

## Statement of Common Ground

### Between Surrey County Council and the North London Boroughs

### Concerning Strategic Policies for Waste

March 2019

## Contents

1. Introduction and Parties Involved .....	2
2. Signatories.....	3
3. Strategic Geography .....	4
4. Strategic Matters .....	5
5. Common Ground between Surrey County Council and the North London Boroughs ...	6
Net Self Sufficiency.....	6
Permanent deposit of waste to land (Landfill) – exports from London .....	8
Ongoing Use of Specific Facilities.....	10
Safeguarding Waste Management Facilities.....	10
6. Cooperation Activities.....	11
7. Governance and Monitoring.....	11

## 1. Introduction and Parties Involved

- 1.1. Both Surrey County Council and the North London Boroughs are responsible for planning for the future management of waste in their areas by including relevant strategic policies in their Local Plans. Surrey County Council is currently updating the Surrey Waste Plan (by preparing the 'Surrey Waste Local Plan' (SWLP)) and the North London Boroughs are preparing the North London Waste Plan.
- 1.2. 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."
- 1.3. 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".
- 1.4. National Policy<sup>3</sup> 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."
- 1.5. This document represents a Statement of Common Ground between Surrey County Council and the North London Boroughs that helps ensure that sufficient waste management capacity is planned for in each area. It is concerned with the following types of waste:
  - Local Authority Collected Waste
  - Commercial and Industrial Waste
  - Construction, Demolition and Excavation waste
  - Hazardous Waste

---

<sup>1</sup> Paragraph 24 and 25 of the National Planning Policy Framework February 2019

<sup>2</sup> Paragraph 20 of the National Planning Policy Framework February 2019

<sup>3</sup> Paragraph 27 of the National Planning Policy Framework February 2019

DRAFT v0.5 Statement of Common Ground between Surrey County Council and the North London Boroughs

1.6. The 'North London Boroughs' preparing the joint North London Waste Plan are as follows:

- Barnet
- Camden
- Enfield
- Hackney
- Haringey
- Islington
- Waltham Forest
- 

2. Signatories

2.1 This statement is agreed by Surrey County Council's Cabinet Member for Environment and Transport and the North London Boroughs as set out below.

.....

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

.....

Date

.....

[Name and position / authority]

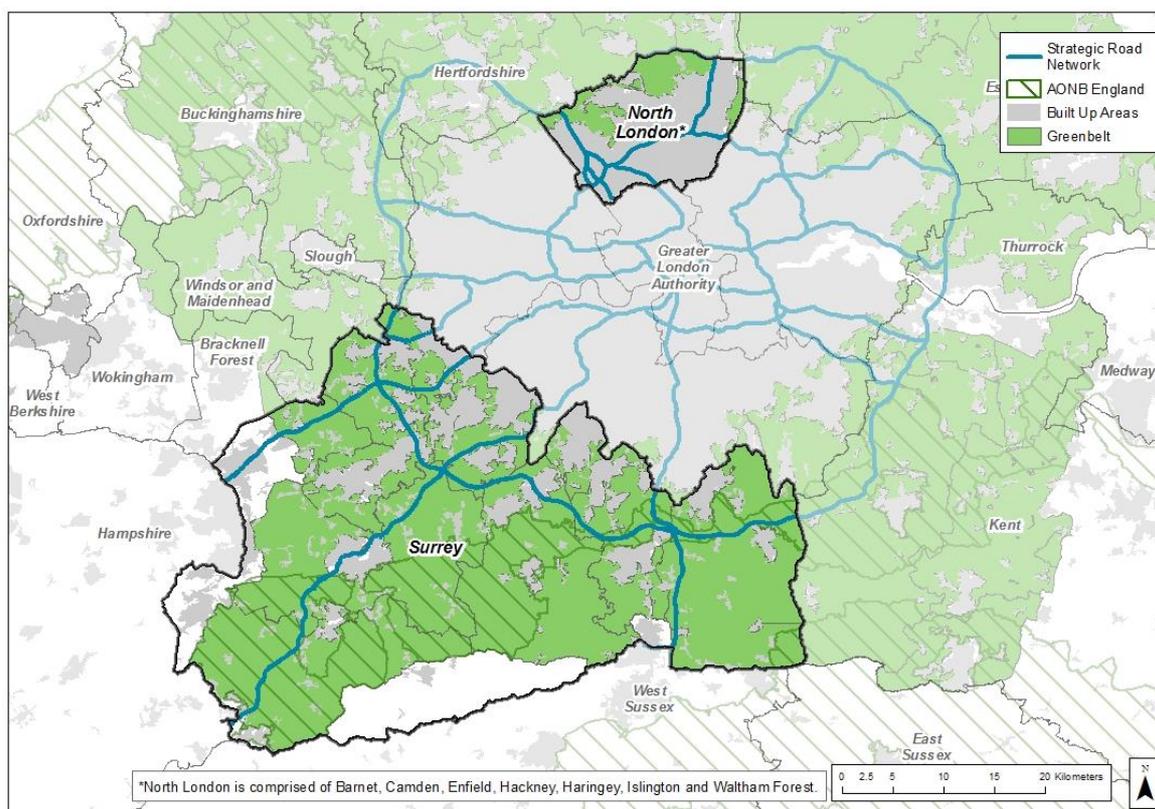
.....

Date

### 3. Strategic Geography

3.1 The county of Surrey is located immediately to the south and west of Greater London. The North London Boroughs are located in the north of Greater London but there are major A roads and motorways between the two areas. The North London Boroughs are heavily urbanised and densely populated. 73% of Surrey is included within the metropolitan Green Belt. Figure 1 below shows the relative locations of Surrey and the North London Boroughs.

Figure 1: Location of Surrey and North London Boroughs



#### 4. Strategic Matters

- 4.1. The management of waste is an inherently strategic matter as waste that arises in one area is frequently managed in a different area. Economies of scale also mean that strategic<sup>4</sup> waste management facilities generally have a catchment wider than the waste planning area (in this case the areas of Surrey and the North London Boroughs) within which they are located. This means that decisions to locate a waste management facility in a certain area will impact not just on that area but other neighbouring areas and beyond.
- 4.2. Waste management data (see Appendix 1) shows that a proportion of waste produced in Surrey is managed in the North London Waste Plan area and vice versa. The cross boundary movement of waste between Surrey and North London (in both directions) 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”.*

- 4.3. Movements of waste also take place between Surrey and the North London Boroughs and other areas.

---

<sup>4</sup> A ‘strategic’ facility is taken by the Surrey Waste Local Plan to be a facility that manages at least 20,000 tonnes of waste per annum.

## 5. Common Ground between Surrey County Council and the North London Boroughs

### Net Self Sufficiency

- 5.1. 'Net self-sufficiency' is a principle 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 arising within its area.
- 5.2. To be sound, planning policy in the North London Waste Plan has to be in general conformity with the London Plan and the application of the principle of net self-sufficiency in planning for waste management is recognised in the current London Plan<sup>5</sup> as follows: *"Waste contracts do not recognise administrative boundaries and waste flows across borders. Therefore, sufficient sites should be identified within London to deal with the equivalent of 100 per cent of the waste apportioned to the boroughs"*<sup>6</sup>. Individual London Boroughs will ensure that net self-sufficiency is achieved in London for household waste and commercial and industrial waste overall by planning for the management of a certain quantity of such waste in their areas that is prescribed in the London Plan (known as 'apportionments').
- 5.3. While the North London Waste Plan is planning for capacity to manage the equivalent of 100% of its waste arisings for LACW, C&I and C&D waste including hazardous waste (net self-sufficiency), there will still be some waste that cannot be recycled, recovered or treated within North London which will need be exported to landfill and specialist hazardous waste facilities.
- 5.4. The North London Waste Plan recognises that fewer opportunities exist for the management of large quantities of inert materials (subsoils, stone etc.) that may be produced as a result of excavation activity (e.g. tunnelling) within North London and that this material may be transported to Surrey (or elsewhere) for management e.g. use in the restoration of mineral workings. Therefore, it is possible that the North London Boroughs may not be able to maintain net self-sufficiency if this material is included. This is recognised in The GLA's Early Suggested Changes to the new London Plan which note that the term net self-sufficiency applies to all waste streams except excavation waste and include the following: *"The particular characteristics of this waste stream mean that it will be very challenging for London to provide either the sites or the level of compensatory provision needed to apply net self-sufficiency to this waste stream"*<sup>7</sup>

---

<sup>5</sup> See Paragraph 5.67

<sup>6</sup> Draft new London Plan showing Minor Suggested Changes August 2018, Paragraph 9.8.3

<sup>7</sup> Draft new London Plan showing Minor Suggested Changes August 2018, Paragraph 9.8.1

- 5.5. The approach to planning on the basis of net self-sufficiency is included in a Memorandum of Understanding<sup>8</sup> between Surrey County Council and other waste planning authorities in the South East, where it states: *“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.”*
- 5.6. SCC are therefore planning on the basis of net self sufficiency for all waste streams and the Surrey Waste Local Plan (January 2019 Submission Draft) includes the following strategic objective: *“To make sure enough waste management capacity is provided to manage the equivalent amount of waste produced in Surrey.”* And states: *“The Plan accepts that it is not practicable to deal only with waste produced in Surrey and that cross-boundary waste movements, including from London, are necessary to support the viable and efficient operation of waste management facilities.”*
- 5.7. The parties agree that strategic policies will therefore be included in the Surrey County Council Waste Local Plan and North London Waste Plan which provide for the development of facilities that will manage waste produced on the basis of ‘net self-sufficiency’ (in the case of North London this does not include inert excavation waste) 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 to least):
1. Prepared for reuse;
  2. Recycled and/or composted;
  3. Recovered in ways other than recycling/composting;
  4. Disposed.
- 5.8. All parties agree that there is a continuing need to plan to manage waste further up the waste hierarchy to help reduce the need for landfill capacity.

---

<sup>8</sup> Memorandum of Understanding between the Waste Planning Authorities of the South East of England, April 2017

5.9. Surrey County Council and the North London Boroughs recognise that the application of net self-sufficiency does not mean an equivalent amount of waste, of the same type, will be transported in both directions between Surrey and the North London Boroughs. 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.

5.10. Specifically, it is recognised that quantities of inert excavation waste may be exported to Surrey from the North London Boroughs which are not balanced by exports of waste from Surrey.

#### Permanent deposit of waste to land (Landfill) – exports from London

5.11. The table below shows projected exports to landfill (in total) from North London over the NLWP plan period 2020-2035. The figures represent waste which cannot be prepared for reuse, recycled/composted, or used for other recovery.

*Table 1 Anticipated total exports to landfill from North London 2020-2035 (tonnes)*

Waste Stream	2022	2027	2032	2035
Excavation	419,012	436,356	454,419	465,613
C&I	109,868	111,666	114,569	117,392
C&D	23,114	24,071	25,067	25,685
LACW	2,000	2,000	2,000	2,000
Hazardous waste	12,741	12,741	12,741	12,741
Total	566,735	586,834	608,796	623,431

5.12. North London does not currently export a significant amount of non-hazardous or inert waste to landfill in Surrey. The main waste export from North London to Surrey is hazardous waste which constitutes around 14% of all hazardous waste exports from North London to landfill (See Appendix 1).

5.13. The authorities acknowledge that existing landfill capacity in the wider south east is declining and currently no new landfill sites are being put forward by waste operators.

5.14. The authorities agree that, in light of the fact that Patten Court is not due to close to waste imports until 2028, there is sufficient opportunity for alternative suitable destinations for North London’s waste to be identified and these may be located elsewhere in the wider south east.

5.15. While not allocating sites for landfill in Surrey, the SWLP acknowledges the potential future need for landfill and includes a specific policy to address any proposals that come forward in its area. Furthermore, the SWLP recognises that the deposit of inert waste on land may often constitute a beneficial use of the material e.g. in the restoration of mineral workings and so may be considered ‘recovery’ rather than ‘disposal’ by landfill.

#### *Hazardous waste to Patteson Court landfill*

5.16. Based on the data in Appendix 1, it is estimated that around 1,800 tonnes of hazardous waste per annum will be exported from North London to Patteson Court landfill in Surrey.

5.17. Patteson Court landfill is the only landfill site in Surrey capable of taking non-hazardous waste and some hazardous waste. The hazardous waste is deposited in cells dedicated to receiving deposits of stable non-reactive hazardous waste e.g. asbestos. This site has planning permission requiring restoration by 2030. Any waste that is currently sent to Patteson Court will not be able to be managed beyond 2027 when activities for the deposit of waste to land are likely to cease. There are currently no allocated sites for non-hazardous (or hazardous) landfill in the Surrey Waste Local Plan.

5.18. The destination of waste is affected by market forces which influence the availability of different facility options and, therefore, it is not possible to identify a specific alternative landfill site or sites where North London’s hazardous waste will go after the closure of Patteson Court. However there are a number of landfill sites with hazardous waste cells in the wider south east, including in Buckinghamshire, Cambridgeshire, Kent, Oxfordshire and Suffolk<sup>9</sup>.

#### *Inert C, D & E waste to land*

5.19. The data which underpins the draft new London Plan highlights that the majority of C,D & E waste which originates in London and which is destined for landfill, is exported outside the capital for disposal. In particular, “*substantial volumes of London’s inert waste are accepted at landfills in the South East and East of England*”<sup>10</sup>. The report estimates that in 2015, landfills in the South East received 1.5 Mt of inert waste from London (East of England received 2.2 Mt).

---

<sup>9</sup> Information taken from the Environment Agency’s Remaining Landfill Capacity datasets

<sup>10</sup> SLR Consulting for Greater London Authority Waste Forecasts & Apportionments – Task 2 May 2017 (Paragraph 2.4.2)

5.20. The report also recognises that *“disposal of [C, D & E waste] generated in London is therefore also contingent on continuing availability of void at these facilities”*<sup>11</sup>. Void space classed as inert landfill in Surrey is currently available (See Appendix 2) and can be relied upon in the short to medium term. However, the Submission Surrey Waste Local Plan (January 2019) notes that beneficial use of C,D&E waste for inert fill, where this is necessary, can be categorised as a waste recovery operation and that inert material derived from C,D&E waste is a valuable resource and, furthermore, when used in mineral site restoration as inert fill or as capping material for landfilling or landraising activities is considered to be a recovery operation. The availability of capacity for permanent deposit of inert waste in Surrey will continue to be monitored (See Section 6) but there are several mineral quarries requiring restoration through the import of inert material. This void space may be classed as ‘recovery’ and is also identified in Appendix 2.

#### Ongoing Use of Specific Facilities

5.21. Data on the latest movements is set out in Appendix 1. It is agreed that there are no planning reasons why movements of waste from Surrey to the Edmonton Materials Recycling Facility cannot continue in future. As discussed above, there are limitations on the future disposal of waste to Patteson Court landfill due to its limited void space.

#### Safeguarding Waste Management Facilities

5.22. The purpose of safeguarding sites in existing waste use, as well as those with planning permission and/or allocated for waste management facilities, is to ensure that the need for existing or planned waste management infrastructure is taken into account when decisions are made on all new development.

5.23. Each authority will seek to safeguard waste management capacity in its own area on the bases set out below.

5.24. In Surrey, safeguarding waste management capacity means there will be 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.

---

<sup>11</sup> SLR Consulting for Greater London Authority Waste Forecasts & Apportionments – Task 2 May 2017 (Paragraph 2.4.2)

5.25. In North London, safeguarding waste management capacity means that applications for non-waste uses on safeguarded waste sites will only be permitted where it is clearly demonstrated to the satisfaction of the relevant borough that compensatory capacity will be delivered in line with the spatial framework on a suitable replacement site in North London, that must at least meet, and, if possible, exceed, the maximum achievable throughput of the site proposed to be lost and help to promote the increased geographical spread of waste sites across the plan area.

## 6. 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 and representation on respective waste technical advisory groups (South East Waste Planning Advisory Group and London Waste Planning Forum); and,
- ad-hoc exchange of information (via correspondence and meetings) related to the monitoring of waste movements and management capacity

## 7. Governance and Monitoring

7.1. This statement of common ground represents an outcome of continuing duty to cooperate engagement on movements of waste between our areas over the development of the North London Waste Plan and the Surrey Waste Local Plan.

7.2. Surrey County Council and the North London Boroughs 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. It is noted that the draft new London Plan 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. An example of joint working would be ongoing updates to the London Waste Map and monitoring and management solutions for waste arisings from London”<sup>12</sup>.*

7.3. Similarly, the Surrey Waste Local Plan states:

---

<sup>12</sup> Draft new London Plan showing Minor Suggested Changes August 2018, Paragraph 9.8.3

DRAFT v0.5 Statement of Common Ground between Surrey County Council and the North London Boroughs

*“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.”*

- 7.4. Appropriate officers of each Party to this Statement will therefore liaise formally through correspondence and meetings as and when required
- 7.5. As a result ongoing monitoring of waste movements and waste capacity will be important. The Authorities will report the position with respect to this SoCGs in their Annual Monitoring Reports and this will include the need for, and progress with, any reviews. Specific matters likely to prompt updates of this SoCG include the following:
- Modifications to the North London Waste Plan resulting from its independent examination (anticipated in late 2019)
  - Modifications to the Surrey Waste Local Plan resulting from its independent examination (anticipated in June/July 2019)
  - Evidence which shows significant changes in the level of waste movements between the two authorities.
- 7.6. Each authority is required to review their Local Plan every five years, including waste plans and waste policies and this represents a further opportunity to review waste flow data. The data source for waste movements will be the Environment Agency’s Waste Data Interrogator and Hazardous Waste Data Interrogator which are released annually and are available online.

### Appendix 1 – Strategic Waste Movements

Note: A waste movement that is considered ‘strategic’ is a movement that is greater than the following quantities to a single facility:

- 5,000 tonnes per annum of non-inert waste
- 100 tonnes per annum of hazardous waste
- 10,000 tonnes per annum of inert wastes including excavation waste

Facility WPA	Facility Name	Operator	Surrey → North London			North London → Surrey		
			2015	2016	2017	2015	2016	2017
Enfield	Edmonton Materials Recycling Facility (MRF)	Biffa	31,000	35,000	43,000	N/A	N/A	N/A
Surrey	Hazardous waste landfill (Patteson Court)	Biffa	N/A	N/A	N/A	2,111	1,041	466
Surrey	All hazardous waste (see table below)		N/A	N/A	N/A	5,559	1,486	852

#### Hazardous waste exports from North London to Surrey 2013-2017 (tonnes)

Type of Hazardous Waste	2013	2014	2015	2016	2017
Landfill (C&D Waste and Asbestos)	776	1,989	2,111	1,041	466
Treatment (C&D Waste and Asbestos)	4,960	6,115	3,031	0	22
Treatment (Oil and Oil/Water Mixtures)	338	446	371	406	293
All other	17	35	46	39	71
<b>Total</b>	<b>6,091</b>	<b>8,585</b>	<b>5,559</b>	<b>1,486</b>	<b>852</b>

**Appendix 2 – Surrey Landfill facilities and their current voidpace (as of December 2017)**

Site Name	Treatment Type	Treatment Category	2017 Throughput (tpa)	Capacity (m3)	Capacity (tpa)	Close Date
Regiate Road Quarry	Recovery to Land	Recovery	165227	200000		
Patteson Court Landfill	Non-hazardous Landfill	Landfill	666409	4328455		2030
Addlestone Quarry	Recovery to Land	Recovery	54036	551145		2020
Hengrove Farm & Hengrove Park	Recovery to Land	Recovery		0		2020
Hithermoor Quarry	Recovery to Land	Recovery	303499	0		2022
Home Farm c&o Shepperton Quarry	Recovery to Land	Recovery	11308	979000		2020
Homers Farm	Recovery to Land	Recovery		540000		2021
Manor Farm Quarry	Recovery to Land	Recovery		0		
Stanwell Quarry	Recovery to Land	Recovery	6048	101154		2027
Mercers South Quarry	Recovery to Land	Recovery	14470	0		
Oxted Quarry Landfill	Recovery to Land	Recovery	143455	2238824		2042
Oxted Sandpit	Recovery to Land	Recovery		338000		
Alton Road Sandpit	Recovery to Land	Recovery	127427	2524000		2022
Homefield Sandpit	Recovery to Land	Recovery	26807	1102992		2042
Runfold South Landfill Area A	Non-hazardous Landfill	Landfill	29402	165000		2024
Stockstone Quarry	Recovery to Land	Recovery	46606	22025		