

# Statement of Common Ground Between Surrey County Council and Kent County Council Concerning Strategic Policies for Waste Management

## Contents

1.0 Introduction and parties involved .....	1
2.0 Signatories.....	2
3.0 Strategic Geography.....	3
4.0 Strategic Matters .....	4
Net self sufficiency .....	4
Safeguarding .....	5
Green Belt .....	5
Non-Inert Waste Landfill.....	6
5.0 Additional Strategic Matters.....	6
6.0 Cooperation Activities.....	7
7.0 Governance and Future Arrangements .....	7

## 1.0 Introduction and parties involved

- 1.1 National policy<sup>1</sup> states that: *“Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.”* and *“Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans.”*
- 1.2 National policy<sup>2</sup> expects that Local Plans will include ‘non-strategic’ and ‘strategic’ policies, and explains that strategic policies should.....*“set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:.....infrastructure”* and this includes *“for.....waste management”* and *“wastewater”*.
- 1.3 National Policy states: *“In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.”*

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<sup>1</sup> Paragraph 24 and 25 of the revised National Planning Policy Framework July 2018

<sup>2</sup> Paragraph 20 of the revised National Planning Policy Framework July 2018

- 1.4 This document represents a **Statement of Common Ground between Surrey County Council (SCC) and Kent County Council (KCC)** and concerns the strategic matter of waste management and helps ensure that sufficient waste management capacity is planned for in each area.
- 1.5 SCC and KCC are neighbouring waste planning authorities (See Figure 1) with responsibility for planning for the future management of waste in their areas by including relevant strategic policies in their Local Plans. SCC adopted the Surrey Waste Plan in 2008 and KCC adopted its Minerals and Waste Local Plan (plan period to 2030) in 2016. SCC is currently updating its planning policies on waste management by preparing the Surrey Waste Local Plan (plan period to 2033) and KCC is undertaking an Early Partial Review of its MWLP that includes proposals to amend policies relating to waste management. Both authorities envisage adoption of their updated policies in late 2019.

## 2.0 Signatories

- 2.1 This statement is agreed by the SCC's Cabinet Member for Environment and Transport and KCC's Cabinet Member for Environment and Transport.

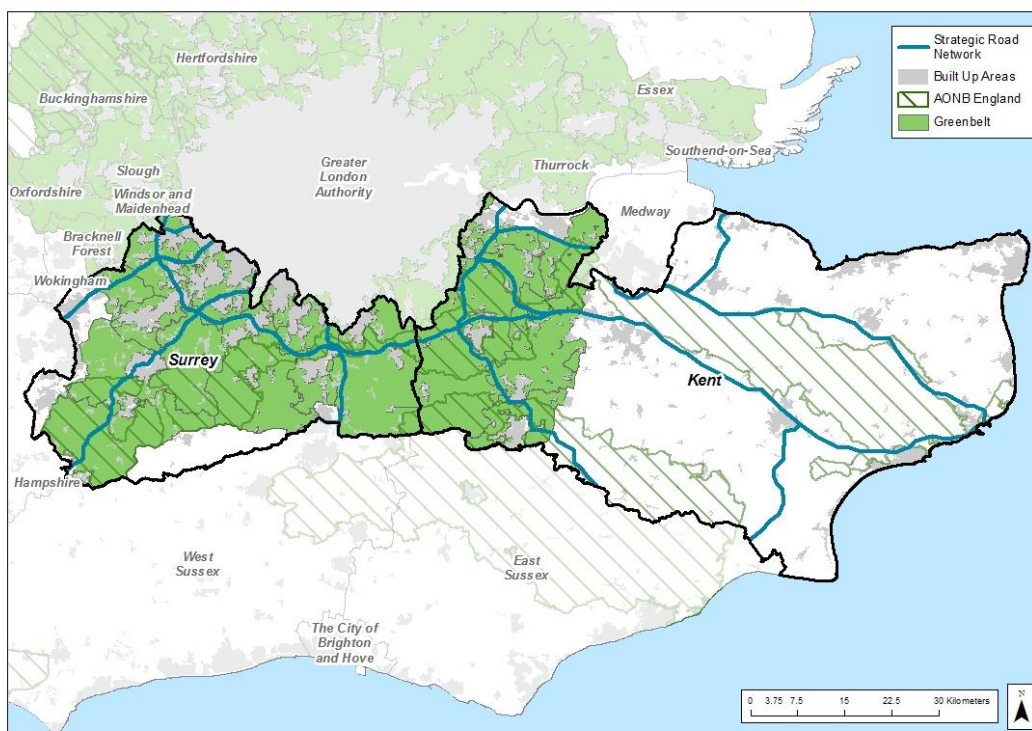
Councillor Mike Goodman, Cabinet Member for Environment and Transport, Surrey County Council

Councillor Peter Oakford, Cabinet Member for Environment and Transport, Kent County Council

### 3.0 Strategic Geography

- 3.1 Surrey and Kent are neighbouring counties in the south east of England (see Figure 1). There are good road connections, in particular the M25, M26 and M20. Waste management data shows that a proportion of waste produced in Surrey is managed in Kent and a proportion of waste produced in Kent is managed in Surrey – the movements for the years 2015, 2016 and 2017 are set out in Appendix 1. This cross boundary movement is typical of the way in which waste is managed, as it is subject to market forces, having no regard to administrative boundaries. This is recognised in National Planning Policy for Waste that expects waste planning authorities to: *“plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle, recognising that new facilities will need to serve catchment areas large enough to secure the economic viability of the plant;”*
- 3.2 Currently there is a contract for the management of a significant proportion of residual Local Authority Collected Waste arising in Surrey to be managed at the Allington Energy from Waste Facility near Maidstone in Kent. In 2017/18 around 80,000 tonnes was managed in this way (SCC Planning Service AMR). The contract between Suez and Allington Waste Company Ltd is due to last until March 2019 and at that point this movement of waste from Surrey to Kent is expected to cease. A new facility (Charlton Lane Ecopark) is being developed in Surrey that means the quantity of waste exported for recovery is expected to decrease.
- 3.3 Movements of waste also take place between Surrey and Kent and other counties and areas.

Figure 1: Location of Surrey and Kent



## 4.0 Strategic Matters

### Net self sufficiency

- 4.1 Net self-sufficiency is a principle generally applied to waste planning that means an authority will plan for waste management facilities with sufficient capacity to manage an amount of waste that is equivalent to the amount predicted to arise within its area (irrespective of imports and exports). This helps ensure that sufficient waste management capacity is provided consistent with National Planning Policy for Waste.
- 4.2 The approach of net self-sufficiency in the south east was originally set out in the South East Plan and is now included in a Memorandum of Understanding<sup>3</sup> between SCC, KCC and other waste planning authorities in the South East which includes the following:

*“The Parties recognise that there will be a degree of cross-boundary movement of waste. In light of this, the Parties will plan on the basis of net self-sufficiency which assumes that within each waste local plan area the planning authority or authorities will plan for the management of an amount of waste which is equivalent to the amount arising in that plan area. All parties accept that when using this principle to test policy, it may not be possible to meet this requirement in full, particularly for hazardous and other specialist waste streams.”*

- 4.3 This approach is taken by KCC in the adopted Kent Minerals and Waste Local Plan and by SCC in the adopted Surrey Waste Plan (2008) and the emerging Surrey Waste Local Plan. Both plans provide for the development of facilities that will manage waste produced within, and beyond, each area based on net self-sufficiency and in accordance with the waste hierarchy. Application of the waste hierarchy in determining waste capacity requirements ensures that waste is managed in the following order of preference:

#### Most sustainable

1. Prepared for reuse;
2. Recycled and/or composted;
3. Recovered in ways other than recycling/composting;
4. Disposed.

#### Least sustainable

- 4.4 SCC and KCC recognise that the application of net self-sufficiency does not mean that an exact equivalent amount of waste, of the same type, will be transported in both directions between Surrey and Kent. It is possible that particular commercial conditions exist which mean more waste is transported to one authority than the other. However net self-sufficiency means that such a situation would, in principle, be broadly balanced by movements between other authorities.

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<sup>3</sup> Memorandum of Understanding between the Waste Planning Authorities of the South East of England, April 2017

- 4.5 Appendix 1 details reported movements of waste between Surrey and Kent and both authorities agree that there are no planning reasons why these movements cannot continue in future.
- 4.6 Currently more non-hazardous waste is exported from Surrey than is imported and a capacity gap therefore exists for recovery of residual waste (this is partly due to the export of household waste to the Allington EfW mentioned in Section 3.0 above). Policies, including the allocation of land for the management of waste, are included in the Surrey Waste Local Plan to address this matter. Kent County Council will achieve net self-sufficiency, with a likely 'surplus'<sup>4</sup>, in non hazardous waste management capacity once additional consented waste management capacity is operational in 2021. In light of this neither SCC or KCC are specifically planning to meet the waste management needs of the other area but neither are they placing restrictions on development which constrain the origin of waste which may be managed by such development.

#### Safeguarding

- 4.7 Each authority will seek to safeguard waste management capacity in its own area through robust policies in their respective development plans on waste management. This means the plans of both parties include a presumption against granting permission for other forms of development which could result in reductions in physical or operational capacity (either by reductions in numbers and size of sites or by reduction in site throughput or restrictions on operation). Where development is proposed that would result in a reduction in capacity the need for that capacity in meeting the needs of other areas will be taken into account.

#### Green Belt

- 4.8 It is recognised that the prevalence of Green Belt within Surrey (as illustrated on Figure 1) presents a significant constraint and fewer opportunities may exist for the management of waste which are clearly consistent with national policy. Indeed, historic patterns of development suggest it is unlikely that the anticipated waste management needs of Surrey will be met without developing waste management facilities on Green Belt land<sup>5</sup>. Allocations of land are therefore proposed in the Surrey Waste Local Plan within the Green Belt. As waste management is considered inappropriate development within Green Belt, any proposals will only be considered acceptable if 'very special circumstances' are shown to exist, which clearly outweigh the harm caused to the Green Belt by reason of inappropriateness and any other harm, such as the preservation of openness of Green Belt designated land<sup>6</sup>. One such very special circumstance would be an inability of the waste to be practically managed in other locations outside of the Green Belt, including those outside of Surrey.

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<sup>4</sup> The 'surplus' is represented by the development of residual waste recovery capacity that exceeds the requirements for the recovery of residual waste produced in Kent. It is estimated that this surplus will be around 250 to 300,000 tonnes per annum.

<sup>5</sup> See Surrey County Council Site Identification and Evaluation Report [January 2019]

<sup>6</sup> This is consistent with paragraphs 143 and 144 of the NPPF

- 4.9 Proposals in Kent for the management of waste that might otherwise need to be managed within the Green Belt in Surrey will be considered taking into account the national policy constraints on development within Green Belt. For example, where it is demonstrated that the waste to be managed is to be transported to the facility in Kent specifically to avoid development within the Green Belt then this may be a material consideration.

#### Non-Inert Waste Landfill

- 4.10 In Surrey there is only one non-inert landfill remaining at Patteson Court and this site has planning permission requiring restoration by 2030. In Kent there are two non-inert waste landfills which are sufficient to meet requirements over the adopted plan period to 2031.
- 4.11 The demand for non-inert waste landfill has declined markedly in recent years and this decline is likely to continue. No proposals for new sites (including proposals for allocations in waste local plans) have come forward in either Kent or Surrey. In light of this there are no allocated sites for landfill in either the Surrey Waste Local Plan or the Kent Minerals and Waste Local Plan, however proposals (including extensions or alterations of existing landfill sites) may come forward. The assessment of need for any new non-inert landfill would take account of whether there is already sufficient suitable capacity to deal with the residual waste. This assessment will take account of the fact that waste is transported increasingly long distances to landfill and so existing sites some distance away may be able to serve requirements in Surrey and Kent and other neighbouring areas. This assessment will also need to consider impacts associated with vehicle movements.
- 4.12 SCC and KCC are collaborating on a Joint Position Statement concerning Non-hazardous Waste Landfill in the South East that is being facilitated by the South East Waste Planning Advisory Group.

#### 5.0 Additional Strategic Matters

- 5.1 Common ground on other matters between SCC and KCC is set out in the Memorandum of Understanding between the Waste Planning Authorities of the South East of England, April 2017. This includes the following:
- Principle of planning for waste from London;
  - implementation of the waste hierarchy;
  - provision of capacity within waste local plans; and,
  - recognition of waste industry influence on delivery of actual capacity.
- 5.2 SCC and KCC are also party to the following Joint Position Statements:
- Non-hazardous landfill in the South East of England (currently being prepared)
  - Permanent Deposit of Inert Waste to Land in the South East of England (currently being prepared)

## 6.0 Cooperation Activities

6.1 Activities undertaken when in the process of addressing the strategic cross-boundary matter of waste management, whilst cooperating, are summarised as follows:

- Input to draft proposals for planning policy concerning waste management in each other's area;
- membership of the South East Waste Planning Advisory Group and signatories to related joint MoU and joint position statements; and,
- ad-hoc exchange of information (via correspondence and meetings) related to the monitoring of waste movements and management capacity

## 7.0 Governance and Future Arrangements

7.1 The parties to this Statement have worked together in an ongoing and constructive manner. SCC and KCC will continue to cooperate and work together in a meaningful way and on an ongoing basis to ensure the effective strategic planning of waste management. Appropriate officers of each Party to this Statement will liaise formally through correspondence and meetings as and when required (including via SEWPAG).

7.2 The parties will review this SoCG at least every 12 months and establish whether this SoCG requires updating. Specific matters likely to prompt updates of this SoCG include the following:

- Modifications to the Kent Minerals Sites Plan resulting from its independent examination (anticipated in Summer 2019)
- Modifications to the Surrey Waste Local Plan resulting from its independent examination (anticipated in Summer 2019)
- Evidence which shows significant changes in the level of waste movements between the two authorities.

**Appendix 1 - Reported movements of waste between Surrey and Kent<sup>7</sup>****Household, Commercial & Industrial Waste (Source: Environment Agency Waste Data Interrogator)**

Facility WPA	Facility Name	Operator	Exports from Surrey to Kent			Exports from Kent to Surrey		
			2015	2016	2017	2015	2016	2017
Kent	Sittingbourne Waste Transfer Station	Suez UK Environment Ltd	200	N/A	15000	N/A	N/A	N/A
Kent	Longreach Sewage treatment Works	Thames Water Utilities Limited	4000	7000	10000	N/A	N/A	N/A
Kent	Countrystyle Recycling Ltd Ridham	Countrystyle Recycling	5000	6000	4000	N/A	N/A	N/A
Kent	CSG Aylesford	Cleansing Service Group Ltd	7000	1000	0	N/A	N/A	N/A
Kent	Ridham Waste Transfer and Treatment Facility	Suez UK Environment Ltd	41000	30000	0	N/A	N/A	N/A
Kent	Greatness Quarry Landfill	Cory Environmental	0	1000	2000	N/A	N/A	N/A
Kent	Ham Hill WWTW	Southern Water	0	0	2000	N/A	N/A	N/A
Kent	Port of Sheerness	Port of Sheerness Ltd	0	0	2000	N/A	N/A	N/A
Kent	Ridham Dock Wood Facility	Countrystyle Recycling Ltd	0	0	2000	N/A	N/A	N/A
Kent	Tonbridge WWTW	Southern Water	0	0	2000	N/A	N/A	N/A
Surrey	Redhill Landfill (NEQ) EPR/BU8126IY	Biffa Waste Services Ltd	N/A	N/A	N/A	18000	23000	53000
Surrey	Camberley Treatment Plant	Viridor Waste (Thames) Ltd	N/A	N/A	N/A	0	3000	3000
Surrey	West London Facility, Longcross	Agrivert Limited	N/A	N/A	N/A	1000	0	0
Surrey	Oakleaf Farm	Drumcastle Limited	N/A	N/A	N/A	0	0	1000

<sup>7</sup> Tables above and below are taken from exchange of correspondence between Alice Short (KCC) and Katie Smyth (SCC) - 8 February 2019



**Inert Waste (Source: Environment Agency Waste Data Interrogator)**

Facility WPA	Facility Name	Operator	Exports from Surrey to Kent			Exports from Kent to Surrey		
			2015	2016	2017	2015	2016	2017
Kent	Stone Pit 2 Inert Landfill	Stonepit Restoration Limited	7000	4000	10000	N/A	N/A	N/A
Kent	Borough Green Landfill	Robert Body Haulage Ltd	12000	12000	0	N/A	N/A	N/A
Kent	Borough Green Sandpits Landfill	Borough Green Sandpits Ltd	2000	1000	5000	N/A	N/A	N/A
Kent	Countrystyle Recycling	Countrystyle Recycling Ltd	3000	3000	2000	N/A	N/A	N/A
Kent	Greatness Quarry	Enovert South Limited	2000	8000	1000	N/A	N/A	N/A
Kent	Polhill Waste Transfer Station	JB Waste Management	2000	5000	0	N/A	N/A	N/A
Kent	Swanscombe Glass Recovery Facility	Recresco Limited	2000	8000	3000	N/A	N/A	N/A
Kent	Allington Depot	Hanson Quarry Products Europe Limited	0	2000	1000	N/A	N/A	N/A
Kent	Greenacres Farm	Osmonds Environmental Limited	0	1000	1000	N/A	N/A	N/A
Kent	Knockholt Station Goods Yard	BSP Knockholt Ltd	0	0	2000	N/A	N/A	N/A
Kent	Oak Tree Farm	BSP Knockholt Ltd	0	0	2000	N/A	N/A	N/A
Kent	Ridham Dock Wood Facility	Countrystyle Recycling Limited	0	0	1000	N/A	N/A	N/A
Surrey	Ellerton Yard	DJ Grab Services Ltd	N/A	N/A	N/A	0	4000	10000
Surrey	Egap Recycling Centre	Egap Recycling Limited	N/A	N/A	N/A	1000	1000	0
Surrey	Homefield Sandpit	Chambers Runfold Plc	N/A	N/A	N/A	0	1000	1000
Surrey	Matthews (Sussex) Limited	Matthews (Sussex) Limited	N/A	N/A	N/A	1000	4000	2000
Surrey	Mercers South Quarry	J J & Franks Limited	N/A	N/A	N/A	0	2000	0

FINAL April 2019

Surrey	Queen Mary Reservoir Recycling Facility	Brett Aggregates	N/A	N/A	N/A	2000	1000	0
Surrey	Redhill Landfill	Biffa Waste Services Ltd	N/A	N/A	N/A	27000	0	9000
Surrey	United Grab Hire	United Grab Hire Ltd	N/A	N/A	N/A	1000	0	0
	Land at Cranleigh Brick & Tile Co Ltd	Rural Arisings Limited	N/A	N/A	N/A	0	0	1000
Surrey	Oxted Quarry Landfill	Southern Gravel Limited	N/A	N/A	N/A	0	0	1000

**Hazardous Waste (Source: Environment Agency Waste Data Interrogator)**

Facility WPA	Facility Name	Operator	Exports from Surrey to Kent			Exports from Kent to Surrey		
			2015	2016	2017	2015	2016	2017
Kent	CSG Aylesford Treatment Plant	Cleansing Service Group Ltd	1600	1600	1500	N/A	N/A	N/A
Kent	Safetykleen UK	Safetykleen UK	N/A	100	300	N/A	N/A	N/A
Kent	H Ripley & Co	Mr Obed Ripley & Obediah Ripley	100	0	100	N/A	N/A	N/A
Kent	Sweep Kuusakoski Ltd	Sweep Kuusakoski Ltd	500	4600	4500	N/A	N/A	N/A
Kent	Ace Car Breakers	Ace Car Breakers	1000	0	0	N/A	N/A	N/A
Kent	Oakwood Yard	Albus Environmental	0	100	100	N/A	N/A	N/A
Surrey	Camberley Treatment Works	Viridor Waste (Thames) Ltd	N/A	N/A	N/A	100	100	100