

Dear Mr Onslow

Thank you for your invitation to submit views and suggestions for the New NLWP.

The idea that the existing Mouchel site assessments should be taken forward into a New NLWP is completely unacceptable given the major flaws existing in the original process.

Structural Errors in the NLWP Site Assessment Regime

I wrote to you earlier this year [19th March 2013] this year settling out some of the more obvious problems with the site assessments. For your convenience, I have replicated my email below:

“With regard to the new processes for the North London Waste Plan, I would be grateful if you would please clarify what steps are being taken to avoid past errors with the site scoring regime. I assume that the criteria and scope of the site evaluation is being reconsidered:

(a) Air Quality: The Air Quality was dropped as a consideration in the original site evaluation. This was a wholly inappropriate step given that the proposed site will be subject to a very high volume of lorry traffic. Can you please confirm that air quality will be reinstated in the evaluation criteria? Can you also advise how air quality will be measured?

(b) Access to Main Highways: The published set of criteria included three categories of criteria dealing with access to main highways. One of these categories was weighted. This produced a wholly unbalanced evaluation with some 20% of the evaluation scores being linked to this one topic. Please confirm that the new set of criteria will not place such an inordinate emphasis on ‘access to highways’.

(c) Sensitive Receptors: Although clearly set out in PPS10 as a range of key topics, the last NLWP assessment moved sensitive receptors from the objective primary sift (measurable) to the subjective secondary sift (opinion) for no apparently sound reason. Please confirm that the new set of NLWP criteria will re-position sensitive receptors in the primary sift where the criteria will be objectively measured.

(d) Sensitive Receptors: PPS10 sets out a range of sensitive receptors and the potential effects of a waste development proposal. The last set of NLWP criteria conflated the various categories to be considered into a single category. This had the effect of minimising the scoring potential of a category designed to protect the local community. Please confirm that a more appropriate approach will be taken for sensitive receptors with more than one category to be considered.

(e) Weighting: Weighting was introduced in the last evaluation to give support to key topics in the evaluation. In the event, the weighting was applied wholly incorrectly:

a. Water/RailHeads: For some obscure reason, the lowest score in this category was 1. Even if a site was miles away from a railhead or suitable waterway, the site still scored 1 point. Under weighting, the same site would score 3 points when there was no logical reason for the site to be awarded any points at all. The impact of 3 points for nothing needs to be seen in the context of a maximum score of 5 in most other categories. Notwithstanding the need for ‘zero’ scores generally in all categories, it is absolutely essential that any category with weighting must be capable of a zero score.

b. Sensitive Receptors: This category was designed to protect the local community but the category design really worked against the community. The category really should have been

scored with minus scores, taking away points from unsuitable sites. The category scoring approach might have been deemed just acceptable until weighting was added. Weighting worked to the advantage of any unsuitable site by inflating the unsuitable site's score. Please confirm that the weighting regime will be reconsidered and redesigned appropriately in the new NLWP.

(f) Employment: In late 2009, Haringey Council wrote to you about the disingenuous use of employment data in the 2009 Preferred Options evaluation. Please confirm that correct and appropriate employment data will be used in the new NLWP evaluation."

No Access to the Pinkham Way Site

The comments above are all observations on the flawed structure (design) of the evaluation/site assessment process and therefore completely undermine the credibility of the process as run by the NLWP through 2009.

When I have written to the NLWP organisation in the past, a frequent refrain has been that the operation of the site assessment process was 'robust'. This was a word also used by LBH Councillor Alan Strickland, in the same context. However, examination of material released under FoI/EIRs suggests that the process was far from robust.

It has been documented several times that your consultants, Mouchel, were having difficulty accessing the Pinkham Way site. Given the reluctance of Camden Council (on behalf of the NLWP) to fully explain the process in detail, it is difficult to judge the efficacy of Mouchel's assessment. It seems likely that Mouchel's judgement on their base site assessment was compromised by their inability to attend the site properly.

Focus on Favoured Sites

The quality of the site assessment for Pinkham Way seems to have caught your attention, as mentioned in an email from you to Jill Warren dated 27th February 2009. Why you should have picked out Pinkham way is unclear since you did not pick out any other site for special attention. I venture to suggest that in a robust evaluation process, the accuracy of scoring for all sites would be considered, not just one. The fact that this one site is also the site favoured by the NLWA should have ensured that the process was run properly, not run to support the favoured site.

Peer Review

It has also emerged that any observations made by planning officers, leading to changes in the scores for a specific site, were not subject to peer review. It appears from the limited material released to me under FoI/EIR, that Mouchel were merely taking comments and score changes from planning officers and applying them to the Long List Score Sheet without any scrutiny or consideration.

Haringey Council has recently released documents which shows that the Pinkham Way score moved by 30 points without proper scrutiny or

consideration, this transforming Pinkham Way's status as a suitable site. A thirty point change is a movement of 47.6%. There is no evidence in the public domain that anybody associated with the NLWP questioned or examined such a dramatic movement.

This change rocketed Pinkham Way from a very low ranking [**54th on a list of 67 named sites**] and into a position where it suddenly was being considered suitable for waste management purposes. The North London Waste Authority was doing its final preparation for its PFI submission to DEFRA & HMT and so it seems likely that its interest in the Pinkham Way site was already known to the Haringey Planning officials. In the circumstances, the examination of such a change in Pinkham Way's score should have been robust and audited so that the change could be robustly defended should it be questioned later. On the basis of the evidence released by Haringey, it seems that the examination was not robust, that no audit trail was established and, indeed, it appears that examination of the change was totally absent.

Email from Archie Onslow (NLWP) to Jill Warren (Haringey) 27th February 2009:

Onslow: *"one outstanding item I would have thought is a discussion between Haringey officers and Mouchel on site 121 (Pinkham Way) on the North Circular. At the moment, it is not scoring well in the site assessment."*

Q. Why does Mr Onslow select this site for such a comment? No other site was picked out for special attention in this way.

Note: This comment does not suggest that the low score will be examined by participants in the assessment process, merely that Mouchel and Haringey should sort it out.

Email from Jill Warren (Haringey) to Archie Onslow (NLWP) 27th February 2009:

Warren: *"I am commenting on this and will be pushing for a far higher score as applicable to this site (Pinkham Way)."*

Q. Why does Ms Warren think this site (Pinkham Way) should have a far higher score?

Email from Jill Warren (Haringey) to Archie Onslow (NLWP) 27th February 2009

Warren: *"I hope our comments address the low score for the site on Pinkham Way."*

Miss Warren offers the following score change:

Warren: *"Site Configuration – Mouchel score 0 (zero) – Haringey Council Comment: The site is a large, unoccupied and so it is possible to suit most configurations – this score should be maximum."*

This comment needs to be seen in the context of the criteria definition published in the NLWP Preferred Options Technical Report. Ms Warren's comments have been adopted apparently without question by Mouchel & the NLWP. Miss Warren's suggestion to score 5 points is wholly incorrect since the site is wholly undeveloped, the ground surface is completely unsuitable and wholesale changes will need to be made to the layout. The Mouchel original score of '0' was, in fact, correct according to the criteria.

Site Configuration

2.52 *An assessment was made of the layout of the site with regard to suitability of the ground surface and whether the land had been previously developed.*

Table 2-15 Site configuration scoring criteria

0 points - Site requires significant changes to site layout

3 points - Site requires only minor modifications to existing layout

5 points - Site requires no change to existing layout

Miss Warren offers the following score change

Warren: *"Existing Use – Mouchel Score 0 (zero) – Haringey Council comment: It (the site) has no existing use – this should also be a higher, maximum score."*

Miss Warren's comment (scoring a max 5 points) is hopelessly inconsistent with the criteria – the criteria are clearly designed to assess the value of existing buildings to a waste management proposition. There are no existing buildings on the Pinkham Way site and their original score of 0 obviously applies.

Existing uses/buildings on site

2.53 *An assessment was made on the type, size and layout of existing buildings on site and whether they were potentially compatible with waste uses e.g. an industrial warehouse could be compatible with waste use.*

Table 2-16 Existing uses/building on site scoring criteria

Score Location

0 points - Existing site uses/buildings incompatible with feasible waste development

5 points - Existing uses/buildings potentially compatible with feasible waste Development

Miss Warren also made unjustifiable comments about site access and vehicle routing and she inappropriately suggests maximum scores. The overall effect of Miss Warren's comments is worth 30 points.

Email from Lindsay Reed (Mouchel) to Jill Warren (Haringey) 11th March 2009:

“Pinkham way has been uplifted by 30 points in the scoring and I am looking into the low score for energy as I think this is the only area we can uplift it further.”

Quite clearly, Miss Warren’s comments have been adopted without scrutiny or consideration by Mouchel. The flaws in Miss Warren’s comments have not been raised or questioned. Moreover Mr Reed is the third person to apparently think there is a need to push up the Pinkham Way site score. The addition of 30 points appears to raise Pinkham Way’s score to 93. The following day, the NLWP sent a Top 10 Report out to the Borough Heads of Planning which stated that the Pinkham Way site score was now 99 points. Where did the extra 6 points come from overnight?

Mr Reed’s comments refer to uplift the energy section (only) and – according to information received as a result of previous FoI/EIRs – the energy section was scored at 2 out of 5 at this time (weighted to 6 points). This section appears to have been weighted in the final report. Mr Reed’s options in raising the energy score rested in two scoring categories (see section 2.4.1 NLWP Preferred Options Technical Report 2009):

Table 2-14 Decentralised energy opportunities (weighted) scoring criteria

Score Location

1 point - Site is 1.5km or greater from a major development/regeneration area.

2 points - Site is between 500m and 1.5km from a major development/regeneration area.

3 points - Site is 500m or less from a major development/regeneration area.

5 points - Site is within a major development/regeneration area.

Score 3 weighed by 3 – 9 points less existing score 2 x 3 weighting – total increased by 3 points to 96

Score 5 weighted by 3 – 15 points less existing score 2 x 3 weighting – total increased by 9 points to 102.

For Mr Reed to deliver sufficient points to support the Report (99 points) delivered to Borough Heads of Planning, he would have had to score maximum points for Pinkham Way – to score maximum points the Pinkham Way site would need to be in a major development area, and it is not.

[Note – this is another example of criteria being poorly constructed – see (d)a below – the weighting guaranteed a minimum score of 3 even if the category had a nil return.]

Summary

My contention is that the site evaluation undertaken by the NLWP is hopelessly compromised and the published results should not stand.

The criteria, devised for the site evaluation process, were skewed by unacceptable means:

- (a) Important criteria were left out for unacceptable reasons – e.g. air quality
- (b) Important PPS10 criteria were combined so that their influence on the site assessment scores were minimised – e.g. sensitive receptors
- (c) Important PPS10 criteria were unreasonably removed from the objective assessment (measurable) and reinstated in the subjective assessment (subject to opinion) – e.g. sensitive receptors
- (d) Weighing was applied unfairly and incorrectly:
 - a. Weighting was used in categories where there was no zero score, in other words, scores were increased against the logic and sense of the category – e.g. Waterways, where the weighted score for no waterways scored 3 which is 60% of the maximum score in other categories.
 - b. Weighting was weighted in the wrong direction which skewed the resulting score in direct opposition of the intended effect – e.g. sensitive receptors.

There is much evidence that the site evaluation process was not robust and that individuals have been allowed to influence the ranking and scores of a site known to be of commercial interest to the NLWA and its bidders. The difficulty with which I have had to contend (through FoI/EIR) in establishing the actual process of assessment, over and above the misleading and superficial description in the published NLWP documents, is further evidence that the process was poorly conceived and extremely poorly executed. If the boroughs were proud of the NLWP project, there would have been no hesitation to describe and proclaim its attributes. In fact, the NLWP is very defensive about its handling of the assessment, not least given the sentiment expressed in this extract from the POG Meeting Minutes of 15th February 2009

"AO said that he was concerned at the potential problems that would be caused if lawyers started pouring over site scores in the Technical Report and that as a result he was setting in motion hiring some legal advice."

The site assessment should be thrown out and the whole process started again. Alternatively, reasonably reconsider the criteria and rework the data for all the sites, with an additional feature to the process of allowing independent representatives of the public to quality assure the judgements being applied. I shall be pleased to volunteer.