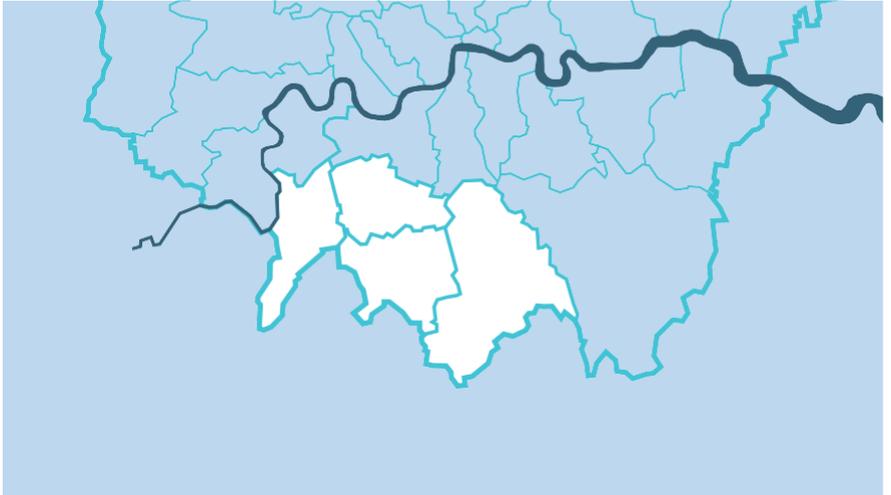


- **L B Croydon**
- **R B Kingston**
- **L B Merton**
- **L B Sutton**



# South London Waste Plan



## Evidence Base Document Statement of Cooperation (Part 2)

September 2020

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**Contents:**

1. Introduction
2. Environment Agency
3. The Mayor of London
4. NHS England
5. London Boroughs
6. Statements of Common Ground
7. Statement of Common Ground with Surrey County Council
8. Statement of Common Ground with Kent County Council
9. Statement of Common Ground with Essex County Council
10. Statement of Common Ground with Cambridgeshire and Peterborough Waste Planning Authorities
11. Statement of Common Ground with Buckinghamshire County Council
12. Statement of Common Ground with Slough County Council
13. Statement of Common Ground with Central and East Berkshire Authorities'

## **1. Introduction**

- 1.1** This is the second part of the Statement of Cooperation, which sets out how the boroughs producing the South London Waste Plan (the London Borough of Croydon, the Royal Borough of Kingston, the London Borough of Merton and the London Borough of Sutton) have cooperated with the Prescribed Bodies and relevant waste planning authorities.
- 1.2** The first part of the Statement of Cooperation can be seen as scoping exercise. It detailed how the South London Waste Plan boroughs had contacted all the Prescribed Bodies and how they had contacted all waste planning authorities with imports and exports of waste above the following thresholds:
- 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.
- 1.3** From this scoping exercise, the South London Waste London Plan boroughs identified a number of key issues which required further exploration, discussion and, where possible, agreement. The tasks for the South London Waste Plan boroughs were as follows:
- Resolve issues regarding the Environment Agency's comments
  - Resolve issues regarding The Mayor of London's comments
  - Contact NHS England to find out more information on its requirements
  - Make contact with London boroughs who have not responded
  - Ascertain more information on waste going to Kent
  - Conclude a Statement of Common Ground with Cambridgeshire and Peterborough
  - Conclude a Statement of Common Ground with Surrey County Council
  - Conclude a Statement of Common Ground with Essex County Council
  - Discuss the future of the Lakeside ERF and possibly conclude a Statement of Common Ground with Slough Council
  - Discuss the clinical waste issues with Central and West Berkshire and possibly conclude a Statement of Common Ground with the Central and West Berkshire authorities
  - Ascertain more information on waste going to the Gerrard's Cross landfill and possibly conclude a Statement of Common Ground with Buckinghamshire County Council
- 1.4** The South London Waste Plan boroughs consider this "scoping-then-detail" approach to the Duty to Cooperate 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 South London Waste plan boroughs also consider this approach both "proportionate" and "tailored", as required by Paragraph 030 of the Planning Practice Guidance.
- 1.5** The following pages provide information on email exchanges, meetings, Statements of Common Ground and draft Statements of Common Ground to demonstrate that the Duty to Cooperate has been met, alongside Part 1 of the Statement of cooperation.

**1.6** Taking Parts 1 and 2 of the Statement of Cooperation, the South London Waste Plan boroughs consider that they have met Duty to Cooperate in every respect.

## **2. Environment Agency**

**2.1** During the Issues and Preferred Options consultation, the Environment Agency made a representation with a number of comments and questions.

**2.2** Since then the following has occurred:

- **17 January:** Meeting between South London Waste Plan officers and Environment Agency officers on 17 January 2020
- **10 June:** South London Waste Plan officer meeting notes send to Environment Agency officers
- **18 June:** Environment Agency officers send back comments and Infrastructure Checklist suggested at the meeting
- **23 July:** South London Waste Plan officers amalgamate comments from 10 June and 18 June exchanges into a draft Statement of Common Ground
- **13 August:** Environment Agency officers send a letter largely covering the aspects of the Statement of common Ground

**2.3** It has been 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 and ongoing cooperation will take place.

## 10 JUNE – MEETING NOTES

### SOUTH LONDON WASTE PLAN REVIEW CONSULTATION MEETING WITH ENVIRONMENT AGENCY (C8) - 17 JAN 2020 LBS OFFICES, DENMARK ROAD AGENDA – 10:00 AM

#### Environment Agency

James Togher  
Alan.Dengate  
Dhanjal, Randeep  
Gorrod, Will  
Charles Muriithi (EA)

#### LB Sutton

Duncan Clarke  
Patrick Whitter

## 1. INTRODUCTIONS

## 2. SUSTAINABILITY APPRAISAL ISSUES

SA ISSUE 1: The need to incorporate the aims of the following strategies:

- Government 25 Year Environment Plan;
- Resources and Waste Strategy for England (December 2018)
- review into serious and organised crime in the waste sector (November 2018).

SA ISSUE 2: The need to take account of emerging new London Plan policies on:

- promoting the circular economy;
- self-sufficiency;
- possible need for additional waste sites and avoiding loss to residential uses;
- delivering high quality new or upgraded waste management facilities in line with the latest environmental good practice.

SA ISSUE 3: EA assessment of existing waste sites (see below under SLWP issues):

- requirement for major infrastructure upgrade;
- annual reporting on compliance with waste permits and inclusion as indicator;
- environmental permit compliance rating;
- date site last visited by the Environment Agency;
- waste clusters at Beddington Lane, Weir Rd and Willow Lane and opportunities;;
- managing site drainage and developing a checklist or guidance as part of the plan;
- flood risk assessment and 'sequential test' requirements;
- local air quality management.

## 3. I&PO CONSULTATION ISSUES

COMMENT REF. (5)

- exempt sites.

COMMENT REF. (34)

- promoting the circular economy
- efficiencies per unit area.

COMMENT REF. (37)

- *railheads and wharfs – issue noted*

COMMENT REF (87)

- policy approach to new waste sites for either waste transfer or management - draft Policy WP3(d);
- possible need for temporary transfer stations with respect to new housing developments (Policy WP1 p23);
- possible need for new sites based on more conservative capacity estimates.

COMMENT REF (130)

- policy approach to new waste sites for C&D waste - draft Policy WP3(b);
- risk of illegal transfer stations being set up as unintended consequence
- policy approach to new waste sites for hazardous/ agricultural waste etc (draft Policy WP3c)
- 'greater than local need'
- definition of hazardous waste
- possible need for new sites based on more conservative capacity estimates.

COMMENT REF (208)

- *railheads – issue noted (Policy WP4d)*

COMMENT REF (246)

- *'Agent of change' principle – issue agreed (Policy WP4c)*

COMMENT REF (247)

- *BREEAM and CEEQUAL – issue agreed*

COMMENT REF (288)

- *BREEAM and CEEQUAL – issue agreed (Policy WP6)*
- *Fugitive emissions and climate change – issue noted*
- *increased risk of surface water flooding – issue noted*

COMMENT REF (325)

- *thermal treatment technologies and inclusion of Advanced Conversion Technologies (ACT) such as pyrolysis and gasification – issue noted (Paras 5.44, p38)*

COMMENT REF (326)

- *utilisation of the heat generated by existing waste facilities such as Beddington Lane EfW – issue noted (Policy WP7)*

**4. SITE SPECIFIC ISSUES**

**5. AOB**

**Minutes:**

Issue	Outcome
<p>SA ISSUE 1: The need to incorporate the aims of the following strategies:</p> <ul style="list-style-type: none"> <li>- Government 25 Year Environment Plan;</li> <li>- Resources and Waste Strategy for England (December 2018)</li> <li>- Review into serious and organised crime in the waste sector (November 2018).</li> </ul>	
<p>SA ISSUE 2: The need to take account of emerging new London Plan policies on:</p> <ul style="list-style-type: none"> <li>- promoting the circular economy;</li> <li>- self-sufficiency;</li> <li>- possible need for additional waste sites and avoiding loss to residential uses;</li> <li>- delivering high quality new or upgraded waste management facilities in line with the latest environmental good practice.</li> </ul>	
<p>SA ISSUE 3: EA assessment of existing waste sites (see below under SLWP issues):</p> <ul style="list-style-type: none"> <li>- requirement for major infrastructure upgrade;</li> <li>- annual reporting on compliance with waste permits and inclusion as indicator;</li> <li>- environmental permit compliance rating;</li> <li>- date site last visited by the Environment Agency;</li> <li>- waste clusters at Beddington Lane, Weir Rd and Willow Lane and opportunities;</li> <li>- managing site drainage and developing a checklist or guidance as part of the plan;</li> </ul>	

<p>- flood risk assessment and 'sequent requirements; - local air quality management</p>	
<p>COMMENT REF. (5) Exempt sites.</p>	<p><b>Resolution:</b> In light of the EA's comments, the Councils have considered exempt sites and have made the relevant ones safeguarded sites (Deadman Confidential and Wood Recycling). The other exempt sites are: Kingston Hospital where the clinical waste is ancillary to the main use, and very small circular economy re-makers, which have not been safeguarded.</p>
<p>COMMENT REF. (34) Promoting the circular economy Efficiencies per unit area.</p>	<p><b>Explanation:</b> The Councils have noticed that the circular economy operators are not on waste sites. They are often in vacant shops. In a sense, they are small factories with waste as their raw materials. <b>Explanation:</b> The Councils are not using a throughput per hectare calculation.</p>
<p>COMMENT REF. (37) Railheads and wharfs – issue noted</p>	<p><b>Explanation:</b> The Councils have investigated the position with regard to railheads. The one in Croydon is safeguarded in the South London Waste Plan for waste and minerals uses. The Chessington railhead is not used for waste and so will be safeguarded in the Kingston Local Plan.</p>
<p>COMMENT REF (87) Policy approach to new waste sites for either waste transfer or management - draft Policy WP3(d); Possible need for temporary transfer stations with respect to new housing developments (Policy WP1 p23); Possible need for new sites based on more conservative capacity estimates.</p>	<p><b>Explanation:</b> The Councils have not noticed a need for temporary waste sites for housing developments. However, they will keep the situation under review. <b>Explanation:</b> The Councils consider that, if there is a risk to capacity estimates, it is towards over-provision of site capacity for the following reasons: (1) the waste reduction discount in the apportionment calculations is a modest 5%; (2) the waste apportionment figures are based on higher housing targets than have been subsequently agreed; and (3) the Councils' capacity figures for individual sites do not use maximum throughput possible but throughput which can count towards the apportionment</p>
<p>COMMENT REF (130) Policy approach to new waste sites for C&amp;D waste - draft Policy WP3(b); Risk of illegal transfer stations being set up as unintended consequence</p>	<p><b>Explanation:</b> The Councils have not noticed any illegal waste transfer stations but will monitor the situation. <b>Explanation:</b> The Councils note that hazardous waste arisings are small, are due to rise only slightly across the plan period and are currently dealt with through established operators who are regional in their reach rather than local.</p>

<p>Policy approach to new waste sites for hazardous/ agricultural waste etc (draft Policy WP3c)  'Greater than local need'  Definition of hazardous waste</p>	<p><b>Explanation:</b> Agricultural waste is included within other waste streams.  <b>Explanation:</b> Hazardous waste is being considered on a greater than local need basis.  <b>Explanation:</b> The definition of hazardous waste is broad. The Councils does not intend to limit WEEE re-makers which the Councils have noticed are often operating from vacant shops</p>
<p>COMMENT REF (208)  <i>Railheads – issue noted (Policy WP4d)</i></p>	<p>See above</p>
<p>COMMENT REF (246)  'Agent of change' principle – issue agreed (Policy WP4c)</p>	<p><b>Resolution:</b> The Councils have included a new Agent of Change policy in the Draft South London Waste Plan</p>
<p>COMMENT REF (247)  BREEAM and CEEQUAL – issue agreed</p>	<p><b>Resolution:</b> The Councils refer to both BREEAM and CEEQUAL in revised Policy WP6</p>
<p>COMMENT REF (288)  <i>Fugitive emissions and climate change – issue noted</i>  <i>Increased risk of surface water flooding – issue noted</i></p>	<p><b>Explanation:</b> The Councils consider that these issues are adequately covered in Policies WP5 and WP6. It should be noted that the policies of the relevant borough's Local Plan are also material considerations for waste applications.</p>
<p>COMMENT REF (325)  <i>Thermal treatment technologies and inclusion of Advanced Conversion Technologies (ACT) such as pyrolysis and gasification – issue noted (Paras 5.44, p38)</i></p>	<p><b>Explanation:</b> The Councils are not proposing any thermal heat technologies in line with Objective 7.4 of the London Environment Strategy.</p>
<p>COMMENT REF (326)  <i>Utilisation of the heat generated by existing waste facilities such as Beddington Lane EfW – issue noted (Policy WP7)</i></p>	<p><b>Explanation:</b> The Beddington EfW is set to provide/is already providing heat to the New Mill Quarter on Hackbridge.</p>

## 18 JUNE – MEETING NOTES

### SOUTH LONDON WASTE PLAN REVIEW CONSULTATION MEETING WITH ENVIRONMENT AGENCY (C8) - 17 JAN 2020 LBS OFFICES, DENMARK ROAD AGENDA – 10:00 AM

#### Environment Agency

James Togher  
Alan.Dengate  
Dhanjal, Randeep  
Gorrod, Will  
Charles Muriithi (EA)

#### LB Sutton

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**4. SITE SPECIFIC ISSUES**

**5. AOB**

**Minutes:**

Issue	Outcome						
<p><b>SA ISSUE 1:</b>                      The need to incorporate the aims of the following strategies:                      - Government 25 Year Environment Plan;                      - Resources and Waste Strategy for England (December 2018)                      - Review into serious and organised crime in the waste sector (November 2018).</p>	<p><b>Resolution:</b> It was agreed to make reference to the aims of each of these strategies in the forthcoming sustainability appraisal (SA) report on the draft SLWP Submission Version.</p> <p><i>The Environment Agency recommends some of the diagrams from these latest national strategies are added to the SLWP and remove references to the 2013 strategies. This will ensure the plan is sound and show policy move towards a circular economy principles and focus on resource reuse and recovery. To support this major policy change you could also consider renaming the South London Waste Plan to the South London Resources and Waste Plan</i></p> <div data-bbox="670 689 997 1008" data-label="Diagram"> </div> <div data-bbox="606 1070 1029 1415" data-label="Figure"> <p><b>Evolution of Waste Management Practices:</b> In the past, most waste was dealt with by disposal, but over time that will shift increasingly to recycling, reuse and ultimately prevention.</p> <table border="1"> <tr> <td><b>1 Prevention</b> Using less material in design and manufacture. Keeping products for longer; reuse. Using less hazardous materials.</td> <td><b>2 Preparing for reuse</b> Checking, cleaning, repairing, refurbishing, whole items or spare parts.</td> <td><b>3 Recycling</b> Turning waste into a new substance or product. Includes composting if it meets quality protocols.</td> </tr> <tr> <td><b>4 Other recovery</b> Includes anaerobic digestion, incineration with energy recovery, gasification and pyrolysis which produce energy (fuels, heat and power) and materials from waste; some backfilling.</td> <td colspan="2"><b>5 Disposal</b> Landfill and incineration without energy recovery.</td> </tr> </table> </div> <div data-bbox="622 1451 1276 1915" data-label="Diagram"> <p><b>Key facts</b></p> <pre> graph TD     subgraph WasteProducers [Waste Producers]         A[27.2 million households]         B[5.7 million private sector business]     end     A --&gt; C[200m tonnes of waste are produced in the UK each year]     B --&gt; C     C --&gt; D[Waste managers]     D --&gt; E[Waste exports]     D --&gt; F[Waste recovery and disposal]     D --&gt; G[Waste crime]     E --- E1[Estimate 4.2m tonnes of waste exported]     F --- F1["£6.8 billion Gross value of the waste industry in UK"]     F --- F2[120,000 Jobs in the waste industry]     G --- G1["£600m Cost to England of waste crime"]     </pre> </div>	<b>1 Prevention</b> Using less material in design and manufacture. Keeping products for longer; reuse. Using less hazardous materials.	<b>2 Preparing for reuse</b> Checking, cleaning, repairing, refurbishing, whole items or spare parts.	<b>3 Recycling</b> Turning waste into a new substance or product. Includes composting if it meets quality protocols.	<b>4 Other recovery</b> Includes anaerobic digestion, incineration with energy recovery, gasification and pyrolysis which produce energy (fuels, heat and power) and materials from waste; some backfilling.	<b>5 Disposal</b> Landfill and incineration without energy recovery.	
<b>1 Prevention</b> Using less material in design and manufacture. Keeping products for longer; reuse. Using less hazardous materials.	<b>2 Preparing for reuse</b> Checking, cleaning, repairing, refurbishing, whole items or spare parts.	<b>3 Recycling</b> Turning waste into a new substance or product. Includes composting if it meets quality protocols.					
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	<p><i>We recommend some case studies are included of good practice waste management to demonstrate the key policies and goals of the new SLWP and the move away from landfill and incineration without energy recovery.</i></p>
<p>SA ISSUE 2: The need to take account of emerging new London Plan policies on:</p> <ul style="list-style-type: none"> <li>- promoting the circular economy;</li> <li>- self-sufficiency;</li> <li>- possible need for additional waste sites and avoiding loss to residential uses;</li> <li>- delivering high quality new or upgraded waste management facilities in line with the latest environmental good practice.</li> </ul>	<p><b>Resolution:</b> It was agreed that the forthcoming SA Report on the draft SLWP Submission Version, including the key sustainability issues in Section 7 and the SA appraisal criteria in Section 8 should take account of these new London Plan policy issues.</p>
<p>SA ISSUE 3: EA assessment of existing waste sites (see below under SLWP issues):</p> <ul style="list-style-type: none"> <li>- requirement for major infrastructure upgrade;</li> <li>- annual reporting on compliance with waste permits and inclusion as indicator;</li> <li>- environmental permit compliance rating;</li> <li>- date site last visited by the Environment Agency;</li> <li>- waste clusters at Beddington Lane, Weir Rd and Willow Lane and opportunities;</li> <li>- managing site drainage and developing a checklist or guidance as part of the plan;</li> <li>- flood risk assessment and 'sequential requirements';</li> <li>- local air quality management</li> </ul>	<p><b>Resolution:</b> It was agreed that the EA would shortly provide an update on the status of existing waste sites across the four boroughs in order to inform the next stage of plan preparation. However the relevant site assessment information is still awaited as of June 2020.</p> <p><b>Resolution:</b> <i>The Environment Agency has highlighted a serious issue with some waste sites with poor infrastructure such as poor quality buildings and poor site drainage which requires a new process such as a checklist to improve the standards of infrastructure at waste sites. We are keen to organise some site visits and walk rounds of the cluster areas in the plan area such as at Weir Road, Willow Lane, Beddington Lane. The checklist will help improve the standard on new or upgraded sites but we are keen to discuss ways on improving the standards of infrastructure on the existing wastes sites in the SLWP.</i></p> <p><i>A draft checklist has been shared 18 June 2020 for inclusion in the review of the plan to improve the standards of buildings and drainage on waste sites. We are keen to keep the evidence base up to date and will be sharing information on the performance of permitted waste sites so you are aware of the environmental issues from waste sites and adapt the planning policies / planning enforcement process to address serious issues.</i></p> <p>It was agreed that the EA would provide a draft waste site infrastructure checklist during the weeks following the meeting in order to inform the next stage of plan preparation and for possible inclusion as part of the plan. However the checklist is still awaited as of June</p>

	<p>2020 and there is no longer the opportunity for the South London Boroughs to make further changes to waste policies since the draft SLWP Submission Version has already been approved for Regulation 19 consultation by two out of the four committees involved.</p> <p><b>Resolution:</b> To prepare a draft sequential test on proposed waste sites for inclusion in the draft SLWP Submission Version in liaison with the EA. However, it was recognised by all present that the particular circumstances of the emerging plan, where no new waste sites are being proposed for waste management uses will make it more difficult in reality for the sequential test to bring alternative sites fully into consideration.</p>
<p>COMMENT REF. (5) Exempt sites.</p>	<p><b>Resolution:</b> In light of the EA’s comments, the Councils have considered exempt sites and have made the relevant ones safeguarded sites (Deadman Confidential and Wood Recycling). The other exempt sites are: Kingston Hospital where the clinical waste is ancillary to the main use, and very small circular economy re-makers, which have not been safeguarded.</p> <p><i>Waste exemptions are for lower risk waste management activities not requiring a full waste permit and companies register on gov.uk We can share details of all registered exemptions across the plan area to ensure all waste management activities/sites are assessed as part of the SLWP review.</i></p> <p><i><a href="https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits">https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits</a></i></p>
<p>COMMENT REF. (34) Promoting the circular economy Efficiencies per unit area.</p>	<p><b>Explanation:</b> The Councils have noticed that the circular economy operators are not on waste sites. They are often in vacant shops. In a sense, they are small factories with waste as their raw materials.</p> <p><b>Explanation:</b> The Councils are not using a throughput per hectare calculation.</p> <p><i>Refer to SA1 point above and recommendation to include the diagrams from these strategies in the new SLWP to show what circular economy is and the policy changes in the waste management sector.</i></p>
<p>COMMENT REF. (37) Railheads and wharfs – issue noted</p>	<p><b>Explanation:</b> The Councils have investigated the position with regard to railheads. The one in Croydon is safeguarded in the South London Waste Plan for waste and minerals uses. The Chessington railhead is not used for waste and so will be safeguarded in the Kingston Local Plan.</p>

<p>COMMENT REF (87)  Policy approach to new waste sites for either waste transfer or management - draft Policy WP3(d);  Possible need for temporary transfer stations with respect to new housing developments (Policy WP1 p23);  Possible need for new sites based on more conservative capacity estimates.</p>	<p>Explanation: The Councils have not noticed a need for temporary waste sites for housing developments. However, they will keep the situation under review.  <b>Explanation:</b> The Councils consider that, if there is a risk to capacity estimates, it is towards over-provision of site capacity for the following reasons: (1) the waste reduction discount in the apportionment calculations is a modest 5%; (2) the waste apportionment figures are based on higher housing targets than have been subsequently agreed; and (3) the Councils' capacity figures for individual sites do not use maximum throughput possible but throughput which can count towards the apportionment</p>
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<p>COMMENT REF (326)  <i>Utilisation of the heat generated by existing waste facilities such as Beddington Lane EfW – issue noted (Policy WP7)</i></p>	<p><b>Explanation:</b> The Beddington EfW is set to provide/is already providing heat to the New Mill Quarter on Hackbridge.  <i>This could be included as case study in the new SLWP plan demonstrating modern high quality infrastructure and circular economy principles by providing heat to the New Mill Quarter residential development.</i></p>
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South London Waste Plan  
Waste Management Site Infrastructure Checklist DRAFT  
To be completed as part of the planning application validation process

Waste management sites must be carefully designed and operated to prevent environmental nuisance or risk to life. High quality waste management infrastructure is essential to deliver the strategic objectives in moving towards a circular economy.

Key issues and opportunities relate to the need for high quality buildings, well maintained drainage systems, careful site layout, fire risk management and ongoing high standards of site management and maintenance. To deliver the plan policies requires planning and permitting systems to be aligned and we encourage “twin tracking” of planning and permitting applications.

This checklist should be completed as part of the pre application process for any waste management planning applications within the SLWP area: Croydon, Sutton, Kingston or Merton.

**Proposed site infrastructure and management**

- Will all the waste management activities being carried out in a fully enclosed quality building? (not scaffolding / temporary structures)
- How will the drainage be managed in line with the Local Plan policies on pollution prevention and surface water management?
- Is the proposed waste management activity a high fire risk activity?
- Is a Fire Prevention Plan being produced?
- Has adequate space been included on site for clear pedestrian access / movement routes and space for waste vehicles to move safely around the site?

**Environmental permitting and compliance**

- Does the site already hold an Environment Agency permit?
- If yes, what is the permit number and what is the current compliance assessment score (A to F)?
- Has the site / company been served a enforcement / notice from the Environment Agency, Health and Safety Executive or London Fire Brigade in the last 6 months?

**Any other information / comments**

**Guidance and links**

Environment Agency [permitting process](#)  
Health and Safety Executive [\(HSE\) waste sites](#)  
London Fire Brigade [fire prevention guidelines](#)

## 23 JULY – DRAFT STATEMENT OF COMMON GROUND

### **DRAFT STATEMENT OF COMMON GROUND BETWEEN THE ENVIRONMENT AGENCY AND THE BOROUGHES OF THE SOUTH LONDON WASTE PLAN**

July 2020

#### **1. Relationship between the South London Waste Plan boroughs and the Environment Agency**

- 1.1 The boroughs of the South London Waste Plan have a long-standing and productive relationship with the Environment Agency. They correspond, meet and exchange information on a variety of topics, most notably climate change and flood risk.

#### **2. Previous Cooperation during the Preparation of the Draft South London Waste Plan**

- 2.1 During the preparation of the South London Waste Plan, the Environment Agency and the boroughs of the South London Waste Plan have interacted on the following occasions:

- October 2019: Environment Agency response to the Sustainability Scoping Report
- December 2019: Environment Agency response to the Issues and Preferred Options for the South London Waste Plan
- January 2020: Meeting to discuss Environment Agency comments from previous consultation
- May 2020: Email from South London Waste Plan boroughs on outstanding issues
- June 2020: Email from the Environment Agency on outstanding issues.

- 2.2 As a result of these exchanges, this Statement of Common Ground has been signed between the two parties.

#### **3. Points of cooperation between the Environment Agency and the South London Waste Plan boroughs** **Matters relating to the South London Waste Plan**

- 3.1 ***Updated references and diagrams:*** The Environment Agency suggested the plan should refer to the Government's 25-Year Environment Plan; the Resources and Waste Strategy for England (December 2018) and the Review into serious and organised crime in the waste sector (November 2018) and remove references to the 2013 strategies. The Councils agree to update paragraph 2.8 with relevant national strategies. The Environment Agency has also asked for the diagrams in Appendix 1 to be added to the plan.

- 3.2 ***Conclusion:*** Matter resolved

***Actions:*** The Councils will update paragraph 2.8 and will add diagrams, where feasible.

- 3.3 *Rename the plan:*** The Environment Agency suggested the plan be renamed the South London Resources and Waste Plan. The Councils consider this would be contrary their Local Development Schemes.
- 3.4 *Conclusion:*** Agree to disagree.
- 3.5 *Case studies:*** The Environment Agency suggested case studies would be a good addition to the plan. The Councils disagree and consider that case studies are suitable for guidance documents but not DPDs.
- 3.6 *Conclusion:*** Agree to disagree.
- 3.7 *Exempt sites:*** In light of the Environment Agency's comments suggesting the inclusion of exempt sites into the plan in January, the Councils considered exempt sites and have designated the relevant ones as safeguarded sites (Deadman Confidential and Wood Recycling) in the draft plan. The other exempt sites are: Kingston Hospital where the clinical waste is ancillary to the main use, and very small circular economy re-makers, which have not been safeguarded. In June, the Environment Agency offered to share the details of the exemptions. The boroughs received details of the exemptions from the Environment Agency, via the consultants Anthesis, in 2019 but would welcome an up-to-date list.
- 3.8 *Conclusion:*** Matter resolved  
*Action:* Environment Agency to share exemptions list.
- 3.9 *Promoting the Circular Economy and Throughput per Hectare Calculations:*** The Environment Agency suggested that the circular economy sites have a greater landtake than existing waste management sites. The Councils investigated Circular Economy sites across the region and found that remaking and remanufacturing tended not to take place on an existing waste site but in small former offices or retail units. These Circular Economy users were operating more like a manufacturing industry, receiving raw materials (in this case waste) from another location. The Councils proposed not to safeguard these small Circular Economy sites so that they can grow into large premises. The Environment Agency suggested that diagrams, such as those in Appendix 1 of this document, be added to the plan.
- 3.10 *Conclusion:*** Matter resolved.  
*Action:* Councils to add circular economy diagram to the final document.
- 3.11 *Railhead and wharves:*** The Environment Agency wanted assurance that all railheads and wharves were safeguarded. The Councils have investigated the position with regard to railheads. The one in Croydon is safeguarded in the South London Waste Plan for waste and minerals uses. The Chessington railhead is not used for waste and so will be safeguarded in the Kingston Local Plan.

- 3.12 *Conclusion:* Matter resolved. No further action required.
- 3.13 **Temporary waste sites for housing developments:** The Environment Agency suggested that there might be a need for temporary waste sites to serve housing developments and there could be a risk that illegal waste sites may start operating. The Councils had not noticed a need for temporary waste sites for housing developments or any illegal waste sites but would keep the situation under review.
- 3.14 *Conclusion:* Matter resolved.  
*Action:* Councils to monitor the need for temporary waste sites. Environment Agency to share incidents or reports of problems or illegal waste sites.
- 3.15 **Capacity estimates for sites:** The Environment Agency suggested that insufficient capacity may be being safeguarded. The Councils disagree and consider that, if there is a risk to capacity estimates, it is towards over-provision of site capacity for the following reasons: (1) the waste reduction discount in the apportionment calculations is a modest 5%; (2) the waste apportionment figures are based on higher housing targets than have been subsequently agreed; and (3) the Councils' capacity figures for individual sites do not use maximum throughput possible but the maximum throughput achieved over a five-year period.
- 3.16 *Conclusion:* Matter resolved. No further action required.
- 3.17 **Policy approach to hazardous and agricultural waste:** The Environment Agency requested more information on the policy stance of no new waste sites. The Councils responded that hazardous waste arisings are small, are due to rise only slightly across the plan period and are currently dealt with through established operators who are regional in their reach rather than local. Agricultural waste is included within other waste streams.
- 3.18 *Conclusion:* Matter resolved. No further action required.
- 3.19 **Definition of hazardous waste:** The Environment Agency suggested that the inclusion of Waste Electronic and Electrical Equipment in hazardous waste may limit facilities for re-makers. The Councils disagree because the WEEE re-makers seem to be operating from small former offices and shops, as manufacturers rather than waste operators, and so would not be affected by being included in the definition of hazardous waste.
- 3.20 *Conclusion:* Matter resolved. No further action required.
- 3.21 **Agent of Change Principle and Policy:** The Environment Agency suggested an Agent of Change Policy. The Councils agreed and have included one in the draft South London Waste Plan.

- 3.22 *Conclusion:* Matter resolved. No further action required.
- 3.23 **BREEAM and CEEQUAL:** The Environment Agency suggested CEEQUAL would be a better environmental standard than BREEAM. The Councils have included both environmental standards in the draft South London Waste Plan.
- 3.24 *Conclusion:* Matter resolved. No further action required.
- 3.25 **Fugitive emissions from climate change:** The Environment Agency suggested a reference that fugitive emissions may increase with climate change. The Councils consider this is adequately covered in Policy WP5 and the boroughs' Local Plans.
- 3.26 *Conclusion:* Matter resolved. No further action required.
- 3.27 **Increased flooding from climate change:** The Environment Agency suggested a reference that surface water flooding may increase with climate change. The Councils consider this is adequately covered in Policy WP5 and the boroughs' Local Plans
- 3.28 *Conclusion:* See later regarding checklist
- 3.29 **More information on thermal technologies:** The Environment Agency suggested the plan should include more information on thermal technologies. The Councils disagree as they are not proposing any additional thermal technologies.
- 3.30 *Conclusion:* Matter resolved. No further action required.
- 3.31 **Case Study on providing heat to the New Mill Quarter, Hackbridge:** The Environment Agency suggested that the New Mill Quarter could provide a case study within the plan. The Councils disagree and consider that case studies are better suited to guidance documents than DPDs.
- 3.32 *Conclusion:* Parties agree to disagree

### **Matters relating to the South London Waste Plan Sustainability Appraisal**

- 3.33 **Reference to strategies:** The Environment Agency suggested that the Sustainability Appraisal should refer to the Government's 25-Year Environment Plan; the Resources and Waste Strategy for England (December 2018) and the Review into serious and organised crime in the waste sector (November 2018). The Councils agreed to add these references. The Environment Agency has also asked for the diagrams in Appendix 1 to be added to the Sustainability Appraisal.
- 3.34 *Conclusion:* Matter resolved.  
*Action:* Councils to update references and add diagrams to the final document

### Proposed Waste Infrastructure Checklist

**3.35** On 15 June, the Environment Agency suggested a Waste Infrastructure Checklist be added to the plan (see Appendix 2 of this document). Unfortunately, the draft plan was already going through council committee cycles and so it was too late to alter the plan. However, the Councils have reviewed the checklist and have doubts whether it needs inclusion. The elements of the checklist and the Council's comments are set out in the table below.

*Table 1: Councils' comments on the Proposed Waste Infrastructure Checklist*

<b>Checklist Component</b>	<b>Councils' Comments</b>
Fully enclosed quality building (not scaffolding / temporary structures)	This is already included in Policy WP5 (b).
Drainage to be managed in line with the Local Plan policies on pollution prevention and surface water management	A Council's Local Plan is a consideration for a waste proposal and so this does not need to be re-stated
Fire Risk and Fire Prevention Plan	This can be added to Policy WP5 (c) (viii)
Adequate space on site for clear pedestrian access / movement routes and space for waste vehicles to move safely around the site	This can be added to Policy WP5 (c) (viii)
Environmental permitting	Paragraph 7 of the National Planning Policy for Waste directs waste planning authorities to "concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes". Therefore, adding environmental permitting requirements to the plan is contrary to national policy.

**3.36** Therefore, the Councils consider that only two minor changes are needed to incorporate the relevant elements of the checklist into the plan.

## **4. Summary of Changes**

**4.1** The Councils will make the following changes to the document

- Update document references in paragraph 2.8
- Add the diagrams in Appendix 1, where feasible
- Add reference to Fire Risk and Fire Risk Prevention Plan to Policy WP5 (c) (viii)
- Add reference to adequate space on site for clear pedestrian access / movement routes and space for waste vehicles to move safely around the site to Policy WP5 (c) (viii)

- 4.2 Other actions to be undertaken by the Councils and/or the Environment Agency are:
- Environment Agency to share exemptions list
  - Councils to monitor the need for temporary waste sites.
  - Environment Agency to share incidents or reports of problems or illegal waste sites
  - Update document references and add diagrams, where appropriate, to the Sustainability Appraisal report

## 5. **On-going Co-operation**

- 5.1 The Councils will continue to work with the Environment Agency when waste planning applications arise, on Local Plans when they are revised and exchange information on waste management and transfer across the South London Waste Plan area when required.

## 6. **Agreement on Cooperation**

- 6.1 Paragraph 22 of the Planning Practice Guidance 'Duty to Cooperate' states "inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through effective joint working, and not deferred them to subsequent plan updates or are not relying on the inspector to direct them."
- 6.2 The Councils and the Environment Agency are in agreement on the vast majority of matters. However, where agreement has not been possible, the Councils and the Environment Agency consider decisions have not been delayed and the delivery of the plan is not in jeopardy. Consequently, the Councils and the Environment Agency consider they have fulfilled the Duty to Cooperate.

## 7. **The Sequential and Exceptions Tests**

- 7.1 The National Planning Policy Framework states: "All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property." It continues: "The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding" (Paragraphs 157 and 158).
- 7.2 With regard to the Exceptions Test, the National Planning Policy Framework states: "If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance" (Paragraph 159).

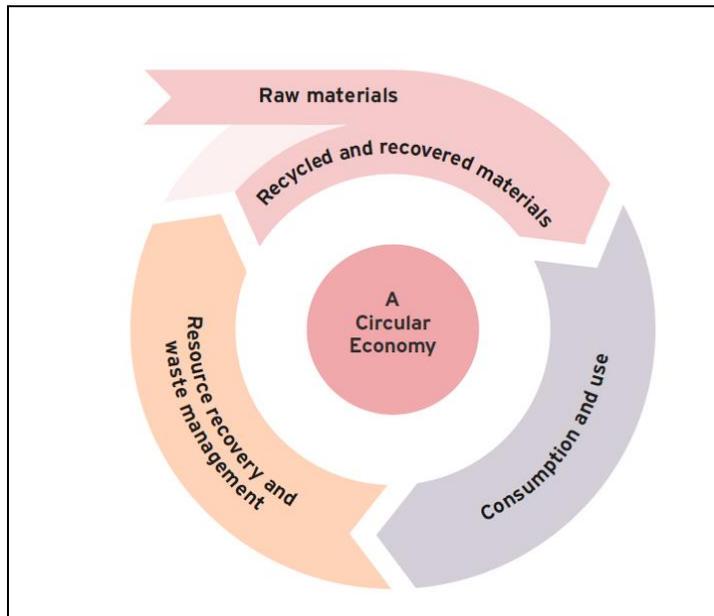
- 7.3** In the case of the South London Waste Plan, the operation of the Sequential and Exception Tests are complicated by two factors:
- Non-hazardous waste sites are classified as “less vulnerable” in the Flood Risk Vulnerability Classification in the Technical Guidance to the National Planning Policy Framework and so are a suitable use in all Flood Risk Zones, except Flood Zone 3b. Therefore, non-hazardous waste sites are appropriate in flooding terms in nearly all locations within the four boroughs
  - Since the plan is safeguarding existing sites only, the selection of alternative sites is limited.

**7.4** Therefore, it is difficult to produce a typical Sequential Test document to accompany the plan. Nevertheless, the South London Waste Plan boroughs have produced a Sequential test document to accompany the plan and have sought Environment Agency opinion that the test is fit-for-purpose in light of the unusual circumstances surrounding this plan.

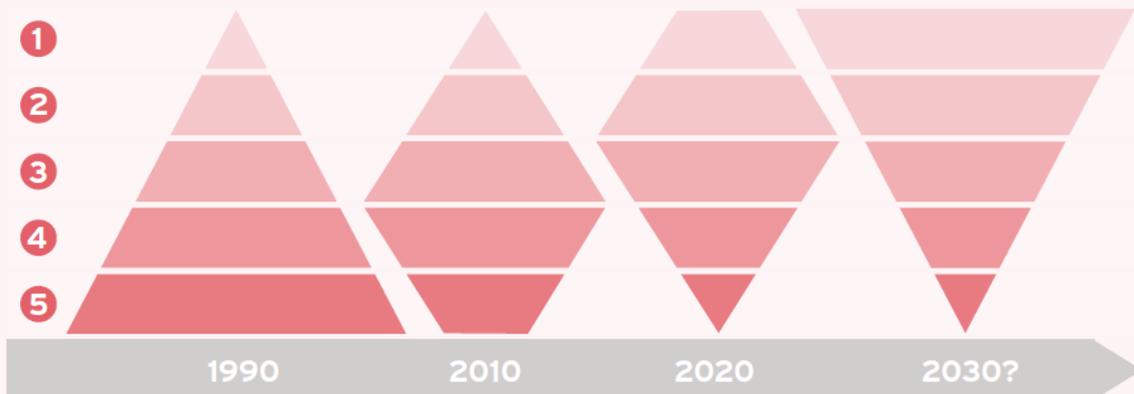
**8. Environment Agency Comment on the Sequential Test**

**8.1** Officers of the Environment Agency has reviewed the Sequential Test document which accompanies the South London Waste Plan and consider that it is a true and fair assessment of the flood risk of the sites included in the plan and that the boroughs have done everything they possibly could to operate the Sequential Test, given the unusual circumstances.

## Appendix 1: Diagrams Suggested by the Environment Agency



**Evolution of Waste Management Practices:** In the past, most waste was dealt with by disposal, but over time that will shift increasingly to recycling, reuse and ultimately prevention.



### 1 Prevention

Using less material in design and manufacture. Keeping products for longer; reuse. Using less hazardous materials.

### 2 Preparing for reuse

Checking, cleaning, repairing, refurbishing, whole items or spare parts.

### 3 Recycling

Turning waste into a new substance or product. Includes composting if it meets quality protocols.

### 4 Other recovery

Includes anaerobic digestion, incineration with energy recovery, gasification and pyrolysis which produce energy (fuels, heat and power) and materials from waste; some backfilling.

### 5 Disposal

Landfill and incineration without energy recovery.

**Key facts**

**Waste Producers**



**27.2 million**  
households



**5.7 million**  
private sector  
business

**200m tonnes** of waste are  
produced in the UK each year



**Waste  
managers**



**Waste  
exports**

Estimate **4.2m tonnes** of  
waste exported



**Waste  
recovery and  
disposal**

**£6.8 billion** Gross  
value of the waste  
industry in UK  
**120,000 Jobs** in the  
waste industry



**Waste  
crime**

**£600m** Cost to  
England of  
waste crime

## Appendix 2:

### South London Waste Plan

#### Waste management site infrastructure checklist DRAFT

To be completed as part of the planning application validation process  
Waste management sites must be carefully designed and operated to prevent environmental nuisance or risk to life. High quality waste management infrastructure is essential to deliver the strategic objectives in moving towards a circular economy.

Key issues and opportunities relate to the need for high quality buildings, well maintained drainage systems, careful site layout, fire risk management and ongoing high standards of site management and maintenance. To deliver the plan policies requires planning and permitting systems to be aligned and we encourage “twin tracking” of planning and permitting applications.

This checklist should be completed as part of the pre application process for any waste management planning applications within the SLWP area: Croydon, Sutton, Kingston or Merton.

#### Proposed site infrastructure and management

- Will all the waste management activities being carried out in a fully enclosed quality building? (not scaffolding / temporary structures)
- How will the drainage be managed in line with the Local Plan policies on pollution prevention and surface water management?
- Is the proposed waste management activity a high fire risk activity?
- Is a Fire Prevention Plan being produced?
- Has adequate space been included on site for clear pedestrian access / movement routes and space for waste vehicles to move safely around the site?

#### Environmental permitting and compliance

- Does the site already hold an Environment Agency permit?
- If yes, what is the permit number and what is the current compliance assessment score (A to F)?
- Has the site / company been served a enforcement / notice from the Environment Agency, Health and Safety Executive or London Fire Brigade in the last 6 months?

Any other information / comments

#### Guidance and links

Environment Agency permitting process  
Health and Safety Executive (HSE) waste sites  
London Fire Brigade fire prevention guidelines

## 13 AUGUST – LETTER FROM ENVIRONMENT AGENCY

creating a better place  
for people and wildlife



Patrick Whitter  
Senior Planner  
London Borough of Sutton

Date: 7 August 2020  
Ref: SL/2006/100128/SE-03/SP1

### South London Waste Plan review

Thank you for your email update (23 July) and Duty to Co-operate summary. We welcome the proposed updates to the South London Waste plan following our previous feedback which we feel will strengthen the plan:

- Updating the plan to reference the latest national Waste Management strategies
- Adding in the waste management diagrams to show the move towards a circular economy
- Policy WP5 to be updated to include the need Fire Prevention Planning measures and an additional point to ensure there is sufficient space on waste sites for movement of traffic and people around waste sites
- The detailed assessment of flood risk through the sequential test process, demonstrating the objective and confirmation that there are no new waste management sites proposed in the highest risk flood zones.
- Support for ongoing partnership working and ongoing actions to share details on permitted sites and any major waste management issues across the plan area
- Introducing the “agent of change” policy to the new Plan so that well performing and compliant waste management sites are protected as required infrastructure and new neighbouring developments are made aware of the need for the waste management site and design their developments accordingly e.g. to prevent new residents / businesses complaining about being located close to an existing well operated waste management site.

As you are aware the Waste management sector is an evolving and complex sector with a range in the quality of site infrastructure and operator competency, from modern quality buildings and compliant well operated sites to other sites with poor quality temporary buildings on very constrained and poorly operated sites and some illegal operators.

To deliver and support the proposed growth across the plan area requires modern and efficient waste management infrastructure to ensure waste is managed well and does not cause environmental harm or nuisance to local business and communities.

To address these complex environmental issues requires ongoing joint working on the planning and permitting process and regularly reviews of the status of the waste sites allocated in the South London Waste Plan to ensure the sites are compliant with both the planning and permitting regimes. If waste management sites are identified as “poor performing” we are keen to agree joint planning and permitting actions to address the issues and bring the sites back in line with planning policies, permit conditions and other legislation.

Attached in Appendix 1 is the current list of the sites from across the plan area with an Environment Agency waste permit with information on the compliance and enforcement process.

Some sites have Waste Permits but are not shown in the South London Waste Plan. We recommend reviewing the site list against the latest permit list. We recommend adding the

customer service line 03708 506 506  
[gov.uk/environment-agency](https://www.gov.uk/environment-agency)

EA Waste Permit reference number and operator name to the South London Waste Plan site list section so a compliance rating can be added and updated annually.

Some of the permitted waste sites in the plan are severely constrained for space and some have ongoing compliance issues so may not be suitable for intensification as the plan proposes. We recommend the plan is kept under regular review informed by the latest evidence and compliance data to determine if new locations are required to deliver the South London Waste Plan objectives.

We are keen to work with you to produce some joint guidance on good practice case studies to show how waste management sites should be designed and operated in line with local plan policies, waste plan policies and permitting guidelines. Poorly designed and operated waste sites can cause major issues for local residents and require joint enforcement action and close working with the landlords and site operators. We want to remove poor performing and non-compliant waste sites from across the plan area through joined up working. Joint guidance will help deliver clear messages to waste management operators on the standards required.

Improving the quality of data on waste classification and tracking waste movements is an ongoing project and is a key recommendation from the Waste Crime review project. We will keep you updated as and when new waste tracking systems are introduced which will help inform future reviews of the plan.

We are keen to continue partnership working with local planning authorities and other agencies such as Health and Safety Executive (HSE) Public Health England and Planning Enforcement and Environmental Health teams, Metropolitan Police, London Fire Brigade, Driver & Vehicle Standards Agency (DVSA), Her Majesty's Revenue and Customs (HMRC), and Border Force to prevent illegal or poor compliant waste management sites.

We look forward to working with you as the plan moves to the next stage and hope our response is helpful. If you have any questions or require more information please let me know.

Yours sincerely

**James Togher**  
Sustainable Places Team Leader  
South London

### **3. The Mayor of London**

- 3.1** Section 24(1) of the Planning and Compulsory Act (2004, as amended) requires all local development documents, such as the South London Waste Plan, to be in general conformity with the London Plan. The Mayor of London made a representation at the Issues and Preferred Options consultation where he commented that, while some aspects of the Issues and Preferred Options document were in conformity with the London Plan, others were not.
- 3.2** Since then, the Draft South London Waste Plan has been revised and a number of elements have been brought into general conformity with the London Plan. South London Waste Plan officers have also had a meeting with Greater London Authority (GLA) officers to explore outstanding issues on 26 May. Following this meeting:
- South London Borough Officers sent a record of the meeting which GLA officers approved on 4 June
  - Subsequent to that, on 3 July, the GLA sent a further opinion on general conformity
- 3.3** It should be noted that the South London Waste Plan is required to be in general conformity with the London Plan, which means that, backed by supporting local evidence, a plan may diverge in minor issues from London Plan.
- 3.4** As part of the publication of the Draft London Plan, the Mayor of London will be required to give his “opinion on general conformity of a local development document”. This is important document but it is the Planning Inspector at the Examination-in-Public who will decide whether an aspect of the South London Waste Plan is in general conformity with the London Plan or whether there is sufficient local justification for a small departure from the London Plan.
- 3.5** It is considered that effective cooperation has occurred throughout the plan-making process. Many matters have been addressed and resolved. According to the GLA, there are five matters which remain outstanding. However, the South London Waste Plan borough officers consider these matters have been addressed and the five matters are in fact in conformity with the 2019 Intend to Publish London Plan.

## **4 JUNE – APPROVED MINUTES OF MEETING OF 26 MAY**

### **GLA and South London Waste Plan Boroughs Emerging Submission Draft of the South London Waste Plan 11:00am, Tuesday, 26 May 2020**

#### **1. Participants:**

##### **Greater London Authority (GLA)**

Rob McNicol (GLA)  
Hassan Ahmed (GLA)  
Rohan Ranaweera (GLA)

##### **South London Waste Plan Boroughs**

Duncan Clarke (LB Sutton)  
Dean James (LB Sutton)  
Tara Butler (LB Merton)  
Eben van der Westhuizen (LB Merton)  
Dominick Mennie (LB Croydon)  
Tom Bright (RB Kingston)

#### **2. Progress on the South London Waste Plan**

The South London Waste Plan (SLWP) boroughs updated GLA officers on progress made towards the Submission draft of the SLWP.

The SLWP officers explained they would be seeking approval to consult on the Submission Draft and submit the Plan to the Planning Inspectorate, at their Full Council meetings in July. This was subject to meetings going ahead in light of the Covid-19 pandemic.

#### **3. No new waste site unless for compensatory provision**

The SLWP officers explained that the current draft Policy WP1(d) proposed “no new waste sites will be permitted unless it is for compensatory provision”. SLWP officers explained this approach reflected the huge demand for industrial land across the boroughs (for traditional industrial uses, not waste-related uses), the fact that the SLWP can exceed its apportionment figure (an apportionment figure that is already 13% higher than borough arisings) and the suitability of existing safeguarded sites.

GLA officers reiterated that this part of the policy was not in conformity with the London Plan but understood the approach the SLWP boroughs had taken. GLA officers said they would need to consider if this approach would have an impact on London achieving net self-sufficiency or managing waste further up the waste hierarchy (by preventing new sites which manage waste further up the hierarchy from coming forward) before reaching a settled view. SLWP officers explained that the policy would not prevent existing sites redeveloping to manage waste further up the hierarchy. SLWP officers cited the SUEZ planning permission on Beddington Lane as an example where this has been achieved.

GLA suggested a criteria-based policy that would allow new sites to come forward without specifically identifying them or jeopardising the supply of industrial land. SLWP officers expressed concern that new sites would only really be realistic in industrial areas and, once permitted, would then be safeguarded. This would reduce the ability of the boroughs to accommodate the exceptional industrial demand.

**ACTION: GLA officers to consider the points made by SLWP officers in support of draft Policy WP1(d) and respond in writing.**

#### **4. Shortfall in Construction & Demolition (C&D) Target**

SLWP officers explained, as a result of the consultation of the SLWP Issues and Preferred Options (I&PO) document, a further c.180,000 tpa of C&D capacity had been identified at the Days Aggregates site in Purley (the site was previously identified as zero tpa capacity). SLWP confirmed that this eliminated the shortfall identified in the I&PO document and moved the SLWP into a small surplus of C&D capacity. GLA officers noted the change, which resolved their previous objection.

**ACTION: Previous GLA objection resolved, no further action required.**

#### **5. Hazardous Waste Capacity**

GLA Officers noted that hazardous waste generated within the SLWP area is currently being managed in specialist facilities outside the area. GLA officers requested additional evidence that the sites managing hazardous waste would continue to provide sufficient capacity to manage the expected arisings over the plan period. Furthermore, there should also be a commitment to keep the management of this waste stream under review over the plan period.

SLWP officers explained that Statements of Common Ground with authorities outside London were being pursued to confirm the capacity would continue to be managed over the Plan period. Three of which had already been secured but SLWP officers were hoping to secure seven. SLWP officers also confirmed that a 'Monitoring and Contingencies' Policy had been added to the draft SLWP, so the hazardous waste stream would be monitored through the SLWPs annual Authority Monitoring Report. In addition, the SLWP would be reviewed every five years in line with the national requirements.

**ACTION: SLWP boroughs to provide additional evidence of hazardous waste capacity through Statements of Common Ground. In addition, the Submission Draft of the SLWP will include a 'Monitoring and Contingencies' Policy.**

#### **6. Transfer of apportionments/ offering sites to other boroughs**

The SLWP officers explained that the plan does not support sites being offered to other London boroughs in the event that they are released. As previously discussed, this is due to the exceptional demand for industrial land across the SLWP boroughs. Furthermore the apportionment figure for the SLWP boroughs is already 13% higher than the boroughs' arisings. Offering any surplus sites to other London boroughs would further constrain the industrial land market in South London.

GLA officers understood the constraints and arguments and would give this some further thought.

**ACTION: GLA officers to consider the points made by SLWP officers and respond in writing with a firmer view.**

#### **7. Level of Compensatory Capacity**

GLA officers explained that compensatory capacity for released waste sites must at least meet, and should exceed, the maximum achievable throughput of the site and be at or above the same level of the waste hierarchy. The SLWP officers explained that the equivalent of existing throughput is considered far more deliverable, as the maximum throughput may not be achievable on an alternative site, particularly for small operators such as small waste transfer stations, and that in some cases – such as an application that seeks to enclose a waste function – the wider amenity benefits might need to be considered against a shortfall in meeting the equivalent throughput. Therefore compensatory provision on a case-by-case basis is

being proposed. However, the SLWP boroughs made it clear they would welcome any examples of how the London Plan approach would work.

GLA officers agreed to give further thought to the approach following the clarifications and would provide a further response in writing.

**ACTION: GLA officers to consider the points made by SLWP officers on the approach to compensatory capacity and respond in writing with a firmer view.**

### **8. Applying the waste hierarchy**

GLA officers expressed concern that draft Policy WP3(e) would result in the weak implementation of the waste hierarchy. SLWP officers explained that the reference in the support text to the policy, stating "*The boroughs will attempt to adhere to national and regional guidance but will implement it flexibly on a case-by-case basis*", would be removed from the Submission Draft of the SWLP.

However, SLWP officers explained that it is not always possible to go up the waste hierarchy, particularly for smaller waste operators (such as those transferring and managing a small amount of waste). SLWP asked if the GLA could provide the boroughs with examples of how this could be achieved.

GLA recognised that not all schemes would be able to move up the waste hierarchy but recommended the SLWP give consideration to giving further encouragement to this in the policy wording.

**ACTION: GLA officers to consider the points made by SLWP officers in support of draft Policy WP3(d) and respond in writing with a firmer view. SLWP officers to amend support text to draft Policy WP3(d) to remove reference to flexibly on a case-by-case basis.**

### **9. Looking at waste sites outside industrial areas**

GLA officers expressed concern that draft Policy WP4(b) would restrict any future sites to industrial areas. SLWP officers explained that, given the constrained availability of land to meet ambitious housing targets, the sensitivities around waste uses and their neighbours, the need to provide land-intensive social infrastructure (such as schools) and the value of land outside designated SILs or LSILs, industrial areas were the only realistic locations for waste uses. The Agents of Change requirements can also deter operators from land outside of industrial areas. SLWP officers confirmed that all existing sites are located in industrial areas.

GLA officers understood the approach taken and would give some further thought to this before issuing a further response.

**ACTION: GLA officers to consider the points made by SLWP officers in support of draft Policy WP4(b) and respond in writing with a firmer view.**

### **10. Intensification**

SLWP officers confirmed that the existing throughput of the identified sites would exceed apportionments at 2036, not including any intensification of existing sites. Any intensification that takes place would provide additional capacity above the apportionment figures. The draft Delivery Report confirms which sites are planning to intensify within the plan period and other sites that could theoretically intensify.

GLA officers asked whether the intensification above the apportionment figures could address the gap between the end of the SLWP period (2036) and the end of the London Plan period (2041). SLWP officers stated that planning beyond the 15-year period would be difficult. However, the SLWP Plan would be reviewed every five years in line with national requirements.

**ACTION: No further actions required.**

**11. Mayor's apportionment criteria**

(Revised Para 5.3/1<sup>st</sup> paragraph of Waste Apportionment)

SLWP officers confirmed that paragraph 5.3 of the I&PO document would be revised to remove references to the London Plan EiP.

**ACTION: SLWP officers to remove references to the London Plan EiP in the Submission Draft of the SWLP.**

**12. References to net self-sufficiency**

SLWP officers confirmed that the references to net self-sufficiency in paragraph 3.25 of the I&PO document would be made clearer in the Submission Draft

**ACTION: SLWP to revise paragraph 3.25 in the Submission Draft of the SLWP.**

**13. Local Employment Land Study needed**

SLWP officers confirmed that a further employment land study was not being prepared. Evidence set out in the boroughs' existing employment studies and the London Industrial Land Demand Study would be used.

**ACTION: No further actions required.**

**14. Apportionment figures wrong**

SLWP officers confirmed that the waste apportionments in Figure 11 of the I&PO document would be updated in the Submission Draft of the SLWP.

**ACTION: SLWP to update the apportionment figures in Figure 11 in the Submission Draft of the SLWP.**

**15. Title of C&D Capacity in table**

SLWP officers confirmed that the title of C&D Capacity table (Figure 16 of the I&PO document) would be corrected.

**ACTION: SLWP officers to correct title of C&D Capacity to be provided in Figure 16 of the Submission Draft of the SLWP.**

**16. Next steps**

GLA to consider the points discussed in the meeting and provide an informal, written response to the SLWP boroughs in time to meet the July committee dates. A formal response would come through the Regulation 19 publication and the Mayor's Statement of General Conformity.

### 3 JULY – GLA OFFICER OPINION ON GENERAL CONFORMITY

## GREATERLONDONAUTHORITY

Duncan Clarke  
Strategic Planning Manager  
London Borough of Sutton  
24 Denmark Road  
Carshalton  
Surrey  
SM5 2JG

Department: Planning

Date: 03 July 2020

By email: [planningpolicy@sutton.gov.uk](mailto:planningpolicy@sutton.gov.uk)  
[duncan.clarke@sutton.gov.uk](mailto:duncan.clarke@sutton.gov.uk)

Dear Duncan

**Re: Duty to cooperate meeting pre-Regulation 19 informal consultation on the South London Waste Plan (SLWP)**

Thank you for arranging to meet with us and the other South London Waste Planning boroughs on 26 May. Thank you for also sharing the draft Regulation 19 SLWP and evidence which provided us with an opportunity to engage with you prior to formal Regulation 19 consultation. This letter sets out and clarifies matters raised at the meeting and should be used as an opportunity to inform amendments to the draft South London Waste Plan to bring it more into line with the Intend to Publish London Plan and to help address potential emerging non-conformity issues. It is an interim letter, which responds to your request for a response on the evidence and pre-Regulation 19 Policies. The Mayor will provide a formal response regarding conformity with the London Plan once the SLWP goes out to full consultation at Regulation 19.

We welcome many of the amendments made to the pre-Regulation 19 SLWP in light of our response to the Issues and Preferred Options (I&PO) consultation document (Ref: LDF36/SLWP02/HA01 18 December 2019). In particular, we welcome that capacity for the previously identified shortfall in construction and demolition waste has now been found and note the clarification and reassurances provided around intensification not being relied upon to meet the London Plan apportionment targets but to provide additional capacity.

The rest of this correspondence highlights outstanding issues that were raised in our Regulation 18 response and provides guidance which, if followed, would more closely align the SLWP with the emerging new London Plan.

### New waste sites

Draft Policy WP1 (d) prevents new waste sites from coming forward and has not been amended to reflect the concerns raised in our response to the SLWP I&PO consultation document.

New waste sites may enable the management of waste further up the waste hierarchy as supported by London Plan policies SI8 and SI9. Preventing new waste sites coming forward is likely to stifle waste management innovation in the SLWP area and negatively impact London's transition to a circular economy.

We acknowledge SLWP officers' desire to provide land to meet the demand for industrial (non-waste) uses. However, industrial land demand is made up of a number of components including both core industrial uses (for example distribution and manufacturing) and wider industrial uses (such as land for utilities and waste). Strategic demand evidence for core and wider industrial uses suggests<sup>1</sup> a varied picture of demand for the three primary typologies (industrial, warehousing and waste) across the four boroughs. In some boroughs, strategic evidence demonstrates surplus demand for industrial use and insufficient capacity for waste, whereas in other boroughs the situation is reversed. Without more comprehensive local evidence of core and wider industrial demand it is difficult to demonstrate that new waste sites should be prevented across all four boroughs in order to allow capacity for other industrial uses.

As set out in our response to the SLWP Regulation 18 consultation to be in conformity with the London Plan, the SLWP must remove policies which explicitly prohibit new waste sites coming forward within the plan area. An amended policy should support new waste sites coming forward in appropriate circumstances, which could include criteria such as the site's position in the waste hierarchy and requirements around impact on amenity. Such an approach would support more sustainable waste management while balancing competing demands on industrial land.

### Compensatory provision - throughput

Draft Policy WP3 (c) proposes that the level of compensatory provision replacing the loss of an existing safeguarded waste site will be considered on a case-by-case basis. Similarly, we also contend that Policy WP4 (a) does not adequately define 'sufficient' compensatory capacity. London Plan Policy SI9 C is clear that compensatory capacity must "at least meet, and should exceed, the maximum achievable throughput of the site proposed to be lost".

We acknowledge the difficulties expressed by SLWP officers relating to achieving maximum throughputs and the potential trade-offs that may be beneficial to consider (for example,

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<sup>1</sup> London Industrial Land Demand Study, GLA, 2017  
[https://www.london.gov.uk/sites/default/files/ilds\\_revised\\_final\\_report\\_october\\_2017.pdf](https://www.london.gov.uk/sites/default/files/ilds_revised_final_report_october_2017.pdf)

weighing up any potential amenity benefits that could be achieved at the expense of site throughput). However, London Plan policy takes a clear approach and will be a part of the Development Plan. A conflicting approach in the SLWP is likely to lead to confusion for applicants and undermine the implementation of the London Plan. There may conceivably be instances where an alternative approach might be justified due to other material considerations; however, we believe this should be exceptional and a matter for a decision-maker to consider, rather than the starting point set out in policy.

#### Waste hierarchy

The commitment to removing the reference to a flexible/case-by-case implementation of the waste hierarchy in the supporting text of Policy WP3 is welcomed.

We acknowledge SLWP officers' view that it is not always possible to go up the waste hierarchy when redeveloping existing safeguarded waste sites and that some development may come forward at the same level. However, we would encourage Policy WP3 (e) to be amended to at least provide encouragement for the redevelopment of existing waste sites to come forward at a higher level in the hierarchy. Inclusion of the waste hierarchy in Policy WP4 would further strengthen its implementation.

#### Transfer of apportionment

SLWP officers confirmed that the SLWP does not provide support for offering surplus capacity/sites to other London boroughs should they be released, a position that has been adopted in order to meet the demand for (non-waste) industrial uses. The GLA acknowledges that competing demands for other industrial uses should be considered, but would expect the SLWP boroughs to help work towards net waste self-sufficiency at a London level in line with supporting text paragraph 9.8.6 of the Intend to Publish London Plan. We would encourage this to be reflected in the SLWP, and in particular, the wording of Policy WP3 (d). SLWP boroughs should continue to engage with other boroughs who may have a shortfall of waste management capacity through the Duty to Cooperate.

#### Waste sites outside industrial areas

Policy WP4 (b) would restrict new waste sites to Strategic Industrial Locations (SIL) or Locally Significant Industrial Locations (LSIS). While the London Plan suggests that SIL/LSIS are suitable for waste management facilities, this is not intended to restrict waste uses to these locations and we would encourage amendments to be made to Policy WP4 (b) that reflect this flexibility. As currently worded, Policy WP4 (b) would prevent waste sites being permitted in non-designated industrial areas or new industrial areas that may come forward (such as redeveloped retail parks) and may prevent the optimum use of land. Some waste treatment facilities (particularly those at the higher levels of the waste hierarchy) may be suitable for co-location with other uses outside of industrial areas.

The issues of strong demand for land outside of industrial areas for uses such as housing and social infrastructure is acknowledged, however this should be addressed positively through site allocations rather than overly restricting a use that is important for the successful and sustainable functioning of London as a city. The issue of sensitivity to waste uses is a valid concern but one that can be adequately mitigated through Policy WP5 and other policies in local plans and the London Plan.

I hope these comments help to inform the development of the South London Waste Plan. If you have any specific questions regarding the comments in this letter, please contact Hassan Ahmed on 020 7084 2751.

Yours sincerely

**Lisa Fairmaner**  
Head of the London Plan and Growth Strategies

#### **4. NHS England**

- 4.1** At the Issues and Preferred Options consultation, the South London Waste Plan boroughs contacted all the local Clinical Commissioning Groups (CCGs), as Duty to Cooperate prescribed bodies. 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.
- 4.2** 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. Since March, the South London Waste Plan officers have not contacted NHS England as they did not wish to burden NHS England with enquiries during the COVID-19 pandemic.
- 4.3** Officers remain alert to NHS England's requirements and will be seeking a representation from NHS England at the publication stage of the Draft South London Waste Plan. If a representation is received, the South London Waste Plan boroughs will consider the representation and possibly propose a modification to the plan to the Inspector at the Examination-in-Public to meet NHS England's requirements.

## **5. London Boroughs**

**5.1** At the Issues and Preferred Options consultation, it was notable how few London boroughs made a representation to the consultation. Consequently, in February, the South London Waste Plan boroughs decided to contact those boroughs or borough groups which had not replied at the Issues and Preferred Options consultation to try to seek more responses regarding the South London Waste Plan and its policy direction.

**5.2** On 24 February, emails were sent to:

- The boroughs of the East London Waste Plan
- The boroughs of the Western Riverside Waste Authority
- The South East London Waste Planning Group
- The London Borough of Tower Hamlets
- The London Legacy Development Corporation

**5.3** The following pages set out relevant correspondence with other London boroughs. These comprise:

- An email with LB Wandsworth, the other borough in the Wandle Valley Industrial Property Market, stating that officers know of no reason why existing waste flows could continue
- An email with LB Hillingdon, where a Clinical Waste Incinerator takes a significant amount of hazardous waste from the South London Waste Plan area, stating that officers know of no reason why existing waste flows could not continue
- An email with the Old Oak and Park Royal Development Corporation. The South London Waste Plan boroughs were seeking information on the future likelihood of approximately 865 tonnes per annum of municipal and commercial hazardous waste continuing to be exported from the South London Waste Plan area to the London Borough of Hammersmith and Fulham. The London Borough of Hammersmith and Fulham passed this on to the Old Oak and Park Royal Development Corporation and the corporation informed the South London Waste Plan boroughs 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, it would be reasonable to assume that this waste flow could continue.
- An email exchange with the London Borough of Westminster regarding the pooling of waste apportionments
- A bi-lateral Statement of Common Ground between the London Borough of Merton and the London Borough of Westminster
- A bi-lateral Statement of Common Ground between the London Borough of Merton and the London Borough of Lambeth
- A bi-lateral Statement of Common Ground between the London Borough of Merton and the City of London

## WANDSWORTH EMAIL EXCHANGE

Duncan,

Thank you for your email.

Please see my response to your questions below:

**You agree with the boroughs' strategic approach to HC&I waste, C&D waste and Hazardous waste**

Wandsworth has no specific comments on the South London Boroughs' strategic approach to waste.

**The Willows Materials Recycling Facility, Wandsworth, has any plans to close/continue or expand**

We are not aware of any planned changes to this facility.

**There is any reason why you think the boroughs should manage more waste than their *Intend to Publish London Plan* apportionment.**

London Plan apportionment targets include LACW and C&I waste streams only. The NPPW requires waste planning authorities to plan for seven waste streams (NPPW 3 and NPPG 13) and the Intend to Publish London Plan requires development plans to plan for identified waste needs (SI8 B). The net self-sufficiency target for London applies to all waste streams except for excavation waste (9.8.1). Boroughs should meet their apportionment targets as a minimum (9.8.7). These policies mean the South London Boroughs have to plan for waste beyond meeting their apportionment targets.

Kind regards,

Adam.

[Redacted]

Principal Planner - Policy

Serving Richmond and Wandsworth Councils

## HILLINGDON EMAIL EXCHANGE

27 February 2020

Hi Duncan,

I've checked the site's planning history and there is nothing to suggest any change to the throughput of the Hillingdon Clinical Waste Incinerator, so it seems logical to categorise it as 'continue as now'.

Tom

*[Redacted]*

Principal Planning Officer

London Borough of Hillingdon

On Mon, 24 Feb 2020 at 11:15, LBS Planning Policy <[planningpolicy@sutton.gov.uk](mailto:planningpolicy@sutton.gov.uk)> wrote:

Hi Tom,

Many thanks for your response to the South London Waste Plan Issues and Preferred Options consultation in December.

Further to your comments, I have looked at the 2018 Hazardous Waste Data Interrogator to ascertain recent cross-boundary waste movements from South London to West London.

There are only two significant movements:

From Kingston to Hillingdon: 500t of healthcare waste for incineration without energy recovery

From Sutton to Richmond: 119t of oil/oil and water mixtures for recovery.

As the Hazardous Waste Data Interrogator does not identify specific waste treatment facilities, I am unable to provide you with more definitive information. However, I would assume that the healthcare incineration facility is the Hillingdon Clinical Waste Incinerator at [Pield Heath Road, Uxbridge, UB8 3MM](#), run by SRCL Ltd.

Therefore, I was wondering whether you knew whether you are aware of any plans for the Hillingdon Clinical Waste Incinerator, such as an increase from existing maximum permitted throughput of 8,000tpa, continue as now or closure.

Regards,

Duncan

Duncan Clarke

The Planning Policy Team

London Borough of Sutton

## OLD PAOK AND PARK ROUAL DEVELOPMENT CORPORATION EMAIL EXCHANGE

16 March 2020

Hi Duncan,

Beth forwarded your email as the Old Oak and Park Royal Development Corporation (OPDC) boundary covers part of Hammersmith and Fulham and is also within the Western Riverside Waste Authority area.

With regards to your questions, please note that the hazardous imports may be affected if they are going to the EMR site within the OPDC (LBHF) area. Proposals set out in the OPDC Submission Local Plan allocate the EMR site for redevelopment. However, the Plan does continue to safeguard the Powerday site for waste and other policy provisions will also apply.

If you need any further information or have any other questions, please do not hesitate to contact me.

Kind regards,

Lauren

*[Redacted]*

Senior Planning Officer

Old Oak and Park Royal Development Corporation

Hi Adam, Bethany, Manpreet

I am writing to you because I understand you are a lead planning policy officer for waste within Western Riverside Waste Authority waste planning authorities.

Between October and December last year, the boroughs of Croydon, Kingston, Merton and Sutton consulted on a South London Waste Plan 2021-36 Issues and Preferred Options document (see attachment) but we did not hear from the Western Riverside Waste Authority boroughs, apart from Lambeth which had already signed a Statement of Common Ground with Merton regarding waste movements.

The headlines from the South London Waste Plan Issues and Preferred Options document were:

- a) The four boroughs can meet their Household and Commercial and Industrial (HC&I) Waste 2036 apportionment target, set out in the Intend to Publish London Plan, by safeguarding existing sites only. This target is 13% above the four boroughs' arisings. Therefore, the boroughs did not consider it necessary to allocate any land for managing this waste stream other than safeguard existing waste sites.
- b) The four boroughs set a 2036 target of 100% of arisings for Construction & Demolition (C&D) Waste management, even though they were not required to by the Intend to Publish London Plan. In the Issues and Preferred Options document, there was a shortfall in capacity to meet the target. However, following the consultation, additional capacity has been identified. Therefore, the boroughs do not consider it necessary to allocate any land for managing this waste stream other than to safeguard existing waste sites.
- c) New sites will only be permitted if they are suitable and are for compensatory provision for an existing waste site.
- d) The four boroughs do not intend to plan for hazardous waste as the arisings are very small (21,612tpa in 2036) and go to established hazardous waste management facilities in or outside the boroughs.

I would be grateful if you could tell me whether:

1. You agree with the boroughs' strategic approach to HC&I waste, C&D waste and Hazardous waste
2. The Willows Materials Recycling Facility, Wandsworth, has any plans to close/continue or expand
2. There is any reason why you think the boroughs should manage more waste than their Intend to Publish London Plan apportionment.

If you are not a lead officer for waste planning within the Western Riverside Waste Authority boroughs, I would be grateful if you could forward this email to the relevant officer. I would welcome a response by 16 March.

Regards,

Duncan  
Duncan Clarke MRTPI  
Strategic Planning Manager  
Planning Policy  
Environment, Housing & Regeneration  
London Borough of Sutton

2017 Cross-boundary waste movements  
South London Waste Plan Boroughs to Wandsworth (The Willows MRD) 40,105t of C&D  
South London Waste Plan Boroughs to Hammersmith and Fulham 865t of hazardous municipal and commercial wastes

## WESTMINSTER EMAIL EXCHANGE

Dear [Redacted],

Thank you for your email of 18 December 2019 and for your helpful responses to our questions.

As regards the pooling of LB Westminster's apportionments, we are unable to take any additional waste. As the South London Waste Plan Issues and Preferred Options document pointed out, the four South London boroughs have considerable demand for industrial land, partly due to losses of industrial land elsewhere in London and partly due to the growth of 'last mile' distribution centres to serve central London. Therefore, there is limited capacity for the four boroughs to meet their own apportionment targets. Furthermore, the four boroughs' apportionment target is 13% above their waste arisings and so the boroughs consider they are already helping out the rest of London regarding waste management.

The South London boroughs consider that, if Westminster wants to pool apportionments, this is a strategic, Londonwide decision and should be made by the Mayor of London through the London Plan.

Yours sincerely,  
Duncan Clarke  
The Planning Policy Team  
London Borough of Sutton

Dear South London Waste Plan boroughs,  
Thank you for consulting us on the Issues and Preferred Options document for the new South London Waste Plan.

Please find our response to the questions raised below.

1. Whether you consider the waste movements between the four South London boroughs and your authority are correct

It is our understanding that the data from the WDI gives the most accurate representation of waste movements, and the data is therefore correct.

2. Are all of the sites listed in the attached table still operating in your authority area?

Not applicable.

3. Are you aware of any planning reasons (or other reasons) why these waste movements cannot continue in the future?

No.

4. Do you have any comments on the waste movements from the South London Waste Plan boroughs to your authority area?

No applicable.

In addition we would like to make the boroughs aware that Westminster is currently exploring options to pool its London Plan waste apportionment with other boroughs. In light of this we would like to stay informed of progress on the South East London Waste Plan and continue engagement under the Duty to Co-operate.

Kind regards,  
[Redacted]  
Principal Policy Officer (Planning)  
Westminster City Council

## WESTMINSTER STATEMENT OF COMMON GROUND (29.04.20)

### Statement of Common Ground on strategic waste matters between Westminster City Council and London Borough of Merton

#### 1. Parties involved

- Westminster City Council
- London Borough of Merton

#### 2. Strategic geography

##### **Westminster City Council**

The City of Westminster is in Central London and covers over eight square miles and is home to many of the landmarks synonymous with 'tourist London'. Much of Westminster is within the Central Activities Zone (CAZ) which is a designation set by the Mayor of London to guide planning policies. The City of Westminster has some of the most affluent residential areas in the country, but a diverse demographic means also some of the most deprived. It is a densely populated borough which continues to grow, and space is at a premium.

##### **London Borough of Merton**

Merton is an outer London borough, situated in south west London, in the heart of the Wandle Valley. Merton is predominantly residential in character (42% of the area) but with great variations in social mix and density of development from east to west and north to south. Merton is working with the South London Boroughs of Croydon, Kingston and Sutton to plan for waste across the area.

#### 3. Strategic waste issues

The City of Westminster has no waste facilities within its borders and no designated industrial land in which to locate new facilities. Westminster exports all of its waste with the exception of a small amount of composting in the Royal Parks. Westminster is contributing towards London's net self-sufficiency target for Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste by meeting its London Plan apportionment targets. This will be achieved through an arrangement with one of the London Boroughs with sufficient spare capacity to take on Westminster's apportionment targets. Construction, demolition and excavation waste will continue to be exported, but developers are required to recycle 95% of C&D waste and put 95% of excavation waste to beneficial use to divert this waste stream from landfill. Hazardous waste, which forms part of these waste streams, will also continue to be exported to specialist facilities.

Both parties agree the following thresholds to indicate 'strategic' waste movements:

- CD&E: 5,000 tonnes per annum
- LACW/C&I: 2,500 tonnes per annum
- Hazardous: 100 tonnes per annum

Merton receives strategic amounts of CD&E waste exports from Westminster.

Both parties agree the following figures from the Waste Data Interrogator.

Westminster's recorded waste exports to Merton 2014-2018

Site name	Site type	Waste	2014	2015	2016	2017	2018
Waste Transfer And Recovery Facility (Reston)	Treatment	CDE	5,911	7,925	4,730	3,860	4,079
Other	All	All	0	0	0	0	0

Source: Waste Data Interrogator 2014-2018

Both parties agree there are no known planning reasons why exports of similar amounts of waste exports cannot continue.

#### 4. Governance arrangements

Both parties agree to monitor waste movements through Authority Monitoring Reports and engage again if these change significantly from the current trend.

All parties agree to engage again if there are any significant operational changes to facilities receiving waste exports from Westminster.

#### 5. Signatories

Both parties agree that this statement is an accurate representation of matters discussed and issues agreed upon.

Signed:

Position: Director of Policy & Projects  
Westminster City Council

Signed:

Position: Future Merton Deputy Manager  
London Borough of Merton

## LAMBETH STATEMENT OF COMMON GROUND

### Statement of Common Ground between London Borough of Lambeth and the South London Waste Plan Boroughs covering strategic waste matters

#### 1. Parties involved

- London Borough of Lambeth
- London Borough of Croydon, Royal Borough of Kingston, London Borough of Merton and the London Borough of Sutton (the “South London Waste Plan Boroughs”)

#### 2. Strategic geography

##### **LB Lambeth**

Lambeth is an inner London borough with a northern boundary on the River Thames and situated mainly between the boroughs of Wandsworth and Southwark. It covers an area of approximately ten and a half square miles. It is surrounded by seven other London Boroughs - LB Southwark; LB Bromley; LB Croydon; LB Merton; LB Wandsworth; City of Westminster and City of London.

##### **South London Waste Plan Boroughs**

The “South London Waste Plan Boroughs” are the London Borough of Croydon, Royal Borough of Kingston, London Borough of Merton and the London Borough of Sutton. The South London Waste Plan Boroughs are working together to plan for waste in the area.

#### 3. Strategic waste issues

Lambeth is a net exporter of waste and is planning for net self-sufficiency for net self-sufficiency for LACW, C&I and C&D waste and a target of 95% beneficial use of excavation waste.

All parties agree the following thresholds to indicate ‘strategic’ waste movements:

- CD&E: 5,000 tonnes per annum
- LACW/C&I: 2,500 tonnes per annum
- Hazardous: 100 tonnes per annum

The South London Boroughs receive strategic amounts of construction, demolition and excavation (CD&E) waste exports from Lambeth.

All parties agree the following figures generated by the Waste Data Interrogator.

Waste exports from Lambeth to South London 2013-2017

Site	Waste	2013	2014	2015	2016	2017
Reston Waste Management Ltd: Waste Transfer And Recovery Facility (Treatment)	CD&E	987	4,984	7,760	5,493	3,020

Source: Waste Data Interrogator 2013-2017

All parties agree there are no known planning reasons why exports of similar amounts of waste exports cannot continue.

#### 4. Governance arrangements

All parties agree to monitor waste movements through Authority Monitoring Reports and engage again if these change significantly from the current trend.

All parties agree to engage again if there are any significant operational changes to facilities receiving waste exports from Lambeth.

#### 5. Signatories

All parties agree that this statement is an accurate representation of matters discussed and issues agreed upon.

Signed: \_\_\_\_\_

[Redacted Signature]

[Redacted Name]

Position: Cabinet Member for Planning, Investment & New Homes

*London Borough of Lambeth*

Signed: \_\_\_\_\_

[Redacted Signature]

[Redacted Name]

Position: Future Merton Deputy Manager, London Borough of Merton

*South London Waste Plan Boroughs*

## CITY OF LONDON STATEMENT OF COMMON GROUND

### RE: Duty to Cooperate - waste - South London Waste Plan

1 message

13 February 2019 at 09:37

Dear [REDACTED]

I can confirm that I am not aware of any plans for the closure of the three facilities listed in your email below and we do not consider the ~20ktpa of mainly CD&E waste that is received from the City of London, to be of sufficient strategic importance to warrant a Statement of Common Ground between our respective authorities under the Duty to Cooperate.

Regards

[REDACTED]



Sent: 06 February 2019 15:50

Subject: Duty to Cooperate - waste - South London Waste Plan

#### Duty to Cooperate - Waste

The City of London Corporation is currently consulting on the [draft City Plan 2036](#) which sets out the spatial strategy for the City's geographic area. Consultation closes on the 28<sup>th</sup> February 2019. As the Waste Planning Authority (WPA) for the "Square Mile" central business district, the City Corporation is responsible for planning for all waste arisings from the City's businesses, residents and visitors. In fulfilment of this WPA role the draft City Plan 2036 includes statutory policies for Circular Economy and Waste.

Analysis shows that the City's total waste arisings per annum are falling, however the City exported 184,000 tonnes in 2017 including household (HH), commercial and industrial (C&I) and construction, demolition and excavation waste (CD&E). Recent analysis shows that the south London Waste plan area received 14,152 tonnes of waste from the City in 2017. Table 1 shows the waste sent to your authority area in 2017 alongside an indicative figure for waste sent to your authority over the period from 2012 to 2017.

Table 1

WPA Area	Total Waste received from the City of London WPA area 2017	Sites receiving waste from the City in 2017	Total Waste received from City of London WPA area over a 6- year period 2012-17
Croydon	-	n/a	n/a

Kingston	-	n/a	n/a
Merton	14,152	N J B Recycling Limited, Weir Rd  Reston Waste Management Ltd Waste Transfer & Recovery Facility  Wandle Waste Management Ltd Abbey Ind Estate	119,966
Sutton	-	n/a	n/a

Data Source: Environment Agency Waste Data Interrogator

The City Corporation is determined to reduce this waste still further and to this end the draft City Plan 2036 Circular Economy and Waste Policies promote:

- Circular economy principles throughout the life cycle of City buildings
- Provision of on-site waste management facilities within Major developments
- Adherence to the waste hierarchy
- Consolidation and sustainable transport of waste
- Safeguarding of Walbrook Wharf as a waste site and river wharf

Together these policies should reduce total waste leaving the City to be processed elsewhere. However during the period of this plan to 2036 we anticipate continued export of waste, some of which may be treated in the South London Waste Plan area. Pressure for commercial development means that provision of waste management capacity within the City is problematic.

We are inviting WPAs receiving City Corporation waste to confirm whether sites which have previously received City waste will remain available for the life of the City Plan to 2036. We would also like to know if you consider the amount of waste received in your area from the City of London is of sufficient strategic importance to warrant a Statement of Common Ground between our respective authorities under the Duty to Cooperate.

**If you would like to meet with us to discuss this, please email:**

[Redacted email address]

We look forward to cooperating with you to address cross boundary waste issues to our mutual benefit for the future.

Regards

[Redacted signature]

[Redacted name]

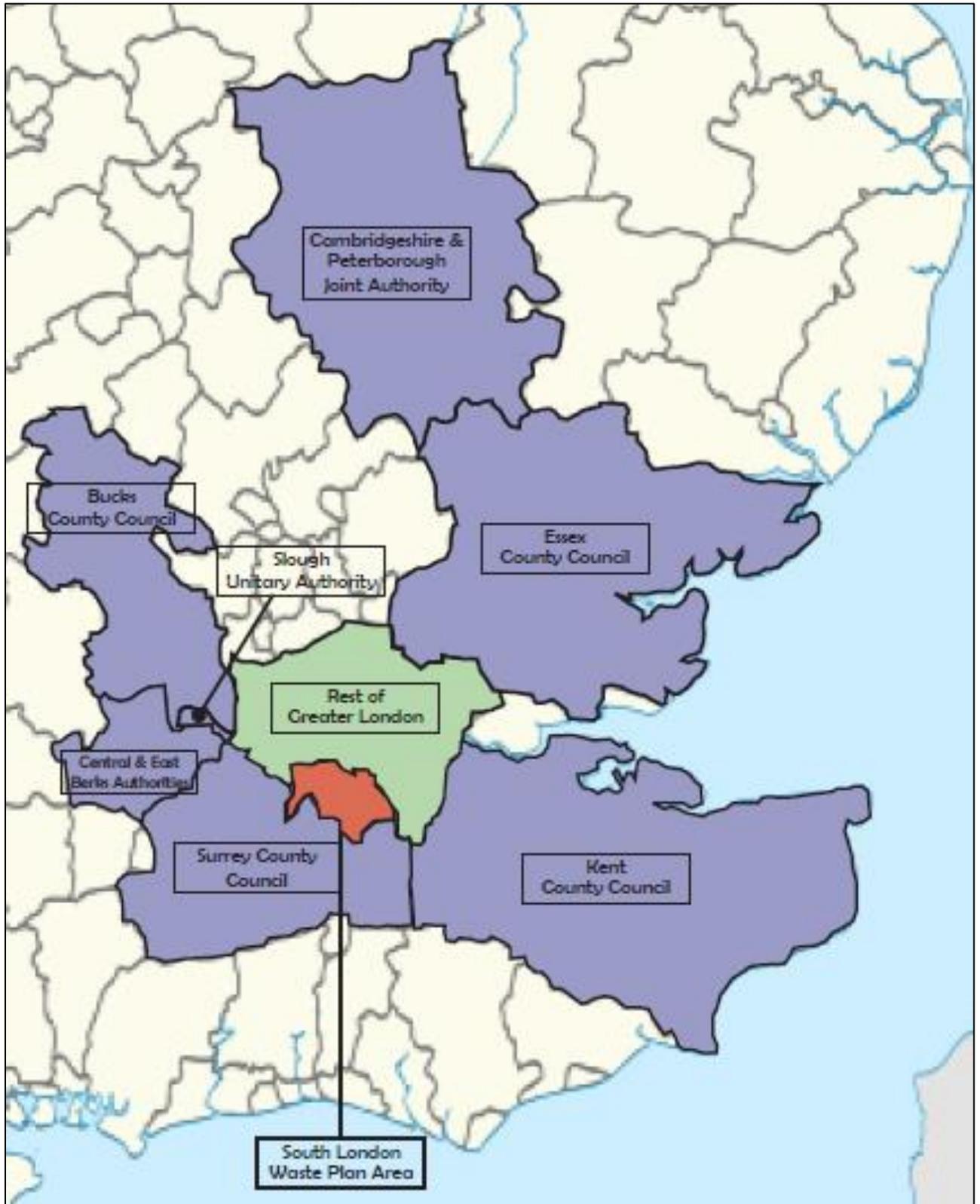
Senior Sustainability Planner  
Department of the Built Environment

[Redacted contact information]

## **6. Statements of Common Ground**

- 6.1** Following the Issues and Preferred Options consultation, the South London Waste Plan boroughs identified seven waste planning authorities outside Greater London where a Statement of Common Ground would be helpful to identify cross-boundary waste flows and their future continuance. These were selected on the basis of:
- There were significant cross-boundary waste flows
  - The waste planning authority was geographically close
  - The waste planning authority had a waste operator with significant facilities in the waste planning authority and the South London Waste Plan area
  - The waste planning authority requested a Statement of Common Ground
- 6.2** The seven waste planning authorities were:
- Surrey County Council
  - Kent County Council
  - Essex County Council
  - Cambridgeshire and Peterborough Waste Planning Authority
  - Buckinghamshire County Council
  - Slough Council
  - Central And East Berkshire Authorities
- 6.3** The following pages set out the Statements of Common Ground achieved and attempted between the South London Waste Plan boroughs and the above authorities.

Statements of Common Ground Authorities



**7. SURREY COUNTY COUNCIL**

Signed Statement of Common Ground

Statement of Common Ground for the South London Waste Plan (2021-36)

Between Surrey County Council and the South London Waste Plan Boroughs  
Concerning Strategic Policies for Waste

May 2020

1. Introduction & Need for a Statement of Common Ground
- 1.1 Both the South London Waste Plan boroughs and Surrey County Council are responsible for planning for the future of waste management in their areas and this is done through their planning policy documents. Historically, Surrey has been a net receiver of waste from London, due to its geographical location, and, although this has decreased in recent years, it is still a significant net receiver of Construction & Demolition Waste.

*Figure 1: Surrey County Council and the South London Waste Plan Area*



1.2 The 2019 South London Waste Plan Technical Appendices and 2018 Waste Data Interrogator report the following movements between Surrey and the South London Waste Plan area:

*Table 1: Household and Commercial and Industrial Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Surrey</b>						
Other sites	-	824	731	471	2,311	769
Redhill Landfill (NEQ)	Landfill	1,230	499	34,613	40,520	14,812
Agrivert AD Facility	Composting	17,158	17,335	-	20,961	17,862
<b>From Surrey to South London Waste Plan Area</b>						
Mitcham Transfer Station	Transfer	48,411	64,438	35,740	21,817	31,122
B Nebbett & Son	Recycling	21,100	-	-	-	-
Pear Tree Farm	Transfer	31,405	7,050	610	7,420	510
HCL House	Treatment	-	-	4,444	1,413	1,379
Other sites	-	3,252	396	146	183	74
<b>Net from Surrey to SLWP Area</b>		<b>+84,956</b>	<b>+53,319</b>	<b>+5,710</b>	<b>-32,959</b>	<b>-358</b>

*Table 2: Construction and Demolition Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Surrey</b>						
Redhill Landfill (NEQ)	Landfill	40,173	47,976	39,739	30,960	2,741
Addlestone Quarry	Landfill	-	2,810	23,800	11,322	-
Betchworth Quarry	Landfill	-	-	-	-	6,215
D & E Roberts	Transfer	7,009	6,144	4,452	4,571	5,943
Stanwell 111 Recycling	Treatment	4,467	5,100	1,080	8,820	-
Ellerton Yard	Treatment	-	-	7,921	15,680	24,810
Egap Recycling	Transfer	2,867	3,376	3,401	4,214	6,256
Land at Cranleigh Brick	Reclamation	-	-	-	11,253	25,042
Lomond Equestrian	Reclamation	-	-	-	6,428	-
Glebe Lake	Reclamation	-	-	-	-	63,317
Other sites	-	43,447	64,985	15,710	3,752	5,892
<b>From Surrey to South London Waste Plan Area</b>						
Chessington Equestrian	Reclamation	11,628	44,285	14,450	18,989	-
Henry Woods	Transfer	15,183	11,658	8,150	9,815	13,025
LMD Waste Management	Transfer	-	1,364	1,619	9,914	13,978
Other sites	-	37,582	9,932	2,611	4,384	2,090
<b>Net from Surrey to SLWP Area</b>		<b>-33,570</b>	<b>-63,152</b>	<b>-69,723</b>	<b>-53,898</b>	<b>-111,123</b>

Table 3: Hazardous Waste

Waste	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Surrey</b>						
C&D Waste & Asbestos	Landfill	1,136	1,020	843	959	765
Oil & Oil/Water Mixtures	Treatment	278	171	120	72	121
C&D Waste & Asbestos	Treatment	1,377	1,102	3	1,446	199
Other	Other	60	102	80	136	138
<b>From Surrey to South London Waste Plan Area</b>						
Healthcare	Transfer	-	-	190	254	252
C&D Waste & Asbestos	Transfer	95	34	129	130	77
Not Specified	Transfer	23	28	80	77	68
Oil & Oil/Water Mixtures	Transfer	15	42	47	47	20
Paints, Varnish etc	Transfer	17	42	46	9	2
Packaging, Cloths etc	Transfer	20	28	27	17	3
Other	Transfer	21	6	2	4	68
Other	Recovery	3	-	-	-	-
Other	Rejected	-	-	-	20	62
<b>Net from Surrey to SLWP Area</b>		<b>-2,657</b>	<b>-2,215</b>	<b>-525</b>	<b>-2,058</b>	<b>-671</b>

1.3 Therefore, there is a justification in terms of both geographical position and waste transfers for both the South London Waste Plan boroughs and Surrey County Council to work together closely on waste treatment issues and to conclude a Statement of Common Ground for the emerging South London Waste Plan.

## 2. Key Strategic Matters

2.1 Waste management is defined as a strategic matter in Paragraph 20 (b) of the National Planning Policy Framework. However, within the area of waste management, there are two matters which require agreement:

- (i) the notion of "net self-sufficiency"; and
- (ii) facility type

### Net Self-Sufficiency

2.2 In terms of net self-sufficiency both waste planning authorities are committed to managing at least the equivalent of their waste arisings. Paragraph 5.1.1.3 of the Submission Version of the Surrey Waste Plan (2019) states that "the WPA's aim is for Surrey to be net self-sufficient". Meanwhile, Policy WP1 of Draft South London Waste Plan (2020) seeks to meet the 2020 London Plan apportionments figures for Household and Commercial & Industrial Waste, which is 13% above the Plan area's arisings, and to be net self-sufficient in terms of Construction & Demolition Waste. Therefore, in terms of the quantity of waste managed, it is not considered that there should be an on-going issue.

### Facility Type

2.3 In terms of the South London Waste Plan area, all the sites receiving waste from the Surrey area are safeguarded within the plan, except Chessington Equestrian Centre (Kingston), which was only a temporary facility.

- 2.4 In terms of the Surrey County Council area, Surrey County Council responded at the Issues and Preferred Options consultation stage that the only issue regarding existing waste movements continuing into the future was the closure of Redhill Landfill (NEQ) (also known as Patteson Court) in 2027. In 2017, this site accepted 40,520 tonnes of Household and Commercial & Industrial Waste from the South London Waste Plan boroughs and 30,960 tonnes of Construction & Demolition Waste. Therefore this site is of some strategic importance.
- 2.5 Table 4 shows the types of waste from the South London Waste Plan boroughs which were received at Redhill Landfill (NEQ) in 2017 and how they could be accounted for in the future. A large amount of the waste currently going to the Redhill Landfill could be managed at Site S2: Beddington Farmlands Energy Recovery Facility, which is yet to become fully operational. Meanwhile there are a number of Construction & Demolition (Sites C4, M17, S5 and S8) which have expressed an interest in meeting intensifying operations and could manage the Construction & Demolition Waste currently going to the Redhill Landfill. Furthermore, the surprisingly lower returns for waste from the South London Waste Plan boroughs to Redhill Landfill (NEQ) in 2018 suggests that some waste producers are already beginning to make alternative arrangements for their waste prior to the closure of the landfill.

*Table 4: Waste Received at Redhill Landfill (NEQ) in 2017 from the SLWP Boroughs*

Type of Waste	Quantity (ts)	Possible Future Fate
Organic	10	Small quantity
Concrete, bricks, tiles	2,049	To SLWP area C&D operators
Soils and stones	28,676	To SLWP area C&D operators
Mixed Construction & Demolition	234	To SLWP area C&D operators
Healthcare	14	Small quantity
Residual from previous management	40,491	To Beddington Farmlands ERF
Plastics	6	Small quantity
Mixed Municipal Waste	1	Small quantity

### 3. Conclusion of Strategic Matters

#### 3.1 The analysis of the strategic matters has concluded:

(a) Both Surrey County Council and the South London Waste Plan boroughs are planning for the provision of enough waste management capacity to deal with the waste arisings for Household and Commercial & Industrial Waste and for Construction & Demolition Waste in their areas, in accordance with the waste hierarchy. Therefore, there is no need for either of the areas to plan to meet a shortfall in capacity arising in the other area.

(b) There will still be cross-boundary movements as neither planning authorities can control the waste contracts that are made between waste management operators and their clients.

(c) The closure of the Redhill Landfill (NEQ) in 2027 is taken into account in planning for net self-sufficiency and more specifically can be compensated for in the South London Waste Plan area by the Beddington Farmlands ERF coming into operation and the intensification of some Construction & Demolition Waste operators.

(d) Hazardous waste movements involve relatively small amounts of waste and are likely to continue in the future.

#### 4. Cooperation Activities

##### 4.1 Activities undertaken for the preparation of this Statement of Common Ground included:

(a) Commenting on draft proposals for planning policy concerning waste management

(b) Membership of the respective waste technical advisory groups: the South East Waste Planning Advisory Group and the London Waste Planning Forum

(c) Ad-hoc exchange of information (via correspondence) related to the monitoring of waste movements and management capacity

##### 4.2 In the future, both Surrey County Council and the South London Waste Plan Boroughs will continue to:

(a) Comment on draft proposals for waste planning policy concerning waste management

(b) Be members of the respective waste technical advisory groups

(c) Monitor their respective waste plans and inform each other of any notable deviation from the expected progress of their plan in reaching management capacity

##### 4.3 In addition, Paragraph 9.8.3 of the London Plan (2020) states:

“The Mayor will work with boroughs, the London Waste and Recycling Board, and the London and neighbouring Regional Technical Advisory Bodies to address cross-boundary waste flow issues. Examples of joint working include ongoing updates to the London Waste Map, sharing data derived from Circular Economy Statements, the monitoring of primary waste streams and progress to net self-sufficiency, supporting the Environment Agency’s annual monitoring work, and collaboration on management solutions of waste arisings from London.”

##### 4.4 The emerging Surrey Waste Plan states in Paragraph 3.7.1.3:

“The county council will work collaboratively with other WPAs, particularly those in the South East of England and adjoining Surrey (i.e. in London), to ensure that provision of strategic capacity is co-ordinated as far as possible.”

**5. The Agreement**

**5.1** The South London Waste Plan boroughs and Surrey County Council agree that:

(a) The principal areas where cooperation is needed are those set out in Sections 2 and 3.

(b) They have worked together and will continue to work together, as set out in Section 4, to ensure that waste is managed effectively between the two areas.



Duncan Clarke  
Strategic Planning Manager, London Borough of Sutton  
On behalf of the South London Waste Plan Boroughs  
Date: 19<sup>th</sup> May 2020



Paul Sanderson  
Minerals & Waste Planning Policy Manager  
On behalf of Surrey County Council  
Date: 20<sup>th</sup> May 2020

**8. KENT COUNTY COUNCIL**

Signed Statement of Common Ground

Statement of Common Ground for the South London Waste Plan 2021-36

Between Kent County Council and the South London Waste Plan Boroughs  
Concerning Strategic Policies for Waste

June 2020

1. Introduction & Need for a Statement of Common Ground
  - 1.1 Both the South London Waste Plan boroughs and Kent County Council are responsible for planning for the future of waste management in their areas and this is done through their planning policy documents. Historically, Kent has been a net receiver of waste from London, due to its geographical location, and, although this has decreased in recent years, there are still notable flows between London and Kent.

*Figure 1: Kent County Council and the South London Waste Plan Area*



- 1.2 The 2019 South London Waste Plan Technical Appendices and the 2018 Waste Interrogator report the following movements between Surrey and the South London Waste Plan area:

*Table 1: Household and Commercial and Industrial Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Kent</b>						
Meriden Quarry	Treatment	-	288	4,849	6,869	-
Sweep Kuusakoski	Treatment	-	-	-	-	1,437
Other sites	-	951	178	156	5,596	1,334
<b>From Kent to South London Waste Plan Area</b>						
Pear Tree Farm	Transfer	-	-	11,050	17,040	25,030
Mitcham Transfer Station	Transfer	-	2,245	10,208	8,690	1,793
Mitcham Waste Treatment Centre	Composting	-	-	-	2,604	-
HCL House	Treatment	-	-	-	-	1,060
Other sites	-	3,033	3,171	1,171	1,295	707
<b>Net from Kent to SLWP Area</b>		<b>+2,082</b>	<b>+4,950</b>	<b>+17,424</b>	<b>+17,164</b>	<b>+25,819</b>

*Table 2: Construction and Demolition Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Kent</b>						
Borough Green Landfill	Landfill	2,898	10,136	5,076	3,744	12,852
Ridham Dock	Treatment	-	-	-	-	2,702
Other sites	-	753	9,577	429	763	136
<b>From Kent to South London Waste Plan Area</b>						
Not significant						
<b>Net from Kent to SLWP Area</b>		<b>-3,651</b>	<b>-19,713</b>	<b>-5,505</b>	<b>-4,507</b>	<b>-15,690</b>

*Table 3: Hazardous Waste*

Waste	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Kent</b>						
Healthcare	Incineration	338	262	436	194	32
C&D Waste and Asbestos	Landfill	1,002	1,214	473	115	157
Oil & Oil/Water Mixtures	Recovery	92	106	321	349	144
HCl Wastes	Recovery	712	938	2,159	1,576	1,256
Healthcare	Recovery	31	25	539	380	133
Oil & Oil/Water Mixtures	Transfer	34	271	327	293	130
Healthcare	Transfer	124	26	136	96	41
Oil & Oil/Water Mixtures	Treatment	991	1,094	1,060	688	819
Other	Other	759	238	519	303	119
<b>From Kent to South London Waste Plan Area</b>						
Packaging, Cloths	Transfer	30	25	28	29	11
Not specified	Transfer	11	28	42	37	57
Oil & Oil/Water Mixtures	Transfer	20	10	26	26	12

Other	Transfer	28	26	37	29	7
Net from Kent to SLWP Area		-3,994	-4,085	-5,837	-3,873	-2,744

- 1.3 Therefore, there is a justification in terms of both geographical position and waste transfers for the South London Waste Plan boroughs and Kent County Council to work together closely on waste treatment issues and to conclude a Statement of Common Ground for the emerging South London Waste Plan.
- 1.4 In addition, at the Issues and Options Consultation, Kent County Council raised the issue of waste moving from London to Kent where the Waste Data Interrogator does not assign a borough of origin and instead assigns the generic origin of "South London" (see Table 4). Kent County Council argued that it was reasonable to assume that some of this waste attributed as "South London" came from the South London Waste Plan Area. Kent County Council added that the following sites attributed to "South London" should be included in the calculations:

Table 4: Waste sent to Kent and coded as origin: "South London" in 2017

Facility	Waste coded "South London"
Stone Pit 2 Inert Landfill	174,521 tonnes, (152kt soils, 21kt residues and 1.5kt of hardcore)
Stone Pit 1 (Recovery to Land)	77,367 tonnes of soils
Plot 15 Manor Business Park	22,903 tonnes of mixed skip waste
Ridham Dock Wood Facility	5,770 tonnes
TOTAL	280,561 tonnes

- 1.5 However, on further analysis, the South London Waste Plan boroughs have identified that there is also a lack of origin information with regard to imports into the South London Waste Plan area from the South East of England, as shown in Tables 5, with the tonnage received by the South London Waste Plan Boroughs from "Uncodeable – South East" amounting to 1,297,648 tonnes in 2018. Therefore, a lack of clarity exists both for:
- Imports from "Uncodeable - South London" to Kent; and,
  - Imports from "Uncodeable - South East" to the South London Waste Plan area.
- 1.6 Furthermore, the exact amount of uncodeable waste fluctuates year-on-year, also shown in Table 5, which exacerbates the lack of clarity.

Table 5: Waste Management within the South London Waste Plan Area

Treatment/MRS/Landfill WPA	Origin WPA	Tonnage
2017		
South London Waste Plan Area	South London Waste Plan Area	234,499
South London Waste Plan Area	Named WPA or "uncodeable..." but not "Uncodeable South East"	519,604
South London Waste Plan Area	Uncodeable South East	366,676
South London Waste Plan Area	ALL AUTHORITIES	1,120,779

2018		
South London Waste Plan Area	South London Waste Plan Area	219,849
South London Waste Plan Area	Named WPA or "uncodeable..." but not "Uncodeable South East"	700,413
South London Waste Plan Area	Uncodeable South East	377,386
South London Waste Plan Area	ALL AUTHORITIES	1,297,648

## 2. Key Strategic Matters

2.1 Waste management is defined as a strategic matter in Paragraph 20 (b) of the National Planning Policy Framework. In terms of the relationship between Kent County Council and the South London Waste Plan boroughs, the issues are:

- (i) whether the sites in the South London Waste Plan area currently managing Household and Commercial & Industrial waste from Kent will continue to do so;
- (ii) whether the sites in Kent currently managing Construction, Demolition & Excavation waste from Kent will continue to do so, in particular the Borough Green landfill;
- (iii) whether Kent will continue to have capacity for the current Hazardous Waste flow from the South London Waste Plan to Kent
- (iv) how to approach the 'uncodeable' waste issue that has occurred from the Waste Interrogator data.

### Household and Commercial Waste to the South London Waste Plan areas

2.2 In terms of Household and Commercial & Industrial Waste, both Pear Tree Farm (site C9) and HCL House (Site S6) are safeguarded in the emerging plan while the operations of the Mitcham Transfer Station, Merton, are moving to Beddington Lane, Sutton, and the Sutton site is safeguarded as Site S12. Therefore, these identified waste movements can continue in the future.

### General Comments on Construction, Demolition & Excavation Waste

2.3 As regards Construction & Demolition Waste, a representation during the South London Waste Plan Issues and Preferred Options consultation, on behalf of Days Aggregates, who operate Purley Depot in Croydon, identified an additional 178,593 tonnes of Construction and Demolition Waste capacity. Therefore, the South London Waste Plan area has moved from a shortfall to a surplus in terms of Construction and Demolition Waste capacity. Despite this information, the draft South London Waste Plan will continue to promote the intensification of appropriate existing sites for Construction and Demolition Waste capacity.

2.4 With regard to Excavation Waste, the London Plan Intend to Publish (para 9.8.1) states: "The term net self-sufficiency is meant to apply to all waste streams, with the exception of excavation waste. The particular characteristics of this waste stream mean that it will be challenging for London to provide either the sites or the level of compensatory provision needed to apply net self-sufficiency to this waste stream."

2.5 The 2019 South East Waste Planning Group document Joint Position Statement: Permanent Deposit of Inert Waste on Land in the South East of England (para

7.1.1.4) reflects this, stating: “There are severe constraints on the ability of producers of inert excavation waste in London to manage this waste within London and export of such waste for management within the South East will continue for the foreseeable future.”

- 2.6 Therefore, there is no policy imperative for the South London Waste Plan boroughs to consider excavation waste. However, from the standpoint of good planning, the South London Waste Plan boroughs are considering the matter.
- 2.7 Appendix C of the 2019 South East Waste Planning Group document Joint Position Statement: Permanent Deposit of Inert Waste on Land in the South East of England reports that it is estimated there was 1,864,914 cubic metres of remaining voidspace in landfills in the south east (excluding Borough Green Landfill in Kent). Furthermore, Table 4 of the same document identified 8,003,600 cubic metres of voidspace in planned sites for minerals with a proposed restoration scheme involving the deposit of material to land in the south east. 51% of this pipeline capacity was in Surrey and therefore located relatively close to the South London Waste Plan area.

#### Borough Green Landfill and Ridham Dock Wood Facility

- 2.8 While waste flows to the Borough Green landfill are not assured over the plan period, a combination of (i) its availability for the first five years of the plan; (ii) the availability of voidspace in other landfills in the south east; and (iii) the likelihood of more landfill voidspace becoming available in later years means that the 2017 waste flow of Construction & Demolition waste (which was specifically soils from Croydon) to Kent can be accommodated in the wider south east over the plan period.
- 2.9 The Ridham Dock facility is a safeguarded wharf in the Kent Minerals and Waste Plan 2013-30. Therefore, it is assumed the identified waste movements can continue in the future. In addition, the South London Waste Plan is safeguarding a wood recycling facility in Croydon, which has aspirations to expand its operations.

#### Hazardous Waste

- 2.4 In terms of Hazardous Waste, the Hazardous Waste Interrogator does not identify facilities receiving waste and so it is difficult to ascertain whether these waste flows will continue. However, it is noticeable that the amount of hazardous waste from the South London Waste Plan area to a Kent landfill has declined sharply in recent years and the amount being recovered as increased.

#### Uncodeable Waste

- 2.5 The ‘Uncodeable’ problem is an issue that can only be satisfactorily solved by better reporting to the Waste Data Interrogator.

### 3. Conclusion of Strategic Matters

- 3.1 The analysis of the strategic matters has concluded:

(a) As both Kent County Council's waste strategy is "to provide sufficient waste management capacity to manage at least the equivalent of the waste arising in Kent plus some residual non-hazardous waste from London" (Kent Minerals and Waste Local Plan, 2013-30, Policy CSW4) and as the South London Waste Plan boroughs intend to meet or exceed their waste arisings for Household and Commercial & Industrial Waste and for Construction & Demolition Waste, there will be sufficient waste capacity for the both areas to meet their arisings theoretically.

(b) There will still be some cross-boundary movements as neither planning authorities can control the waste contracts that are made between waste management operators and their clients.

(c) The Household and Commercial & Industrial Waste flows to the South London Waste Plan area can continue across the emerging South London Waste Plan plan period.

(d) The Construction & Demolition Waste flows to Kent may continue in the short term. However, there is sufficient capacity in the other parts of the south east to deal with the deposit of soils in the future.

(d) Hazardous waste movements are indiscernible but there is move away from landfill to recovery

(e) It is not possible to determine uncodeable waste flows between Kent County Council and the South London Waste Plan area but the flows appear to be of similar but fluctuating magnitude. Until the Waste Data Interrogator is refined, it is assumed that these flows largely cancel themselves out.

#### 4. Cooperation Activities

##### 4.1 Activities undertaken for the preparation of this Statement of Common Ground included:

(a) Commenting on draft proposals for planning policy concerning waste management

(b) Membership of the respective waste technical advisory groups: the South East Waste Planning Advisory Group and the London Waste Planning Forum

(c) Ad-hoc exchange of information (via correspondence) related to the monitoring of waste movements and management capacity

##### 4.2 In the future, both Kent County Council and the South London Waste Plan Boroughs will continue to:

(a) Comment on draft proposals for waste planning policy concerning waste management

(b) Be members of the respective waste technical advisory groups

(c) Monitor their respective waste plans and inform each other of any notable deviation from the expected progress of their plan in reaching management capacity

(d) Seek to ascertain the origins of the uncodeable waste into the respective waste planning areas

- 4.3 In addition, Paragraph 9.8.3 of the Intend to Publish London Plan (2019) states:  
“The Mayor will work with boroughs, the London Waste and Recycling Board, and the London and neighbouring Regional Technical Advisory Bodies to address cross-boundary waste flow issues. Examples of joint working include ongoing updates to the London Waste Map, sharing data derived from Circular Economy Statements, the monitoring of primary waste streams and progress to net self-sufficiency, supporting the Environment Agency’s annual monitoring work, and collaboration on management solutions of waste arisings from London.”

## 5. The Agreement

5.1 The South London Waste Plan boroughs and Kent County Council agree that:

(a) The principal areas where cooperation is needed are those set out in Sections 2 and 3.

(b) They have worked together and will continue to work together, as set out in Section 4, to ensure that waste is managed effectively between the two areas.

*D Clarke*

Duncan Clarke

Strategic Planning Manager, London Borough of Sutton

On behalf of the South London Waste Plan Boroughs

Date: 16 June 2020

*S Thompson*

Sharon Thompson

Head of Planning Applications Growth, Environment & Transport Directorate, Kent County

Council

Date: 12 June 2020

**9. ESSEX COUNTY COUNCIL**

Signed Statement of Common Ground

## Statement of Common Ground

### Between Essex County Council and the South London Waste Plan Boroughs Concerning Strategic Policies for Waste

May 2020

1. **Introduction & Need for a Statement of Common Ground**
- 1.1 Both the South London Waste Plan boroughs and Essex County Council are responsible for planning for the future of waste management in their areas and this is done through their planning policy documents. Historically, Essex has been a net receiver of waste from London but, due to its geographical location, it receives relatively little waste from South London. The need for the Statement of Common Ground arises largely from comments made by Essex County Council at the Issues and Preferred Options consultation.

*Figure 1: Essex County Council and the South London Waste Plan Area*



- 1.2 The 2019 South London Waste Plan Technical Appendices reports the following movements between Essex and the South London Waste Plan area:

*Table 1: Household and Commercial and Industrial Waste (in excess of agreed significance thresholds, rounded)*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Essex</b>						
Brickfields	Transfer	-	-	-	-	2,485
<b>From Essex to South London Waste Plan Area</b>						
Negligible	-	-	-	-	-	-
<b>Net from Essex to SLWP Area</b>		<b>+84,956</b>	<b>+53,319</b>	<b>+5,710</b>	<b>-32,959</b>	<b>-2,485</b>

*Table 2: Hazardous Waste (in excess of agreed significance thresholds, rounded)*

Waste	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Essex</b>						
C&D Waste & Asbestos	Transfer	226	243	243	254	337
Other	Other (All)	200	191	82	49	71
<b>From Essex to South London Waste Plan Area</b>						
Negligible						
<b>Net from Essex to SLWP Area</b>		<b>-426</b>	<b>-434</b>	<b>-325</b>	<b>-303</b>	<b>-408</b>

- 1.3 Therefore, there is a new transfer of Household and Commercial & Industrial Waste to Essex and a regular transfer of Construction & Demolition Waste with Asbestos. Unfortunately, the Hazardous Waste Interrogator does not provide facility details so there is no information as to which facility this hazardous waste goes to and, with few other movements from the South London Waste Plan to Essex, it is difficult to deduce the transfer destination of this hazardous waste.
- 1.4 It is however true to state that there is at present negligible hazardous waste management/treatment capacity within Essex. The single Stable Non-Reactive Hazardous Waste facility in Essex (at Roxwell) ceased accepting this type of waste in 2015. The vast majority of hazardous waste capacity remaining in the Essex is in the form of transfer facilities, where hazardous material is further transported to treatment facilities beyond the plan area boundaries.
2. Key Strategic Matters
- 2.1 Therefore, a key strategic matter is to monitor this waste flow to see if it decreases or increases over the plan period.
- 2.2 The other strategic matter is the representation from Essex to the Issues and Preferred options consultation. The overarching concerns of the Essex representation was to ensure the adoption of suitably flexible and robust planning policies to allow waste to be managed in accordance with the overriding principles of net self-sufficiency and the proximity principle. The South London Waste Plan boroughs have summarised the main points of the representation and also given their comments on the representation in the table below. It should be noted that Paragraph 33 of the National Planning Policy Framework (2019) requires plans to be

reviewed every five years and so the flexibility and robustness of the plan will be reviewed by 2026.

Table 3: Representation from the Essex and South London Waste Plan Borough Comments

Essex Representation	SLWP Councils Comments	ECC Response to SLWP Comments
<p>Paragraph 3.21 (of the Issues and Preferred Options Document) states that “it will be necessary to plan sufficiently for waste within the SLWP boroughs and not sterilise industrial land for other uses with unnecessary waste designations.” It is considered that appropriately supportive employment land policies allow for suitable employment generating sui generis uses to come forward on land allocated for B2 and B8 uses without any specific designation. In any event, waste facilities are an integral part of sustainable development and the circular economy, and the need for such should be one that is responded to positively through the planning process. The NPPW states that ‘positive planning plays a pivotal role in delivering this country’s waste ambitions through...recognising the positive contribution that waste management can make to the development of sustainable communities.</p> <p>More generally speaking, it is held that a number of the policies in this document are too inflexible, and therefore contrary to NPPF Paragraph 11 (‘plans should...be</p>	<p>The Councils have experience of a waste safeguarding sterilising land. The EMR site in Beddington has been vacant since 2014 when the company moved to Merton. When industrial land is at a premium, it is unreasonable to allow sites to sit vacant due to planning blight. Not safeguarding sites is both holistic and positive planning.</p> <p>Table 16 of the Issues and Preferred Options document shows there is sufficient flexibility within the existing sites to meet the shortfall three times over. Therefore, there is scope to adapt to rapid change and safeguarding existing sites is far more effective than having “Areas Suitable for Waste Management” which are meaningless and ineffective.</p> <p>This is a matter for the Inspector but the boroughs believe they have produced a plan which is fair to all land uses.</p>	<p>It is not understood how stating that employment generating <i>sui-generis</i> uses can be appropriately located on new or existing B2 – B8 land amounts to sterilising that land or otherwise amounts to blight. This is not a safeguarding or allocation issue, it is one of facilitating complimentary / similar uses on appropriate land as they come forward.</p> <p>As above, recognising the similarity between some <i>sui-generis</i> uses and B2-B8 uses does not amount to creating Areas of Search solely for waste uses. A lot of waste management takes place within a warehouse serviced by HGVs. This is a similar means of operation to several other B2 – B8 uses and provides flexibility.</p> <p>This approach is held to be in conformity with NPPW Section 4.</p> <p>Noted.</p>

<p>sufficiently flexible to adapt to rapid change'). The final iteration of the SLWP must also accord with the Tests of Soundness. The plan takes a strong regulatory stance against new waste development which, in some places, may create a tension with the soundness test of being 'positively prepared'. The challenge for the plan makers, as set out under Paragraph 3.23, is noted and agreed.</p>		
<p>Paragraph 3.28 – It is not agreed that safeguarding provisions should be removed from the landfill site located at Beddington Farmlands. A future safeguarding policy should make clear that the safeguarding provisions of temporary facilities, such as landfill sites, remain in place up to the time that waste importation ceases. It may also be appropriate to maintain safeguarding provisions up to the point that a site is restored depending on the nature of that restoration. This means that the policy context for the site can appropriately reflect existing circumstances throughout its lifetime.</p>	<p>The landfill licence expired on 31 December 2019. There is to be some minor land spreading (contouring) and the site has to be restored by 2023. Therefore, the site does not warrant being included in the South London Waste Plan.</p>	<p>Noted. The plan being consulted on is titled 'South London Waste Plan 2021 – 2036', which therefore includes a period prior to the proposed restoration and final closure of the Beddington Site. If it is considered that the Plan will be adopted at such a point that activities on-site would have ceased, including any need to safeguard the site from inappropriate proximate development during its restoration, then it is agreed that the site need not be safeguarded through the SLWP.</p>
<p>Policy WP1 – The primacy of the London Plan when it comes to setting waste management targets is noted. It is considered that the plan makers may need to respond to any changes in these targets</p>	<p>The targets are in conformity with the waste apportionments set out in the London Plan Intend to Publish document.</p>	<p>Noted.</p>

<p>prior to the adoption of the London Plan, or as part of any future review of the London Plan, but that the figures in the emerging London Plan are unlikely to change prior to its adoption.</p> <p>Given that sufficient management capacity is available at existing sites to accommodate the amount of waste apportioned to the South London Boroughs, it is considered appropriate that no further specific waste allocations are made. It is however not agreed that a policy stance of not permitting new (HIC) waste sites at all unless they fall under the terms of 'compensatory provision' is appropriate.</p> <p>This approach appears to not be in conformity with PPG: Waste Paragraph: 046 Reference ID: 28-046-20141016, which sets out that unallocated sites may be appropriate for waste management where 'there may be significant changes in, for example, technological impact and land ownership that occur over a short period of time and provide opportunities that were not anticipated.' The same paragraph further states that 'In the case of waste disposal facilities, applicants should be able to demonstrate that the envisaged facility</p>	<p>The waste paragraph quoted refers to planning applications with specific upgrades in technology. If such an application materialises, it would be treated as a departure from the development plan.</p>	<p>Noted. It is however questioned whether it is appropriate for an application in conformity with the PPG to find itself in the local planning context of being a departure from the development plan. This could be held as the Development Plan not being in conformity with national guidance (accepting that the PPG is just guidance). It is further questioned how far the existing stance equates to pre-determination / lack of plan flexibility. The intention of not making any further allocations is however</p>
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<p>will not undermine the waste planning strategy through prejudicing movement up the Waste Hierarchy.'</p> <p>The final plan should consider including criteria-based policies under which future waste management facilities can be appropriately guided and subsequently assessed.</p>	<p>The Councils need to balance the need for industrial land with the waste facilities. The spare capacity between what we have called apportionment and maximum throughput provides sufficient flexibility.</p>	<p>accepted given that sufficient management capacity exists.</p> <p>Agreed. Appropriate criteria could be considered which support only those developments which could demonstrate that they didn't undermine the waste planning strategy (ie existing capacity provision) by providing management opportunities not otherwise catered for in the local area.</p>
<p>Paragraphs 5.14 – 5.16 – The reasoning behind the absence of any need to make further provision for C&amp;D waste appears unsubstantiated. It is considered that there is no evidence to suggest that commercial facilities are 'under-performing'. It is not justified why a commercial facility would deliberately do so. Paragraph 5.16 states that the per annum shortfall in capacity could 'easily' be eradicated if some of the sites refocused their operations from transfer to management. The role that the South London Boroughs could play in enforcing any such change in operations is not understood. The same paragraph states that the shortfall in capacity could also be eradicated if some of the facilities processed waste at volumes close to their</p>	<p>The situation regarding Construction and Demolition Waste has changed markedly since the Issues and Preferred Options document. Days Aggregates, which operates a railhead at Purley (Croydon), has written to us to say that they manage a considerable amount of C&amp;D waste. Indeed, they manage so much that it takes the South London Waste Plan area into surplus for its 2036 target.</p> <p>As regards intensification, the boroughs have been told by individual site operators that they are not working to their maximum but they would like to. The Draft South London Waste Plan will be accompanied by a Delivery Report, which shows which site operators have indicated</p>	<p>The difference between intensification and expansion is understood, and the principle of intensification accepted as a preferential means of increasing waste management capacity subject to conformity with the wider Development Plan.</p> <p>Whilst Essex County Council has not had the opportunity to view the Delivery Report, it is considered that this report has the potential to provide the evidence required to justify the approach set out in Paragraphs 5.14 – 5.16 of the SLWP.</p>

<p>licensed capacities. The paragraph goes on to say that this is recognised as not being possible at some sites but that there is scope on 'some' of the sites to remove the shortfall. This reasoning is not considered to be robustly evidenced and, further, it is questioned how the South London Boroughs could enforce a private company to increase capacity on-site to accommodate all or part of the total shortfall (if indeed this was physically possible amongst the sites considered to be able to expand).</p>	<p>they wish to intensify operations. There is a difference between intensification and expansion. The South London Waste Plan boroughs take 'intensification' to mean increasing throughput within the existing site boundaries and 'expansion' to mean increasing throughput through extending site boundaries.</p> <p>In Greater London, where available land is at a premium, the notion of intensification occurs across many land uses: housing, retail and industrial land.</p>	
<p>Policy WP2 – It is not considered appropriate to state, in clause b, that new sites for Construction and Demolition waste should be restricted to compensatory provision only. The justification for this stance as set out in paragraphs 5.14 – 5.16 is not considered to be suitably evidenced or justified to make such an approach sound. With regard to clause c, it is also not considered appropriate to state that new sites (either transfer or management) will not be supported for radioactive waste, agricultural waste and hazardous waste. A Local Plan must be able to respond positively and flexibly to any changes in need (NPPF Paragraph 11) and this is considered to be an inflexible approach.</p>	<p>See above for discussion on Construction and Demolition Waste.</p> <p>There is no need for radioactive facilities or agricultural waste facilities and hazardous waste arisings are small, only forecast to increase a minimal amount and use well-established facilities. The South London Waste Plan boroughs argue that they are already managing waste to more than local significance: (1) their HCI apportionment figure is 13% above their arisings and (2)</p>	<p>As above, although also noting a potential issue around pre-determination as also raised above.</p> <p>Noted. The plan-makers will nonetheless need to consider whether a policy stance of negating all possibility of any site coming forward accords with the notion of positive planning and provides sufficient flexibility / avoids pre-determination. Appropriately drafted criteria enable plans to respond more flexibly to any given situation.</p>

<p>The small amount of waste of these types arising in the South London planning area is acknowledged but the NPPW is clear that there is a need to 'consider the need for additional waste management capacity of more than local significance and reflect any requirement for waste management facilities identified nationally'. A policy prohibiting facilities of these types is considered to run contrary to this requirement.</p>	<p>there is no specific obligation in the London Plan for the South London Waste Plan boroughs to meet their C&amp;D arisings.</p>	
<p>Policy WP3 – The concept of safeguarding waste sites is supported. However, the implementation of the policy will be greatly aided by prescribing a particular distance from a safeguarded facility within which this policy would apply. For example, Essex County Council have adopted a distance of 250m from the safeguarding facility, rising to 400m for Water Recycling Centres (Essex and Southend-on-Sea Waste Local Plan 2017, Policy 2).</p> <p>Detail should also be given with respect to the criteria that applicants proposing non-waste uses in proximity to a safeguarded site would need to address in order to demonstrate that the proposed non-waste development would not compromise an existing (or allocated) waste</p>	<p>There is insufficient industrial land for the Councils to draw zones around waste sites. Furthermore, the Agent of Change principle will deal with the issue of concern.</p>	<p>References to buffers are not intended to be taken as meaning exclusionary zones. They are merely the distance from any safeguarded facility within which any non-waste application would trigger the SWLP safeguarding policy. The distance allows for the relevant authority to apply its safeguarding provisions in a uniform manner and allows applicants to be aware of the existence of safeguarding provisions early in the planning process. They are an effective consultation mechanism in two-tier planning areas and may be less appropriate in this situation.</p> <p>ECC requires all non-waste applications to be accompanied by a 'Waste Impact Assessment' to show that proposals would not compromise the ability of the existing</p>

<p>site. Reference could also be made to NPPF Paragraph 182 (the Agent of Change principle).</p> <p>Clauses c and d are not supported. Compensatory provision should be based on the methodology as set out in the London Plan, to which the South London Waste Plan should adhere. A policy stance of not permitting compensatory provision for the loss of a waste site outside the South London Waste Plan area is also not considered to be appropriate, if the applicant is able to demonstrate that there are no alternative sites elsewhere, and the proposal accords with the proximity principle and therefore sustainable development.</p>	<p>The Councils are considering adding an Agent of Change element to Policy WP5.</p> <p>The Councils have a significant shortfall in industrial land supply compared to demand and so taking other boroughs' waste facilities is not feasible. In any event, the Councils' apportionment figures are already 13% greater than their arisings and so they are taking waste from other parts of London.</p>	<p>or allocated future waste management facility to operate, or how any impact would be mitigated. A schedule of requirements for a Waste Impact Assessment is attached to this document as Appendix One to further clarify this point. It is noted that many components of the assessment can be addressed through other documents, such as a bespoke odour assessment or through the Environmental Statement.</p> <p>It is further noted that this approach is designed for two-tier authority areas, where the local planning department is not within the same authority as the waste planning department.</p>
<p>Policy WP3 – The concept of safeguarding waste sites is supported. However, the implementation of the policy will be greatly aided by prescribing a particular distance from a safeguarded facility within which this policy would apply. For example, Essex County Council have adopted a distance of 250m from the safeguarding facility, rising to 400m for Water Recycling Centres (Essex and Southend-on-Sea Waste Local Plan 2017, Policy 2).</p>	<p>The concept of having a buffer zone around waste sites is not practicable in the high demand industrial land market of south London and the need for additional industrial production.</p>	<p>As above. The 'buffer zone' is meant as a policy designation to give transparency to the extent of safeguarding provisions rather than a policy which results in a physical exclusion zone.</p>

<p>Detail should also be given with respect to the criteria that applicants proposing non-waste uses in proximity to a safeguarded site would need to address in order to demonstrate that the proposed non-waste development would not compromise an existing (or allocated) waste site. Reference could also be made to NPPF Paragraph 182 (the Agent of Change principle).</p> <p>Clauses c and d are not supported. Compensatory provision should be based on the methodology as set out in the London Plan, to which the South London Waste Plan should adhere. A policy stance of not permitting compensatory provision for the loss of a waste site outside the South London Waste Plan area is also not considered to be appropriate, if the applicant is able to demonstrate that there are no alternative sites elsewhere, and the proposal accords with the proximity principle and therefore sustainable development</p>	<p>The South London Waste Plan boroughs are considering adding an Agent of Change element to Policy WP5.</p> <p>The South London Waste Plan boroughs have a significant shortfall in industrial land supply compared to demand and so taking other boroughs' waste facilities is not feasible. In any event, the Councils' apportionment figures are already 13% greater than their arisings.</p>	<p>Noted.</p> <p>Appropriate criteria could be considered which support only those developments which could demonstrate that they didn't undermine the waste planning strategy (ie existing capacity provision) by providing management opportunities not otherwise catered for in the local area.</p> <p>The plan-makers will need to consider whether a policy stance of negating all possibility of any site coming forward accords with the notion of positive planning and provides sufficient flexibility / avoids pre-determination.</p>
<p>Policy WP5 – It is considered that clause b of the policy, which states that 'The parts of a waste facility site where unloading, loading, storage and processing takes place should be within a fully enclosed covered building' is too prescriptive. The policy</p>	<p>A fully, enclosed covered building requirement was introduced in the 2011 South London Waste Plan. It has been proved successful in terms of take-up and led to a reduction in noise, dust and</p>	<p>It is not argued that enclosing waste facilities may result in a positive impact in terms of minimising the impact of waste management operations on the local environment. The original response related to whether the planning authority would</p>

<p>should allow sufficient flexibility such that the applicant is afforded the opportunity to demonstrate why this might not be necessary.</p>	<p>fugitive waste complaints of those living and working near to waste sites.</p>	<p>want to remove its own discretion in considering the necessity for such provision.</p> <p>It may be considered more appropriate if the SWLP mandated the requirement to mitigate any impact of development through policy rather than being overly prescriptive on how that impact could be mitigated.</p>
<p>Policy WP7 – clause b of the policy, namely that ‘Waste development for additional Energy from Waste facilities will not be supported’ is considered to be too prescriptive and inflexible. It is noted that in the London Environment Strategy (Objective 7.4), the Mayor of London states that “achieving reduction and recycling targets will mean that no new energy from waste facilities in London will be needed.” There is however no guarantee that such targets will be met, and any Local Plan must be able to respond positively to changes in circumstances. NPPF Paragraph 11 is clear that ‘plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change’.</p>	<p>The boroughs consider that the Mayor of London has made a bold statement and this waste plan is merely supporting regional guidance. The boroughs already have an Energy from Waste facility at Beddington (Sutton).</p>	<p>Noted.</p> <p>Appropriate criteria could be considered which support only those developments which could demonstrate that they didn’t undermine the waste planning strategy (ie existing capacity provision) by providing management opportunities not otherwise catered for in the local area.</p> <p>The plan-makers will need to consider whether a policy stance of negating all possibility of any site coming forward accords with the notion of positive planning and provides sufficient flexibility / avoids pre-determination.</p>

### 3. Conclusion of Strategic Matters

#### 3.1 The analysis of the strategic matters has concluded:

(a) As Essex County Council intends to be 'net self-sufficient' by 2032, as set out in the 2017 Essex and Southend-on-Sea Waste Plan and the South London Waste Plan boroughs intend to meet or exceed their waste arisings for Household and Commercial & Industrial Waste and for Construction & Demolition Waste, there will be sufficient waste capacity for the both areas to meet their arisings.

(b) There will still be some cross-boundary movements as neither planning authorities can control the waste contracts that are made between waste management operators and their clients.

(c) Hazardous waste movements involve relatively small amounts of waste and are likely to continue in the future. It is noted that at present, very little hazardous waste is managed in Essex beyond its transfer to other facilities outside of the administrative area.

### 4. Cooperation Activities

#### 4.1 Activities undertaken for the preparation of this Statement of Common Ground included:

(a) Commenting on draft proposals for planning policy concerning waste management

(b) Membership of the respective waste technical advisory groups: the East of England Planning Advisory Group and the London Waste Planning Forum

(c) Ad-hoc exchange of information (via correspondence) related to the monitoring of waste movements and management capacity

(d) Many of the issues raised by Essex County Council will be decided the Inspector at the South London Waste Plan Examination-in-Public.

#### 4.2 In the future, both Essex County Council and the South London Waste Plan Boroughs will continue to:

(a) Comment on draft proposals for waste planning policy concerning waste management

(b) Be members of the respective waste technical advisory groups

(c) Monitor their respective waste plans and inform each other of any notable deviation from the expected progress of their plan in reaching management capacity

- 4.3 In addition, Paragraph 9.8.3 of the London Plan (2020) states:  
“The Mayor will work with boroughs, the London Waste and Recycling Board, and the London and neighbouring Regional Technical Advisory Bodies to address cross-boundary waste flow issues. Examples of joint working include ongoing updates to the London Waste Map, sharing data derived from Circular Economy Statements, the monitoring of primary waste streams and progress to net self-sufficiency, supporting the Environment Agency’s annual monitoring work, and collaboration on management solutions of waste arisings from London.”
- 4.4 It is noted that in the Essex and Southend-on-Sea Waste Local Plan, Paragraph 4.21, that there is an allowance for Essex and Southend to manage some of London’s waste, starting at approximately 350,000 tonnes per annum and reducing to around 150,000 tonnes per annum at the end of the plan period.
5. The Agreement
- 5.1 The South London Waste Plan boroughs and Essex County Council agree that:
- (a) The principal areas where cooperation is needed are those set out in Section 3.
  - (b) They have worked together and will continue to work together, as set out in Section 4, to ensure that waste is managed effectively between the two areas.

*D Clarke*

Duncan Clarke  
Strategic Planning Manager, London Borough of Sutton  
On behalf of the South London Waste Plan Boroughs  
Date: 5 May 2020

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*P Dash*

Philip Dash  
Principal Planning Officer, Minerals and Waste, Essex County Council  
Date: 12 May 2020

**10. CAMBRIDGESHIRE AND PETERBOROUGH AUTHORITIES**

Signed Statement of Common Ground

Statement of Common Ground for the South London Waste Plan (2021-36)

**Between Cambridgeshire and Peterborough Waste Planning Authority  
and the South London Waste Plan Boroughs  
concerning Strategic Policies for Waste**

May 2020

**1. Introduction & Need for a Statement of Common Ground**

- 1.1 Both the South London Waste Plan boroughs and Cambridgeshire and Peterborough authorities are responsible for planning for the future of waste management in their areas and this is done through their planning policy documents. Although relatively distant from each other, there is nonetheless an important connection between the South London Waste Plan area and the Cambridgeshire and Peterborough authorities as Cambridgeshire and Peterborough host some specialised hazardous waste facilities. This hazardous waste movement was highlighted during the Issues and Preferred Options consultation when Cambridgeshire and Peterborough, in their response dated 2 December 2019, suggested they would welcome a Statement of Common Ground.

*Figure 1: South London Waste Plan Area and the Cambridgeshire & Peterborough Waste Plan Area*



- 1.2 The 2019 South London Waste Plan Technical Appendices and the 2018 Hazardous Waste Interrogator provides the following information on movements between the South London Waste Plan area and Cambridgeshire and Peterborough and this information is set out below.

Table 1: Hazardous Waste Movement

Waste	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Cambridgeshire and Peterborough</b>						
C&D Waste & Asbestos	Landfill	655	81	748	630	2,427
C&D Waste & Asbestos	Recovery				194	145
Other	Other	952	123	145	93	146
<b>Total Movement</b>		<b>1,607</b>	<b>204</b>	<b>893</b>	<b>917</b>	<b>2,718</b>

- 1.3 Unfortunately, the Hazardous Waste Interrogator (HWI) does not provide details of the receiving facility. The 2018 Waste Data Interrogator (WDI) identified a small amount of non-hazardous waste going to the Thornhaugh Non-Hazardous (stable non-reactive hazardous waste, SNRHW) Landfill site, however it cannot be assumed that this is the destination for all hazardous Construction and Demolition (C&D) Waste and Asbestos exports from the South London Waste Plan area into Cambridgeshire and Peterborough.
- 1.4 The facility for the recovery of hazardous C&D Waste and Asbestos from the South London Waste Plan area is more difficult to ascertain, although from the HWI, the waste is identified as soils and stones and dangerous substances going from Croydon to Cambridgeshire specifically. Cambridgeshire and Peterborough's evidence base document *Waste Needs Assessment (WNA)* (Nov 2019) includes, in Appendix 1, a schedule of existing waste sites and there are nine soil treatment facilities within Cambridgeshire. It is only possible to speculate which facility is taking this Croydon consignment.

## 2. Analysis of Key Strategic Matters

- 2.1 Waste management is defined as a strategic matter in Paragraph 20 (b) of the National Planning Policy Framework and the particular issue between the South London Waste Plan boroughs and the Cambridgeshire and Peterborough Waste Planning Authorities is the quantum and continuation of waste flows throughout the plan period of the emerging South London Waste Plan.
- 2.2 In respect of Thornhaugh Non-Hazardous (SNRHW) Landfill site, this site has a planning permission until 2034, the continuation of operations thereafter is uncertain.
- 2.3 With regard to the available soil treatment capacity, Cambridgeshire and Peterborough's WNA (paragraph 176 and Table 14) indicates that the available capacity is greater than the indicative local needs up to 2036.

### 3. Conclusion of Strategic Matters

#### 3.1 The analysis of the strategic matters has concluded:

(a) Although it is acknowledged that it is not possible for every WPA to achieve self-sufficiency with respect to hazardous wastes, WPAs should seek to identify sufficient opportunities to meet the identified needs of their area for the management of waste streams, drive waste up the hierarchy and support the sustainable movement of waste. This particularly relates to waste currently disposed of to landfill, as it is acknowledged that there are significant pressures on remaining permitted landfill voidspace. As such WPAs should seek to ensure that only residual waste that cannot undergo further recovery is disposed of to landfill.

(b) Existing movements of hazardous waste from the South London Waste Plan area into the Cambridgeshire and Peterborough Waste Planning Authority areas are acknowledged to be subject to commercial contracts. Extant planning permission for landfill sites (and other waste management sites where applicable) are subject to planning conditions setting out the date for cessation of operations (the planning permission expiry or end date), the continuation of operations beyond this date should be treated with uncertainty.

(c) It is acknowledged that cross-boundary movements will continue to occur, at existing or reduced levels, however these should be minimised where possible.

### 4. Cooperation Activities

#### 4.1 Activities undertaken for the preparation of this Statement of Common Ground included:

(a) Membership of the respective waste technical advisory groups: the East of England Waste Technical Advisory Body and the London Waste Planning Forum

(b) Ad-hoc exchange of information (via correspondence) related to the monitoring of waste movements and management capacity

#### 4.2 In the future, both Cambridgeshire and Peterborough Waste Authorities and the South London Waste Plan Boroughs will continue to:

(a) Be members of the respective waste technical advisory groups

(b) Monitor their respective waste plans and strategic movements.

(c) Make publically available (e.g. within the Local Plan evidence base or Annual Monitoring Report) a listing of extant planning permissions for waste management

and disposal facilities within their respective administrative areas, identifying the type of waste managed, facility type, site reference/name, location, planning permission reference and planning permission end date where relevant/available.

4.3 In addition, Paragraph 9.8.3 of the London Plan (2020) states:

“The Mayor will work with boroughs, the London Waste and Recycling Board, and the London and neighbouring Regional Technical Advisory Bodies to address cross-boundary waste flow issues. Examples of joint working include ongoing updates to the London Waste Map, sharing data derived from Circular Economy Statements, the monitoring of primary waste streams and progress to net self-sufficiency, supporting the Environment Agency’s annual monitoring work, and collaboration on management solutions of waste arisings from London.”

## 5. The Agreement

5.1 The South London Waste Plan boroughs and the Cambridgeshire and Peterborough Waste Authorities agree that:

(a) The principal areas where cooperation is needed are those set out in Section 2 and 3.

(b) They have worked together and will continue to work together, as set out in Section 4, to ensure that waste is managed effectively between the two areas.

*D Clarke*

Duncan Clarke  
Strategic Planning Manager, London Borough of Sutton  
On behalf of the South London Waste Plan Boroughs  
Date: 5 May 2020



Emma Fitch  
Joint Interim Assistant Director, Cambridgeshire County Council  
Date: 12 May 2020



Richard Kay  
Head of Sustainable Growth Strategy, Peterborough City Council  
Date: 12 May 2020

**11. BUCKINGHAMSHIRE COUNTY COUNCIL**

Signed Statement of Common Ground

## Statement of Common Ground

### Between Buckinghamshire Council and the South London Waste Plan Boroughs Concerning Strategic Policies for Waste

July 2020

1. Introduction & Need for a Statement of Common Ground
- 1.1 Both the South London Waste Plan boroughs and Buckinghamshire Council are responsible for planning for the future of waste management in their areas and this is done through their planning policy documents. Historically, Buckinghamshire has been a net receiver of waste from London, due to its geographical location, and, although this has decreased in recent years, it is still a net receiver of waste. The waste it receives primarily goes to landfill and the South London Waste Plan boroughs still export some waste to landfill in Buckinghamshire.

*Figure 1: Buckinghamshire Council and the South London Waste Plan Area*



- 1.2 The 2019 South London Waste Plan Technical Appendices and 2018 Waste Data Interrogator report the following movements between Buckinghamshire and the South London Waste Plan area:

*Table 1: Household and Commercial and Industrial Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Buckinghamshire</b>						
Gerrards Cross Landfill	Landfill	17,100	14,774	23,193	30,298	-
Springfield Farm Landfill	Landfill	-	-	-	4,938	37,267
Other	-	-	-	2	2	1,540
<b>From Buckinghamshire to South London Waste Plan Area</b>						
Other sites	-	-	-	-	-	26
<b>Net from Bucks to SLWP Area</b>		<b>-17,100</b>	<b>-14,774</b>	<b>-23,195</b>	<b>-35,238</b>	<b>-38,781</b>

*Table 2: Construction and Demolition Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Buckinghamshire</b>						
Gerrards Cross Landfill	Landfill	330	2,649	108	5,133	-
Calvert Landfill Site	Landfill	-	-	-	7,460	-
Other Sites	-	266	-	7	21	-
<b>From Buckinghamshire to South London Waste Plan Area</b>						
None	-	-	-	-	-	-
<b>Net from Bucks to SLWP Area</b>		<b>-596</b>	<b>-2,649</b>	<b>-115</b>	<b>-12,614</b>	<b>0</b>

- 1.3 From the data, there is a justification, in terms of waste moving to landfill in Buckinghamshire from the South London Waste Plan area, for both the South London Waste Plan boroughs and Buckinghamshire Council to work together closely on waste treatment issues and to conclude a Statement of Common Ground for the emerging South London Waste Plan.

## 2. Key Strategic Matters

- 2.1 The Gerrards Cross Landfill is set to close at the end of 2021 and, judging from the Waste Interrogator returns for 2018, provision has already been made for this closure. However, the provision appears to be use Springfield Farm. The waste being transported to Gerrards Cross in 2017 and to Springfield Farm is residual waste from Merton. It is assumed that it is the residual waste arising from the Benedict's Wharf transfer station operated by SUEZ. SUEZ has been asked to confirm this but they have yet to reply. The Benedict's Wharf facility has now closed and SUEZ are transferring operations to a Refuse Derived Fuel site in Sutton. Therefore, it is assumed much of the residual waste will now be going to Energy from Waste facilities around the South East rather than to landfill.

## 3. Conclusion of Strategic Matters

- 3.1 The analysis of the strategic matters has concluded:

(a) As Buckinghamshire Council is already 'net self-sufficient' in waste, according to Buckinghamshire Minerals and Waste Local Plan and the South

London Waste Plan boroughs intend to plan for or exceed their waste arisings for the management of Household and Commercial & Industrial Waste and for Construction & Demolition Waste, there will be sufficient waste capacity for the both areas to meet their arisings theoretically.

(b) There will still be some cross-boundary movements as neither planning authorities can control the waste contracts that are made between waste management operators and their clients.

(c) The closure of the Gerrards Cross landfill in 2021 will not affect cross-boundary waste movements as it is assumed that SUEZ has switched to using Springfield Farm landfill, which is due to close in 2029. Furthermore, SUEZ is developing a Refuse Derived Fuel facility in Sutton which will eliminate the residual waste produced going to landfill

(d) Hazardous waste movements involve small amounts of waste, which are not considered significant.

#### 4. Cooperation Activities

##### 4.1 Activities undertaken for the preparation of this Statement of Common Ground included:

(a) Commenting on draft proposals for planning policy concerning waste management

(b) Membership of the respective waste technical advisory groups: the South East Waste Planning Advisory Group and the London Waste Planning Forum

(c) Ad-hoc exchange of information (via correspondence) related to the monitoring of waste movements and management capacity

##### 4.2 In the future, both Buckinghamshire Council and the South London Waste Plan Boroughs will continue to:

(a) Comment on draft proposals for waste planning policy concerning waste management

(b) Be members of the respective waste technical advisory groups

(c) Monitor their respective waste plans and inform each other of any notable deviation from the expected progress of their plan in reaching management capacity

##### 4.3 In addition, Paragraph 9.8.3 of the London Plan (2020) states:

“The Mayor will work with boroughs, the London Waste and Recycling Board, and the London and neighbouring Regional Technical Advisory Bodies to address cross-boundary waste flow issues. Examples of joint working include ongoing updates to the London Waste Map, sharing data derived from Circular Economy Statements, the monitoring of primary waste streams and

progress to net self-sufficiency, supporting the Environment Agency's annual monitoring work, and collaboration on management solutions of waste arisings from London."

4.4 The Buckinghamshire Minerals and Waste Local Plan (Table 6) expects no exports from London to landfill after 2026 and this appears feasible with the SUEZ development.

5. The Agreement

5.1 The South London Waste Plan boroughs and Buckinghamshire Council agree that:

(a) The principal areas where cooperation is needed are those set out in Section 3.

(b) They have worked together and will continue to work together, as set out in Section 4, to ensure that waste is managed effectively between the two areas.



Duncan Clarke  
Strategic Planning Manager, London Borough of Sutton  
On behalf of the South London Waste Plan Boroughs  
Date: 11 May 2020



Darlan Eggleton  
Interim Head of Service – Planning Policy and Compliance  
Date: 20/8/20

## 12. SLOUGH COUNCIL

Draft Statement of Common Ground

**17 March:** South London Waste Plan boroughs send first draft Statement of Common Ground

**12 June:** Slough Council informs the South London Waste Plan boroughs that the Lakeside ERF is unlikely to close because the Heathrow third runway is unlikely to be built.

**11 May:** South London Waste Plan boroughs send second draft of the Statement of Common Ground with the amendments, relating to the Lakeside ERF, incorporated

**16 July:** South London Waste Plan boroughs send chaser email to Slough Council

**13 August:** South London Waste Plan boroughs send a further chaser email to Slough Council

**3 September:** Slough Council contacted to inform of publication of the Draft South London Waste Plan and invites response.

Awaiting sign-off from Slough Council

## Statement of Common Ground

### Between Slough Borough Council and the South London Waste Plan Boroughs Concerning Strategic Policies for Waste

July 2020

1. **Introduction & Need for a Statement of Common Ground**
- 1.1 Both the South London Waste Plan boroughs and Slough Borough Council are responsible for planning for the future of waste management in their areas and this is done through their planning policy documents. Although somewhat distant from each other, due to waste contracts and common waste operators, the relationship between Slough and the South London Waste Plan Boroughs is closer than may initially be thought.

*Figure 1: South London Waste Plan Area and Slough Borough Council*



- 1.2 The 2019 South London Waste Plan Technical Appendices and the 2018 Waste Interrogators reports the following movements between Slough and the South London Waste Plan area:

*Table 1: Household and Commercial and Industrial Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Slough</b>						
Colnbrook Landfill	Landfill	-	10,720	7,298	794	-
Lakeside ERF	EfW	19,344	66,824	97,642	107,952	-
Other sites	-	56	321	274	564	257
<b>From Slough to South London Waste Plan Area</b>						
Small sites	-	-	-	-	-	35
<b>Net from Slough to SLWP Area</b>		<b>-19,400</b>	<b>-77,865</b>	<b>-105,214</b>	<b>-109,310</b>	<b>-222</b>

*Table 2: Construction and Demolition Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Slough</b>						
Jayflex Aggregates	Landfill	-	-	-	-	4,905
Other sites	-	-	-	-	-	36
<b>From Slough to South London Waste Plan Area</b>						
Other sites	-	-	-	-	-	0
<b>Net from Slough to SLWP Area</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-4,941</b>

*Table 3: Hazardous Waste*

Waste	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Slough</b>						
Paints etc	Transfer	-	-	-	-	15
Oil & Oil/Water Mixtures	Transfer	-	-	-	-	13
Packaging	Transfer	-	-	-	-	6
Healthcare	Incineration	-	-	-	-	3
Other	-	-	-	-	-	34
<b>From Slough to South London Waste Plan Area</b>						
Paints etc	Transfer	-	-	-	-	2
Oil & Oil/Water Mixtures	Transfer	-	-	-	-	1
Packaging	Transfer	-	-	-	-	2
C&D Waste & Asbestos	Transfer	-	-	-	-	1
Municipal Wastes	Recovery	-	-	-	-	2
Other	Recovery	-	-	-	-	8
Other	Transfer	-	-	-	-	3
<b>Net from Slough to SLWP Area</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-52</b>

- 1.3 Therefore, there is a justification in terms of waste transfers for both the South London Waste Plan boroughs and Slough Borough Council to work together closely on waste treatment issues and to conclude a Statement of Common Ground for the emerging South London Waste Plan.

## **2. Analysis of Key Strategic Matters**

**2.1** Waste management is defined as a strategic matter in Paragraph 20 (b) of the National Planning Policy Framework. However, within the area of waste management, there are two matters which require agreement:

- (i) the notion of “net self-sufficiency”; and
- (ii) facility type

### Net Self-Sufficiency

**2.2** In terms of net self-sufficiency both waste planning authorities are committed to managing at least the equivalent of their waste arisings. Policy WLP4 of the Waste Local Plan for Berkshire (1998) states that “the local authorities will seek to make provision for meeting the waste management needs of the county area”. Meanwhile, Policy WP1 of Draft South London Waste Plan (2020) seeks to meet the 2020 London Plan apportionments figures for Household and Commercial & Industrial Waste, which is 13% above the Plan area’s arisings, and to be net self-sufficient in terms of Construction & Demolition Waste. Therefore, in terms of the quantity of waste managed, it is not considered that there should be an on-going issue.

### Facility Type

**2.3** In terms of the South London Waste Plan area, there is very little importation of waste from Slough aside from a small quantity to Safety Kleen in Croydon, which is safeguarded as Site C11, and a small amount of hazardous waste.

**2.4** In terms of the Slough Borough Council area, Slough Borough Council responded at the Issues and Preferred Options consultation stage with two issues:  
(a) the Colnbrook Landfill was due to close; and,  
(b) the Lakeside EfW was proposed to be demolished if the third runway at Heathrow was constructed and there was a planning application to build a replacement facility.

**2.5** As the 2018 Waste Interrogator shows, exports from the South London Waste Plan area to the Colnbrook Landfill are reducing dramatically and so there is little concern regarding this facility. In respect of the Lakeside ERF, this facility is operated by Viridor, which also operates the Beddington Farmlands ERF in the South London Waste Plan area and which is due to start managing waste imminently.

**2.6** The Beddington ERF will handle the household/municipal waste from the South London Waste Plan boroughs which currently goes to the Beddington Farmlands Landfill or Lakeside ERF. Therefore, the large export from the South London Waste Plan area to Slough is unlikely to continue in the current volumes. Furthermore, it is now assumed that the third runway at Heathrow will not be built in the short to medium term.

## **3. Conclusion of Strategic Matters**

**3.1** The analysis of the strategic matters has concluded:

(a) As both Slough Borough Council and the South London Waste Plan boroughs intend to meet or exceed their waste arisings for Household and Commercial & Industrial Waste and for Construction & Demolition Waste, there will be sufficient waste capacity for the both areas to meet their arisings theoretically.

(b) The closure of the Colnbrook Landfill will not affect waste planning for the South London Waste Plan area as exports to this facility are reducing dramatically.

(c) The soon-to-open operation of the Beddington Farmlands ERF is expected to take most of the waste currently being managed at the Lakeside ERF and, in any case, the Lakeside ERF is likely to continue to manage waste in the short to medium term.

(d) Hazardous waste movements involve relatively small amounts of waste and are likely to continue in the future.

#### **4. Cooperation Activities**

##### **4.1 Activities undertaken for the preparation of this Statement of Common Ground included:**

(a) Commenting on draft proposals for planning policy concerning waste management

(b) Membership of the respective waste technical advisory groups: the South East Waste Planning Advisory Group and the London Waste Planning Forum

(c) Ad-hoc exchange of information (via correspondence) related to the monitoring of waste movements and management capacity

##### **4.2 In the future, both Slough Borough Council and the South London Waste Plan Boroughs will continue to:**

(a) Comment on draft proposals for waste planning policy concerning waste management

(b) Be members of the respective waste technical advisory groups

(c) Monitor their respective waste plans and inform each other of any notable deviation from the expected progress of their plan in reaching management capacity

##### **4.3 In addition, Paragraph 9.8.3 of the London Plan (2020) states:**

“The Mayor will work with boroughs, the London Waste and Recycling Board, and the London and neighbouring Regional Technical Advisory Bodies to address cross-boundary waste flow issues. Examples of joint working include ongoing updates to the London Waste Map, sharing data derived from

Circular Economy Statements, the monitoring of primary waste streams and progress to net self-sufficiency, supporting the Environment Agency’s annual monitoring work, and collaboration on management solutions of waste arisings from London.”

**5. The Agreement**

**5.1** The South London Waste Plan boroughs and Slough Borough Council agree that:

(a) The principal areas where cooperation is needed are those set out in Section 3 and that any strategic issues are already resolved.

(b) They have worked together and will continue to work together, as set out in Section 4, to ensure that waste is managed effectively between the two areas.



Duncan Clarke  
Strategic Planning Manager, London Borough of Sutton  
On behalf of the South London Waste Plan Boroughs  
Date: 16 June 2020

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Xxx  
Date:

### **13. CENTRAL AND EAST BERKSHIRE AUTHORITIES**

Draft Statement of Common Ground

**17 March:** South London Waste Plan boroughs send first draft Statement of Common Ground

**23 June:** Central and East Berkshire Authorities suggest revised wording regarding the Star Works site in Windsor and Maidenhead

**23 June:** South London Waste Plan boroughs send second draft of the Statement of Common Ground with the amendments, relating to the Star Works site, incorporated

**16 July:** South London Waste Plan boroughs send chaser email to Central and East Berkshire Authorities

**13 August:** South London Waste Plan boroughs send a further chaser email to Central and East Berkshire Authorities

3 September: Central and East Berkshire Authorities contacted to inform of publication of the Draft South London Waste Plan and invites response.

Awaiting sign-off from Central and East Berkshire Authorities

## Statement of Common Ground

### Between Central and East Berkshire Waste Authorities and the South London Waste Plan Boroughs concerning Strategic Policies for Waste

July 2020

1. **Introduction & Need for a Statement of Common Ground**
- 1.1 Both the Central and East Berkshire Waste Authorities (Bracknell Forest Council, Reading BC, RB Windsor and Maidenhead and Wokingham BC) and the South London Waste Plan Boroughs (LB Croydon, RB Kingston, LB Merton and LB Sutton) are responsible for planning for the future of waste management in their areas and this is done through their planning policy documents. While the Central and East Berkshire Waste Authorities are not adjacent to the South London Waste Plan area, the two waste planning groupings are linked in that each provides specialist waste facilities for waste arising in the other grouping. Furthermore, the 2018 Waste Interrogator shows a significantly different pattern of waste movements to previous years.

*Figure 1: South London Waste Plan Area and Central and East Berkshire Authorities*



- 1.2 The 2019 South London Waste Plan Technical Appendices and the 2018 Waste Interrogator reports the following movements between Surrey and the South London Waste Plan area:

*Table 1: Household and Commercial and Industrial Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Central and East Berkshire Waste Authorities</b>						
St Georges Lane	Transfer	-	-	-	-	1,221
Star Works Treatment	Treatment	-	-	-	-	525
Other sites	-	-	-	-	-	3
<b>From Central and East Berkshire Waste Authorities to South London Waste Plan Area</b>						
SafetyKleen	Transfer	-	-	-	-	126
<b>Net from C &amp; E Berks to SLWP Area</b>		-	-	-	-	<b>-1,623</b>

*Table 2: Construction and Demolition Waste*

Facility	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Central and East Berkshire Waste Authorities</b>						
Kingsmead Landfill	Landfill	-	-	-	-	61,794
Horton Brook Quarry	Landfill	375	-	150	4,875	
<b>From Central and East Berkshire Waste Authorities to South London Waste Plan Area</b>						
None		-	-	-	-	-
<b>Net from Surrey to SLWP Area</b>		-	-	-	-	<b>-61,794</b>

*Table 3: Hazardous Waste*

Waste	Treatment	2014	2015	2016	2017	2018
<b>From South London Waste Plan Area to Central and East Berkshire Waste Authorities</b>						
Healthcare (to W&M)	Treatment	5	141	554	638	663
Healthcare (to W&M)	Transfer	19	35	98	152	143
Healthcare (to Reading)	Transfer	-	-	-	-	49
<b>From Central and East Berkshire Waste Authorities to South London Waste Plan Area</b>						
Solvents	Transfer	128	84	61	67	1
Oil & Oil/Water Mixtures	Transfer	2	29	54	32	44
Other	-	3	26	10	14	9
<b>Net from C &amp; E Berks to SLWP Area</b>		<b>+109</b>	<b>-37</b>	<b>-527</b>	<b>-677</b>	<b>-801</b>

- 1.3 Therefore, there is a justification in terms of the volume of waste movements for both the South London Waste Plan boroughs and the Central and East Berkshire Waste Authorities to work together closely on waste treatment issues and to conclude a Statement of Common Ground for the emerging South London Waste Plan.

## 2. Analysis of Key Strategic Matters

- 2.1 Waste management is defined as a strategic matter in Paragraph 20 (b) of the National Planning Policy Framework. Between the two waste authorities, there are two specific matters which require agreement:
- (i) cross-boundary waste movements

- (ii) the future of the landfills; and
- (iii) the future of healthcare treatment and transfer facilities in Windsor and Maidenhead

Cross-boundary waste movements

- 2.2 The emerging South London Waste Plan (2019) intends to plan for its London Plan apportionment figure for Household and Commercial & Industrial Waste, which is 13% above the area's arisings. It also plans to meet its arisings for Construction & Demolition Waste. The Draft Central and East Berkshire Minerals and Waste Plan (2018), in Policy W1(d), plans to meet its identified need. Therefore, both areas should be "net self-sufficient" by the end of the plan periods, both plans end in 2036. Consequently, both groupings should be able to meet the arisings targets, although there will continue to be waste flows across the boundaries as the councils cannot control private contractual agreements.

Landfills

- 2.3 In respect of the landfills, it is understood that the large amount of waste received at Kingsmead was soil from Merton. The Kingsmead landfill has a planning permission until 2042 and so any waste flows from the South London Waste Plan area should be able to continue beyond the plan period of the emerging South London Waste Plan. Similarly, Horton Brook Quarry is an allocated site for inert waste in the Draft Central and East Berkshire Minerals and Waste Plan (2018).

Healthcare Treatment and Transfer

- 2.4 With regard to the healthcare facilities in Windsor and Maidenhead used by South London Waste Plan area clients, unfortunately, the Hazardous Waste Interrogator does not identify individual sites. However, given that the Waste Interrogator reports waste is sent to the Star Works Treatment Plant, a clinical waste treatment installation run by Grundon Waste Management, it is assumed that this is also the destination for the healthcare waste.
- 2.5 The Star Works site includes landfill and waste treatment operations. The landfill operation has planning permission until 2020 with restoration completed in 2021. The operator has submitted an application to extend the operational time period to January 2022 with restoration to January 2023. The application is currently pending, and has attracted significant levels of objection. All parties agree that the landfill operation will cease in the near future and cannot be relied on to receive future waste exports.
- 2.6 A separate part of the site has a B2 use classification and this part of the site has been in use for the treatment of clinical waste by steam since 2004. This treatment facility (not the adjacent landfill) is the facility which appears to accept healthcare waste from South London Waste Plan boroughs and it is safeguarded in the Draft Central and East Berkshire Minerals and Waste Plan (2018) until 2036. No party is aware of any reason why the site cannot be relied on to continue to receive waste for treatment.

### **3. Conclusion of Strategic Matters**

#### **3.1 The analysis of the strategic matters has concluded:**

(a) As both Central and East Berkshire authorities and the South London Waste Plan boroughs intend to meet or exceed their waste arisings for Household and Commercial & Industrial Waste and for Construction & Demolition Waste, there will be sufficient waste capacity for the both areas to meet their arisings theoretically.

(b) There will still be some cross-boundary movements as neither planning authorities can control the waste contracts that are made between waste management operators and their clients.

(c) The movement of Construction & Demolition Waste to landfills at Kingsmead and Horton Brook Quarry can continue over the plan period, as both are allocated sites in the Draft Central and East Berkshire Minerals and Waste Plan until 2036.

(d) The treatment of healthcare waste is assumed to take place at the Star Works Treatment Plant and neither the Central and Easter Berkshire authorities nor the South London Waste Plan boroughs know of no reason why the site cannot be relied on to continue to receive waste for treatment.

### **4. Cooperation Activities**

#### **4.1 Activities undertaken for the preparation of this Statement of Common Ground included:**

(a) Commenting on draft proposals for planning policy concerning waste management

(b) Membership of the respective waste technical advisory groups: the South East Waste Planning Advisory Group and the London Waste Planning Forum

(c) Ad-hoc exchange of information (via correspondence) related to the monitoring of waste movements and management capacity

#### **4.2 In the future, both Central and East Berkshire Authorities and the South London Waste Plan Boroughs will continue to:**

(a) Comment on draft proposals for waste planning policy concerning waste management

(b) Be members of the respective waste technical advisory groups

(c) Monitor their respective waste plans and inform each other of any notable deviation from the expected progress of their plan in reaching management capacity

#### **4.3 In addition, Paragraph 9.8.3 of the London Plan (2020) states:**

“The Mayor will work with boroughs, the London Waste and Recycling Board, and the London and neighbouring Regional Technical Advisory Bodies to address cross-boundary waste flow issues. Examples of joint working include ongoing updates to the London Waste Map, sharing data derived from Circular Economy Statements, the monitoring of primary waste streams and progress to net self-sufficiency, supporting the Environment Agency’s annual monitoring work, and collaboration on management solutions of waste arisings from London.”

**5. The Agreement**

**5.1** The South London Waste Plan boroughs and Central and East Berkshire Waste Authorities agree that:

(a) The principal areas where cooperation is needed are those set out in Section 3.

(b) They have worked together and will continue to work together, as set out in Section 4, to ensure that waste is managed effectively between the two areas.



Duncan Clarke  
Strategic Planning Manager, London Borough of Sutton  
On behalf of the South London Waste Plan Boroughs  
Date: 23<sup>rd</sup> June 2020

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Date:



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