

Inspector's Note to the City of Westminster Council

As you know, I have been appointed to carry out the examination of the City's Core Strategy and am in the process of familiarising myself with the development plan document and the supporting evidence. As explained in the Inspectorate's LDFs Examining Development Plan Documents: Procedure Guidance, an early task for Inspectors is to identify whether there are any "fundamental/cumulative flaws" in a submitted document at the first possible opportunity. It can avoid wasting time and money if these are found and addressed early in the examination process.

When serious flaws are identified, Inspectors often call an exploratory meeting commonly leading to a decision to delay or withdraw examination of the DPD. I hope that neither delay nor withdrawal will be necessary in this case. At present, I intend to go forward with the Pre-Hearing Meeting and Hearing sessions as arranged. However, I do need more information.

With reference to the City's Core Strategy, I am concerned to read that the Mayor of London considers the submission document not to be in general conformity with the London Plan (Mayor's letters of 22 December 2009 and 31 March 2010). Having read the evidence base, a number of questions regarding the waste matter occurred to me. Given the gravity of this issue, I would ask the Council to consider them as soon as possible and let me have their response.

Also, I have noted that the Government Office for London drew attention, in its letter of 12 January 2010, to the need for a clear housing policy and target, consistent with national and regional policy. On reading Policy CS14, I considered that the policy was not sufficiently clear. At the time of writing, I have not been able to read the Regional Documents listed in the Examination Library, which may provide answers to some of the questions about consistency with PPS3 and the London Plan targets. I requested last week through the Programme Officer, Mr Young, that hard copies of the Regional Documents should be forwarded to me and I hope that these will soon arrive. I am grateful to the Council for sending the London Plan which reached me today. However, I shall need the other publications too. I am also missing the North London Sub-Regional SHMA and was unable to access this on the Council's website. I hope that these will provide some reassurance that the policy is sound. In the meantime, I wish to draw to the Council's attention my concern.

Waste Infrastructure and Waste Management - 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?
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?

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?
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?
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?
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?
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?

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