



## The Sustainable Communities Act proposal form

### Using this form

This form should be used to submit proposals under the Sustainable Communities Act to the LGA for short listing. Please complete all sections and then **email a copy to [selector@lga.gov.uk](mailto:selector@lga.gov.uk)**. These must be received by **July 31<sup>st</sup> 2009**, and you will receive confirmation that the form has been received.

Once submitted, information within this form may be made publicly available, unless you request for it to be kept private. We will treat information submitted sensitively. If you wish to attach any relevant presentations or graphs etc. please attach them separately in the email.

For questions regarding the act or the role of the Selector, please see our [FAQs](#). Any further questions can be directed to [selector@lga.gov.uk](mailto:selector@lga.gov.uk).

## Section 1: Proposal Summary

### Proposing Authority

Under the terms of the Sustainable Communities Act, all proposals must be submitted by a local authority, or group of authorities, in England. Any group, organisation or individual may originate or develop a proposal. However all proposals will require Local Authority endorsement and submission to the Selector.

Parish councils and other organisations and agencies must seek support and formal endorsement from a proposing local authority (defined in the Act as county councils, district councils (including metropolitan, non metropolitan and unitary authorities), the common council of the city of London or the Council of the Isles of Scilly).

#### 1.1 Lead Authority name

London Borough of Islington

#### 1.2 Is this proposal submitted by this authority alone, or is it a joint proposal with other local authorities? (If joint please list authorities)

Submitted by London Borough of Islington

#### 1.3 Who is the lead contact (s) in the authority for this proposal? Please provide email address and telephone number - *The LGA will direct any enquiries to this contact.*

Alanna Coombes  
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0207 527 3405

## Supporting Organisations

Whilst proposals may only be submitted by a local authority, we acknowledge that local partners and outside organisations may wish to register support for the proposal. This is entirely voluntary.

**1.4 Please provide details below of supporting organisations to your proposal.** Please explain if the organisation is a charity, company, unincorporated association or other body. If a charity or company please provide registration numbers. If a local partnership please explain the relationship to the Local Strategic Partnership for the area.

Not relevant.

## Summary of your proposal

Please summarise your proposal. You may wish to include:

- The main elements of your proposal
- What issues your proposal is addressing and how it will promote the sustainability of the local community
- Who is affected by this proposal and how?
- Which public bodies might be affected?
- What are the main actions needed from Government?
- What do you expect this proposal to achieve?

**1.5 Please enter your summary below** (*word limit 1000 words*)

The purpose of this proposal is to reduce the amount of waste that businesses send to landfill. Currently there are no restrictions (other than basic cost) on the amount going to landfill whether recyclable or not. The main elements of the proposal are:

- 1) a requirement that all businesses should have a contract for the disposal of waste by recycling
- 2) that all businesses hold, on site, a 'duty of care' or 'waste transfer note' detailing the types and amounts of waste processed through recycling. The requirement would be specifically for recycling disposal - similar to that for waste disposal under Section 34 of the EPA 1990
- 3) local authorities and the Environment Agency would have the power to enforce the new requirement in the same way as the waste duty of care.

The requirement to recycle would ensure all businesses pre-treat waste putting the responsibility on the producer of waste - in line with 'the polluter pays' principle - rather than the landfill site operators and waste management companies.

By law, all businesses have a duty of care to pay for and arrange the legal disposal of their waste from their business premises. However they would now be required to demonstrate that they have considered recycling or be faced with enforcement action.

The changes would not require an increase in the amounts of waste sent for recycling. However, the intention is that given the lower cost of recycling compared to landfill and the requirement for each business to have a recycling contract, the combination of the financial benefits and the opportunity to recycle would lead to an increase in recycling rates by businesses.

Increased demand for recycling services will encourage growth in this market sector reducing reliance on landfill.

To put this proposal into effect, Government would need to replicate the type of provision in the Environmental Protection Act in respect of waste and apply them to recycling.

## Section 2: About your proposal

The form asks a set of questions to gather as much information as possible to allow for assessment and short-listing by the Selector. A word-limit is stated for each part of the form.

We appreciate that SCA proposals will vary in range and scope, and some questions will be more relevant than others for any one proposal. Please do not feel that answers are required for every questions or that the full word limit need be used in respect of each and every question box. If you are submitting a joint proposal, please include evidence for all areas.

### **Impact on sustainability** (*word limit 2000 words*)

#### **2.1 Please explain how your proposal promotes sustainability as defined locally (for example in your Sustainable Communities Strategy or LAA)**

The Community Strategy explicitly identifies the need for local business to be encouraged to increase recycling to catch up with the improvements made in household recycling.

#### **2.2 Over which geographic area will your proposal impact? (e.g. neighbourhood, town, city, sub-region)?**

A reduction in CO2 emissions ( as would be achieved by less reliance of the landfill disposal method ) is a benefit to everyone.

#### **2.3 Who would benefit from your proposal?**

Any Business not currently recycling any of their waste would benefit from reduced waste management costs. Also they may see an increase in business as more and more consumers are demanding proof of an environmental policy from the businesses they wish to patronise.

This proposal would apply to all businesses and could be extended to include the following: Schools; Hospitals; Charities; Not-For-Profit Organisations; Prisons and Places of Worship

#### **2.4 What steps will you take to mitigate any adverse affects on sustainability from your proposal (if relevant)?**

Not relevant.

#### **2.5 What project, activities and changes would take place in your area if your proposal was successful?**

Waste management companies not offering recycling services within their portfolio may see a reduction in business within the borough. Conversely waste management companies offering a wide range of competitive services for recycling may see a rise in their customer base and increased revenue. This would attract waste management companies focused on environmentally progressive services to establish themselves.

**2.6 Does your proposal involve transfers of responsibilities between public bodies in the area? If so what are these? What budgetary implications might be involved?**

Not applicable.

Local authorities are required to 'have regard' to a set of specific issues when deciding whether to support SCA proposals. These are matters listed in Schedule 1 of the Act, as passed by Parliament<sup>1</sup>. It is worth noting that the issues listed in the Act are not supposed to be exhaustive and that ideas can cover anything that promotes the sustainability of the local area.

Many of these matters may not be relevant to any one proposal. If you are submitting a joint proposal please include evidence for all areas.

**2.7 Please identify which, if any, of the issues authorities are required to have regard to, are relevant to this proposal and include any data and information which you feel would be helpful in the assessment process.**

a) the provision of local services  
Not applicable.

b) the extent to which the volume and value of goods and services that are- i) offered for sale, ii) procured by public bodies, and are produced within 30 miles (or any lesser distance as may be specified by a local authority in respect of its area) of their place of sale of the boundary of the public body.  
Not applicable.

c) the rate of increase in the growth and marketing of organic forms of food production and the local economy  
Not applicable.

d) measures to promote reasonable access by all local people to a supply of food is adequate in terms of both amount and nutritional value  
Not applicable.

e) the number of local jobs  
Not applicable.

f) measures to conserve energy and increase the quantity of energy supplies which are produced from sustainable sources within a 30 mile radius of the region in which they are consumed  
Not applicable.

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<sup>1</sup> The Sustainable Communities Act is available here : [http://www.opsi.gov.uk/acts/acts2007/ukpga\\_20070023\\_en\\_1](http://www.opsi.gov.uk/acts/acts2007/ukpga_20070023_en_1)

g) measure taken to reduce the level of road traffic including, but not restricted to, local public transport provision, measures to promote walking and cycling and measures to decrease the amount of product miles

Not applicable.

h) the increase in social inclusion, including an increase in involvement in local democracy

Not applicable.

i) measures to increase mutual aid and other community projects

Not applicable.

j) measures designed to decrease emissions of greenhouse gases

Increasing business recycling could have a strong impact on reducing greenhouse gases.

k) measures designed to increase community health and wellbeing

Not applicable.

l) planning policies which would assist with the purposes of this Act, including new arrangements for the provision of affordable housing

Not applicable.

m) measures to increase the use of local waste materials for the benefit of the community

Not applicable.

## Existing Barriers

*(Please do not write more than 1000 words for 2.8 and 2.9)*

### 2.8 What are the existing barriers to implementing your proposal?

There are some practical issues that would need to be addressed.

Most business would simply be able to go to another waste management company for their recycling contract.

Flat rate contracts and stipulated duration contracts may, however, create the situation for a small minority of businesses whereby their waste management costs are increased. In the former case, flat rate contracts mean that a company pays a certain amount for a regular pickup regardless of the amount of waste produced – so a business operating with

such a contract may see no saving and in fact an increase in costs. In the latter, some businesses are tied into longer term contracts with waste management companies that do not provide recycling services and would need to renegotiate.

In managed properties there is not currently any responsibility for the management company to provide recycling services to the businesses within their premises. If the responsibility lay solely with each individual business, the same problem would occur whereby the individual businesses would have to set up recycling contracts without receiving any financial benefit from the management company for putting out less waste, thereby increasing their waste management costs.

## 2.9 What actions are needed by Government to make your proposal possible?

Replicating the provisions of the Environmental Protection Act 1990 in respect of waste to apply them specifically to recycling

The treatment of managed properties identified in 2.8 above would need to be addressed.

## Part 3: Local Authority Endorsement

This section should be completed by the proposing local authority. (Under the terms of the act this means a county council in England, a district council (including metropolitan, non metropolitan and unitary authorities), a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly)

### 3.1 Have consultation requirements been met? (500 words max)

Please confirm that your authority has met the statutory requirements for consultation on this proposal, via one or more panels of local representatives and persons from under-represented groups constituted in accordance with the Act and statutory guidance as set out in [Strong Safe and Prosperous Communities](#).

You may wish to describe who has been involved in discussions and development of the proposal (*e.g. council, local community organisations and residents groups, parish or town councils, local partnership bodies, local or national organisations, political parties, church and faith organisations, local businesses or chambers of commerce and others*).

If you have not done so already please give brief details of relevant panel meetings.

Please note if you are submitting a joint application please provide details of consultation and local support across all areas.

We told our local communities about the SCA through the Council website, our borough-wide resident magazine; residents' eBulletin; the Members' Bulletin; and directly to a range of community and third sector groups. This generated over 100 ideas to be put forward by residents, community groups as well as some staff members and councillors.

Council officers examined all the original proposals to sift out ones that appeared to go against existing council policy; where the council already has powers to take the action proposed; or where the proposal does not fall within the scope of the SCA for some other reason.

These proposals then went to a newly formed SCA panel to consider. This panel included residents from groups that councils have traditionally struggled to engage or forum members of such groups, including a blind resident, a resident with learning disabilities, and a resident (with an interpreter) who spoke English as a second language. The panel held its meeting on Monday 29 June and members looked in detail at a number of proposals each in some detail. Their comments and indications of interest or enthusiasm enabled us to sift further the proposals which were considered by, and agreed by, our Council's Executive.

**3.2 What are the views from this consultation? You may wish to provide evidence of local support for your proposal?** This might include petitions or letters of support from the public, local councillors, Members of Parliament, businesses, public bodies and agencies? Please describe this evidence below. *(The local authority submitting the proposal is likely to wish to review such material and to summarise its content. Onward submission to the Selector of all original documentation will not normally be required).*

This proposal gained support from the SCA panel and was approved by the council's Executive.

Proposals may include a change/transfer of functions from one person to another. If this is relevant to your proposal please confirm that the duties under clause 2, subsection 3 of the act (consulting with organisations affected by a change in location of a function) have been carried out.

**3.3 Please give brief details of consultation with any affected organisations**

Not applicable.

**3.4 Confirmation of council support**

The process for formal endorsement is a matter for local discretion; however we anticipate that authorities will wish to gain political endorsement and clearance for the proposal through the relevant processes at local level. Please give details of how formal approval has been attained.

The proposals were agreed at the Council's Executive meeting on 9 July 2009.

### 3.5 General comments

This is an opportunity for the local authority to express any additional comments or views on the proposal: This may include: *(1500 words max)*

- the council's view of levels of local support for the proposal
- any local opposition or objections that the Selector should be aware of
- relevance of the proposal to the area's Sustainable Community Strategy and Local Area Agreement
- outcome of any local authority discussions with agencies or public bodies affected
- potential regional/national significance of the proposal, if replicated elsewhere
- any major resource implications for the council or its local partners
- any other factors influencing viability and achievability of the proposal

## Part 4: Assessment by the Selector

SCA proposals will be assessed by the LGA as Selector. This will include consideration, short listing and negotiation with the Secretary of State via the LGA Selector panel made up of councillors from the four parties represented on the LGA

The LGA Selector Panel is committed to undertaking the role in a transparent manner; as such reasons for decisions on proposals will be made available.

There will be no appeals process in relation to decisions of the Selector Panel.

### 4.1 Do you confirm your agreement to abide by the outcome of the Selector's assessment and decision-making processes?

Yes.

### 4.2 Would your council, accompanied by the originators of the proposal, wish to make a short verbal presentation to the Selector Panel, should this opportunity be available?

Yes.

Thank you for completing this form.

Please email it to [selector@lga.gov.uk](mailto:selector@lga.gov.uk) by 31 July 2009.