

MAIN MATTER 3 – Spatial Framework for Waste

Issue: Whether the Spatial Framework for waste management is appropriate and is soundly based.

Question 29 – Does /should the Plan consider opportunities for replacement capacity outside of the plan area?

Question 40 – Does the Plan adequately take into account that the fact that existing landfill capacity outside of North London may also be taken up by other local authorities waste?

Question 42 – Should 95% target for beneficial, use as set out in the draft new London Plan be incorporated in the Plan?

Summary of statement of Thurrock Council

Thurrock Council conditionally withdraws its objections to the NLWP subject to the two agreed Statements of Common Ground between Thurrock Council and the boroughs preparing the NLWP and subject to inclusion in the plan of the Proposed Modifications as set out in Appendix B of the SoCG of September 2019.

Statement

- 1.1 Thurrock Borough Council submitted representations on the Proposed Submission (Regulation 19) North London Waste Plan (NLWP) of January 2019. The representations submitted included objection to the plan as being unsound and failing the tests of being Positively Prepared, Justified and Effective. Whilst Thurrock Council supports the overall approach being proposed in the North London Waste Plan (NLWP) it has particular concerns about the assumptions in the plan strategy and supporting evidence regarding excavation waste exports from the North London Plan area to adjoining authorities including Thurrock. Further clarification has also been sought as to future Duty to Cooperate arrangements.
- 1.2 The Thurrock representations include objections to the text of the plan in particular the Strategic Policy for North London Waste, paragraphs 5.30 to 5.32 and paragraph 7.23 to 7.24 (and paragraph 7.6) of the plan. The main issues are:
 - The assumptions with regard to using past trends in waste flows and their apportionment as a basis for determining future flows from North London to adjoining areas outside of London, such as Thurrock, as set out in the supporting evidence report *Export to landfill 2017-35*.
 - The failure to take account of the waste flows from other authorities to the recipient authorities and impact on the existing capacity. Waste flows to landfill in the recipient authorities also come from other authorities in London, the recipient authorities themselves and areas outside London.
 - The assessment of landfill capacity overestimates the available void space for excavation waste sites in Thurrock. In some cases the void space is available for other waste streams not just inert and in particular excavation waste.

- 1.3 Thurrock Council considers the evidence base for waste exports would need to be reviewed and amended. It is recommended the North London Waste Planning authorities together with the London Mayor and other London Boroughs need to further address the issues of the export of C,D&E waste in particular through further collaboration and monitoring with the Wider South East authorities including Thurrock. The North London Waste Plan monitoring should contain robust assessment of E waste flows in collaboration with recipient authorities and contain a requirement for an early review of the plan on this matter should assumptions in the plan on this matter fail to be achieved.
- 1.4 Subsequent to the submission of representations by Thurrock Council on the Proposed North London Waste Plan (NLWP), the North London boroughs preparing the NLWP and Thurrock Council agreed a Statement of Common Ground (SoCG) on Duty to Cooperate matters. The SoCG clarifies the current and future arrangements on duty to cooperate arrangements between the authorities and highlights key cross boundary issues. This Statement of Common Ground is included in *Appendix A of the Duty to Cooperate Report* of August 2019 which is a supporting document that accompanied submission of the North London Waste Plan. It is noted the concerns of Thurrock Council and other authorities regarding cross–boundary waste flows and how they are addressed in the SoCGs are summarised in Section 3 of the same report.
- 1.5 Key matters of agreement that relate to the export of waste to landfill and relevant to E waste in particular are included in section g paragraphs 26 to 32 of the Statement of Common Ground on Duty to Cooperate between Thurrock and the NLWP authorities including:
- 26.All parties agree that this statement of common ground represents an outcome of continuing duty to cooperate engagement on movement of waste between our areas over the development of the North London Waste Plan.*
- 28.All parties acknowledge that landfill capacity in the wider south east is declining and few new landfill sites are being put forward by waste operators. While new landfill sites come forward during the NLWP plan period, declining landfill capacity in the wider south east is an issues for all WPAs preparing plans.*
- 30.All parties agree, that in the short term the remaining landfill void space currently available in the wider south east represents opportunity for the market to find an alternative destination for North London’s waste after the closure of East Tilbury Quarry Landfill site.*
- 31.All parties agree that the destination of waste is largely dependant on market forces and exports will continue to go to the most suitable facility. Therefore it is not possible to identity a specific landfill site or sites in the wider south east where north London’s waste will go over the next 15 years.*
- 32.All parties agree to regular monitoring of cross-boundary waste movements and remaining landfill capacity through Authority Monitoring reports.*

- 1.6 It is acknowledged that the wording of this statement of common ground (SoCG) addresses some of the concerns previously raised about using indicative proportion of exports figures for each authority. Furthermore the SoCG recognises declining landfill void in Thurrock and the wider South East; that E waste to landfill is subject to market forces; and that there needs to be regular monitoring of cross boundary waste movements. This later point is important to ensure there is up to date information of waste arisings and their flows together with available capacity and in the case of E waste, the amount of beneficial use diverting such waste away from landfill.
- 1.7 In September 2019 a further Statement of Common Ground (SoCG) was signed between the Boroughs working on the North London Waste Plan (NLWP) and Thurrock Council on matters relating to Thurrock Council's representations and also proposed modifications to the NLWP put forward by the North London boroughs.
- 1.8 The Proposed Modifications to the NLWP as set out in Appendix B of the SoCG relate to paragraphs 5.31 to 5.32, 6.3 and Table 5 and paragraphs 7.23 to 7.24. The Proposed Modifications address many of the concerns set out in Thurrock Council's representations with regard to the plans assumptions about specific site and alternative potential capacity to accommodate excavation waste exports. Thurrock Council supports these proposed modifications.
- 1.9 The Proposed Modifications to the NLWP also include revisions to wording to Table 5 to take account of the further suggested changes by the Mayor to the new London Plan. This includes a new target of 95% of Excavation waste to be put to beneficial use. Thurrock Council also supports these modifications. It is noted that in the recently published London Plan Panel Report (October 2019) of the Examination in Public of the London Plan 2019 that the overall recommendation of the Panel are that all minor and further suggested changes should be included in the plan unless otherwise recommended. There were no additional modifications recommended by the Panel to the London plan with regard to excavation waste.
- 1.10 The NLWP authorities have stated that by aligning the NLWP with the new London Plan targets for beneficial use of excavation waste will have implications for the amount and management route of excavation waste exported from London. There will need to be robust and ongoing monitoring of the flows of excavation waste to ensure that the proposed targets to be included in the plan on excavation waste are being met and an early review of the plan if this approach clearly demonstrated this is not being achieved.
- 1.11 Thurrock Council conditionally withdraws its objections to the NLWP subject to the two agreed Statements of Common Ground between Thurrock and the boroughs preparing the NLWP and subject to inclusion in the plan of the Proposed Modifications as set out in Appendix B of the SoCG of September 2019.
