

STATEMENT OF COMMON GROUND

BETWEEN

THE NORTH LONDON BOROUGHS

AND

THURROCK COUNCIL

This Statement of Common Ground has been prepared to identify areas of agreement between the Boroughs working on the North London Waste Plan (“the North London Boroughs”) and Thurrock Council. The North London Boroughs are Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. The Statement of Common Ground is on matters relating to Thurrock Council’s representations on the Proposed Submission North London Waste Plan (2019) to assist the Inspector during the examination of the North London Waste Plan.

Thurrock Council representations

Thurrock’s representations relate to clarification around waste exports and duty to co-operate, but are not related to the soundness of the North London Waste Plan (NLWP).

Thurrock’s representations are set out in full in Appendix A, alongside the section of the NLWP they refer to.

Areas of Agreement

The North London Boroughs have now agreed a SoCG with Thurrock as set out in the Duty to Co-operate Report.

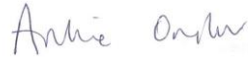
The Proposed Submission NLWP was drafted before the draft new London Plan was published and subsequently removed excavation waste from the target of net self-sufficiency by 2026 and included a target of 95% beneficial use for excavation waste.

The North London Boroughs will consider how to better align the NLWP with the new London Plan targets. This includes new targets such as 95% beneficial use for excavation waste which will also have an effect on North London’s projected waste exports to landfill. Any changes to projected waste exports will form part of the next stages of the duty to co-operate.

The proposed modifications to the Proposed Submission NLWP set out in Appendix B are sufficient to meet Thurrock’s points on clarity on the issue of waste exports.

**Signed on behalf of the North London
Boroughs**

Signed:



Archie Onslow
Programme Manager, North London Waste
Plan

Date: 27th September 2019

Signed on behalf of Thurrock Council

Signed:



Richard Hatter
Strategic Planning Manager

Date: 30th September 2019

Appendix A: Representations from Thurrock Council

Code	Section	Policy / Para	Representation
22-1/1	7	SP	<p data-bbox="927 339 1980 411"><i>These comments refer to paras 5.30 to 5.32, Evidence Report - Exports to landfill 2017-3035, Strategic Policy for North London Waste and paras 7.23 to 7.24.</i></p> <p data-bbox="927 459 2018 802">It is acknowledged that the North London Waste Plan (NLWP) Aim and Strategic Objective SO3 seek to plan for net self-sufficiency during the plan period in LACW, C&I, C&D waste streams including hazardous waste. This will be achieved by providing the capacity in waste facilities to meet the equivalent of waste within the plan area taking into account the amount of waste apportioned to the borough. However it is noted the plan does not seek to achieve net self-sufficiency in in Excavation (E) waste and in overall terms the plan area is a net exporter of waste. The NWLP states there is insufficient capacity within the area in particular for waste that is required to landfill of which E waste is the largest component.</p> <p data-bbox="927 850 2011 1002">Whilst Thurrock Council supports the overall approach being proposed in the North London Waste Plan it has particular concerns about the assumptions being made with regard to the export of Excavation waste to authorities outside of London and in particular:</p> <ul data-bbox="927 1050 2011 1321" style="list-style-type: none"> <li data-bbox="927 1050 2011 1161">• The assumptions with regard to using past trends in waste flows and their apportionment as the basis for determining future flows from North London to adjoining areas outside London; <li data-bbox="927 1209 2011 1321">• The failure to take account the waste of waste flows from other areas including other authorities in London to the recipient authorities and the waste arisings within the recipient authorities themselves and areas outside London;

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			<ul style="list-style-type: none"> • The assessment of landfill capacity overestimates the available void space for Excavation waste sites within Thurrock. <p>The existing evidence base for waste exports would need to be reviewed and amended. It is considered the North London Waste planning authorities together with the London Mayor and other London Boroughs need to further address the issue of the export of C,D&E waste from London and Excavation waste in particular through further collaboration with the Wider South East authorities including Thurrock.</p> <p>The North London Waste Plan should contain a requirement for an early review to address the policy implications of further assessment of E waste arisings and capacity across London and the Wider South East.</p> <p>The adopted Further Alteration to the London Plan (FALP) contains no specific apportionment of C,D&E waste to the London Boroughs or to the waste planning authorities outside of London. However the FALP does contain specific overall recycling targets for London for construction and demolition waste of 95% by 2020 and 85% of that waste as aggregate by 2020.</p> <p>There is no agreed apportionment of C,D&E waste from London to landfill sites (or other waste facilities) in the Wider South East (WSE) or therefore, any distribution of such waste from London between the WSE authorities.</p> <p>The New London Plan is at Examination at the time of the submission of this representation on the NLWP. Whilst the draft New London Plan revises recycling targets for most waste streams and an apportionment for export of Household and C&I waste, it again does not apportion the export from London of C, D&E waste. Although in the draft New London Plan and published minor suggested changes</p>

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			<p>reference is made to E waste, the East of England Waste Authorities through their regional technical body have continued to make representations that the wording of the draft New London Plan is inadequate with regard to the issue of the export of E waste. The EoE authorities have requested further changes to the plan to highlight the need for further collaboration between the London Mayor and the WSE on this matter.</p> <p>The North London Waste Plan and supporting evidence report (<i>Exports to Landfill 2017 -2035</i>) sets out the current totals (Table 4 of the NLWP) and total projected exports of waste from the plan area over the plan period (Table 9 of the NLWP). The evidence report apportions this E waste export to landfill to recipient authorities based upon recent trends from waste data (Tables 3.1 to 5.8). From the evidence provided it is clear that over the plan period the export of Excavation waste to Landfill is the highest tonnage and rises to 465,613 tonnes per annum by 2035. This represents between 7-8,000,000 tonnes of E waste for export from the plan area over the plan period.</p> <p>The NLWP and supporting evidence recognises the constraint of declining landfill capacity from existing sites in the WSE, due to closures but concludes there is alternative capacity at other potential destinations and adequate void space in London and the Wider South East. In terms of the apportionment of waste to recipient authorities it considers past trends is a reasonable and proportionate approach.</p> <p>The apportioned amount of E waste for Thurrock represents 20% of the total of the NLWP export of this waste type to landfill and rises to a figure of over 93,100 tonnes per annum by 2035. This represent 1.2 million to 1 5 million tonnes of E waste to be exported to Thurrock to be landfilled over the plan period. It is considered this is a</p>

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			<p>significant amount of landfill capacity just to accommodate E waste from North London let alone any other waste arisings from London or elsewhere.</p> <p>Thurrock Council is a unitary authority and the waste planning policies are included in the adopted Core Strategy of 2011. These policies are relevant for Thurrock (in so far as they are not superceded by Government policy) until the Core Strategy is replaced. Thurrock Council is beginning to prepare a new Local Plan that will cover a period up to 2037-40.</p> <p>The preparation of the new Thurrock Local Plan is at an early stage with a second Issues and options stage consultation having just finished in early 2019. Thurrock Council has recently decided that it will prepare a separate Minerals and Waste Local Plan, of which a timetable for its preparation will be included in a revised Local Development Scheme that has yet to be approved by the council.</p> <p>In the meantime Thurrock Council is undertaking a new waste arising and capacity study to inform the new planning waste strategy and policies for the proposed Minerals and Waste local plan. Under the Duty to cooperate requirements Thurrock Council will wish to discuss with other waste authorities any waste planning matters and new technical evidence base for Thurrock as it emerges as well as cross boundary matters of strategic significance including the imports and export of waste from the borough.</p> <p>The adopted Thurrock Core Strategy in common with other waste plans in the East of England has not planned for an apportionment of C,D&E waste from London. There is no such apportionment in the former RSS for the East of England or the adopted London Plan and its alterations.</p> <p>It is recognised that C,D&E wastes have been a significant amount of waste exported from London boroughs and other authorities in recent years to Thurrock. However it</p>

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			<p>cannot be assumed that current or previous tonnage quantities of C,D&E waste can be received from the North London Waste Authorities or any other London waste authorities to Thurrock during the proposed plan period of the NLWLP or beyond (in any proposed local plans).</p> <p>Thurrock Council does not consider the assessment of waste exports to Thurrock based upon previous trends in waste flows and the resultant “apportionment of waste” exercise undertaken by the North London Waste Authorities represents an appropriate approach to assessing and projecting future potential for the exports of waste and E waste to landfill.</p> <p>It is acknowledged that data on C,D&E waste flows is limited. In addition in assessing flows and exports to other areas the use of short term trends identified in the EA Waste Interrogator data are of limited use as they only indicate very recent flows and this waste stream is subject to significant fluctuations in quantity and over time and also in respect to location.</p> <p>The evidence to inform any waste study should take account where possible of C, D&E arisings from major construction projects including infrastructure schemes that that these developments can cause major spikes in arisings and waste flows to recipient authorities.</p> <p>The use of past trends of waste flows also just reflects the previous historic legacy of landfill site capacity in authorities such as Thurrock. With declining and restricted landfill capacity over the period of this plan this approach does not represent a sustainable approach going forward.</p> <p>Any robust approach going forward should include a detailed capacity led assessment of potential E waste landfill capacity in London and the Wider South East</p>

Code	Section	Policy / Para	Representation
			<p>including Thurrock. It should take account of constraints and restrictions on sites as well as an assessment of E waste arisings across London and the Wider South East. Other waste stream flows that are currently/potentially exported to the same landfill sites including C& D waste should also be taken account of.</p> <p>The assessment of potential capacity for E waste to landfill by the North London Waste authorities does not take account of the significant amount of other sources of E waste from other plan areas in London, the adjoining plan areas outside London and the arisings in the recipient authorities themselves. North London is only one of a number of waste plan areas that have exported C,D&E waste to Thurrock in significant quantities over recent years that have significantly reduced the remaining void capacity and remaining operational sites in Thurrock. There are also significant infrastructure projects such as Thames Tidal Tunnel and the tube extension to Battersea that have or are landfilling E waste to Thurrock in significant quantities. In addition Thurrock will have to plan for its own waste arisings including C,D&E waste and take account of the significant uplift in planned development in Thurrock and potential E waste from the proposed Lower Thames crossing. The existing declining void and site capacity in Thurrock cannot be double counted in assessing potential capacity in the Wider South East for all these sources of C,D& E waste.</p> <p>Thurrock questions the 71.5m cubic metres of void space that is identified as potential capacity across the South East and Wider South East that could meet the NLWP exports of E waste, and in particular the assumptions regarding the identified potential capacity in Thurrock. The Thurrock sites in question have operational constraints and restrictions that limit the potential use of the site to receive Excavation waste from North London over the plan period. Furthermore some sites are consented for receiving more than just inert waste and therefore the actual or potential void space to receive E waste is much less.</p>

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			<p>Thurrock has previously engaged with the North London Waste Authorities through correspondence and workshop sessions on the North London Waste Plan under Duty To Cooperate arrangements. A summary of Thurrock points previously raised are set out below:</p> <ol style="list-style-type: none"> 1. Unless subject to contract the existing inert landfill capacity identified in the Thurrock plan is not specifically apportioned for London authorities. 2. The Thurrock adopted Core Strategy identifies specific Inert landfill capacity for meeting equivalent to local requirements and does not plan for additional capacity or London apportionment of C,D&E waste during the plan period to 2026 or beyond. 3. Most landfill sites operating and receiving C,D&E waste in Thurrock are planned to close by 2020 with only one operational site at present planned to continue during the plan period to 2026. 4. There remains uncertainty over two mothballed mineral sites and the future availability of consented and potential void capacity at these sites. 5. Uncertainty regarding the levels of capacity or confirmation regarding data. 6. Unless part of a waste contract, any waste export from the North London Waste authorities will be potentially competing for sites to receive such waste within the Wider South East (WSE); from major construction and excavation projects in London and Wider South East areas; waste arisings for export in other waste plans in London as well as other waste requirements of the authorities in Thurrock and the East of England themselves. <p>For the above reasons Thurrock would wish to continue in discussion via the Duty to Cooperate process regarding any assumptions about the role and capacity of Thurrock landfill sites to receive C,D&E waste in particular Excavation waste to landfill from the North London Plan Area.</p>

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			<p>The existing evidence base for waste exports needs to be reviewed and amended to reflect a more accurate approach to assessing the waste flows and landfill capacity for areas outside of London.</p> <p>Furthermore the London Mayor and London Waste Authorities should undertake further collaboration with the Wider South East authorities including Thurrock on the issue of C,D and in particular E waste arisings and capacity to landfill, both within London the Wider South East. Also further work and evidence needs to be undertaken to look at the potential beneficial re-use and recycling of E waste closer to source.</p> <p>The North London Waste Plan should contain a requirement for an early review to address the policy implications of further assessment of E waste arisings and capacity across London and the Wider South East.</p> <p>Suggested modifications</p> <p>The existing evidence base for waste exports needs to be reviewed and amended to reflect a more accurate approach to assessing the waste flows and landfill capacity for areas outside of London.</p> <p>It is considered the North London Waste planning authorities together with the London Mayor and other London Boroughs need to further address the issue of the export of C,D&E waste from London and Excavation waste in particular through further collaboration with the Wider South East authorities including Thurrock.</p> <p>The North London Waste Plan should contain a requirement for an early review to address the policy implications of further assessment of E waste arisings and capacity across London and the Wider South East.</p>

Appendix B: Proposed Modifications

Section	Proposed change	Representation code
5.31	<p>Engagement to date has identified a constraint to the continuation of waste exports to landfill from North London relating to the scheduled closure of landfill sites during the plan period. Details can be found in the paper, Exports to Landfill 2017-2035, on the NLWP website (www.nlwp.net), though the operation of some of these sites may be extended beyond their currently permitted end date. <u>The destination of waste is largely dependent on market forces and therefore it is not possible to identify specific alternative destinations where North London's waste will go after the closure of landfill sites during the plan period.</u> The boroughs will continue to monitor this information throughout the preparation of the NLWP, and after it <u>the NLWP</u> is adopted as reflected in the monitoring framework in section 10.</p>	Thurrock (Rep 22-1/1)
5.32	<p>Nonetheless, as set out in the exports to landfill paper, alternative capacity at other potential destinations has been identified for the amount of waste currently being exported to those sites earmarked for closure during the plan period. It is recognised that non-hazardous landfill capacity in the wider south east is declining and no new non-hazardous landfill sites are being put forward by waste operators. A small number of new inert waste sites are being put forward in former mineral works. The lack of landfill capacity in the wider south east is an issue for all WPAs preparing plans and there is a continuing need to plan to manage waste further up the waste hierarchy to help reduce the need for landfill capacity. The paper shows that <u>There is opportunity for the market to find an are both alternative destinations sites and adequate void space in London, South East and East of England for to take North London's 'homeless' waste in the short term between 2018 and 2035. In the longer term, beneficial use of excavation waste and the Circular Economy Statements will assist the North London Boroughs to reduce exports of waste to landfill and monitor the destinations of waste exports.</u></p>	Thurrock (Rep 22-1/1)

6.3 and Table 5	<p>The North London Boroughs have statutory duties to meet recycling and recovery targets and the NLWP will need to be ambitious in order to achieve European Union, national, regional and local targets. These targets are as follows:</p> <p>Table 5: Recycling and Recovery Targets with 2016 Baseline</p> <table border="1" data-bbox="443 424 1568 963"> <thead> <tr> <th>Waste stream</th> <th>Target</th> <th>2016 baseline</th> </tr> </thead> <tbody> <tr> <td>LACW</td> <td>50% recycling for LACW by 2025 (contributing to 65% recycling of municipal waste by 2030)</td> <td>29%</td> </tr> <tr> <td>C&I</td> <td>75% recycling by 2030 (contributing to 65% recycling of municipal waste by 2030)</td> <td>52%</td> </tr> <tr> <td>C&D</td> <td>95% <u>reuse/recycling/recovery</u> by 2020</td> <td>50-60%</td> </tr> <tr> <td><u>Excavation</u></td> <td><u>95% beneficial use</u></td> <td><u>Not known</u></td> </tr> <tr> <td>Biodegradable or recyclable waste</td> <td>Zero biodegradable or recyclable waste to landfill by 2026</td> <td>Not known</td> </tr> <tr> <td><u>Hazardous</u></td> <td><u>Included in LACW, C&I and C&D targets</u></td> <td><u>N/A</u></td> </tr> </tbody> </table>	Waste stream	Target	2016 baseline	LACW	50% recycling for LACW by 2025 (contributing to 65% recycling of municipal waste by 2030)	29%	C&I	75% recycling by 2030 (contributing to 65% recycling of municipal waste by 2030)	52%	C&D	95% <u>reuse/recycling/recovery</u> by 2020	50-60%	<u>Excavation</u>	<u>95% beneficial use</u>	<u>Not known</u>	Biodegradable or recyclable waste	Zero biodegradable or recyclable waste to landfill by 2026	Not known	<u>Hazardous</u>	<u>Included in LACW, C&I and C&D targets</u>	<u>N/A</u>	Thurrock (Rep 22-1/1)
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7.23	<p><u>Landfill</u> North London has no landfill sites and depends on capacity outside the NLWP area. Some A reduced amount of the CD&E waste stream, particularly excavation waste, will continue to be exported to landfill but the majority (95%) of C&D waste will be reused, recycled and recovered and the majority of excavation waste (95%) will be put to beneficial use, unless opportunities materialise to re-use it locally. It is anticipated that C&D waste exports to landfill will reduce over the plan period while excavation waste exports will increase in line with growth.</p>	Thurrock (Rep 22-1/1)																					
7.24	<p>The North London Boroughs, working with waste planning authorities who receive CD&E waste from North London, have identified constraints to the export of this waste and have established that there are both alternative landfill sites and adequate void</p>	Thurrock (Rep 22-1/1)																					

	<p>space in London, South East and East of England to take North London's waste between 2017 and 2035. See Figure 12 for the anticipated decline in landfilling of North London's waste over the plan period.</p>	
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