

## Appendix 2 Consultation summary

### General comments

- 1.2 A large number of representations were received following the workshop. A number of very useful points were raised and where there is sufficient justification or available supporting data (covering London), amendments to the proposed methodology have been recommended, subject to agreement from the GLA.
- 1.3 Whilst the GLA confirmed that they are currently not planning to allocate an apportionment to the Mayoral Development Corporations (MDC), a number of affected boroughs raised this as an issue where further work may be needed to better understand how borough apportionments are met by the boroughs themselves as well as the MDCs.
- 1.4 A number of boroughs would welcome the opportunity to review the input data before the apportionment is updated.
- 1.5 The East of England Waste Technical Advisory Body noted that approximately 60% of the arisings from London that are sent to landfill are sent to the East of England, amounting to over 600,000 tonnes in 2015. There is limited landfill void space in the East of England and this space needs to be reserved for use by the Waste Planning Authorities where it is located. Recycling, re-use and treatment of waste arising in London should therefore be maximised to preserve this resource and to meet the requirements of the current London Plan.

### Criterion 1: Theoretical surplus/deficit in Borough capacity

- 1.6 There was overwhelming support for the separation of waste arisings and waste capacity.
- 1.7 In relation to the calculation of existing capacity, some consultees cautioned against the use of the GLA Waste Map to underpin this criterion given that only strategic sites are included. Consultees noted that efforts need to be made to ensure there is no double counting of capacity where waste is handled by more than one facility. Current existing capacity should not include sites that are currently in use for waste transfer only.
- 1.8 A robust and realistic approach to calculating land potentially suitable for waste management facilities is seen as fundamental to this criterion as well as forming the basis for a number of later criteria. Most consultees felt that any estimation of potential sites needs to have factored in the emerging SHLAA data to determine loss of employment areas to other uses, and also need to consider current uses on employment land. If SHLAA data is not comprehensively available within the timescales of this study, there was some support for the use of the London Housing Zones and/or Opportunity Areas to refine the GLA's London Industrial Land Supply & Economy Study 2015.
- 1.9 It was suggested that a threshold should be applied to eliminate small land areas where commercial waste management would not be practical or commercially viable.
- 1.10 Some boroughs at the consultation workshop raised concerns about the inclusion of land potentially suitable for waste management facilities within areas safeguarded for key infrastructure and civic uses such as police, fire and parliament. However, it was noted that this information is likely to be highly confidential and the consultant team are unlikely to be granted access to the data.
- 1.11 There was overwhelming support for the use of a 3 year average to calculate existing capacity rather than 75% estimate of licenced capacity used in the previous methodology. Licenced capacity is determined in 'bandings' and as such differ from actual throughput/capacity. It was noted that this data may be challenging to obtain for older sites, and where data are sparse or unavailable, then 75% licenced capacity could be used to fill gaps. The latter is the approach taken in the South East London Waste Technical Paper which has been agreed with the GLA waste team.
- 1.12 There was limited support for the 80,000 tonnes per hectare figure with suggested alternatives of 40,000 and 60,000. Many consultees raised the issue of variability in this figure between different waste management uses. The Environment Agency suggested that the 80,000 figure is too high

noting that the original report that developed this figure included inert waste transfer stations and other types of facility, that are very high in throughput, but which don't manage waste. The EA referred to a recent study based on London facilities, and assumptions for recycling rates from the London Plan shows that this may be too high also. A figure of 50,000 tonnes may be more appropriate.

### **Criterion 1 recommendations:**

1.13 Waste arisings and waste capacity should be split into two separate criteria.

#### **1.14 Q1 – Can GLA confirm they support this recommendation?**

1.15 A 3 year average should be used to estimate existing capacity. Where a suitable figure cannot be calculated using this approach, then 75% of licenced capacity can be used to fill in gaps. Consultees can be reassured that the method used to derive estimates for existing capacity (SLR and GLA) has avoided double counting.

#### **1.16 Q2 – Can GLA confirm they support this approach (3 year average as default, filling gaps using 75% licenced capacity)?**

1.17 To identify land potentially suitable for waste management facilities, most consultees agree that SHLAA data would form the most suitable dataset to underpin this assessment. However, if this data is not available to inform this work, it is suggested that Opportunity Areas and Housing Zones are overlaid onto the GLA's London Industrial Land Supply & Economy Study 2015 and a standard percentage reduction is applied to the areas identified as having potential for waste use in these zones in order to take account of the potential loss of industrial land to other competing uses. We would seek to agree a percentage with the GLA. This is a blunt approach, but in the absence of SHLAA data, this approach allows the method to move forward. It will be our strong recommendation that once the SHLAA data is available, this information is fed into the apportionment model.

#### **1.18 Q3 – Is there GLA support for using the OAs and HZs on top of the Industrial Land Supply and Economy Study data to reduce land considered as having potential for waste use?**

#### **1.19 Q4 – If yes, what percentage reduction should be applied in these zones?**

1.20 It must be noted that this dataset is used in a number of other criteria. The approach suggested above means that there will be a disconnect between the spatial layer and the resultant area-based figure (once a percentage reduction has been applied) that feeds into the apportionment model. Given the requirement for a spatial dataset for use in other criterion (to understand proximity to transport and constraints), the full spatial extent of land potentially suitable for waste management facilities (as mapped in the GLA's London Industrial Land Supply & Economy Study 2015) will be used for later criterion. Again, it will be our recommendation that once better data becomes available, the apportionment model is updated.

#### **1.21 Q5 – Is this approach agreeable?**

1.22 Whilst the minimum size consideration is noted, it is felt that this need not be accounted for at this strategic level.

#### **1.23 Q6 - Is this agreed?**

1.24 Once the data to support the estimation of land potentially suitable for waste management facilities has been agreed, a figure of 50,000 tonnes per hectare should be used to calculate future potential capacity. This figure has been suggested by the Environment Agency, and whilst unlikely to satisfy all consultees, a lower figure than 80,000 is generally supported.

#### **1.25 Q7 – Should the figure of 50,000 tonnes be used? If not, what figure should be used?**

#### **1.26 Q8 – Can we agree to proceed without the sensitive areas safeguarded for key infrastructure and civic uses data as this is unlikely to be available?**

### **Criterion 2: Proximity to waste arisings**

1.27 There were similar numbers in support of retaining this criterion as those supporting its removal. Those in support of retaining it reference the obligation under Article 16 of the Waste Framework

Directive and the principle of treating waste as close as possible to where it arises as fundamental.

- 1.28 Those in favour of removing it note that the London Plan aspiration for net self-sufficiency in waste management addresses the proximity principle to some degree. It was also noted that management of waste outside of a borough often relates to the contract in place or the waste being managed by the most suitable commercially viable facility which may or may not be the closest.

#### **Criterion 2 recommendations:**

- 1.29 Given the mixed responses on this criterion, we recommend that as arisings will now form its own criterion, this is a sufficient proxy for proximity to waste arisings; namely boroughs with higher arisings will receive higher apportionments under this new criterion – supporting the principle of treating waste as close as possible to where it arises.
- 1.30 **Q9 – Is it agreed that this criterion is removed?**

#### **Criterion 3: Proximity to sustainable transport modes**

- 1.31 Consultation responses to this proposed criterion amendment were mixed. A number of consultees noted that the presence of a rail head or wharf does not imply its availability for waste uses. Should this criterion remain, it was suggested that only those safeguarded wharves which are suitable and available for waste shipment (taking into account existing long term commitments and planning permissions) should be included in the calculation. Similarly, only rail tracks that are capable of moving freight should be considered.
- 1.32 Whilst the data does identify rail tracks that can only transport freight, it does not identify those that can carry freight and passengers. Therefore all tracks would have to be used.
- 1.33 Some consultees queried the usefulness of the proposed units of calculation (number per metre track or navigable waterway), suggesting the use of absolute figures for wharves (as per 2006 method) and the use of number of railheads per square kilometre (as opposed to length).
- 1.34 It was noted that proximity to sustainable transport modes in itself does not facilitate additional treatment capacity; it only serves moving the waste around.
- 1.35 Responses to the question related to the potential to remove Criterion 5 (Ability to use sustainable transport modes) suggested that Criterion 3 should additionally reflect the proximity of these sustainable transport modes to existing or potential waste management facilities.

#### **Criterion 3 recommendations:**

- 1.36 It is suggested that this criterion is retained with the proposed amendments, but efforts are made to augment the railhead and wharf data to better reflect actual availability for waste uses. The team do not have access to information to undertake this task. We would therefore use the list of safeguarded wharves already supplied by the GLA.
- 1.37 Q10 – is this agreed?**
- 1.38 In addition, it is suggested that similar to Criterion 4, an assessment of the proximity of the available transport nodes in relation to capacity should be included (e.g. only those nodes within 1km (?) of existing or potential facilities (full spatial extent prior to percentage reduction) should be included in the assessment).
- 1.39 Q11 – How should proximity be handled in this criterion? The old Criterion 5 counted the number of wharves within each borough, but the revised criterion 3 already takes that into account. Is the recommendation of a measure of the number of nodes within a set distance of facilities acceptable? If so, what distance is recommended?**

#### **Criterion 4: Proximity to road network**

- 1.40 There was more support for the refinements suggested in Option 2 given its ability to link road network availability to locations where waste can be managed. It was suggested that the road network data be re-examined to check the availability of information relating to the capacity of the road network as well as the suitability of the included roads. Reference was made to the London 'red routes' network as a more suitable road network to use for this criterion.

#### **Criterion 4 recommendations:**

1.41 It is suggested that Option 2 is used for this criterion, but that the availability of road capacity data and the 'red route' network is investigated further. Data for the 'red route', and a measure of the average delay per km per London borough has been made available. This is recommended as a better measure for determining the ability of the network to handle additional traffic.

#### **1.42 Q12 – is the use of the 'red route' data agreeable?**

#### **Criterion 5: Ability to use sustainable transport modes**

1.43 There was support for removing this criterion, given the proposed amendments to Criterion 3. In some cases, this was subject to agreement that a measure of proximity to capacity (existing and future) be introduced to Criterion 3.

#### **Criterion 5 recommendations:**

1.44 It is suggested that this criterion is removed and Criterion 3 amended to reflect proximity to capacity as suggested.

#### **1.45 Q13 – is the removal of this criterion agreed?**

#### **Criterion 6: Patterns of historic waste management capacity**

1.46 The majority of consultees support the removal of this criterion. For some, the lack of data constitutes enough justification, whilst for others, there is a desire to ensure that boroughs should not get 'credit' for exporting waste to be managed elsewhere.

1.47 Those supporting its retention cite existing long term contracts that will influence waste management for their borough for the foreseeable future.

#### **Criterion 6 recommendations:**

1.48 It is recommended that there is sufficient support to remove this criterion.

#### **1.49 Q14 – Is this agreed?**

#### **Criterion 7: Other land uses/environmental factors**

1.50 There is overwhelming support for the proposed amendments of this criterion; namely the inclusion of cultural heritage considerations and refinement to assess the level of constraint relating to land potentially suitable for waste management facilities (full spatial extent prior to percentage reduction) as identified in Criterion 1 rather than entire boroughs.

1.51 As a linked amendment, there was mixed support for the incorporation of flood risk into this criterion as an additional environmental consideration.

#### **Criterion 7 recommendations:**

1.52 It is recommended that this criterion be amended as per the proposed method; namely including cultural heritage constraints and focusing the assessment on land potentially suitable for waste management facilities (full spatial extent prior to percentage reduction) as identified in Criterion 1. It is recommended that flood risk is retained as a separate criterion (see Criterion 8).

#### **1.53 Q15 – Is this agreed?**

#### **Criterion 8: Flood risk**

1.54 There was widespread support for linking the assessment of flood risk to the land potentially suitable for waste management facilities as identified in Criterion 1.

1.55 There was mixed support for the incorporation of flood risk into Criterion 7 as an additional environmental consideration.

1.56 There were suggestions about additionally including surface water flooding as a constraint in this assessment. Waste development in flood risk areas is not completely ruled out in the EA guidance; however consultees felt that the level of risk could be factored in to make this criterion more valuable.

- 1.57 Not many boroughs responded to the suggestion of removing defended flood risk areas from areas considered constrained for the purposes of this criterion. Some felt that land defended from flooding (being mindful of the future capacity of the flood defences) should still consider residual risk and consequences, such as contamination from the waste being dispersed by the flood waters, and the ability to maintain/return to operational use.

**Criterion 8 recommendations:**

- 1.58 It is recommended that analysis for this criterion focus on flood risk of land potentially suitable for waste management facilities (full spatial extent prior to percentage reduction) as identified in Criterion 1. Whilst the concept of providing further refinement based on additional types of flooding or levels of risk are supported, we have previously been advised that the data is not available to support this analysis. It is proposed that areas defended by flood defences should not be considered to be at risk of flooding.

**1.59 Q16 - Is it agreed that we will continue using the Environment Agency Flood Zones, excluding those currently defended?**

**Criterion 9: Socio-economic factors**

- 1.60 Views on this criterion are very mixed. Those in favour of completely removing the criterion believe that, whilst the intention to avoid adverse socio economic impacts of waste facilities is important, inclusion of this in an apportionment methodology is inappropriate and it should be addressed through mitigation measures where new waste management facilities are proposed.
- 1.61 Those in support of retaining this criterion lean towards refining this assessment to focus on the levels of deprivation in and around any land potentially suitable for waste management facilities as identified in Criterion 1, drawing on LSOA level IMD data.
- 1.62 Many consultees are not comfortable with the implied assumption that waste management facilities always have a negative socio-economic impact.

**Criterion 9 recommendations:**

- 1.63 Given the mixed responses on this criterion and issues identified with the underlying principles, it is recommended that this criterion is amended in line with Option 3 (focusing only on deprivation and uncoupling it from number/density of existing facilities), with a further adjustment to focus the assessment on land potentially suitable for waste management facilities (full spatial extent prior to percentage reduction) as identified in Criterion 1 using LSOA level IMD data.

**1.64 Q17 - Is this agreed?**