

Examination of the North London Waste Plan (NLWP)

Post Hearing Advice – Main Modifications and Related Matters

Introduction

1. During the hearing sessions a number of potential main modifications (MMs) were discussed. The Boroughs have prepared a schedule of all of these which are contained in the document "*North London Waste Plan: Proposed Modifications (August 2020)*" (the schedule). This note relates solely to potential MMs contained within the schedule and to the administrative arrangements relating to the necessary public consultation on them.
2. I am not inviting any comments about the contents of this note.

Main Modifications

3. The schedule of MMs provided by the Boroughs is in response to the issues raised in the hearing sessions and in the pre-hearing consultations. The Inspector considers that the format of the schedule is suitable for public consultation purposes. The Boroughs will also need to consider any consequential change to any Policies Map that may arise in relation to the MMs.
4. The Boroughs have also prepared several supporting documents to the schedule. These should also be made available on the examination website and their existence should be made known in the public consultation exercise. The supporting documents include the following:
 - Data Study Addendum (July 2020)
 - Options Appraisal for Sites and Areas to be taken forward in the Proposed Submission NLWP (Updated July 2020)
 - Flood Risk Addendum (September 2020)
 - Main Modifications Sustainability Appraisal Addendum Report (September 2020)
 - Habitats Regulations Assessment of the North London Waste Plan (Proposed Modifications to the Submission Plan) – September 2020
5. The Boroughs have also prepared an amended version of the Proposed Submission Plan (*North London Waste Plan Proposed submission (Regulation19) January 2019 - Amended August 2020*) which also includes the proposed MMs. Given the number of proposed MMs, the Boroughs should give consideration to making this document publicly available also as it assists in providing some understanding of how the MMs affect the Submission Plan as a whole.
6. Acknowledgement that the format is suitable for public consultation is made without prejudice to my future views on the content of the proposed MMs and the subsequent soundness of the NLWP.
7. The Boroughs have also prepared a list of proposed additional minor modifications. These are a matter solely for the Boroughs. If the Boroughs

intend to make any additional modifications these should be set separately from the main modifications.

8. Advice on the required consultation on the proposed MMs is provided in Examining Local Plans Procedural Practice (in particular, see paragraphs 5.24 to 5.28). Amongst other things this states that the scope and length of the consultation should reflect the consultation at the Regulation 19 stage (usually at least 6 weeks). It should be made clear that the consultation is only about the proposed main modifications and not about other aspects of the plan and that the main modifications are put forward without prejudice to the Inspectors' final conclusions. The Boroughs will need to consider the most appropriate methodology for the consultation in light of any relevant Government Guidance relating to the Covid-19 pandemic that may be applicable at the time.
9. The Procedural Practice also states that the general expectation is that issues raised on the consultation of the draft MMs will be considered through the written representations process and further hearing sessions will only be scheduled exceptionally.

Consideration of potential main modifications

10. In accordance with the provisions of section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended), the Boroughs have formally confirmed that they wish the Inspector to recommend any such main modifications that are necessary to make the NLWP sound and legally compliant.
11. I will take into account any representations made in response to the consultation. Consequently, the potential MMs which may be necessary to achieve a sound plan could alter following the consultation process.
12. The views I have expressed in the hearing sessions and in this letter on potential main modifications and related policies map changes are based on the evidence before me, including the discussion that took place at the hearing sessions. However, my final conclusions on soundness and legal compliance will be provided in the report which I will produce after the consultation on the potential main modifications has been completed.
13. In reaching my conclusions, I will take into account any representations made in response to the consultation. Consequently, any views I expressed during the hearing sessions and in this letter about soundness and the potential main modifications which may be necessary to achieve a sound plan could alter following the consultation process.

Timetable

14. The Boroughs should now confirm a timetable through to the publication of the main modifications for consultation.

Public Consultation

15. At the end of the public consultation exercise I will need to see copies of all the representations received. In addition, the Boroughs should prepare a

comments table containing a summary of each representation made, the Boroughs' views on these and whether any further MMs are considered necessary.

16. Any further clarification of any matters contained within this note should be addressed to the Programme Officer.

Stephen Normington

INSPECTOR