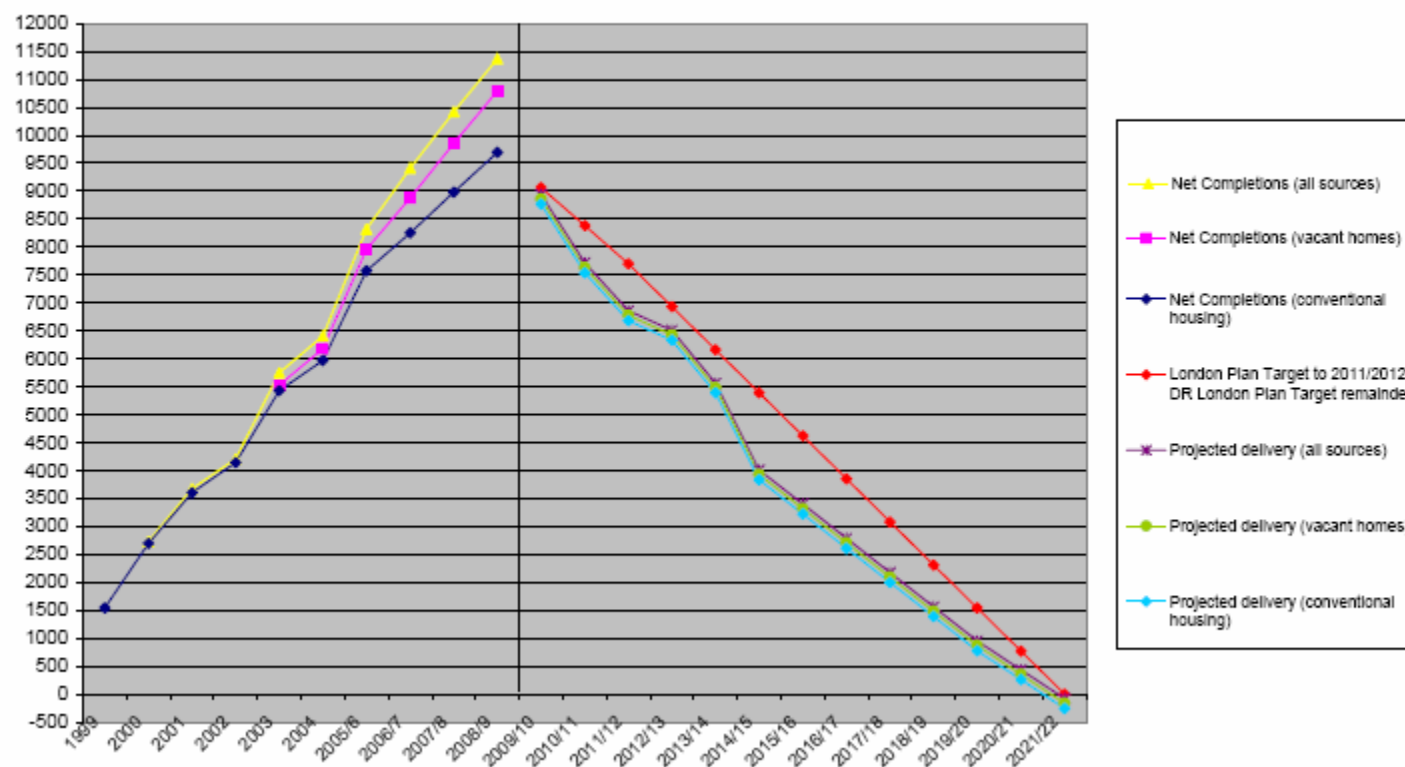
This graph shows the year-on-year performance against the London Plan target in place at the time, for both net completions up to 2008/09, and projected delivery beyond that.

In 1999, completions (1,539) significantly exceeded the target of 970 for that year, so a surplus of 569 was carried into 2000. Again, in 2000, performance exceeded the target, giving a net surplus of 788 for the two years. However, in 2001 and 2002, and then again in 2005/06 the annual target was not met, therefore 'eating into' the surplus built up in previous years.

A new target of 680 p.a. was introduced in 2007/08, and in all subsequent years this target has been met or is projected to be met, hence a year on year increase in the surplus. However, the introduction of the new target 'deletes' any surplus built up over previous years.

Another new target of 770 units p.a. is anticipated in 2011/12 through the draft Replacement London Plan. This is not anticipated to be met in the first year, but is likely to be exceeded for the period 2012/2013-2018/2019, building up a surplus. In subsequent years, it is anticipated that the annual target will not be met, again eating into the surplus. However, the graph shows overall, the target will be met.

Cumulative Housing Delivery and Future Cumulative Reduction of London Plan Targets



This graph shows housing delivery on the left and projected delivery on the right. Both are cumulative trajectories across the whole period. They show separate lines for conventional housing, bringing vacant homes back into use, and housing from all sources which also includes non-self contained housing.

The trajectory on the right shows how much of the overall target is left to still deliver in any one year. It assumes a target of 680 p.a. for the first two years and 770 thereafter. The raw data is shown on the following page.

	Net Completions (conventional housing)	Net Completions (vacant homes)	Net Completions (all sources)	London Plan Target to 2011/2012, DR London Plan Target remainder	Projected delivery (all sources)	Projected delivery (vacant homes)	Projected delivery (conventional housing)
1999	1539						
2000	2695		2728				
2001	3607		3672				
2002	4144		4209				
2003	5430	5528	5750				
2004	5969	6180	6406				
2005/6	7570	7956	8319				
2006/7	8252	8878	9409				
2007/8	8978	9854	10420				
2008/9	9694	10790	11369				
2009/10				9060	8938	8857	8762
2010/11				8380	7714	7633	7538
2011/12				7700	6858	6777	6682
2012/13				6930	6506	6425	6330
2013/14				6160	5563	5482	5387
2014/15				5390	4010	3929	3834
2015/16				4620	3398	3317	3222
2016/17				3850	2786	2705	2610
2017/18				3080	2174	2093	1998
2018/19				2310	1562	1481	1386
2019/20				1540	950	869	774
2020/21				770	434	353	258
2021/22				0	-82	-163	-258

Waste Questions

- 1. On the existing situation as to waste arisings and their treatment, the Municipal Waste Strategy (2004) [CS/WCC/13] and Waste Evidence Base (2009) [CS/EB/64] describe the trends, current position and likely future changes, but have 'construction, excavation and demolition waste' been considered?**

The Municipal Waste Strategy⁸ sets out the council's approach to managing municipal waste streams.

Construction, excavation and demolition waste was considered, albeit briefly, on page 18 of the Waste Evidence Base as part of Section 2.2 'Current Waste Arisings'⁹. This gave a London-wide figure for construction, excavation and demolition waste arisings.

This waste stream is dealt with almost entirely by the private sector, and therefore a range of private waste contractors. Therefore the council does not have any reliable, single source of construction, excavation and demolition waste arisings data on a borough level. There is no legal mechanism for requiring this information from the private sector, and also no accurate way of estimating these arisings. It would not be appropriate to simply 'divide up' the arisings at a regional level given that levels of construction and demolition vary enormously from borough to borough, and that as a central London borough, Westminster is likely to experience a higher than average proportion of construction and demolition.

Although the evidence base prepared for other London boroughs does include reference to construction, excavation and demolition waste, this is enabled because those boroughs have commercial waste operators' premises located within their boroughs, and therefore estimates can be made as to what waste they are managing. Westminster does not have any commercial waste premises.

Greater consideration was not given to construction, excavation and demolition waste within the Waste Evidence Base (or specifically within the Core Strategy) because as set out in the London Plan, "construction, excavation and demolition waste do not form part of the overall forecast for new facilities"¹⁰. The main focus of the Waste Evidence Base was to undertake a waste sites analysis in order to assess how the forecast for new facilities (the apportionment) could be met in Westminster.

The accompanying policy in the London Plan¹¹ states that boroughs should support new construction, excavation and demolition waste facilities by encouraging recycling at existing sites and ensuring major development sites are required to recycle using mobile facilities, as well as through safeguarding existing construction, excavation and demolition waste sites. It goes on to state that DPDs should require developers to produce site waste management plans. These more detailed matters will be dealt with in the City Management Plan Development Plan Document.

⁸ Municipal Waste Management Strategy, 2004-2016, Westminster City Council [CS/WCC/13]

⁹ Waste Sites Assessment, 2009, Westminster City Council, p18 [CS/EB/64]

¹⁰ London Plan consolidated with alterations since 2004, 2008, Mayor of London, paragraph 4.84 p238 [CS/REG/08]

¹¹ London Plan consolidated with alterations since 2004, 2008, Mayor of London, Policy 4A.28 p238 [CS/REG/08]

2. PPS10, paragraphs 16&17 expect the policies and proposals in the Core Strategy to be in line with RSS (the London Plan). Does the failure of the Core Strategy to identify some 3has of land to provide waste facilities place the DPD out of conformity with the London Plan, and mean that it is inconsistent with national policy?

The issue of 'general conformity' with the London Plan is clearly at the heart of the matter. As set out in the Mayor's Regulation 30 response:

*"The test of general conformity is set out in PPS12. The test is of general conformity and not conformity. This means that it is only where an inconsistency or omission in a development plan document would cause significant harm to the implementation of the spatial development strategy, that it would be considered not to be in general conformity"*¹².

*"The fact that a development plan document is inconsistent with one or more policies in the spatial development strategy, either directly or through the omission of a policy or proposal, does not, by itself, mean that the document is not in general conformity. Rather, the test is how significant the inconsistency is from the point of view of delivery of the regional spatial strategy/the spatial development strategy"*¹³.

The council has designated just under 1.1 hectares of land (Appendix 1) within the Core Strategy for waste management, just over one-third of the apportionment. This leaves a shortfall of approximately 1.9 hectares of land, or about 123,500 tonnes p.a. by 2021.

There are three mechanisms by which the remaining apportionment will be met, all of which can be accommodated within the policy context of the Core Strategy:

1. Joint working with other boroughs

The publication of revised apportionment figures for waste across London in December 2009 has a significant bearing on Westminster's prospects for joint working with existing waste partnerships. These will be considered at the draft Replacement London Plan Examination in Public in September 2010.

The alterations reduce the waste apportionment for all boroughs across London except the City of London. For the whole of London it is reduced by 1,282,000 tonnes p.a. to 11,705,000. The provision is also over a longer time period – from 2011 to 2031 rather than to 2021 – see Appendix 2.

This includes a reduced apportionment for Westminster, less 17,000 tonnes p.a. This revised apportionment would require Westminster to identify the remaining capacity of about 107,898 tonnes per annum or about 1.7 hectares instead of 1.9 hectares.

Many boroughs have made substantial progress identifying sites sufficient to meet their apportionment. Therefore, once the Replacement London Plan is agreed there will be a surplus capacity of waste sites as follows:

¹² Formal Response from the Mayor of London on Westminster's Core Strategy 22nd December 2009, paragraph 38 [CS/CS/06 Appendix 9]

¹³ Formal Response from the Mayor of London on Westminster's Core Strategy 22nd December 2009, paragraph 39 [CS/CS/06 Appendix 9]

	Boroughs	Tonnage difference	Issues Options	Preferred Options	Publication Draft	Submission Draft	Examn
West London – Waste DPD	<u>Brent</u> , <u>Richmond</u> <u>upon</u> <u>Thames</u> , Ealing, Harrow, Hillingdon, Hounslow	-271,000 tonnes p.a.	✓				
East London - Waste DPD	<u>Barking & Dagenham</u> , <u>Havering</u> , <u>Redbridge</u> , Newham	-206,000 tonnes p.a.	✓	✓	✓	✓	
South London – Waste DPD	<u>Sutton</u> , Merton, Croydon, Kingston	-156,000 tonnes p.a.	✓	✓			
South East London – Core Strategy	<u>Lewisham</u> , <u>Southwark</u> , Bromley, Bexley, Greenwich	-221,000 tonnes p.a.	✓	✓	✓	✓ ¹⁴	
North London – Waste DPD	<u>Camden</u> , <u>Enfield</u> , <u>Hackney</u> , <u>Islington</u> , Barnet, Haringay, Waltham Forest	-218,000 tonnes p.a.	✓	✓			
Western Riverside – Core Strategy	<u>Wandsworth</u> , <u>Kensington & Chelsea</u> , <u>Lambeth</u> , Hammersmith & Fulham	-146,000 tonnes p.a.	✓	✓	✓	✓	✓ ¹⁵
Core Strategy	City of London	0	✓	✓			
Core Strategy	<u>Tower Hamlets</u>	-45,000 tonnes p.a.	✓	✓	✓	✓	✓ ¹⁶
Core Strategy / Waste DPD	<u>City of Westminster</u>	-17,000 tonnes p.a.					

Boroughs double-underlined indicates post-examination to adoption stages reached on the Core Strategy, boroughs single-underlined indicates publication to awaiting examination stages reached on the Core Strategy

¹⁴ Southwark's Core Strategy

¹⁵ Wandsworth's Core Strategy

¹⁶ Tower Hamlet's Core Strategy

This shows that any one of the six existing waste partnerships could accommodate Westminster's shortfall through joint working arrangements following agreement of the revised apportionments in the draft Replacement London Plan. It is also noted that a number of these partnerships are sufficiently advanced in their plan preparation to give some reasonable prospect of this capacity having been identified and designated, and therefore available.

It is recognised that there may be a general conformity issue with the *existing* London Plan, as noted by the Greater London Authority. However, the City Council does not believe that the inability to identify sufficient sites within Westminster jeopardises the implementation of the *emerging* London Plan because there is easily sufficient capacity London-wide to meet the waste arisings. In fact, the outstanding waste capacity for Westminster represents only about 8% of the London-wide surplus capacity which may be available after the new London Plan is published.

Therefore, it is very likely that following the publication of the Replacement London Plan, Westminster's capacity can be met through joint working arrangements with the other boroughs. The City Council is currently writing to all of the waste partnerships seeking joint working arrangements following agreement of the draft Replacement London Plan. This is currently with the Cabinet Member, however the council would be happy to provide a copy for your reference.

2. Incremental provision of the sites

The Core Strategy (Policy CS43) will continue to provide for small-scale waste management facilities through:

1. Rolling out a programme of in-vessel composters;
2. Identifying new sites during the lifetime of the plan period
3. Requiring new development to provide new waste management facilities.

Rolling out a programme of in-vessel composters – the council has already begun the assessment of potential of two further sites (confidential at this stage) – will add to waste capacity within Westminster as each composter provides for approximately 100 tonnes per annum. The existing site of 100 sqm has two composters.

Analysis of potential development sites in Westminster indicate that there are 45 sites in the development pipeline which could potentially be considered under Core Strategy Policy CS43 and the requirement to provide on-site waste management facilities. These sites would conceivably have capacity for approximately 4500 sqm of waste capacity¹⁷ with potential to manage 30,000 tonnes of waste. Additional windfall sites that come forward during the lifetime of the Core Strategy would clearly add to this figure.

The council's approach is also reflective of the need to take a more realistic small-scale 'site-by-site' approach that incrementally tackles the waste apportionment.

¹⁷ Analysis based upon sites designated as Proposals Sites or on the Rolling Housing Land Supply that are not currently under construction or without a valid planning permission. The capacity figure is based on the approximation of 100sqm per facility in line with in-vessel composters already located in Westminster. The calculation is therefore 45 sites x 100sqm = 4500 sqm.

In line with PPS10, the council has to “avoid unrealistic assumptions on the prospects, for the development of waste management facilities, or of particular sites or areas,”¹⁸ These smaller sites will be secured regardless of any joint working arrangements, and therefore may actually deliver surplus capacity, but in closer proximity to the source.

3. Preparation of a Waste DPD to secure a larger-scale site

In the event that the City Council is unable to secure joint working to meet its apportionment, we will continue to seek to secure appropriate site(s) within Westminster.

This approach will need to reflect the reality of the lack of any suitable land. PPS10 requires the council to “allocate sites...in accordance with the broad locations identified in the RSS”¹⁹. Policy 4A.27 of the London Plan²⁰ sets out these broad locations – namely Strategic Industrial Locations, Local Employment Areas, and Existing Waste Management Sites. None of these broad locations exist in Westminster.

However, it may be that during the lifetime of the plan, a site may be able to be identified albeit that it will not meet the criteria normally applied to a waste site, as none exist.

Examples may include underground car parking buildings in the heart of the city, which clearly have limitations on capacity and functionality. Similarly there could be a review of sites currently needed for Crossrail, such as Paddington New Yard. In the late 1980's serious consideration was given to locating a council facility at this former railway site, then only used as a concrete batching plant and storage underneath the Westway A40. A draft scheme was prepared and discussed but never submitted as legislative changes changed the role of local authorities in the direct provision of such facilities. At the same time the draft safeguarding for Crossrail, as envisaged in the 1989 Central London Rail Study, saw this area as a part of the construction area required for the excavation of the running tunnels for the railway. This status was officially confirmed in the Secretary of State's 1991 safeguarding, and subsequently updated, and now confirmed by the passing of the Crossrail Act in 2008.

Through the relevant clauses governing development of the project and as approved by the LPA, through Schedule 7 of the Crossrail Act, detailed schemes for the use of the site are being submitted and the site area is being cleared to allow major construction to start from 2011. The safeguarding and the entire detailed planning history is set out in the adopted planning brief of September 2009 (hard copy to be sent in the post).

The current programme for the construction of Crossrail would see this area fully utilised until at least 2018. The Act also allows for new permanent sidings to be established here together with a re-located concrete batching plant, already safeguarded by its status as rail served aggregate handling facility in line with national and Mayoral policy.

¹⁸ Planning Policy Statement 10: Planning for Sustainable Waste Management, 2005, Communities and Local Government, paragraph 18, p11 [CS/NAT/19]

¹⁹ Planning Policy Statement 10: Planning for Sustainable Waste Management, 2005, Communities and Local Government, paragraph 17, p11 [CS/NAT/19]

²⁰ London Plan consolidated with alterations since 2004, 2008, Mayor of London, Policy 4A.27 p235 [CS/REG/08]

At this stage it is not yet known what area may be left and to what use it can be put to. There are other railway works in the area which may also require this land to assist the operational railways (Great Western mainline, LUL H&C & Crossrail) be maintained and improved. Beyond 2018 it is likely that a clearer view will be possible for the location of any new developments on this site, but given the scale of engineering works and the range of related projects in the area that is unlikely to be clear in the next 5-8 years at least. Although discussions could begin at an earlier date, given the importance of the site for the rail network and uncertainty about its future, no safeguarding for a post-Crossrail era would be appropriate or demonstrably deliverable until after 2018, given that it relies on the Secretary of State being satisfied that it is not required for other purposes.

However, the longer timescales set out in the draft Replacement London Plan may provide an appropriate window for this site to be reassessed in the future.

In summary, Westminster has a clear commitment and programme of action to address waste management. We are confident that, following publication of the Replacement London Plan, we will be able to work with other boroughs to secure their surplus capacity in waste sites. For this reason we do not consider that adoption of the Core Strategy will harm the implementation of the (new) London Plan. We also note that this is a 'three-pronged' approach to ensure delivery over the lifetime of the Core Strategy.

3. ***Are the circumstances identified and measures proposed by WCC sufficient to justify its position. In particular:***
- ***the emphasis given in Policy CS43 to minimising, re-using, re-cycling etc, protecting existing waste sites and requiring major new development to include on-site recycling and composting facilities wherever possible?***
 - ***the use of micro-waste treatment technologies? What is the realistic capacity for developing these over the plan period?***
 - ***the Council's exercise to identify potential sites described in the Waste Evidence Base 2009? Was that sufficiently thorough and were its findings credible and robust?***
 - ***efforts to work jointly with other local authorities. Has any progress been made since correspondence was sent out in September 2009?***

i) The emphasis given in Policy CS43 to minimising, re-using, and recycling waste is in line with the 'waste hierarchy' contained within the European Waste Framework Directive, National Waste Strategy, PPS10, the London Plan, and the Mayor's Municipal Waste Management Strategy to reduce the creation of waste in the first instance.

Requiring major new development to include on-site recycling and composting facilities is an appropriate response to the lack of any waste capacity in Westminster and the need to take an incremental and micro approach to waste capacity given the lack of industrial land in Westminster.

ii) The use of micro-waste treatment technologies is explicitly supported by the Mayor of London²¹. As set out in the Waste Evidence Base²², the council has already located two in-vessel composters on a site in Church Street and has been assessing the feasibility of two further (confidential) sites in Westminster. The use of micro-waste treatment technologies such as in-vessel composters are very appropriate within the Westminster context – not only can they operate on an often very small scale and deal with food waste – but in terms of waste management they provide the 'double benefit' of both increasing recycling and reducing waste that would have been sent for disposal.

iii) The exercise to identify potential sites in the Waste Evidence Base was sufficiently thorough and its findings credible and robust. The 'waste site analysis' was strictly based on guidance contained in PPS10 (including paragraph 21 'identifying suitable sites and areas' and Annex E: 'Locational Criteria'), and the London Plan (including Policy 4A.23 Criteria for the selection of sites for waste management and disposal, and Policy 4A.27 Broad locations suitable for recycling and waste treatment facilities). The Waste Evidence Base was published at the same time as the Publication Draft Core Strategy. The council received no responses criticising the methodology or the findings of the waste sites analysis.

iv) The council received no positive responses to the correspondence sent in September 2009 requesting joint working with eight London Boroughs. Those eight London Boroughs were put forward by Greater London Authority and Government Office for London officers as suitable authorities to approach due to potential surplus waste capacity.

²¹ Formal Response from the Mayor of London on Westminster's Core Strategy 22nd December 2009, paragraph 29 [CS/CS/06 Appendix 9]

²² Waste Sites Assessment, 2009, Westminster City Council, p23 [CS/EB/64]

Since that approach there have been informal discussions with the Manager of the North London Waste Plan in March 2010. These highlighted that it would be difficult for Westminster to 'add' their apportionment to the North London Waste Plan, due to timing issues, as the North London Waste Plan has already been subject to a number of consultations.

As noted above, the council is writing to all London waste partnerships to request joint working arrangements, particularly with a view to taking any surplus waste capacity they may have identified once the new replacement London Plan is adopted. In very informal, officer level discussions with other boroughs, some have acknowledged that there will be a surplus, but will not discuss its allocation to Westminster until there is certainty about the draft Replacement London Plan. Others express concerns about the timing with respect to their own DPDs, which they would not want to jeopardise. It is considered that these issues can be overcome.

It is also noted that the Mayor's Regulation 30 response (paragraph 30) also supports this approach:

"It is worth noting that the amendments to the draft replacement London Plan waste apportionment figures published on 7 December 2009 reduce the waste apportionment targets for all of the London boroughs. As such neighbouring boroughs, which identified enough land to meet the previous apportionment targets, will find they have surplus capacity. This combined with the number of boroughs which have already identified surplus capacity means Westminster City Council should be able to find a partner to pool the waste apportionment targets with to enable London to become self-sufficient".

4. PPS12 expects a core strategy to set out how much development is intended to happen where and when (paragraphs 4.1 and 4.5). The time horizon of the core strategy should be at least 15 years from adoption (paragraph 4.13). PPS10, paragraph 16 states that the document should look forward for at least 10 years from the date of adoption. Does the Core Strategy take a sufficiently long term view and put forward sufficiently clear proposals for future waste management?

Core Strategy Policy CS43 not only protects existing waste and recycling management sites during the “lifetime of the plan”, but also contains a commitment to identify new locations for waste management facilities during the “lifetime of the Core Strategy”. The Core Strategy has a 15-20 year lifetime as set out on pages 2 and 4.

In the absence of any current sites for waste management in Westminster, the council has to rely on new sites coming forward during the lifetime of the Core Strategy, both as a requirement of major new development, and as waste sites by themselves. It cannot therefore currently identify timelines for these windfall sites coming forward. However Policy CS43 does set out clear criteria for assessing potential new locations. This approach has parallels with the traditional approach to setting out how housing targets will be met...through identifying sites *and* having an allowance for ‘windfall’ sites.

In response to your note, the council has set out an ‘Action Plan’ summarising the steps we intend to take to continue to seek to meet the apportionment (Appendix 3). This will obviously include approaching all London boroughs again (if unsuccessful with current approach) after the Inspector’s binding report is received on the draft Replacement London Plan with a view to taking any surplus capacity within London.

The Core Strategy Preferred Options document did contain a reference to future waste management, and the council’s commitment to “continue to use the nearest appropriate facilities outside the borough until at least 2016, including the SELCHP plant in Deptford”²³. This was removed following objection from the Mayor of London²⁴. The council would be happy to reinstate this reference and to emphasise the link to the council’s committed contractual relationship to SELCHP.

²³ Core Strategy: Preferred Options, 2008, Westminster City Council, p198 [CS/CS/03]

²⁴ Formal Response from the Mayor of London on Westminster’s Core Strategy, Appendix 1, 9th September 2008 [CS/CS/056 Appendix 9]

5. *How robust is the Council's approach? If it is unable to achieve the London Plan apportionment for waste land and facilities, and fails to secure changes in waste disposal and treatment, or long-term collaborative arrangements with other London Boroughs, is the Core Strategy at risk?*

The council's approach is robust, is based on sound evidence, yet avoids unrealistic assumptions on the prospects for the development of waste management facilities in Westminster.

The council is unable to currently identify capacity to meet the entirety of the apportioned waste tonnage, due to the lack of suitable land within Westminster. This is supported by the Waste Evidence Base. Despite the lack of current identified provision, the Core Strategy does provide a clear requirement for the provision of new waste management facilities during the lifetime of the document. The council will continue to seek long-term collaborative arrangements with other London boroughs.

The mechanisms provided for within the Core Strategy and as discussed in the 3 points set out in response to Question 2 above, provide a pragmatic response to the unique circumstances of the borough, and one which maximises the likelihood of delivery.

It is therefore not considered that the Core Strategy is 'at risk'.

It is also difficult for us to draw the conclusion that Westminster can never have a Core Strategy because, because of the very nature of the borough, there are simply no sites that are suitable for meeting the waste apportionment, and to date, no other borough has entered into a waste partnership with Westminster. Having discussed the matter in detail with both the Greater London Authority and the Government Office for London, we have not collectively been able to arrive at a better alternative policy framework.

6. *Is the identification of new waste sites a suitable topic to be delegated to a future DPD, or does the approach amount to the Core Strategy ducking a critical decision?*

The process of identification has been undertaken prior to the publication of the Core Strategy and is set out in the Waste Evidence Base. The fact that the no new sites were identified means that new sites that come forward during the lifetime of the Core Strategy will be secured within a Waste Development Plan Document or through joint working arrangements.

Furthermore, the Council intends to revise its Municipal Waste Management Strategy between the end of 2010 and summer 2011. If waste capacity cannot be secured through joint working arrangements as a result of the revised (and reduced) waste apportionment figures set out in the (Minor Amendment) draft Replacement London Plan, then a tandem Waste Development Plan Document/Municipal Waste Management Strategy would represent a logical opportunity for closer links between waste management strategies and waste capacity planning within Westminster.

Finally it is noted that other boroughs have adopted a Core Strategy prior to completion of their Waste DPD e.g. London Boroughs of Redbridge and Havering. It is acknowledged that we are not in the same position as those boroughs, however the relegation of their waste management to a separate DPD was considered to be appropriate.

7. Is the reference to a Waste Development Plan Document in Policy CS43 justified, since the Local Development Scheme [CS/LDF/03] does not refer to such a document?

The currently adopted Local Development Scheme covers the period 2008-2011 and was published in January 2009. This was prior to discussions with Government Office for London and Greater London Authority during 2009 and the subsequent inclusion of a reference to a Waste Development Plan Document, which first appeared in the Publication Core Strategy Draft in November 2009.

The City Council is currently revising the Local Development Scheme. The new Local Development Scheme will contain a reference to the Waste Development Plan Document.

However, at the same time, the revised (and reduced) waste apportionment figures contained within the (Minor Amendment) draft Replacement London Plan means that other boroughs (or groupings of boroughs) are likely to have a 'surplus' of waste capacity. Therefore, once the Planning Inspector's Binding Report following the draft Replacement London Plan Examination in Public has been received, Westminster's waste apportionment could be secured through joint working arrangements, *which may negate* the need for a separate waste development plan document.

Appendix 1. Designated Waste Sites in Westminster's Core Strategy Proposals Map

Type	Address	Floorspace area (sqm)
Street cleansing depots	21, Farm Street, W1	334
	1, Relton Mews, SW7	129
	9, Woodfield Road, W9	173
	Gatliff Road, (currently at Ebury Bridge Road) SW1	902
	Page Street, SW1	1279
	Drury Lane, WC2	192
	Newport Place, WC2	300
	Dufours Place, W1 (currently in Broadwick Street Car park)	300
	Charing Cross Subway, WC2	16
	North Wharf Road, W9 (to move to Westway flyover)	2324
	Lisson Grove, NW1	1135
	Chiltern Street, W1	701
	Total	7785
2 AD composters		100
145 MRCs (assumption of 20sqm each)		2900
Total		10785

Appendix 2. Westminster's Waste Apportionment

Source	Waste Apportionment (tonnage 000s)								
		2010	2011	2015	2016	2020	2021	2026	2031
London Plan (Consolidated 2008)	MSW	36		59		68			
	C&I	89		107		127			
	Total	125		166		195			
Draft Replacement London Plan (December 2009)	MSW		40		49		58	68	78
	C&I		71		78		84	92	100
	Total		111		127		142	160	178

Appendix 3. Action Plan for Westminster's waste management

Letter approaching six waste partnerships about potential waste capacity post-London Plan revised apportionments and potential joint working	Jun 2010
Examination in Public – Westminster's Core Strategy	Jul-Aug 2010
Examination in Public – draft Replacement London Plan (Matter 5E – Waste Issues – 7 th Sept 2010)	Jul-Oct 2010
City Management Plan Options Paper consultation – Waste policy options to support the Core Strategy in relation to waste management plans, construction, excavation and demolition waste, waste recycling and storage, and organic waste management facilities. In particular this will support the Core Strategy policy requirement for major new development to provide on-site recycling and composting facilities.	<i>July-Sept 2010</i>
Inspector's binding report – Westminster's Core Strategy	<i>Oct-Dec 2010</i>
Inspector's binding report – London Plan	<i>Dec 2010</i>
Letter approaching all those London boroughs who have a) a reduced apportionment or b) waste capacity following the London Plan Examination in Public with a view to securing that capacity towards Westminster's apportionment	<i>Dec 2010 or earlier</i>
Westminster's Municipal Waste Strategy and Procurement Strategy	<i>Dec 2010-Summer 2011</i>
Westminster Waste Development Plan Document – commence if capacity is not otherwise secured through joint working arrangements. The Waste DPD will be developed alongside, and build upon, the Municipal Waste Strategy, and connect contractual obligations with waste planning and capacity provision within Westminster.	2011/2012
Re-let of Westminster's waste contract	2012
Potential reconsideration of Paddington New Yard (dependant on progress on Crossrail)	2017 - 2021