

South London Waste Plan Boroughs Response to Matter 1

CROYDON



Matter 1:

Is the Plan legally compliant, have the relevant procedural requirements been met, and has the Duty to Co-operate (DtC) been discharged?

**Issue (i):
Has the DtC been discharged?**

M1 (i) 1

Have the Boroughs engaged constructively and on an ongoing basis with all relevant organisations on any strategic matters in accordance with the DtC?

1.1 The Boroughs consider that they have engaged constructively and on an ongoing basis with all relevant organisations on strategic matters in accordance with the DtC. The Statement of Cooperation (Ref: E5 and E6) sets out the Boroughs' extensive DtC work that has been undertaken in preparation of this Plan.

1.2 The Statement of Cooperation sets out the DtC activity that was under taken prior to and during the preparation of the 'Issues and Preferred Options document (Ref: P1).

1.3 The starting point was consideration of the regional planning position. As London has a strategic tier of governance in terms of planning, the way London Boroughs operate the Duty to Cooperate is slightly different as the strategic decisions have largely already been taken in the London Plan. For example, waste arisings and waste apportionments are set in the London Plan and most London boroughs have formed waste planning groupings, of varying strengths ranging from pooling apportionments to a loose arrangement where boroughs deal with their own London Plan apportionment but work together on matters of common interest, such as the South East London Boroughs Waste Planning Group. As such, the first and most important DtC action that the four boroughs have undertaken has been agree to pool their apportionments and to work together to produce a South London Waste Plan.

1.4 In addition, the Boroughs have been long-standing members of the London Waste Planning Forum (formerly the London Regional Technical Advisory Board), which is a meeting involving London boroughs, local planning authorities, waste operators and other representatives from those involved in waste planning and the waste industry. The Councils send representatives to meetings, when the agenda is relevant, but for every meeting the Councils receive agenda, papers and minutes from the London Waste Planning Forum and so are up-to-date with the latest information regarding waste planning both from within London and around it. This has continued throughout the South London Waste Plan ("the Plan") preparation.

1.5 Before the Boroughs began to develop options for the emerging Regulation 18 document, a Technical Paper (Ref: E10 and E11) was commissioned to assess all relevant aspects of waste planning within South London. As part of the study, the consultants looked at waste movements to and from the South London Waste Plan area, using the Waste Data Interrogator and the hazardous Waste Interrogator.

1.6 Chapter 7 of the Technical Paper sets out the exports from and imports to the South London Waste Plan area, based on the analysis of waste movements between 2013 and 2017 and establishes the thresholds to be used. For the Issues and Preferred Options consultation (Ref: P1), the Boroughs wrote to all those local planning authorities where the waste movements exceeded the thresholds for the three streams of waste in any given year.

Table 1: Relevant Local Authorities where DtC Work has been undertaken

Relevant DtC Local Authorities	
Bexley, London Borough of	Lewisham, London Borough of
The Central and Eastern Berkshire Authorities	Medway WPA
Brighton and Hove City Council	Milton Keynes WPA
Bristol City Council	Northamptonshire County Council
Bromley, London Borough of	North London Waste Plan Boroughs
Buckinghamshire County Council	Nottinghamshire County Council
Cambridgeshire County Council and Peterborough City Council	Oxfordshire County Council
Cheshire West and Chester	Rotherham WPA
City of London	Sefton WPA and Wirral WPA
Derbyshire County Council	Sheffield City Council
East London Boroughs	Slough WPA
East Sussex County Council	Solihull Metropolitan Borough Council
Essex County Council	Southwark, London Borough of
Greenwich, London Borough of	Surrey County Council
Hackney, London Borough of	Telford & Wrekin WPA
Hammersmith & Fulham, London Borough of	Thurrock WPA
Hampshire County Council - Portsmouth City Council - Southampton City Council	Wakefield WPA
Havering, London Borough of	Walsall WPA
Hertfordshire County Council	Wandsworth, London Borough of
Hillingdon, London Borough of	West London Boroughs
Kensington & Chelsea, London Borough of	Westminster, London Borough of
Kent County Council	West Sussex County Council
Lambeth, London Borough of	Wiltshire County Council
Leicestershire County Council	

1.7 In addition, the Boroughs contacted all prescribed bodies, as identified in Table 1 on page 6 of the Statement of Cooperation Part 1 (Ref: E5) as part of the Issues and Preferred Options Stage of the plan preparation, indicating where issues were identified. These issues and the actions taken are set out extensively in the Statement of Cooperation Part 2 (Ref: E6). Table 2 below sets out those Prescribed Bodies that the Boroughs undertook DtC work with. In some instances, despite multi attempts, no response was received from some authorities.

Table 2: Prescribed Bodies Cooperated with

Mentioned in the Act	London Context
The Environment Agency	The Environment Agency
Historic Buildings and Monuments Commission for England	Historic England
Natural England	Natural England
The Mayor of London	The Mayor of London
The Civil Aviation Authority	The Civil Aviation Authority
The Homes and Communities Agency	The Mayor of London
Primary Care Trusts	Croydon CCG Kingston CCG Merton CCG Sutton CCG
Office of Rail and Road	Office of Rail Regulation
Transport for London	Transport for London
Highways Authority	Highways Authority
Marine Management Agency	-
Local Enterprise Partnership	The Mayor of London
Coast and Capital Local Enterprise Partnership	-
Local Nature Partnership	The Mayor of London

1.8 The Boroughs consider this approach to the DtC is the most effective way of securing a positively prepared plan as it ensures all issues are explored in the scoping phase and then meaningful engagement is concluded with detailed information exchanges with the bodies most relevant to the Plan. The Boroughs also consider this approach both “proportionate” and “tailored”, as required by Paragraph 030 of the Planning Practice Guidance.

1.9 Following consultation on the Issues and Preferred Options document, the DtC activity continued to inform the preparation of the draft Plan. This activity is detailed in the Statement of Cooperation (Ref: E6) and includes the issues that were discussed, outcomes as a result of co-operation that took place long with Statements of Common Ground and any outstanding matters. This is discussed further below response to questions M1 (i) 2 and 3 below.

1.10 Overall, the Boroughs considered that continued and effective cooperation has occurred throughout the plan-making process, there are no reasons to suppose the Plan is not deliverable and ongoing cooperation, in accordance with the monitoring table (including proposed modifications), will take place.

M1 (i) 2 On which issues has cooperation taken place?

M1 (i) 3 What were the results of cooperation with others and are there any outstanding issues?

Duty to Cooperate with Local Authorities

1.11 For those local authorities identified as relevant for the purposes of DtC (as summarised in in Table 1 above) the Boroughs cooperated on issues relating to the moments of strategic levels of waste. The threshold for determining strategic levels of waste was determined in the Technical Paper (Ref: E10 and E11) that was commissioned by the Boroughs and was informed by the South East Waste Planning Advisory Group and the East of England Waste Technical Advisory Board. The established thresholds were:

- 2,500 tonnes per annum for Household and Commercial and Industrial waste

- 5,000 tonnes per annum for Construction and Demolition waste
- 100 tonnes per annum for Hazardous Waste

1.12 For the Issues and Preferred Options consultation, the Councils wrote to all those local planning authorities, where the waste movements exceeded these thresholds. Cooperation was taken place on the following issues:

- Whether the waste movements between the four South London boroughs and your authority are correct?
- Whether all of the identified sites are still operating in the local authority area?
- Whether the local authority is aware of any planning reasons (or other reasons) why these waste movements cannot continue in the future?
- Whether the local authority any comments on the waste movements from the South London Waste Plan boroughs to your authority area?

1.13 The results of cooperation on these matters is set out extensively in the Statement of Cooperation (Ref: E5 and E6) of the Examination Library. Annex 1 to this statement provides a summary of the issues that were cooperated on, what the results of this were and whether there are any outstanding issues. In addition, two further Statements of Common Ground have been signed (see M1 (i) 4 below).

Duty to Cooperate with Prescribed Bodies

1.14 The results of cooperation with prescribed bodies is also set out extensively in the Statement of Cooperation (Ref: E5 and E6). To avoid replicating existing documents and to assist the examination, Annex 1 to this statement provides a summary.

M1 (i) 4

Are any further Signed Statements of Common Ground available (particularly those relating to Slough Council and the Central and East Berkshire Authorities)?

1.15 Yes, there are an additional Statement of Common Ground has now been signed with the Central and Eastern Berkshire Authorities and is submitted alongside these statements (Ref: SWLP05).

1.16 In addition, the Boroughs have repeated contacted Slough Council to seek a signed Statement of Common Ground (SoCG) up to and including 15th July 2021. Unfortunately we have not received a response or acknowledgement to any email since 12th June 2020 (beyond automated responses and out of office replies). Frustratingly, the lead officer at Slough confirmed in the email on 12th June 2020 that they were happy to sign off the SoCG. However, despite the SWLP Boroughs retuning our signed copy, no further correspondence has been received. It is clear from the automated responses received that the relevant persons are still in post (as well as cc'ing the generic planning policy address in too), so the lack of response if not because of a change of staff or contact address. The copy of this email chain is submitted alongside these statements (Ref: SLWP04)

1.17 The majority of waste exported to Slough is goes to the Lakeside ERF. However, as set out in the Plan (para 3.8) this exported waste is due to be managed at Beddington Lane. In the future.

1.18 The Boroughs will continue to pursue Slough on this matter in the hope that a signed statement is received prior to the hearings. If a response id received this will be sent to the Inspectors immediately.

1.19 In addition, the Boroughs continue to work with the GLA to resolve the two outstanding issues of non-conformity with the London Plan, as set out in the Mayors updated Opinion on Conformity (Examination Document Ref: OTH01).

M1 (i) 5

How does the Plan address any cross-boundary issues that have emerged as a result of engagement with prescribed bodies?

1.20 The overarching aim of the Plan is to be net self-sufficient. As a part of this approach, it will involve the cross-boundary movements of some waste continuing. The Technical Paper (Ref: E10 and E11) established the waste movements that are taking place, as discussed above. The Plan addresses the aim to achieve net self-sufficiency, which will include the cross-boundary issues that have been identified, (namely waste movements), by:

- a) Identifying and safeguarding sufficient sites to exceed the apportionments for HC&I Waste within the Plan area.
- b) Identifying and safeguarding sufficient sites to exceed the arisings for C&D within the Plan area.
- c) Maintaining cross-boundary movements of waste where necessary, particularly for those waste streams that are not managed within the Plan area (See Matter 3).

1.21 The Plan addresses cross-boundary issues in para 3.5 to 3.18, which principally concerns waste movements between authorities outside the Plan area. Where significant movements of waste were identified, Statements of Common Ground (SoCG) were sought, as set out in the Statement of Cooperation Part 1 (Ref: E5), para 7.1. These SoCG are set out in Statement of Cooperation Part 2 (Ref: E6) and the additional SoCG are submitted alongside these statements (Ref: SWLP05). However, in the case of Slough WPA, which received the largest amount of waste from the Plan area, it is ultimately the intention that this waste will be managed at Beddington in Sutton, as set out in para 3.8 of the Plan.

1.22 The Statements of Common Ground have not identified any major issues but this will be monitored through Policy WP10 and through ongoing DtC engagement.

Issue (ii):
Does the SA comply with the requirements of the 2004 Act, the SEA Directive and the SEA Regulations?

M1 (ii) 1

Has the SA process complied with the requirements of the SEA Directive and the SEA Regulations?

1.23 Yes - the SA process has complied with each of the tasks set out in the government's SEA Regulations requirements checklist as shown in Table 3 below:

Table 3: Compliance with SEA requirements

Requirement of SEA Directive and Regulations	How is requirement addressed in the SA Report?
Preparation of environmental report - Regulation 12(2)	This requirement has been met through the publication of the 'SA Report on the draft South London Waste Plan (SLWP) 2021-36 - Submission Version' (the SA Report) for public consultation between 4 September and 22 October 2020 (Regulation 19 consultation). The 'likely significant effects on the environment of implementing the plan or programme and reasonable alternatives' are identified, described and evaluated in Section 12 'Appraisal of Proposed Policies and Sites' taking account of the 'objectives and geographical scope of the plan or programme' as described in Sections 2 and 6 of the SA Report on 'Background to South London Waste Plan' and 'Baseline' respectively. The sustainability appraisal matrix on pages 135 to 169 of the SA Report is divided into two parts: Part A on Proposed Policies and Part B on Proposed Sites.
Inclusion of information in Schedule 2 – Regulation 12(2)	Each of the following requirements in Schedule 2 has been met by the SA Report taking into account current knowledge and methods of assessment, and the contents and level of detail in the draft SLWP.
(a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes	<p>The contents and the main objectives of the draft SLWP are outlined in the following Sections of the SA Report:</p> <ul style="list-style-type: none"> • Section 2 on 'Background to the South London Waste Plan; • Section 9 on 'Identifying and Assessing Waste Sites (Task A5)'; and • Section 10 on 'Developing Proposed SLWP Policies (Task A5)'. <p>The relationship of the draft SLWP with other relevant plans and programmes is described in Section 5 on 'Other Relevant Plans, Programmes and Sustainability Objectives (Task A1)'.</p>
(b) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.	<p>The relevant aspects of the current state of the environment and how it is likely to evolve in the absence of the draft SLWP are covered in:</p> <ul style="list-style-type: none"> • Section 2 on 'Current Waste Arisings and Capacity in South London'; and • Section 6 on 'Baseline (Task A2)'.
(c) The environment	The environment characteristics of the plan area, comprising of the four south London boroughs of Croydon, Sutton, Merton and Kingston, are

Requirement of SEA Directive and Regulations	How is requirement addressed in the SA Report?
characteristics of areas likely to be significantly affected.	described in Section 6 'Baseline (Task A2)'. Issues covered include traffic growth and congestion, modal share, road casualties, road network, highway asset condition, air quality, noise exposure, carbon dioxide (CO ₂) emissions, climate change , household waste recycling rate, flood risk, sites of importance for nature conservation (SINCs), species, habitats and ancient woodland, green belt and metropolitan open land, open space, green infrastructure, conservation areas and historic environment.
(d) Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 2009/147/EC (Conservation of Wild Birds) and 92/43/EEC (Habitats Directive).	<p>The following key environmental issues or problems relevant to the SLWP are discussed in Section 7 of the SA Report on 'Key Sustainability Issues – Task A3'</p> <ul style="list-style-type: none"> • self-sufficiency - the need to achieve self-sufficiency in the management of waste arisings across the plan area (see issue 1); • spatial strategy - the need to identify the most sustainable spatial strategy and strategic approach in terms of safeguarding and intensifying existing waste sites and avoiding the need to allocate new sites (see issue 2); • waste hierarchy - the need to deliver a further shift towards practices towards the top of the government's waste hierarchy such as waste prevention, re-use, recycling and recovery in order to achieve Mayoral targets for self-sufficiency and eliminating biodegradable or recyclable waste to landfill by 2026 (see issue 3); • circular economy - the need to promote a transition to a circular economy within south London that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible (see issue 4); • climate change mitigation - the need to address the causes of climate change by supporting the transition to a zero or low carbon economy (see issue 5); • climate change adaptation - the need to ensure that all existing, intensified and new waste sites are fully adapted to the future impacts of climate change and reduce potential exposure and risks to vulnerable groups (see issue 6); • flood risk management - the need to ensure that all existing, intensified and new waste sites avoid and minimise flood risk both to occupants and surrounding land uses by accommodating sustainable flood risk management measures such as SuDS as part of the design and layout (see issue 7); • sustainable design and construction - the need to promote the highest standards of sustainable design and construction and minimise life cycle impacts/ embodied energy in all existing, intensified and new waste sites within the plan area (see issue 8); • sustainable transport – the need to minimise HGV movements, traffic congestion, greenhouse gas emissions, local air pollution, noise and vibration associated with waste-related transport in line with sustainable transport objectives by locating waste management facilities close to where waste is produced, avoiding the need for new waste management sites to be developed and associated trips through the intensification of existing waste sites and co-locating complementary waste management or secondary material processing facilities in line with circular economy principles (see issue 9); • air quality – the need to minimise adverse impacts on local air quality, particularly within identified 'air quality focus areas' and in locations with sensitive receptors such as residential dwellings or

Requirement of SEA Directive and Regulations	How is requirement addressed in the SA Report?
	<p>schools (see issue 10);</p> <ul style="list-style-type: none"> • environmental protection – the need to mitigate the potentially adverse effects of waste management operations on environmental quality and local amenity in terms of the potential impacts on noise generation, vibration, odour, light and dust on nearby sensitive land-uses during both the construction and operational phases of new or upgraded waste management facilities (see issue 11); • biodiversity and habitats – the need to ensure that the plan will not have significant adverse effects upon the protection or integrity of a ‘European site’ as defined in the UK Habitats Regulations 2010 - including any Special Areas of Conservation (SACs) or Special Protection Areas (SPAs) and to ensure that any potential impacts upon locally designated sites of interest for nature conservation (SINCs) and associated local Biodiversity Action Plan targets are minimised (see issue 12); • local economy and employment – the need to ensure that the SLWP promotes the local economy and employment within the four boroughs (see issue 13); • historic environment, townscape and visual amenity – the need to ensure that new and existing waste management facilities do not adversely impact upon the historic environment of the four boroughs – specifically the character, appearance and setting of Conservation Areas; Areas of Special Local Character (ASLCs); listed buildings, historic parks and gardens, scheduled ancient monuments and Archaeological Priority Areas (see issue 14); • human health and quality of life – the need to protect and enhance local amenity and the quality of the townscape for residents living near new and existing waste management facilities (see issue 15); • equalities; accessibility and social inclusion - how can the plan further promote social inclusion by addressing potential inequalities arising as a result of current waste management arrangements in south London (see issue 16); <p>In addition, the ‘Habitats Regulations Screening Report in Appendix 3 to the SA Report gives further consideration to the potential impacts of the plan on the following European sites covered by the HRA Regulations: Richmond Park SAC; Wimbledon Common SAC; Mole Gap to Reigate Escarpment SAC; and/or Ockham and Wisley Commons SSSI (part of Thames Basin Heaths SPA). However it concludes that a full Habitats Regulations Assessment is not required and provides evidence to show that this conclusion is supported by Natural England.</p>
<p>(e) The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and an</p>	<p>Relevant environmental protection objectives established at international, European or national level are set out in Section 5 of the SA Report on ‘Other Relevant Plans, Programmes and Sustainability Objectives’ (Task A1). Section 9 on ‘Identifying and Assessing Waste Sites’, Section 10 on ‘Developing South London Waste Plan Policies’ and the Appraisal Matrix in Section 12 provide a detailed consideration of how these environmental objectives have been taken into account in developing the proposed SLWP policies and waste sites (e.g. meeting Mayoral targets for recycling and self-sufficiency, and national air quality standards).</p>

Requirement of SEA Directive and Regulations	How is requirement addressed in the SA Report?
<p>environmental considerations have been taken into account during its preparation.</p>	
<p>(f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscapes and the interrelationship between the above factors. These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects.</p>	<p>The likely significant effects of each of the proposed waste policies (WP1-WP10) set out in the draft SLWP and for all of the sites proposed to be safeguarded for waste uses (C1-C12, K2-K4, M1-M18 and S1-S12) are assessed in Parts A and B of the Appraisal Matrix in Section 12 of the SA Report. In line with the regulations, secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects were considered.</p>
<p>(g) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.</p>	<p>Proposed mitigation measures designed to offset any significant adverse impacts arising from the implementation of the plan are discussed where appropriate as part of the detailed commentary included for each proposed policy and site in the appraisal matrix. However it should be noted that specific environmental mitigation requirements are integral to the many of the criteria-based policies being put forward. Furthermore, Paragraph 12.6 notes that <i>“for existing waste sites which are already in operation and complying with both their planning permissions and waste management licenses, it has been assumed that any potential adverse impacts upon the local environment and neighbouring land-uses (from construction and operation) should have been mitigated already at least some extent as part of the permission”</i>.</p>

Requirement of SEA Directive and Regulations	How is requirement addressed in the SA Report?
<p>(h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.</p>	<p>Section 10 of the SA Report on 'Developing South London Waste Policies' describes the basis for the strategic alternatives identified for the purpose of the assessment. Paragraph 10.7 characterises the realistically available alternatives as follows:</p> <ul style="list-style-type: none"> • Option 1 - meeting the Mayor's combined apportionment through the proposed plan; • Option 2 - exceeding the Mayor's combined apportionment by carrying forward the existing waste policies, site designations (and broad areas) in the current SLWP 2012 unchanged; and • Option 3 - allowing the policies and designations of the existing plan to expire in 2021 and not be replaced by a new plan i.e. the 'Do-Nothing' scenario. <p>Paragraph 10.8 subdivides Option 2 further into the following two sub-options:</p> <ul style="list-style-type: none"> • Option 2a: exceeding the Mayor's combined apportionment by carrying forward the existing waste policies, site designations (and broad areas) in the current SLWP 2012 unchanged. • Option 2b: further exceeding the Mayor's combined apportionment by carrying forward the existing waste policies, site designations (and broad areas) in the current SLWP 2012 unchanged while identifying new waste sites in addition to existing safeguarded sites. <p>It is clear from Paragraphs 10.7 and 10.8 in Section 10 of the SA Report (and also from Paragraphs 12.2 to 12.4 in Section 12) that the basis for identifying the above strategic options has been framed in terms of the amount of land and waste management capacity required to be safeguarded across the plan area to either meet or exceed the Mayor's combined apportionment. It is also standard practice to include the 'do-nothing' scenario' as part of the assessment.</p> <p>It is considered that, at the time of developing the proposed policies and sites included in the draft SLWP (Submission Version), sufficient information was available to the four boroughs in order to assess the likely impacts of each of the four strategic options. Key sources of information included the Environment Agency's waste data interrogator (WDI); the Technical Paper prepared by Anthesis consultants in 2019; various desktop and site assessments undertaken by the partner boroughs; Authority Monitoring Reports (AMRs) and baseline evidence on a range of environmental issues gathered through the SA/SEA process itself.</p>
<p>(i) A description of measures envisaged concerning monitoring in accordance with regulation 17.</p>	<p>Paragraph 2.19 of Section 2 on 'Background to the South London Waste Plan' highlights the introduction of a new Policy WP10 (Monitoring and Contingencies) in order to meet statutory requirements for monitoring and the Mayor of London's request for contingencies. A table of indicators has been introduced as part of the draft SLWP (as Appendix 1) for the purpose of monitoring the effectiveness of SLWP policies over the plan period. Furthermore, Paragraph 4.11 of Section 4 on 'SA and SEA' confirms that <i>"In line with Government guidance, Authority Monitoring Reports (AMRs) should include the findings of plan and SA monitoring. In the case of the SLWP, it is intended that the Sutton AMR will provide the means for reporting on the significant effects of the plan in order to measure its performance against the sustainability objectives, indicators and targets making up the SA Framework"</i>.</p>

Requirement of SEA Directive and Regulations	How is requirement addressed in the SA Report?
(j) A non-technical summary of the information provided under the above headings.	A non-technical summary of the information provided is set out on page 3 of the SA Report.
Consultation procedures (regulation 13): As soon as reasonably practicable after their preparation, the draft plan or programme and environmental report shall be sent to the consultation bodies and brought to the attention of the public, who should be invited to express their opinion.	This requirement has been met. Following the initial evidence gathering stage, culminating in the production of the Technical Paper by Anthesis consultants on behalf of the four boroughs in June 2019, an SA Scoping Report (incorporating the requirements of SEA and Equalities Impact Assessment) was published for public consultation over a five week period from 16 September until 21 October 2019, in order to seek the views of all relevant bodies, including statutory consultees (Environment Agency, Natural England and Historic England) on the proposed scope of the appraisal. An SLWP 'Issues and Preferred Options' document was subsequently published for public consultation alongside a further SA Report between 31 October and 22 December 2019 (Regulation 18 consultation). This was followed by public consultation on the Draft SLWP (Submission Version) between 4 September and 22 October 2020 (Regulation 19).
Monitoring of implementation of plans or programmes with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action (regulation 17)	As noted above, paragraph 2.19 of Section 2 on 'Background to the SLWP' highlights the introduction of a new Policy WP10 (Monitoring and Contingencies) in order to meet statutory requirements for monitoring and the Mayor of London's request for contingencies. A table of indicators has been introduced as part of the draft plan (as Appendix 1) for the purpose of monitoring the effectiveness of SLWP policies over the plan period. A South London Waste Plan Annual Monitoring Report (AMR) 2019-20 has also been prepared in March 2021 on behalf of the four boroughs in order to update the evidence base.

M1 (ii) 2**Is the approach to SA compliant with the advice set out in the PPG and based on an appropriate methodology?**

1.24 Yes - the SA process has complied with each of the stages (or 'tasks') of SA set out in national planning practice guidance. The government's flowchart of the SA process is repeated in Section 4 of the SA Report as Figure 4.1 'Main Stages of SA in relation to the DPD Process' and the SA Report chapters are cross-referenced throughout to the appropriate task or sub-task. The methodology used follows government guidance.

M1 (ii) 3**Has the SA process been genuinely iterative and carried out in step with the stages of plan preparation?**

1.25 Yes – the SA process has followed a genuinely iterative approach throughout the preparation of the Plan. Representations received to the SA Scoping Report (Ref: P7) between 16 September and 21 October 2019, mainly from statutory consultees, were addressed in the next SA Report on 'Issues and Preferred Options' (Ref: P2) published for consultation subsequently between 31 October and 22 December 2019 (Regulation 18 consultation).

1.26 Likewise, representations received to the SA Report on 'Issues and Preferred Options' (Ref: P4) were addressed in the SA Report on the Draft SLWP Proposed Submission (Regulation 19 consultation) (Ref: S2) published for consultation between 4 September and 22 October 2020. Details are set out the Regulation 18 Statement of Consultation published March 2020 (Ref: P5) and the subsequent Regulation 19 Statement of Consultation published January 2021 (Ref: E3).

1.27 In addition, an addendum to the SA is submitted alongside these statements (Ref: SLWP06).

M1 (ii) 4**Are the alternatives considered by the SA sufficiently distinct to highlight the different sustainability implications of each?**

1.28 Yes – the following alternative strategies considered by the SA for meeting the combined apportionment for managing housing, commercial and industrial (HCI) waste arising over the plan period, achieving self-sufficiency and a range of other Mayoral and local planning objectives, are clearly distinct from one another:

- Option 1: Proposed Plan (Meet Apportionment): The proposed Policies (WP1-WP10) and site designations which have been taken forward in the Plan (Ref: S1).
- Option 2a: Existing Plan (Exceed Apportionment): Carry forward the existing policies and existing site designations in the current SLWP 2012 (Ref: B1) unchanged.
- Option 2b: Additional Sites (Exceed Apportionment): Carry forward the existing policies in the current SLWP 2012 unchanged while identifying new waste sites in addition to existing safeguarded sites.
- Option 3 'Do-Nothing' scenario: Allowing the policies and designations of the existing plan to expire in 2021 and not be replaced by a new plan.

1.29 This is because, apart from the 'do-nothing' scenario (Option 3), each of the strategic alternatives considered would involve allocating a different number of waste sites and a different amount of land for waste management purposes in order to either meet or exceed the Mayor's combined apportionment. The different sustainability implications and magnitude of the potential impacts (both positive and negative) are reflected in the scoring and commentary provided in Parts A and B of the Appraisal Matrix in Section 12 of the SA Report which deal with proposed policies and proposed sites respectively.

M1 (ii) 5

Is there clear evidence to indicate why, having considered reasonable alternatives, the Plan's strategy is an appropriate one?

1.30 Yes – there is clear evidence to show that, having considered reasonable alternatives, the Plan's proposed strategic approach to the management of household, commercial and industrial (HCI) waste and other waste streams is a reasonable one.

1.31 According to the consultants' five-year analysis of waste throughputs and management capacity for all licensed waste sites within the Plan area set out in the Technical Paper 2019 (Ref: E10 and E11) as amended by the latest WDI date (Ref: N13) and set out in the updated Appendix 2 (SLWP07), the total current existing capacity for the management of HCI waste (948,022 tonnes per annum) is already sufficient to exceed the Mayor's apportionment target for 2036 (929,750 tpa) with a surplus of + 18,272 tpa. Similarly, existing capacity for the management of construction and demolition (C&D) waste (579,182 tonnes per annum) shows a surplus of +164,802 tpa compared to forecast C&D arisings in 2036 (414,380 tpa).

1.32 A summary of apportionment targets/ forecast waste arisings to the end of the plan period in 2036 and existing management capacity for both HCI and C&D waste streams is set out in the Plan under Key Issue 2 '*How much waste must the South London Waste Plan plan for?*', the supporting text to Policies WP1 and WP2 and in Appendix 2 (as amended by SLWP07). Current waste arisings and capacity in South London are also outlined in Section 3 of the SA Report (Ref: S2).

1.33 A more recent assessment of existing waste management capacity across the four partner boroughs has subsequently been undertaken as part of the preparation of the joint Waste AMR 2019-20 (April 2021) using updated waste data interrogator (WDI) outputs over the five-year period of 2015 to 2019 inclusive. This suggests that existing waste management capacity within the Plan area is even higher than reported in the Technical Paper, at 1,129,300 tpa for HCI waste and 646,384 tpa for C&D waste. Recent large planning permissions, such as the approved Beddington Lane Resource Recovery Facility at 79-85 Beddington Lane, Sutton (the 'Suez' site) have helped to boost existing capacity well beyond both the apportionment and forecast waste arisings by the end of the plan period.

1.34 The above evidence supports the view that there is no need to allocate additional waste sites as part of the Plan and that 'Option 1' should be followed.

Issue (iii):
Is the Plan supported by a robust approach to Habitats Regulation Assessment?

M1 (iii) 1 **Is the HRA adequate and how has the Plan taken account of its findings?**

1.35 Yes – the approach to HRA is adequate and this conclusion is endorsed by Natural England.

1.36 In line with the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations'), a draft HRA screening assessment of the emerging Plan was undertaken at the Issues and Preferred Options stage and included as Appendix 2 to the accompanying SA Report (Ref: P3). The screening assessment concluded that an HRA was not required for the following reasons.

- No new waste management sites are proposed to be safeguarded in the new plan and the wider industrial areas formerly identified in the existing SLWP (Ref: B1) as being suitable for waste management uses are proposed to be removed from waste uses.
- total volume of waste arisings to be managed in South London over the plan period from 2021-36 and the size of the combined London Plan apportionment in the new London Plan is significantly reduced by comparison with the situation when the existing SLWP was being prepared (between 2008 and 2011). Since the existing SLWP was screened out of HRA, it seems reasonable to assume that the new plan may also be screened out on the basis that there will be fewer safeguarded sites, smaller throughputs and therefore an overall reduction in waste-related HGV movements.
- The two sites to the south of the Plan area, Mole Gap to Reigate Escarpment SAC and Ockham and Wisley Commons SSSI are over 10 km away from the Plan boundaries and, according to expert air quality advice provided to LB Sutton at the Examination-in-Public on the Sutton Local Plan in 2017, emissions from transport movements are extremely unlikely to have a significant effect on the rate of NO₂ disposition plant species over this sort of distance. It is understood that the Richmond Park SAC is not sensitive to elevated levels of air pollution designated for biodiversity features that are not air quality-sensitive (this area is important for stag beetle populations).
- The Plan (Ref: S1) seeks to promote the highest standards of sustainable design and construction in new or upgraded waste facilities; a shift away from waste transfer to waste management practices higher up the waste hierarchy; cleaner, more efficient waste management technologies in enclosed buildings; and the principles of the circular economy. All of these trends will serve to reduce any adverse effects upon the identified European sites.
- The proposed strategy for the management of waste arisings in South London is geared towards achieving self-sufficiency and therefore limit imports and export of waste streams to a from the boundaries of the Plan area (longer distance HGV movements would be more likely to impact directly upon more distant nature conservation sites).

1.37 In addition, and prior to publication of the Issues and Preferred Options (Ref: P1) and SA Report, including HRA screening (Ref: P2) for public consultation between 31 October and 22 December 2019, a formal HRA screening request on the Plan was submitted to Natural England via email and letter dated 16 September 2019.

1.38 In response to the HRA screening request, a letter was received from Sharon Jenkins of Natural England on 17 October 2019 which stated that Natural England "*have no comments to make on this plan*". While this initial response was interpreted by the four boroughs as endorsing the conclusion that no HRA was required, a follow-up email was sent to Natural England on 22 January 2020 to provide more clarity.

1.39 Natural England's subsequent response, received by email from Marc Turner (Senior Planning Advisor) on 31 January 2020, provided further support for screening out a full HRA: *"I can confirm nothing has changed in the 4 Boroughs covered by your plan, to currently change the conclusion of that advice from Natural England. There is nothing I know about on the horizon either that is likely to change that advice. So to confirm, we do not feel anything other than a brief HRA Screening is required"*.

1.40 Since Natural England is a statutory consultee on HRAs and given the level of expertise at their disposal, the SLWP boroughs considered it reasonable to carry forward the original HRA screening conclusions as Appendix 2 to the subsequent SA Report on the Submission Version (Ref: S2) which was published for consultation from 4 September to 22 October 2020 (Regulation 19 consultation). Full details of correspondence with Natural England are provided as in the Annex attached to Appendix 2.

M1 (iii) 2

Is the approach to HRA legally compliant having regard to the Court of Justice of the European Union's judgement on *People over Wind, Peter Sweetman v Coillte Teoranta (Case C-323/17)*?

1.41 Yes – the approach to the HRA and the decision to screen out a full 'appropriate' assessment on the Plan is still considered legally compliant having regard to the EU Court of Justice's (EUCJ) decision in the case of 'People Over Wind, Peter Sweetman v Coillte Teoranta (case C-323/17)' which confirmed that proposed mitigation measures cannot be taken into account for the purposes of screening under the UK Habitats Regulations.

1.42 While the overall effect of this ruling is that many plans and projects which would not have previously required a full HRA may now be required to undertake one, the key question is to consider is what aspects, if any, of the proposed plan or project count as 'mitigation measures' (i.e. with respect to reducing or avoiding significant impacts on the relevant protected habitats) and what aspects can be considered to be an integral part of the plan or project being proposed. While there is some debate over the definition of a 'mitigation measure' in this context, further clarity was provided in the more recent UK High Court ruling in August 2018 (R (on the application of Langton) v Defra (EWHC 2190 Admin) which confirmed that conditions on badger cull licences were not 'mitigation measures' and therefore could be taken into account for the purposes of habitats screening.

1.43 It is clear that none of the emerging policies or proposed waste allocations being put forward in the Plan by the four partner Boroughs contains any aspects that could be reasonably be identified as a 'mitigation measure' which has been specifically designed to avoid or eliminate potential significant effects on the relevant habitats arising from the implementation of the Plan. While certain policy criteria may help to reduce potential impacts, these are an inherent part of the proposed plan and have not been added with the intention of mitigating significant impacts on protected habitats.

M1 (iii) 3

Are any adjustments required to the HRA approach as a result of the changes[1] to the Habitats Regulations 2017, pursuant to the UK's exit from the European Union, which came into force on 1 January 2021?

1.44 No – it is not considered that any of the following changes to the Habitats Regulations 2017 which came into force on 1 January 2021 as a result of Brexit has affected the HRA screening process that should be followed in relation to the Plan:

- The creation of a national site network within the UK territory comprising the protected sites already designated under the Nature Directives, and any further sites designated under the amended Regulations.
- The establishment of management objectives for the national site network (the 'network objectives').
- A duty for appropriate authorities to manage and where necessary adapt the national site network as a whole to achieve the network objectives.
- An amended process for the designation of Special Areas of Conservation (SACs).
- Arrangements for reporting on the implementation of the Regulations, given that the UK no longer provides reports to the European Commission.
- Arrangements replacing the European Commission's functions with regard to the imperative reasons of overriding public interest (IROPI) test where a plan or project affects a priority habitat or species.
- Arrangements for amending the schedules to the Regulations and the annexes to the Nature Directives that apply to the UK.

Issue (iv):
Has consultation on the Plan been carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations) and the Boroughs' Statements of Community Involvement (SCI)?

M1 (iv) 1

Has the consultation on the Plan been carried out in accordance with the SCIs of the South London Boroughs?

1.45 In terms of complying with its consultation requirements, the Boroughs consider they have met the standards in each of their own SCIs. Each SCI is available in the Examination Library (Ref: B9 to B13).

1.46 The details and evidence of how the Boroughs have met these requirements are set out in the Regulation 18 Statement of Consultation (Ref: P5) and in the Regulation 19 Statement of Consultation (Ref: E3). Specifically, in the Regulation 18 Statement of Consultation, paragraphs 3.1 to 3.2 and the four tables that follow, set out the minimum SCI requirements, whether it has been met and what evidence has been produced. In the Regulation 19 Statement of Consultation (E3), paragraphs 3.1 to 3.3 and the four tables that follow, also set out the minimum SCI requirements, whether that requirement has been met and what evidence has been produced to support this.

1.47 This demonstrates that all minimum requirement have been met and, in some instances, exceeded.

M1 (iv) 2

Have the publication, advertisement and availability of the Plan followed the procedures set out in the 2004 Act and 2012 Regulations?

1.48 The Boroughs consider that the procedures and statutory obligations set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (2012/767) have been followed.

1.49 The details and evidence of how the Boroughs have met these requirements are set out in the Regulation 18 Statement of Consultation (Ref: P5) and in the Regulation 19 Statement of Consultation (Ref: E3). Specifically, in the Regulation 18 Statement of Consultation, paragraphs 3.1 to 3.2 and the four tables that follow, set out the minimum SCI requirements, whether it has been met and what evidence has been produced. In the Regulation 19 Statement of Consultation, paragraphs 2.1 to 2.2, including the table, set out how the Boroughs consulted, with reference to the Regulations. In addition paragraphs 3.1 to 3.3 and the four tables that follow, also set out the minimum requirements for publication, advertisement and availability, whether it has been met and what evidence has been produced to support this.

1.50 The Boroughs consider that this demonstrates that all minimum requirements have been met and, in some instances, exceeded.

Issue (v):
To what extent has the production of the Plan complied with the Boroughs' published Local Development Schemes (LDS)?

M1 (v) 1 Is the scope of the Plan as described in the Boroughs' LDSs?

1.51 Yes, the broad scope of the Plan is reflected in the descriptions of the Boroughs' LDSs. These descriptions are set out in Table 1 below, which demonstrates that each LDS captures the overall scope of the Plan. It should be noted that Kingston and Sutton have recently approved new LDSs, which are included below as SLWP08 and SLWP09.

Table 1: Borough LDS Waste Plan Descriptions

Borough	LDS Description
Croydon LDS (2020) (Ref: B14)	The subject matter of the document: <ul style="list-style-type: none"> • Strategic approach to municipal solid waste and commercial and industrial waste • Strategic approach to other forms of waste • Policies for existing waste sites • Identifying sites for future waste sites • Development management policies on waste
Kingston LDS (2021) (Ref: SLWP08)	In partnership with the neighbouring boroughs of Croydon, Merton and Sutton, Kingston jointly produced the South London Waste Plan (2012) (Joint Waste DPD). The Plan allocates existing and new sites for waste management facilities and contains policies to assess applications for future waste management facilities, and promotes waste reduction and reuse measures. The partnership is in the advanced stages of preparing a replacement to the South London Waste Plan to be adopted by the end of 2021
Merton LDS (2019) (Ref: B16)	Replacing South London Waste Plan 2012. Setting out spatial vision, objectives, strategic and detailed planning policies and site allocations all relating to waste management. Ensuring that waste facilities have the least impact on the environment, supporting waste as a resource and the circular economy.
Sutton LDS (2021) (Ref: SLWP09)	To analyse the current and future demand for and supply of waste treatment facilities across the London Borough of Croydon, the Royal Borough of Kingston, the London Borough of Merton and the London Borough of Sutton until 2036. To provide policies against which the councils will determine planning applications for waste treatment facilities. To safeguard sites for waste treatment (if required) and/or to identify areas suitable for waste treatment facilities (if required). The document will replace the South London Waste Plan 2011-2021.

M1 (v) 2**Has the timing of the production of the Plan followed the timetable set out in LDSs?**

1.52 The Boroughs consider that the broad timescales for the production of the Plan follow the time table set out in the LDSs. Table 2 below sets out the LDS dates against the actual dates of the various stages.

1.53 The Regulation 18 document (Ref: P1) was published for consultation in October 2019, as set out in the published LDSs. The publication of the Regulation 19 document (Ref: S1) was slightly behind from the anticipated May 2020 for Merton and Sutton, due to delays caused by the pandemic, but consistent with the Croydon LDS. This delay had a slight knock on effect for the Sutton LDS, which anticipated submission in August. However, the Croydon and Merton LDSs was broadly correct for submission. The overall adoption date is behind for Sutton and Kingston but broadly correct for Croydon and Merton with current adoption not anticipated until the end of 2021.

1.54 Whilst the dates are not absolutely as set out in the LDS, the Boroughs consider that the timetable has progressed in a timely manner, particularly considering the unexpected consequences of the pandemic. However, both Kingston and Sutton have recently adopted new LDS documents, which include updates to the Plan timetable.

Table 2: LDS timetable for Plan Production

Borough	Reg 18 Stage	Reg 19 Stage	Submission	Adoption
Croydon LDS (2020) (Ref: B14)	October 2019	September 2019	December 2020	November 2021
Kingston LDS (2021) (Ref: SWLP08)	October 2019	September 2020	January 2021	Quarter 4 2022
Merton LDS (2019) (Ref B16)	October 2019	May 2020	Quarter 4 2020	Quarter 3 2021
Sutton LLDS (2021) (Ref: SLWP09)	October 2019	May 2020	January 2021	Quarter 4 2022
Actual Dates	October to December 2019	September to October 2020	January 2021	Quarter 4 2022

Issue (vi):

To what extent does the Plan contain policies designed to secure that the development and use of land in the Boroughs contribute to the mitigation of, and adaptation to, climate change?

M1 (vi) 1

To what extent does the SA/DPD contain policies designed to secure that the development and use of land in the Boroughs contribute to the mitigation of, and adaptation to, climate change?

1.55 The Plan (Ref: S1) contains a number of policies which will help to ensure that the development and use of land within the four boroughs address both the causes and impacts of climate change. However, the key policy in this regard is Policy WP6 on 'Sustainable Design and Construction of Waste Facilities'. The appraisal matrix set out in Section 12 of the SA Report (Ref: S2) identifies that Policy WP6 will have large beneficial impacts on the following relevant SA Framework objectives:

- Climate Mitigation (5): To address the causes of climate change by minimising CO₂ emissions from waste facilities;
- Climate Adaptation (6): To ensure that all waste management facilities are fully adapted to the impacts of climate change; and
- Flood Risk and SuDS (7): To avoid, reduce and manage flood risk to or from waste management facilities.

1.56 More specifically, Policy WP6 is assessed as having large beneficial impacts on minimising CO₂ emissions from new or intensified waste facilities (SA Objective 5) by requiring proposals to:

- demonstrate an 'Excellent' rating under the relevant BREEAM scheme and/or CEEQUAL scheme (both of which include minimum requirements relating to energy efficiency and CO₂ reduction); and
- minimise on-site CO₂ emissions in line with Policy SI2 of the New London Plan, which requires a minimum on-site 35% reduction compared to a 'notional' Part L 2013 compliant development and the delivery of net zero carbon standards through developer contributions to the respective carbon offset funds operated by each of the four boroughs; and requiring all waste developments to achieve BREEAM 'Excellent' where viable.

1.57 Policy WP6 is also assessed as having large and significant beneficial impacts on ensuring that all new or intensified waste management facilities are fully adapted to the future impacts of climate change including the increased frequency and severity of flooding (Objectives 6 and 7), by requiring proposals to:

- be fully adapted and resilient in accordance with London Plan Policy GG6, particularly with regard to increased flood risk, urban heat island/ heatwaves, air pollution, drought conditions and impacts on biodiversity;
- incorporate green roofs, sustainable drainage systems (SuDS) including rainwater harvesting and other blue and green infrastructure measures as appropriate in accordance with London Plan Policy G5;
- make more efficient use of resources and reduce the lifecycle impacts of construction material;
- minimise waste and promote sustainable management of construction waste on site;

- and
- protect, manage and enhance local habitats and biodiversity.

1.58 The supporting text to Policy WP6 (Paras 5.36 to 5.41) further highlights the need for the design and layout of proposed waste developments to have regard to current best practice in terms of addressing both the causes and impacts of climate change by reference to the relevant policies, SI2, G5 and G6, in emerging (and now adopted) New London Plan (Ref: R4). Paragraph 5.38 of the supporting text identifies some of the key adaptation issues that waste developments need to take account of. For example:

- Odours - with temperature increases, waste will need to be treated more quickly and unenclosed waste facilities will become particularly vulnerable to odour issues.
- Heating, cooling and energy use - ideally, the layout of a building should take advantage of the benefits of landscaping for summertime shading and minimising of heat loss in winter. In addition, external cladding materials should be high mass (e.g. brick or concrete) as they release heat slowly.
- Flood readiness - flood mitigation measures proposed should be designed to consider the risk both to and from the development over its planned lifetime. Facilities should have a drainage system to cope with more frequent high levels of rainfall. This system should include SuDS, green roofs and walls, soakaways and permeable pavements and parking areas.
- Soil subsidence - the wetting and drying effect on soil may cause subsidence. Developers may need to consider deeper foundations or piling. Root barriers may be required depending on surrounding vegetation.
- Property damage - higher wind speeds leading to structural damage, more intense rain leading to water infiltration and higher peak temperatures leading to blistering, warping and softening may affect the design of a building and the choice of materials.

1.59 Elsewhere in the appraisal matrix (Section 12 of the SA Report), proposed Policy WP5 on 'Protecting and Enhancing Amenity' is assessed as having large beneficial impacts on SA Objective (7) Flood Risk and SuDS: To avoid, reduce and manage flood risk to or from waste management facilities. This policy requires proposed waste developments to have "particular regard" to the potentially adverse impacts of compensatory or intensified waste developments on groundwater, surface water and watercourses and by requiring a Flood Risk Assessment (FRA), SuDS strategy/site drainage details and hydrological assessment to be submitted. Furthermore, as shown in the Sequential Test (Ref: E9), any proposed waste facility located within a higher flood risk area will be required to undertake the government's 'Exceptions test' in order to demonstrate that the development will provide (i) wider sustainability benefits to the community that outweigh flood risk, and (ii) that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

1.60 Policy WP7 on 'The Benefits of Waste' is assessed as contributing to the circular economy and therefore climate change mitigation objectives (the UK target of 'net zero carbon' by 2050) by encouraging waste developments which involve the reuse, refurbishment, remanufacture of products or the production of by-products.

1.61 Finally, the overall strategic approach to the management of household and commercial and industrial waste set out in Policy WP1 is also considered to contribute to climate mitigation objectives by not allocating new waste sites within the Plan area (see part d). By promoting the intensification of existing waste sites and waste management practices further up the Mayor's waste hierarchy, the SLWP will minimise additional CO₂ emissions that would otherwise arise from new waste sites and the associated transport movements.

M1 (vi) 2**How does the Plan consider flood risk and is it compliant with paragraph 157 of the Framework in terms of a sequential, risk-based approach to the location of development**

1.62 In line with Paragraph 157 of the NPPF, the Plan has followed a sequential, risk-based' approach to the identification of waste sites in order to avoid flood risk to people and property and manage any residual risk, taking account of climate change. The outcome of this process is set out in the 'Sequential Test on Proposed Waste Management Sites: SLWP Submission Version' published in September 2020 (Ref: E9). The submitted Sequential Test document provides a detailed account of the following steps:

- An overview of the purpose of the sequential and exceptions test and the approach to be followed for the Plan.
- Background to flood risk vulnerability classifications and the flood risk compatibility of different development types (with a focus on waste uses) – Section 1.
- A high level assessment of all sources of flood risk across the Plan area, drawing upon Environment Agency (EA) Flood Zones (Section 2), the government's online surface water flooding map and strategic flood risk assessments (SFRA) undertaken by the partner boroughs for the purpose of their respective Local Plan reviews (LB Sutton, LB Croydon and LB Merton published a joint SFRA in 2015 together with LB Wandsworth) – Section 2.
- The process by which potential waste sites and broad locations across the four boroughs were identified for the purpose of the sequential test, including permitted/licensed waste sites currently in use and waste sites/ broad locations allocated in the current SLWP 2012 – Section 3.
- The approach followed for site appraisal in terms of the criteria used to assess site 'suitability', 'availability' and 'viability', weighting and the basis for scoring each site (out of a maximum of 100). The location of each site in relation to the boundaries of EA Flood Zone 2 (medium risk) and EA Flood Zone 3 (high risk) boundaries formed part of the wider site appraisal – Section 3.
- The outcome of sequential testing for all potential waste sites and broad locations under consideration – see Section 4. For each site or broad location, an assessment of flood risk is made in terms of the approximate percentage of each site located within EA Flood Zones 1, 2 and 3 together with an inset map showing the flood extents in relation to the site boundaries. A summary of the sequential test findings is provided in the far right column of the table by reference to the current use of the site, the extent of flood risk affecting the site, the vulnerability classification – where relevant - of the existing use (waste uses are generally classified as 'less vulnerable'); the suitability, availability and viability of potential sites or broad areas compared to sites which are already in use; and the need for additional waste management capacity in order to meet the Mayor's combined apportionment target and self-sufficiency over the plan period (based on a five year average of existing waste throughputs for all existing waste sites. The results of the sequential test are divided into the following tables:
 - Table 4.1: Low risk: potential sites and broad locations at low risk of flooding (located wholly in Flood Zone 1);
 - Table 4.2: Medium risk: potential sites and broad locations at medium risk of flooding (located wholly or partly in Flood Zone 2);
 - Table 4.3: High risk: potential sites and broad locations at high risk of flooding (located wholly or partly in Flood Zone 3).

1.63 It can be seen that, following the sequential test, a number of sites are proposed to be carried forward for inclusion in the draft plan despite being located wholly or partially within EA Flood Zone 2 and/or EA Flood Zone 3:

- Site C5B: Factory Lane R&R Centre (FZ2)

- Site C13: Solo Wood Recycling (FZ2)
- Site M2: European Metal Recycling (FZ2)
- Site M3: Deadman Confidential (FZ2)
- Site M6: George Killoughery Ltd (FZ2)
- Site M8: LMD Waste (Willow Lane) (FZ2)
- Site M15 Riverside AD Facility (FZ2)
- Site M16: Riverside Bio-Treatment (FZ2)
- Site M17: UK and European (Ranns) (FZ2)
- Site S5: Hinton Skips (FZ2)
- Site C5A: Factory Lane LSIL (FZ3)
- Site C12: Stubbs Mead Depot (FZ3)
- Site C10: Purley Oaks LSIL (FZ3)

1.64 However, the sequential test report argues that the inclusion of the above sites can be justified based on the fact that:

- (i) they are currently in use for waste purposes which are classified as 'less vulnerable' to flood risk;
- (ii) they already have planning permission and have therefore been approved on the basis of a site specific Flood Risk Assessment (FRA);
- (iii) the 'exceptions test' would not be required for any future planning applications for waste uses on these sites, including proposals for site intensification; and
- (iv) they generally score well for suitability, availability and viability by comparison with alternative sites (mostly broad industrial locations) across the Plan area.

1.65 While acknowledging that the fundamental purpose of the sequential test is to "avoid the development of sites that are inappropriate on flood risk grounds by ensuring that sites at little or no risk of flooding are developed in preference to sites at higher risk", the conclusion to the sequential test in Section 5 notes that there are several unique circumstances relating to the preparation of the new waste plan which have constrained the ability of the sequential test to generate and choose between alternative sites:

- The five year analysis of waste inputs, outputs and recovery rates for all waste streams undertaken by Anthesis consultants on behalf of the partner boroughs and culminating in the preparation of the Technical Paper and Appendices (Ref: E10 and E11) in 2019 (as updated by the latest WDI data, Ref: N13) indicates that there is no need for additional waste sites or capacity to be identified over the plan period to 2036 over and above existing operational or permitted waste sites. It would therefore be difficult to justify the designation of additional alternative waste sites, whether in the form of new site allocations or in the form of broad industrial locations (i.e. designated SILs and LSILs across the Plan area).
- For existing waste management operations which are located within areas of higher flood risk and where a planning permission has already been granted, the fact that a site specific Flood Risk Assessment (FRA) will already have been prepared and approved by the relevant local planning authority which demonstrates that the development is 'safe without increasing flood risk elsewhere'. While the 'Exception test' is not strictly required to be demonstrated for most waste uses (with the exception of hazardous waste or landfilling operations located in Flood Zone 3), an operational site which already has planning permission based upon an approved FRA is favoured over a site which has never previously accommodated a waste use.
- Sites which are already allocated in the current SLWP 2012 and carried forward for inclusion in the new plan have already been subjected to the sequential and exceptions tests as part of the previous plan process.

**Issue (vii):
In preparing the plan have the Boroughs discharged their Public Sector
Equality Duty?**

M1 (vii) 1

Has the Plan been informed by a robust assessment of its potential equality impacts?

1.66 Yes – the Draft Plan has been informed by a full Equalities Impact Assessment (EqIA) which has examined the likely impacts of each proposed policy and waste site together with the impacts of each of the strategic alternatives developed for purposes of appraisal (see above) on each of the following equalities target groups; women, black and minority ethnic (BME) people; older people; young people and children; disabled people; lesbians, gays, bisexuals and transgendered (LGBT); different faith groups; and people affected by social deprivation.

1.67 In line with best practice, the EqIA was undertaken in an iterative manner and in step with the SA/SEA and plan-making process, from the initial identification of issues and preferred options through to the development of proposed waste policies and sites for inclusion in the submitted Plan (Ref: S1). Shortlisted equalities target groups and criteria proposed to form the basis for the assessment were identified at an early stage of the plan review and included as Appendix 2 to the SA Scoping Report (incorporating the SEA) which was published for public consultation in September 2019 (Ref: P6). A further EqIA report was prepared for public consultation at the issues and preferred options stage and included as Appendix 2 of the SA Report published for consultation from 31 October to 22 December 2019 (Ref: P2). A final EqIA on proposed policies and waste sites being taken forward in the submitted Plan was published at Appendix 1 of the SA Report (Ref: S2).

M1 (vii) 2

In preparing the Plan have the Boroughs given due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equalities Act 2010 (as amended) (the 2010 Act)?

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it?

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it?

1.68 Throughout the process of preparing and consulting on the Plan, the four boroughs have sought to eliminate discrimination, harassment and victimisation of individuals falling within one or more of the equalities target groups identified in the EqIA and advance equality of opportunity amongst people who share a 'protected' characteristic in line with the aims of LB Croydon's Equality Strategy 2020-24¹; LB Sutton's 'Equality and Diversity Framework 2019-20 to 2023-24'²; RB Kingston's emerging Equality, Diversity and Inclusion Strategy³; and LB Merton's Equality and Community Cohesion Strategy 2017-21.

¹ (<https://www.croydon.gov.uk/community-and-safety/equality-and-diversity/strategies-and-publications/equality-strategy-2020-2024>)

² ([file:///C:/Users/civvmi_vnas07/MyDocs/patrick.whitter/Downloads/Sutton Equality and Diversity Framework 2019 20 2023 24 %20\(1\).pdf](file:///C:/Users/civvmi_vnas07/MyDocs/patrick.whitter/Downloads/Sutton%20Equality%20and%20Diversity%20Framework%202019%2020%202023%2024%20%20(1).pdf))

³ (<https://www.kingston.gov.uk/policies-statements/equalities/1>)

1.69 The Regulation 19 Statement of Consultation (Ref: E3) provides further evidence to show the steps taken to engage with 'hard to reach groups' (which generally fall within the scope of equalities target groups) as part of consultation on the Plan and to demonstrate compliance with the published Statements of Community Involvement (SCIs) in each of the partner boroughs.

M1 (vii) 3 How have equality issues been addressed in the Plan?

1.70 With regard to the content of the Plan itself, the EqIA matrix included in Appendix 1 to the SA Report (Ref: S2) shows that the proposed approach to the management of future waste arisings in South London set out in the Plan (Option 1) is likely to have positive impacts on most equalities target groups by comparison with both Option 2: Existing Plan (Exceed Apportionment) and Option 3 Do-Nothing' scenario. More specifically, the appraisal indicates that proposed Policies WP1-WP10 are likely to have particular benefits for older people; young people; disabled people; people with a limiting long-term illness and people affected by deprivation by:

- minimising local air pollution, associated health impacts, traffic congestion, noise, community severance, road safety issues arising from HGV movements to and from waste management facilities by eliminating the need to identify additional waste management sites or 'broad locations' in South London over the plan period;
- minimising local air pollution and associated health impacts arising from the construction and operation of waste management facilities by developing more efficient and cleaner waste management practices, ensuring that all new or upgraded waste management facilities are fully enclosed; and by avoiding any further deterioration in air quality;
- safeguarding employment land within strategic industrial locations (SIL) and other established industrial areas by no longer identifying these as 'broad locations' for waste management uses
- ensuring that waste facilities are fully adapted to climate change including summer heatwaves, urban heat island (UHI) effect, flooding and drought by promoting green infrastructure and SuDS.
- Providing a greater degree of certainty about the nature and extent of planned waste related developments would serve to reassure local communities and equalities target groups in particular over what to expect. There are therefore be particular benefits for BME people, certain faith groups, older people and young people, who are more likely to live within socially deprived areas already affected by a poor quality environment and in close proximity to potential waste sites;
- promoting the circular economy and the co-location of complementary waste facilities to support manufacturing-from-waste with waste management facilities has potentially significant benefits for certain equalities target groups, in particular certain faith groups, older people and young people, who are more likely to be affected by social and economic deprivation, who would thus benefit from enhanced and more widespread local employment and educational opportunities; and
- co-location, along with other measures likely to promote 'linked trips', would have particular benefits for disabled people, along with children and older people, who are more vulnerable to the adverse health and social impacts of road transport compared to the wider community.
- introducing a new commitment through proposed Policy WP8 'New Development Affecting Waste Sites' to ensure that, where a new 'sensitive' development is proposed in the vicinity of an existing operational waste site, good design is used to mitigate or minimize the potential impact of existing and potential nuisances on human health and quality of life. In certain circumstances, this will help to avoid or mitigate the adverse impacts of waste operations and associated HGV movements on vulnerable groups such as the elderly, the young, people suffering from health problems and people living within socially deprived areas arising from air pollution, dust, noise, water pollution,

- surface water run-off, light pollution and impacts on the local road network; and
- introducing a new commitment through Policy WP10 'Monitoring and Contingencies' to ensure that the effectiveness of the Plan in meeting all of its strategic objectives, policies and targets is monitored on an annual basis and that consultation will take place between the partner boroughs to determine whether any of the contingency actions listed in Appendix 1 of the Plan need to be taken. Ongoing monitoring and review is therefore provides a further guarantee that the various beneficial impacts for equalities groups identified in the EqIA matrix can be delivered.

Annex 1: Summary of Duty to Cooperate Activity

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
A. Relevant Local Authorities				
Bexley, London Borough of (Part of South East Waste Planning Group)	Export of HCI waste from SLWP area Export of hazardous waste from SLWP area.	No response from the Issues and Preferred Options Consultation. No Response to email of 24 th February 2020 No response to Draft Plan stage	The Boroughs have not received a response from Bexley, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the Plan identifies sufficient capacity within the plan area to exceed apportionment for HCI waste.	Examination Library Document E5 Examination Library Document E6
The Central and Eastern Berkshire Authorities • Bracknell Forest Borough Council, • Reading Borough Council, • Royal Borough of Windsor & Maidenhead • Wokingham Borough Council	Export of hazardous waste from SLWP area. Export of hazardous waste to SLWP area.	Agreement on waste figures provided. Additional information requested on sites within the SLWP area.	Statement of Common Ground now signed (Examination document: SLWP05)	Examination Library Document E5 Examination Library Document E6 Statement of Common Ground (SLWP05)
Brighton and Hove City Council	Export of C&D waste from SLWP area.	Confirmation of correct figures. Confirmation that a C&D site in Brighton is closing.	No. Draft Plan identifies sufficient C&D capacity over the Plan period.	Examination Library Document E5
Bristol City Council	Export of HCI waste from SLWP area.	No response from Bristol city Council.	No issues. Estuary Park appears the Viridor Resource Recovery Centre at Avonmouth and it is understood movements between Avonmouth, Colnbrook and Beddington are coordinated by Viridor.	Examination Library Document E5
Bromley, London Borough of (Part of South East Waste Planning Group)	Import of C&D waste to SLWP area.	No response from the Issues and Preferred Options Consultation	No issues. This is an import and the Councils know no reason why it cannot continue.	Examination Library Document E5
Buckinghamshire County Council	Export of HCI waste from SLWP area. Export of C&D waste from the SLWP area.	Confirmation of correct figures. Confirmation that Gerrards Cross Landfill to cease operations post 2021.	No issues. The draft Plan identifies sufficient capacity to meet HCI and C&D waste within SLWP area.	Examination Library Document E5

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
Cambridgeshire County Council and Peterborough City Council	Export of hazardous waste from SLWP area.	Confirmation that the hazardous landfill site at Thornhaugh has planning permission until 2034.	No issues. Thornhaugh hazardous landfill site is open to 2034, we see no reason why this movement cannot continue.	Examination Library Document E5
Cheshire West and Chester	Export of hazardous waste from the SLWP area.	Confirmation that there was no knowledge of any hazardous waste sites closing.	No issues. No issues raised regarding the continued movement of this waste.	Examination Library Document E5
City of London	Import of C&D waste to SLWP area.	Confirmation of waste movements. Signed statement of Common Ground	No issues. This is a movement to NJB Recycling (safeguarded site M12) so there is no reason why this movement cannot continue.	Examination Library Document E5 Examination Library Document E6 Statement of Common Ground)
Derbyshire County Council	Export of hazardous waste from the SLWP area.	Unable to confirm movements due to inconsistencies in the WDI. Derbyshire County Council are only aware of receipt of 9t of hazardous waste from Merton.	No further responses from Derbyshire County Council following Issues and Preferred Options document. Waste received in Derbyshire minute (9t), so below the threshold.	Examination Library Document E5
East London Boroughs	Export of hazardous waste from the SLWP area.	No response from East London Boroughs who were contacted at Issues and Preferred Options stage, during preparation of the Draft Plan and at the Draft publication stage.	No response from East London Boroughs who were contacted at Issues and Preferred Options stage, during preparation of the Draft Plan and at the Draft publication stage. The SLWP can only assume they do not have any issues.	Examination Library Document E5 Examination Library Document E6 (Email 24 th February 2020)
East Sussex County Council	Export of hazardous waste from the SLWP area. Import of C&D waste to SLWP area.	Confirmation of waste movements.	No issues.	Examination Library Document E5
Essex County Council	Export of hazardous waste from SLWP area. Import of HCI waste to SLWP area.	Signed Statement of Common Ground	No Issues.	Examination Library Document E5 Examination Library Document E6
Greenwich, London Borough of	Export of C&D from the SLWP area.	No response from the Issues and Preferred Options consultation. No response to Draft Plan stage	The Boroughs have not received a response from Bexley, despite numerous attempts. The SLWP	Examination Library Document E5

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
(Part of the South East Waste Planning Group).		Part of the South East Waste Planning Group.	can only assume they do not have any issues. The Plan identifies sufficient capacity within the plan area to exceed arisings for C&D waste.	Examination Library Document E6
Hackney, London Borough of	Import of C&D waste to SLWP area.	Part of the North London Waste Plan area (see below). Confirmation of no issues arising from the continue flow of low levels of waste.	No issues.	Examination Library Document E5
Hammersmith & Fulham, London Borough of (Part of the Western Riverside Waste Authority)	Export of hazardous waste from the SLWP area. Import of C&D waste to SLWP area.	The London Borough of Hammersmith and Fulham passed this on to the Old Oak and Park Royal Development Corporation and confirmed that one of the area's waste operator's site, EMR, was allocated for redevelopment while the other waste operator's site, Powerday, was likely to continue in the future. Given the fact that EMR largely manages car breaking and Powerday has a hazardous waste licence, would reasonable to assume that this waste flow could continue.	No Issues.	Examination Library Document E5 Examination Library Document E6 (Statement of Common Ground)
<ul style="list-style-type: none"> ● Hampshire County Council, ● Portsmouth City Council ● Southampton City Council 	Export of HCI waste from SLWP area.	Confirmation that there is capacity for waste movements to continue.	No issues.	Examination Library Document E5
Havering, London Borough of (Part of North London Waste Plan Boroughs)	Export of HCI waste from SLWP area.	Part of the North London Waste Plan area (see below). Confirmation of no issues arising from the continue flow of low levels of waste. response from the Issues and Preferred Options consultation.	No issues.	Examination Library Document E5

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
Hertfordshire County Council	Export of hazardous waste from the SLWP area.	No response from the Issues and Preferred Options consultation. No response to Draft Plan stage	The Boroughs have not received a response from Hertfordshire, despite numerous attempts. The SLWP can only assume they do not have any issues.	Examination Library Document E5 Examination Library Document E6
Hillingdon, London Borough of (Part of the West London Grouping)	Export of hazardous waste from the SLWP area.	Confirmation that hazardous waste movement can continue.	No issues.	Examination Document E6 (email 27 th February 2020)
Kensington & Chelsea, London Borough of (Part of Western Riverside Waste Planning Group)	Import of C&D waste to SLWP area.	No response from the Issues and Preferred options consultation. Part of the Western Riverside Waste Authority. However, This is an import and the Councils know no reason why it cannot continue.	No issues.	Examination Library Document E5
Kent County Council	Export of HCI waste from SLWP area. Export of C&D waste from the SLWP area. Export of hazardous waste from the SLWP area.	Statement of Common Ground signed.	No issues. Statement of Common Ground signed.	Examination Document E6 (Statement of Common Ground).
Lambeth, London Borough of	Import of C&D waste to SLWP area.	Part of the Western Riverside Waste Authority. Lambeth recently signed a Statement of Common Ground with the South London Boroughs, represented by Merton, on movements of waste between our area.	No Issues. Statement of Common Ground signed.	Examination Document E6 (Statement of Common Ground).
Leicestershire County Council	Export of hazardous waste from the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage	The Boroughs have not received a response from Leicester, despite numerous attempts. The SLWP can only assume they do not have any issues.	Examination Library Document E5 Examination Library Document E6
Lewisham, London Borough of	Export of HCI waste from SLWP area.	No response from the Issues and Preferred Options consultation. No response to Draft Plan stage	The Boroughs have not received a response from Lewisham, despite numerous attempts. The	Examination Library Document E5

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
			SLWP can only assume they do not have any issues.	Examination Library Document E6
Medway WPA	Export of hazardous waste from the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage	The Boroughs have not received a response from Medway, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the Plan identifies sufficient capacity within the plan area to exceed apportionment for HCI waste.	Examination Library Document E5 Examination Library Document E6
Milton Keynes WPA	Export of C&D waste from the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage	The Boroughs have not received a response from Milton Keynes, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the Plan identifies sufficient capacity within the plan area to exceed arisings for C&D waste.	Examination Library Document E5 Examination Library Document E6
Northamptonshire County Council	Export of hazardous waste from the SLWP area.	The 2017 movements are small and the facility is operational to 2026.	No issues.	Examination Library Document E5
North London Waste Plan Boroughs (Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest)		Only very limited documented amounts of waste have moved between the North and South London waste plan areas in the last five years and that therefore no significant issues arise.	No issues.	Examination Library Document E5
Nottinghamshire County Council	Export of hazardous waste from the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage	The Boroughs have not received a response from Nottingham County Council, despite numerous attempts. The SLWP can only assume they do not have any issues.	Examination Library Document E5
Oxfordshire County Council	Export of C&D waste from the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage	The Boroughs have not received a response from Oxfordshire County Council, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the	Examination Library Document E5

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
			Plan identifies sufficient capacity within the plan area to exceed arisings for C&D waste	
Rotherham WPA	Export of hazardous waste from the SLWP area.	Broad levels of movements identified could continue in the future.	No issues.	Examination Library Document E5
Sefton WPA and Wirral WPA	Export of hazardous waste from the SLWP area.	Movements of this scale are not likely to raise any planning or waste capacity issues. Therefore, unless waste movements increase significantly on 2017 levels no further action is needed.	No issues.	Examination Library Document E5
Sheffield City Council	Export of hazardous waste from the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage	The Boroughs have not received a response from Sheffield City Council, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the Plan identifies sufficient capacity within the plan area to exceed arisings for C&D waste	Examination Library Document E5
Slough WPA	Export of HCI waste from SLWP area. Export of C&D waste from the SLWP area.	The lakeside ERF would be demolished if the third runway at Heathrow goes ahead. The Lakeside ERF is run by Viridor and the capacity currently going to the Lakeside ERF is expected to transfer to the Beddington ERF when it is fully operational. However, Slough Council indicated in its email of 20 th June 2020 that the Lakeside facility was now likely to be operational for the lifetime of the Plan due to the delays on the third runway.	The Boroughs have repeated contacted Slough to seek a signed Statement of Common Ground (SoCG). Unfortunately we have not received a response to any email since 12th June 2020. Frustratingly, the lead officer at Slough confirmed in the email on 12th June 2020 that they were happy to sign off the SoCG. However, despite the SWLP Boroughs returning our signed copy, no further correspondence has been received. It is clear from the automated responses received that the relevant persons are still	This email chain is set out in Examination Document SWLP06.

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
			in post (as well as cc'ing the generic planning policy address in too), so the lack of response if not because of a change of staff or contact address. The Boroughs will continue to contact in the hope that a signed statement is received prior to the hearings. The Boroughs will continue to pursue Slough on this matter. If a response id received this will be sent to the Inspectors immediately.	
Solihull Metropolitan Borough Council	Export of HCI waste from SLWP area.	The site will continue to be available to manage the small quantity of waste exported from your Boroughs into the future.	No issues	Examination Library Document E5
Southwark, London Borough of	Export of HCI waste from SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage.	The Boroughs have not received a response from Southwark, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the Plan identifies sufficient capacity within the plan area to exceed apportionment for HCI waste.	Examination Library Document E5
Surrey County Council	Export of HCI waste from SLWP area. Export of C&D waste from the SLWP area. Export of hazardous waste from the SLWP area. Import of HCI waste to SLWP area. Import of C&D waste to the SLWP area. Import of hazardous waste to the SLWP area.	Confirmation that the Redhill landfill site is due to close in 2027. Confirmation that the Beddington ERF has capacity to receive this waste in the future. In addition the draft Plan identifies sufficient C&D capacity to meet SLWP area apportionment.	No issues.	Examination Library Document E5. Examination Document E6 (Statement of Common Ground).
Telford & Wrekin WPA	Export of hazardous waste from the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage.	The Boroughs have not received a response from Telford & Wrekin, despite numerous	Examination Library Document E5.

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
			attempts. The SLWP can only assume they do not have any issues.	
Thurrock WPA	Export of HCI waste from SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage.	The Boroughs have not received a response from Thurrock, despite numerous attempts. The SLWP can only assume they do not have any issues.	Examination Library Document E5.
Wakefield WPA	Export of hazardous waste from the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage.	The Boroughs have not received a response from Wakefield, despite numerous attempts. The SLWP can only assume they do not have any issues.	Examination Library Document E5.
Walsall WPA	Export of C&D waste from the SLWP area. Import of C&D waste to the SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage.	The Boroughs have not received a response from Walsall, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the Plan identifies sufficient capacity within the plan area to exceed arisings for C&D waste.	Examination Library Document E5.
Wandsworth, London Borough of (Part of the Western Riverside Waste Authority).	Export of C&D waste from the SLWP area. Import of C&D waste to the SLWP area.	Confirmation that waste flows could continue	No issues.	Examination Document E6 (Email exchange).
West London Boroughs	Export of hazardous waste from the SLWP area.	Confirmation that hazardous waste movement can continue.	No Issues.	Examination Library Document E5.
Westminster, London Borough of	Export of C&D waste from the SLWP area.	Confirmation that waste movements can continue. Signed Statement of Common Ground.	No issues.	Examination Library Document E5. Examination Document E6 (Statement of Common Ground).
West Sussex County Council	Export of HCI waste from SLWP area. Export of C&D waste from the SLWP area.	No response from the Issues and Preferred Options consultation.	The Boroughs have not received a response from West Sussex, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the Plan identifies sufficient	Examination Library Document E5.

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
			capacity within the plan area to exceed the apportionment for HC&I and arisings for C&D waste	
Wiltshire County Council	Import of HCI waste to SLWP area.	No response from the Issues and Preferred Options Consultation. No response to Draft Plan stage.	The Boroughs have not received a response from Wiltshire, despite numerous attempts. The SLWP can only assume they do not have any issues. However, the Plan identifies sufficient capacity within the plan area to exceed the apportionment for HC&I waste.	Examination Library Document E5.
B. Prescribed bodies				
The Environment Agency	The Environment Agency were engaged through the SA Scoping, the Issues and preferred Options, Draft plan publication stages as well as a number of discussions outside these stages. The Environment Agency provided detailed comments that were considered. This are set out in the response to consultation (Examination library document P4, P7 and E1). In addition, other issues discussed are detailed in Examination library doc E6.	The results of cooperation are set out in Examination Library Document E6.	No. It is considered that effective cooperation has occurred throughout the plan-making process, matters have been addressed and resolved, there are no reasons to suppose the plan is not deliverable.	Examination Library Document E6. Examination Library Document P4. Examination Library Document P7. Examination Library Document E1.
Historic England (Historic Buildings and Monuments Commission for England)	Historic England were engaged through the SA Scoping, the Issues and preferred Options and Draft plan publication stages. Historic England provided detailed comments that were considered. This are set out in the response to consultation Examination library document P4, P7 and E1).	A number of changes were made to the Plan to accommodate suggestions by Historic England. These are set out in Examination Document SLWP02a and SLWP03a.	Historic England and the Boroughs do not agree that a specific policy on the preservation and enhancement of the historic environment, as this is provided in borough Local Plans.	Changes were accommodated in the Draft Plan (S1) and further suggested changes in Examination Document SLWP02a and SLWP03a.
Natural England	Natural England were engaged at the SA Coping stage, the Issues and Options stage and the Draft Plan stage. Natural England replied and identified no issues with the plan.		No issues.	Examination Library Document E5.

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
The Mayor of London	The Boroughs have cooperated with the GLA throughout the preparation of the Plan. This is documented through the Duty to Cooperate Statements, formally responses to consultation and publication as well as additional engagement outside of these stages. The Mayor has recently sent through an updated Opinion on Conformity following the adoption on the new London Plan to state there were two issues relating to conformity. The Boroughs are working with the GLA to resolve this through proposed modifications and believe a signed Statement of Common Ground is a realistic prospect prior to the hearings, which would remove the two remaining objections set out in OTH01.			Examination Library Document E5. Examination Library Document E6. Schedule of Reg19 Repts (Ref: E1) Schedule of Reg18 Repts (Ref: P4) Opinion on Conformity (Ref: OTH01)
The Civil Aviation Authority	No response. However, the Boroughs do not consider this relevant to this waste plan.		No issues.	Examination Library Document E5.
The Mayor of London (The Homes and Communities Agency)	Dealt with via the Mayor of London.			
Primary Care Trusts Croydon CCG Kingston CCG Merton CCG Sutton CCG	The Primary Care Trusts did not reply at any stage. However, a response from NHS England was provided. This is set out in Examination Document E6.	At the Issues and Preferred Options consultation, the Boroughs contacted all the local Clinical Commissioning Groups (CCGs). The boroughs did not receive a response from the CCGs but did receive a response from NHS England stating that the South London Waste Plan area may require additional clinical waste capacity. The representation did not provide information on what sort of waste capacity was required, how much capacity was required or what sort of location would be ideal. Throughout January, February and March, a South London Waste Plan officer tried to contact a representative from NHS England, by phone and by email, to obtain more information on NHS England's requirement but no response was received.	Whilst NHS England raised the possibility of a need for additional clinical waste at an early stage, this was never evidenced and no response was every received despite attempts by the Boroughs. The boroughs can only conclude that this is no longer an issue.	Examination Library Document E6.

Organisation	Issues Cooperated on	Results of Cooperation	Outstanding Issues?	Evidence
		Officers contacted all bodies again at the draft Plan stage but no response was received.		
Office of Rail Regulation (Office of Rail and Road)	The Office of Rail Regulations was contacted at the Issues and Preferred Options stage and the Draft Plan stage. No response was ever received.	No reply. Issue regarding railheads discussed via landowner/consultee,	Office of Rail Regulation never raised any issues. Other points regarding railheads was discussed via the consultees.	Examination Library Document E5.
Transport for London	Transport for London provided feedback on the Issue and Options document and Draft Plan. Comments and issues are set out in Examination Library document P4 and E1.	The Boroughs made a number of changes prior to the publication of the Draft Plan, which are set out in the officer responses to Document P4.	The boroughs did not agree with TfL over the inclusion of references to Crossrail 2, as the implementation was uncertain and was likely to be beyond the plan period.	Examination Library Document P4. Examination Library Document E1.
Highways Authority	The Highways Authority replied to the Issues and Preferred Options consultation and identified no issues.		No Issues.	Examination Library Document E5. Examination Library Document P4.
Marine Management Agency	Not relevant. The MMA has jurisdiction to Teddington, the tidal reach of the Thames. However none of the proposed sites in Kingston.		No Issues.	Examination Library Document E5.
The Mayor of London (Local Enterprise Partnership)	Dealt with via the Mayor of London.			
Coast and Capital Local Enterprise Partnership	No response was ever received. The Boroughs can only assume that there were no identified issues.		No Issues.	Examination Library Document E5.
The Mayor of London (Local Nature Partnership)	Dealt with via the Mayor of London.			