



Statement of Common Ground

Between

**The London Borough of Havering, the London Borough of Newham,
the London Borough of Redbridge and BeFirst on behalf of the
London Borough of Barking and Dagenham ('the East London
Boroughs')**

And

East London Waste Authority

Stage: East London Joint Waste Plan Regulation 19 Submission Plan

Date: January 2026

Version: For Signature

1. Executive Summary

- 1.1. It is a statutory requirement for each area to have a 'waste local plan' that sets out how and where waste will be managed. Policies in waste local plans are used to determine planning applications affecting the management of waste. The London Borough of Barking and Dagenham, the London Borough of Havering, the London Borough of Newham and the London Borough of Redbridge ('the East London Boroughs') are currently updating the East London Waste Plan (2012) by preparing a replacement 'East London Joint Waste Plan' (ELJWP).
- 1.2. A 'Statement of Common Ground' (SoCG) is a written record of the progress made by plan-making authorities during the process of planning for strategic cross-boundary matters. It documents the strategic matters where effective cooperation has led to cross-boundary challenges and opportunities being identified, whether there is agreement between bodies in how these should be addressed, and how the strategic matters have evolved throughout the plan-making process. It is also a way of demonstrating at examination that plans are deliverable over the plan period and are based on effective joint working across local authority boundaries.
- 1.3. This SoCG addresses the key strategic matter of managing Local Authority Collected Waste (LACW) arising in East London between the signatories, the London Borough of Havering, the London Borough of Newham and the London Borough of Redbridge and BeFirst on behalf of the London Borough of Barking and Dagenham, ('the East London Boroughs') and the East London Waste Authority (ELWA), as relevant to the preparation of the East London Joint Waste Plan Regulation 19 Submission Plan and its progression to public Examination.
- 1.4. Strategic matters overseen by other organisations may be addressed in separate SoCGs. Where key strategic issues overlap between different organisations with whom the East London Boroughs have signed SoCGs, these interrelationships are summarised in the Duty to Cooperate Statement of Compliance Submission Version (2025).
- 1.5. This document is intended to be 'live' and so updated as circumstances change. Please see the Governance Arrangements section of the statement for more details.

2. Parties Involved

- 2.1. Barking and Dagenham Council, the Local Planning Authority for the London Borough of Barking and Dagenham, an outer London Borough in East London. Barking and Dagenham covers an area of approximately 3,611 hectares and is bordered by the London Boroughs of Newham, Redbridge and Havering, and sits across the River Thames from the Royal Borough of Greenwich and the London Borough of Bexley.
- 2.2. Newham Council, the Local Planning Authority for the London Borough of Newham, an inner London Borough in East London situated between three rivers: the Lea to the west, Thames to the south and Roding to the east. London Borough of Newham is bordered by several other London Boroughs, namely Tower Hamlets, Hackney, Waltham Forest, Redbridge, and Barking and Dagenham. Across the River Thames lies the Royal Borough of Greenwich. Newham's administrative boundaries also contain 65% of the London Legacy Development Corporation (LLDC) area, which acted as the planning authority for the Queen Elizabeth Olympic Park and surrounding area until the return of planning powers to the boroughs on 1st December 2024. Newham contains three Opportunity Areas: the Olympic Legacy (which also includes parts of

the other Olympic Host Boroughs), Poplar Riverside (which crosses the boundary with Tower Hamlets) and Royal Docks and Beckton, which is also the home of London's only Enterprise Zone and Europe's largest regeneration area.

- 2.3. Redbridge Council, the Local Planning Authority for the London Borough of Redbridge, an outer London borough in the northeast of the capital, extending approximately 22 sq. miles. The borough sits entirely within the M25, north of the river Thames, and the City of London is approximately seven miles to the west. Redbridge shares boundaries with four other London boroughs: Waltham Forest (to the west), Newham (to the south), Barking and Dagenham (to the south-east) and Havering (to the east). Redbridge also adjoins the Epping Forest District (to the north). Ilford Metropolitan Town Centre is the borough's primary centre, which lies within the south of the borough, and is designated as an Opportunity Area in the 2021 London Plan. Ilford Town Centre is also located within the Crossrail corridor, which also includes the smaller centres of Seven Kings, Goodmayes, and Chadwell Heath. All four centres have Elizabeth Line railway stations.
- 2.4. Havering Council, the Local Planning Authority for the London Borough of Havering, an outer London Borough situated in north east London. Over 50% of Havering is Green Belt. It borders the London Boroughs of Redbridge and Barking and Dagenham, and Epping Forest District Council, Thurrock and Brentwood, and on the other side of the River Thames, the London Borough of Bexley. Romford is the borough's only metropolitan town centre and also one of two Opportunity Areas in the borough, alongside London Riverside.
- 2.5. The East London Waste Authority (ELWA), the statutory joint Waste Disposal Authority for the London Boroughs of Barking & Dagenham, Havering, Newham, and Redbridge. ELWA is responsible for arranging the treatment and disposal of waste collected by the four Constituent Councils, known as Local Authority Collected Waste (LACW). It does this by letting and managing a long term contract for the operation of two waste management facilities in East London (Frog Island (managing waste arising principally from Barking & Dagenham and Havering) and Jenkins Lane (managing waste arising principally from Newham and Redbridge)), where waste undergoes treatment. It also provides a network of four public Reuse and Recycling Centres across the Plan area.
- 2.6. There is no statutory requirement for the waste local plans produced by Waste Planning Authorities to take account of the contents of Municipal Waste Management Strategies produced by Waste Disposal Authorities (WDAs). In London, waste authority contracts are monitored by the Mayor of London for conformity with the London Environment Strategy, while the Mayor of London sets combined apportionments for the management of household, industrial and commercial waste (HIC) for each Borough through the London Plan. Given the interrelationship between the parties and their functions, entering into a SoCG is desirable to constructively resolve concerns that may arise.

3. Strategic geography

3.1. The map below identifies the spatial representation of the key strategic matters addressed in this SoCG, within the context of the administrative areas of the plan-making authorities.

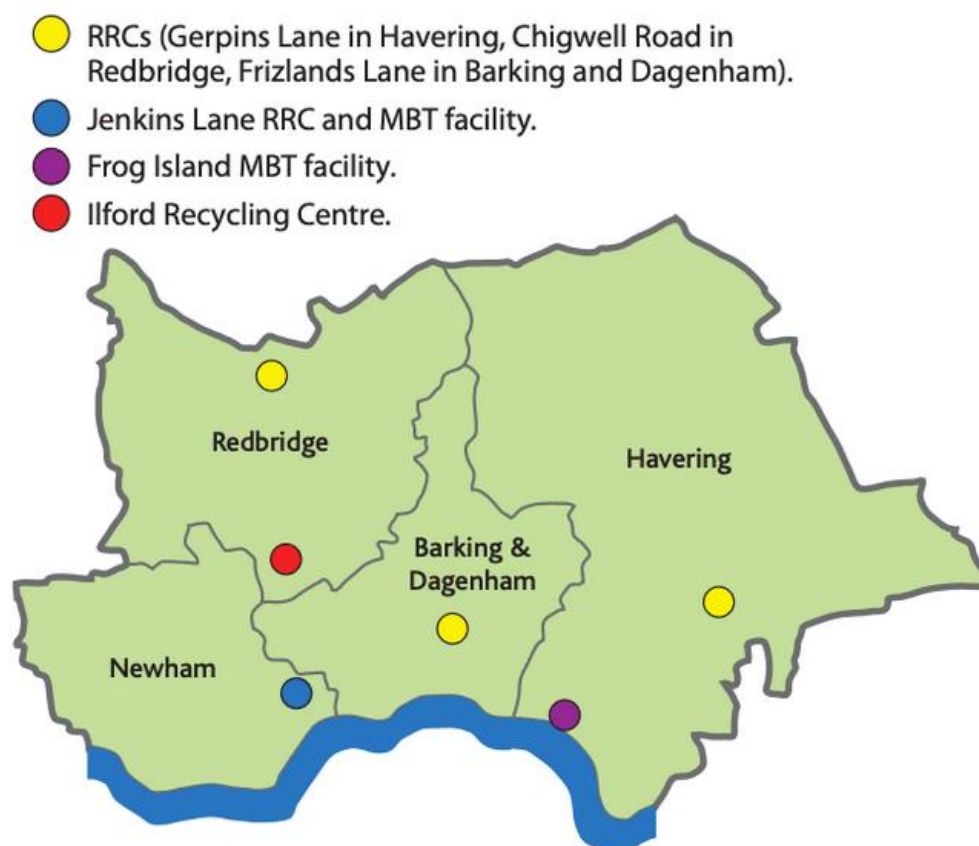


Figure 1: Map of the East London Joint Waste Plan Area and locations of ELWA facilities

4. Background

4.1. The national policy context forming the background to this statement of common ground is also detailed in the Duty to Cooperate Statement of Compliance Submission Version (2025), under '2: What is the Duty to Cooperate?'.

4.2. The East London Boroughs prepared the East London Joint Waste Plan Regulation 19 Submission Plan and published it for consultation between 19th May and 30th June 2025. This is the version of the plan that the East London Boroughs consider to be 'legally compliant' and 'sound' and will be submitted to the Secretary of State for examination by an independent planning inspector in late 2025/early 2026. To inform the East London Joint Waste Plan Regulation 19 Submission Plan, the East London Boroughs previously consulted on the Draft East London Joint Waste Plan (July 2024) under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 between 29th July and 16th September 2024. Prior to submitting a representation on the East London Joint Waste Plan Regulation 19 Submission Plan, ELWA previously commented on the Regulation 18 Draft East London Joint Waste Plan (July 2024) (see Appendix 1). A summary of ELWA's comments on the Regulation 18 Draft Plan and the East London Boroughs' consideration of these comments are set out in a

Consultation Statement published alongside the East London Joint Waste Plan Regulation 19 Submission Plan. This shows how the Regulation 19 Submission Plan took account of those comments.

- 4.3. In addition, a meeting took place between the East London Boroughs and ELWA on 16 August 2024 to discuss key strategic matters.
- 4.4. ELWA largely discharges its duties with regard to the management of LACW arising in East London through private sector contractual arrangements. ELWA is currently undertaking a series of procurements to establish new arrangements to come into effect in late 2027, and the continued development of this programme has revealed potential challenges to the continuation of existing management arrangements. The challenges were not fully understood prior to the Regulation 19 consultation and therefore the text provided by ELWA for inclusion in the Regulation 19 Plan does not reflect the current position regarding contract renewal. The specific issues arising are considered in Section 6.0 below.
- 4.5. As part of the duty to cooperate process, the East London Boroughs and ELWA are in agreement that:
 - The East London Boroughs and ELWA have engaged and consulted constructively, actively and on an ongoing basis during the preparation of the ELJWP.
 - ELWA is broadly in support of the East London Joint Waste Plan.
 - In broad terms, the East London Joint Waste Plan Regulation 18 Draft Plan and evidence base accurately represented the position with regard to arrangements for the management of LACW that were in place at the time it was published (July 2024).
 - The Regulation 19 Submission ELJWP adequately addressed the comments made by ELWA on the Regulation 18 Draft ELJWP.
 - Matters have arisen concerning the future management of LACW arising in East London, since ELWA commented on the Draft East London Joint Waste Plan (Regulation 18).
 - In acknowledgement of the uncertainty around the future use and availability of the ELWA sites at Frog Island and Jenkins Lane via MBT¹, the ELJWP Capacity Assessment considered a sensitivity of excluding the capacity provided at both sites from that available in East London for the management of apportioned waste. It found that its omission does not compromise the sufficiency of available capacity through to 2041.

This statement considers the issues raised by ELWA in its response to the Regulation 19 consultation in relation to the strategic matter of the future management of waste in East London including LACW arising in East London as appropriate.

¹ MBT = Mechanical Biological Treatment

5. Key Strategic Matters

Contextual information: Management of Waste in East London

- 5.1. The efficient and effective management of waste arising in East London is a key strategic matter that affects the London boroughs of Barking and Dagenham, Havering, Newham and Redbridge (the East London Boroughs or ELBs). The ELJWP includes policies intended to determine how land in East London may be used for waste management in the future and so may affect whether facilities with sufficient capacity exist to manage waste arising in East London as a minimum. In this regard it is noted that the amount of household and industrial and commercial (HIC) waste apportioned by the London Plan for each ELB to plan capacity for, exceeds the amount of such waste forecast to arise in East London over the Plan period. Given the surplus of capacity identified, provision for an equivalent amount of such waste to that produced in East London is confirmed to exist (and therefore by inference the tonnage equivalent to LACW forecast to be produced is provided for).
- 5.2. In light of the surplus capacity, and the general pressure on land in East London for the development of uses other than waste management, the ELJWP does not allocate additional land for waste development and anticipates the development of new sites only in exceptional circumstances. Strategic Objective 6 (Optimise Existing Waste Management Capacity) of the ELJWP is to:
- *‘Realise the full potential of existing waste management capacity in East London, using only the minimum land necessary while ensuring the capability to manage at least the apportionment in the London Plan is maintained.*
 - *Review and release land occupied by poorly located or under-utilised waste management facilities for other uses.’*

Issue 1: The need for the ELJWP to Properly Reflect the ELWA Contracting Process

- 5.3. Section 2 of the ELJWP is intended to provide context concerning the management of waste in East London. This includes LACW (Para 2.37-2.38) and ELWA’s role. In particular, paragraphs 2.124 – 2.130 (Pages 49 and 50) of the Submission ELJWP sets out an overview of the procurement process ELWA (as WDA for East London) went through in letting its long-term Integrated Waste Management Strategy (IWMS) contract and the steps it is taking towards procuring new arrangements to come into effect on the expiry of the IWMS contract. Given the dynamic nature of ELWA's contract arrangements, it is now considered appropriate to omit these details so as to ensure the Plan does not reflect an out of date position at adoption and during the Plan period.
- 5.4. In light of the above, the ELBS have proposed the following minor modification to address Issue 1:

Deletion of paragraph 2.129:

~~2.129 ELWA has begun the procurement of new contracts to replace its long-term IWMS contract from late 2027. A ‘disaggregated’ approach is being taken, meaning that separate contracts will be let for different types of services rather than one fully integrated contract. The~~

procurement process will be making sites available for bidders to use and will maintain the four existing Reuse and Recycling Centres. However, the future use of the facilities at Jenkins Lane and Frog Island, which manufacture refuse-derived fuel (RDF) from residual household and commercial waste through mechanical biological treatment (MBT), will be determined through the procurement process.

Addition of a new paragraph 1.7 (between paragraph 1.6 and the current 1.7), is proposed to provide context concerning the role and responsibilities of the waste industry as follows:

Whilst the ELJWP guides how and where waste may be managed in East London, the actual management of waste (including Local Authority Collected Waste) is often undertaken by private sector waste management companies, sometimes under contract to a local authority and sometimes as purely commercial operations. In deciding how to manage waste, these companies take account of other regulatory and market influences as well as customer requirements, such as the need for flexibility and resilience, value for money, service quality, social value and environmental impacts including greenhouse gas emissions.

To ensure sequential paragraph numbering, minor modifications will also be needed for the numbering of paragraphs.

Issues and Record of agreements and/or disagreements

- Both parties agree that the above minor modification will address Issue 1.

Issue 2: Ensuring that only existing waste sites operating lawfully in terms of the planning system are safeguarded

- 5.5. Policy JWP2 seeks to safeguard existing waste sites which benefit from planning permission or a lawful use over time (including those granted Certificate of Lawful Existing Use or Development). In the event that the planning permission is time limited via condition, Policy JWP2 anticipates that the safeguarding protection falls away on expiry of the permission allowing the site in question to be redeveloped without having to meet the evidential burdens to justify release set in JWP2.
- 5.6. ELWA considers that JWP2 is too restrictive as laid out in their Regulation 19 response; “Policy JWP2 appears too restrictive regarding potential need and likelihood for new or replacement facilities over the ELJWP period, which is extensive due to recent contract review highlighting significant public cost of maintaining the status quo”. ELWA is concerned that JWP2 will “preclude future capacity in the plan area being accommodated”. ELWA suggested modifications to JWP2 (clause A) and its supporting text to also cover restrictive conditions when considering a site released from safeguarding, to address their concerns.
- 5.7. The ELBs are of the view that the proposed modification could jeopardise the safeguarding of waste sites that have Planning Permission but may fail to comply with a condition. This is a matter of planning enforcement and should not be the basis on which safeguarding ceases.

5.8. The ELBs are confident that JWP2 (Clause A) is sound and justified.

Issues and Record of agreements and/or disagreements

- **ELWA accepts the position of the ELBs.**

Issue 3: The need to ensure waste is managed sustainably

- 5.9. In light of the fact that there is surplus capacity in East London, Clause C Policy JWP2 only supports the granting of planning permission for additional management capacity for apportioned waste in certain exceptional circumstances. This is in line with the following element of the Plan's Vision: *'Waste will be managed efficiently by maximising existing capacity of facilities, releasing underutilised or poorly located sites, minimising transportation and using infrastructure established for alternative means of waste movement...'*, and Strategic Objective 6 (Optimise Existing Waste Management Capacity) set out in paragraph 5.2 above.
- 5.10. The necessity to avoid the use of land for unnecessary development and the existence of surplus waste management capacity is not incompatible with increasing the throughput at existing sites where this would mean that waste is managed further up the waste hierarchy (the principal policy test of making waste management more sustainable). An example of this would be when a residual waste transfer station is reconfigured to allow the separation of waste materials to facilitate recycling with an overall increase in waste throughput.
- 5.11. On this basis, Clause C2 is intended to allow the granting of planning permission for development of capacity at an existing site if it means the throughput will increase and more waste will be managed further up the waste hierarchy.
- 5.12. ELWA considers that, as waste management can be made more sustainable through other means e.g. reducing HGV movements by bulking waste at a central location or generating renewable energy, then the Policy should also allow additional capacity where these benefits would result.
- 5.13. The ELBs disagree and consider that other clauses of the policy allow sufficient appropriate flexibility for additional capacity, in particular circumstances when proposals would accommodate capacity which compensates for that lost at other sites, or when capacity results in the consolidation of activities from multiple sites at a single site (which may or may not be located in East London).
- 5.14. Essentially, since there is already surplus waste management capacity in the Plan area, the ELBs do not support developing additional capacity in East London unless it is absolutely necessary. While ELWA wants the plan to be more flexible in permitting new waste capacity within the area, the ELBs disagree that such flexibility is needed when there is already a surplus. Allowing further development could hinder other important development from coming forward such as other industrial, commercial, or residential uses needed in the area. In any event, although the current draft of the plan sets strict criteria for new waste capacity developments, it does not ban them altogether. If circumstances justify new capacity, permission may still be granted.
- 5.15. The ELBs recognise that there is a potentially confusing distinction made between clauses C2 and C3 and have proposed the following minor modifications to address this matter:

Policy JWP2 C. 2.

C. Proposals for the management of HIC waste (LACW and C&I waste) which would result in waste management capacity exceeding that required to meet the London Plan apportionment for East

London and any proposals for the management of other waste streams beyond those needed to meet Plan targets, will not be permitted unless they would:.....

1. Provide appropriate compensation for the loss of existing capacity which is needed for London to be net self-sufficient in waste management capacity overall; or
2. result in an increase in throughput of an existing waste management facility and waste being dealt with further up the hierarchy (unless a life cycle assessment demonstrates that the method of management proposed is appropriate); and,
- ~~3. subject to criterion C2 above, increase the throughput of an existing waste management facility; or~~
4. 3. consolidate waste management activities taking place at more than one site in East London at a single location (subject to cumulative impacts being acceptable and compliance with other policies in the Development Plan).

Issues and Record of agreements and/or disagreements

- **The principal concern being raised by ELWA in its representation related to these policies giving a public authority insufficient flexibility to seek best value for local taxpayers in determining the sites it will use to manage waste in the future. ELWA is of the view that this is exacerbated by the flawed assumptions built into the London Plan (and thus the ELJWP) on mechanical-biological treatment being a form of ‘final treatment’, when in fact approximately 70% of the waste that goes into an MBT facility comes back out as another waste product that requires further treatment.**
- **However, ELWA can accept that wider pressures on land use and economic development within East London will require the use of strategic planning policy to secure sites for a range of different housing, employment and industrial uses, all within the context of national planning policy that is itself perhaps flawed.**
- **ELWA accepts the revised wording suggested by the ELBs but does not agree with the real-life application of policy JWP2.C2 relating to increasing throughput of existing waste sites while also moving waste management up the hierarchy in all cases. When converting residual waste bulking areas to multiple bulking bays for separated recyclables (moving waste up the hierarchy) the bay walls displace some of the previous volume available for residual waste, so total capacity reduces. Additionally, managing stock levels and haulage to ensure no individual bays become full (and therefore not available for the deposit of separated recyclables, thereby meaning the collection vehicle can no longer collect more recyclables) so operationally reduces capacity relative to one area for residual waste. Similarly, if a waste transfer area (residual or recycling) is converted to a reuse area, items cannot be piled up and repair/sale/distribution areas are needed such that capacity reduces significantly as waste is moved up the hierarchy in this way. Consequently, ELWA believes that to be practical, JWP2.C2 should read:**

“result in an increase in throughput of an existing waste management facility and/or waste being dealt with further up the hierarchy (unless a life cycle assessment demonstrates that the method of management proposed is appropriate); and”

ELWA would like to see provision for the relocation of capacity from a current site to a new site where total capacity in East London is not increased as a result (i.e. a current site is released from the JWP and a new site is entered into it.

- **For the reasons set out above, the ELBs maintain their position on this matter.**

Issue 4: The need for the ELJWP Policies to be clear in its intent/meaning

- 5.16. In order for the policies of the ELJWP to have desired outcomes it is important that their meaning is clear when being implemented. A number of areas where the wording of policy JWP2 could be refined to ensure it is interpreted as intended have been identified and these are set out below.
- 5.17. Clause D. 4. iv. is concerned with avoiding actual and/or future potential impacts on the amenity of users/occupiers of existing non waste development and the changes are intended to provide clarification and ensure consistency with national policy.
- 5.18. Clause D. 4. vi. is concerned with avoiding specific impacts caused by the potentially harmful biological properties of certain emissions from waste management process. The change to this clause recognises that full containment of waste operations within a building would adequately mitigate this issue.

Policy JWP2 D. 4.

D. Subject to criterion C above, proposals for waste management uses, including changes to the operation and layout of safeguarded waste sites, will be permitted where it is demonstrated that:....

4. The proposal will:

- Minimise transportation of waste by being well located in relation to the sources of waste to be managed; and,
- have good access to railheads and wharves and utilise non road modes of transportation or demonstrate why this would not be practicable; and,
- Subject to criteria i., have good access to the road network and will not cause unacceptable adverse effects on the road network; and,
- avoid creating an ~~unacceptable~~ due impact on the amenity associated with impact on existing permitted non-waste uses, or land allocated, or land with permission for non-waste uses ~~that could conflict with the proposed waste management use;~~ and,
- for energy from waste facilities, be close to current or future heat users or networks and locations where resultant carbon may be captured for use; and,
- for operations which generate bioaerosols (like composting), be situated at least 250m from sensitive receptors or be fully contained within a building.

Issues and Record of agreements and/or disagreements

- **Both parties agree that the above minor modification will address Issue 4.**

Issue 5: The need for the compost/digestate arising from composting or anaerobic digestion to be utilised locally (Policy JWP2 Clause 6 criterion v.)

5.19. Composting and anaerobic digestion facilities produce outputs that requires offsite management. To reduce/eliminate transport impacts associated with its management it is important that the compost/digestate is managed locally. In waste management policy terms 'locally' is generally taken as the 'nearest appropriate location'.

Issues and Record of agreements and/or disagreements

- **It is agreed by both parties that Policy JWP2 Clause D. 6. v. adequately addresses this matter and no modifications to this clause are needed.**

6. Governance agreements






6.1. This Statement of Common Ground will be reviewed:

- i. whenever agreement is reached on any outstanding matters; or
- ii. at each subsequent key stage of the plan making process, as it progresses towards adoption.

6.2. Alongside the above, the parties involved will continue to engage on strategic waste matters through quarterly liaison meetings.

7. Signatories

- 7.1. We confirm that the information in this statement and referred to documents reflects the joint working to date undertaken between the East London Boroughs and the East London Waste Authority towards addressing the identified strategic waste matters.

Signed on behalf of London Borough of Barking and Dagenham:  Name: Marilyn Smith Date: 28 January 2026 Position: Head of Planning and Assurance	Signed on behalf of the East London Waste Authority:  Name: Jon Hastings Date: 26 January 2026 Position: Head of Strategy and Development
Signed on behalf of London Borough of Havering:  Name: Kevin Waters Date: 28.01.2026 Position: Assistant Director of Planning	
Signed on behalf of London Borough of Newham:  Name: Danalee Edmund Date: 27 January 2026 Position: Interim Planning Policy Manager	
Signed on behalf of London Borough of Redbridge:  Name: Robert Lancaster Date: 27/01/2026 Position: Director of Planning and Building Control	

Appendix 1: ELWA Comments on the Regulation 18 Draft ELJWP

Your comments

Please submit your comments on the draft East London Joint Waste Plan (ELJWP) below.

Do not include any personal information in your comments on this page.

5. Do you have comments on the draft vision?

No

Please type your comments in the text box below

6. Do you have comments on the Strategic Objectives?

Yes No

Please include the reference number of the Strategic Objective(s) you are commenting on

SO 5 – what are the boundaries being drawn around the concept of ‘net zero’ in this context? Does it include the production and use of the products, or just what happens after they become waste? Is the ELJWP looking only at fossil-based emissions, or biogenic as well, and if so how will they be distinguished from one another? Are emissions being counted even after waste has been exported, whether to other regions or abroad? If assumptions are being made, details of the benchmarks and models used may be required for other stakeholders to engage effectively on the delivery of this SO.

7. Do you have comments on Policy JWP1 (Circular Economy)?

Yes No

Please type your comments in the text box below

Clause D of the policy requires major waste sites to incorporate visitor facilities. However, this is not practical in most cases. Waste sites are inherently hazardous locations with a significant amount of heavy vehicle movements, so are not ideal places for education to be carried out. In addition, access to the sites is often difficult for pedestrians/public transport users, owing to such facilities usually being located in industrial areas. ELWA's site at Jenkins Lane incorporates an education facility, but this is now rarely used as schools cannot fund the transport for groups to visit (with the focus of education work now being assemblies, workshops and projects based within the schools themselves, supplemented with videos about waste sorting and treatment processes). When there are requests from community groups to visit the sites, these are arranged on an ad hoc basis with site staff allocated as escorts to ensure a group can tour the site safely. Such tours are based on seeing the operational areas rather than a specific education facility, and a conference room that is already in place at the office building for staff meetings usually suffices for the site induction and any presentation that may be included as part of the visit.

8. Do you have comments on Policy JWP2 (Safeguarding and Provision of Waste Capacity)?

Yes No

Please type your comments in the text box below

ELWA is broadly supportive of the draft policy JWP2 and the supporting text. We do wish to raise a number of particular points, and these are detailed below, but before we provide specific details, we thought it would be helpful to provide further details of the operations at the Jenkins Lane and Frog Island sites.

We note that that the mechanical-biological treatment (MBT) process at the Jenkins Lane and Frog Island sites is regarded by the London Plan as a final treatment of the waste in London. However, in practice we view this as an inaccurate characterisation of the MBT process, which is used to treat residual waste.

Two 'Bio-MRF' buildings were constructed for the MBT process (one at each site), in which the residual waste is stored and monitored for around two weeks. The waste undergoes a bio-drying process during this period, which results in an approximately 30% drop in the mass of the waste through evaporation. The evaporated water vapour passes through filter beds on the building roofs to minimise the emission of odours. Most of the 'moisture loss' as it is known (and reported on Waste Data Flow) comes from food waste. The remaining dried waste is then put through a series of pieces of equipment to extract some recyclable materials, such as glass/stones, metal and a proportion of the semi-dried organic residue arising primarily from food waste. These materials are sent to facilities outside East London for further treatment and/or reprocessing, whilst the remaining waste is sent from East London to energy-from-waste facilities elsewhere in the UK and mainland Europe. The 30% reduction in tonnage achieved through the bio-drying process could, in planning terms, be considered perhaps as representing 'final treatment' for that proportion of the waste, but in reality the remaining materials are all sent onward to facilities that themselves are the final treatment points. As such, ELWA considers that the MBT processes should not be considered 'final treatment'.

In the event that this categorisation is not altered, ELWA would strongly urge that the MBT facilities be considered as placed in the 'recovery' level of the waste hierarchy.

Returning to some specific comments on JWP2, therefore:

- a. It is suggested that the ELJWP needs to provide maximum flexibility for safeguarded waste sites in light of the possibility during the plan period for changed circumstances to arise. On its face, the ELJWP is to be in place until 2041, which is a substantial period during which many factors which may not be foreseeable today could change, such as technology, behaviours or other influencing issues. The ELJWP proceeds on a distinct foundation that there is a surplus level of capacity for waste management within East London to manage the waste arising in the East London area, but if this founding principle (whether due to increase in waste arising or otherwise), proves to be wrong then much of the ELJWP could be undermined. Would there be scope to introduce a policy which provides the opportunity to review the policies and approach of the ELJWP if this underlying assumption proves to be inaccurate? The ELJWP period is a very long time and there is the potential for the waste landscape in East London to change quite significantly during that period.
- b. Safeguarding of sites for waste management may help to stimulate growth of 'green jobs' in East London. Land in London is a scarce resource, and companies looking to invest in new technologies to drive more waste up the hierarchy will face significant competition for sites from other sectors that are likely to have more financial resources for land acquisition.

Safeguarding existing waste management site capacity may help to encourage diversification and innovation within the resources and waste sector in East London.

- c. ELWA notes the possible allowance for reducing an existing waste management facility's capacity through repurposing, as long as the waste is moved up the waste hierarchy. However, it would be prudent to expand the wording to include scope for instead supporting wider net zero policies rather than just focusing on the waste hierarchy. Potential future uses for existing waste sites could include a change in the focus of recovery operations in line with the policy and financial drivers that may be introduced through the extension of the UK Emissions Trading Scheme to include energy-from-waste. It is not yet known how viable different 'routes to decarbonisation' will be, either from the technical or financial standpoint, but the repurposing of existing MBT facilities or other residual waste sorting plants to focus on extracting (and potentially sorting) plastics and other fossil-based materials. The nature of such operations may not allow the levels of throughput that are currently achieved, but this form of repurposing should still be possible under local planning policy if it is found to be commercially viable. This point is being made as such operations are likely to keep the waste feedstock as a whole at the same level on the hierarchy.
- d. Specifically on paragraph 6.36, it would be beneficial to clarify yet further that "new waste management capacity" includes re-purposing of existing waste management capacity. The opening of paragraph 6.36 should therefore be revised to:

6.36 "Development of new **and/or re-purposing of existing** waste management capacity that reduces overall throughput of an existing site may be acceptable where..."

9. Do you have comments on Policy JWP3 (Prevention of Encroachment)?

Yes ☐ No ☒

Please type your comments in the text box below

10. Do you have comments on Policy JWP4 (Design of Waste Management Facilities)?

Yes ☐ No ☒

Please type your comments in the text box below

11. Do you have comments on Policy JWP5 (Energy from Waste)?

Yes ☐ No ☒

Please type your comments in the text box below

ELWA considers that assessment of overall capacity for treating hazardous wastes should be included in the ELJWP, particularly as requirements for the environmentally-safe disposal of persistent organic pollutants and other chemicals increase. Specialised high-temperature incineration facilities are not always able to achieve commercially viable scales for energy or heat recovery, but they may become an essential part of waste management infrastructure in the future,

particularly as alternatives to 'deep' landfill sites for such wastes. The first requirement of the policy may prevent this essential type of infrastructure from being brought forward in East London.

The second requirement within the policy does not reflect commercial realities nor the current policy and legislative landscape for waste management. There are insufficient powers to require full segregation of reusable or recyclable items from mixed residual wastes, and post-collection sorting yields low-quality recyclate for which there is little market. In addition, the policy wording does not allow for consideration that virtually all products and materials are theoretically recyclable, but commercial viability of these processes has not yet been achieved, and there may be little benefit in terms of emissions given the high energy requirements of some recycling processes. ELWA would suggest that the word "viably" should be inserted before the word "reused".

12. Do you have comments on Policy JWP6 (Deposit of Waste on Land)?

Yes No

Please type your comments in the text box below

The word "reworking" in the third main requirement of the policy is vague. Does this relate to redevelopment of former landfill sites for other uses? Does it relate to possible 'landfill mining' activities to re-access discarded materials that have become more scarce, such as rare earth elements?

This policy may also need to be considered further in terms of the availability of historic information on the nature of the wastes that were deposited in the sites, and any thresholds for the quantity and type of hazardous wastes that may prohibit extraction. It should be noted that extraction of hazardous wastes may be beneficial in some circumstances, particularly where former landfill sites were not engineered to modern standards. Naturally, however, risk associated with extraction would have to be weighed against the risks of leaving such wastes where they are.

13. If you have comments on any other part of the draft ELJWP, please share here

Please include the part of the Plan you are commenting on e.g. paragraph number (s)

Paragraphs 2.112 to 2.118, as currently written, are not quite accurate as to the nature of ELWA or the East London Joint Resources and Waste Strategy (2027-57). ELWA had previously submitted alternative wording, completed with Track Changes. This is re-attached as an appendix to this response, and it is suggested that this is incorporated into the next version of the ELJWP.

Some typographical errors that have been identified are also set out at the end of this consultation response. **These have been put in blue highlight to distinguish them from the rest of the response.**

14. Do you have comments on the Integrated Impact Assessment that supports the draft ELJWP?

Please tick the area that your comment relates to (tick all that apply). Please make reference to paragraph numbers or page numbers where relevant.

- **Integrated Impact Assessment**
- **Habitat Regulation Assessment**

Please type your comments in the text box below

15. Do you have comments on the evidence base documents supporting the draft ELJWP?

Please tick the area that your comment relates too (tick all that apply). Please make reference to paragraph numbers or page numbers where relevant.

- **Circular Economy Topic Paper**
- **Climate Change Topic Paper**
- **Waste Management Topic Paper**
- **Assessment of Existing Waste Management Capacity Report**
- **Hazardous Waste Baseline and Arisings Report**
- **Construction, Demolition, & Excavation Waste Baseline and Arisings Report**
- **Strategic Waste Flows Report**
- **Release of Safeguarded Waste Sites Report**
- **Consultation Protocol**

Please type your comments in the text box below

Detailed Typographical Observations Concerning the ELJWP

During our review of the draft ELJWP, we have noted a few textual/syntax errors in the draft Plan.

Paragraph 1.17

“It is important that developers contact the pollution control authorities ~~are~~ **at** the earliest design stages to ensure that proposals put forward take account of pollution control requirements.”

Paragraph 2.52 – this number appears as “~~2.52~~” but clearly ought not to be struck through.

Paragraph 6.44 states: “In exceptional cases it may be possible to demonstrate that the capacity proposed to be is not actually required to meet the objectives of this Plan and the London Plan, for example if up to date monitoring of the London [*Plan*] indicates that net self-sufficiency in London has been achieved.”

Policy JWP2:

“6. **Where** it is demonstrated that SIL and LIL is not available, and that the proposal is consistent with all other policies in the Development Plan, proposals may be permitted in the following locations:”

And:

“Overarching need for new capacity

C. Proposals for management of LACW and C&I waste which would result in waste management capacity exceeding the London Plan apportionment for East London and any proposals for the management of other waste streams, will not be permitted unless they would:

1. Result in waste being dealt with further up the hierarchy unless a life cycle assessment demonstrates that the method of management proposed is appropriate; and,
2. subject to clause **a.** above, increase the throughput of an existing waste management facility; or”

This reference should be clarified – there is no clause “a” above – does this refer to clause C1?