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Planning Inspectorate (National
Infrastructure Directorate),
Temple Quay House,
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Date: 4th July 2016

By e-mail

Dear Sirs,

RE: NORTH LONDON HEAT AND POWER PROJECT - NOTICE OF ACCEPTANCE OF AN APPLICATION FOR THE NORTH LONDON HEAT AND POWER GENERATING ORDER (APPLICATION REFERENCE NUMBER EN010071)

Introduction

Biffa Waste Services Ltd ('Biffa') has been notified of the above application for the redevelopment of the Edmonton EcoPark. This proposal will involve the decommissioning and demolition of the existing Energy from Waste facility ('EfW') to enable the development of an Energy Recovery Facility ('ERF'). This letter represents our response to the consultation and we would be grateful for the information set out below to be formally considered by the Examiner.

Biffa Waste Services Ltd operates a major waste recycling facility at the Edmonton Materials Recycling Facility ('MRF') located on Ardra Road. The MRF is located to the north of the application site. The Edmonton MRF is an established business and is of key strategic importance to Biffa's waste management capacity in the region. The facility processes up to 250,000 tonnes per year of commercial and municipal waste. The site also serves the North London Waste Authority ('NLWA') area. All vehicles associated with Biffa's operational MRF facility access the site via Ardra Road and utilise the access with Meridian Way.

Background & Context

This letter of representation follows a series of previous submissions into the examination process. In our letter dated 23rd March 2016, stated the following:

- I. Inclusion of a suitably worded planning condition that ensures the existing operations on Ardra Road are protected from undue harm and enforces the conclusions of the Transport Assessment and technical note;*
- II. Clarification of the proposed monitoring strategy, and inclusion of a condition(s) that seeks to enforce the results of the traffic assessment stated at paragraph 3.9.12 of the technical note set out above and permanent relocation of the proposed control point to a location to the south of Deephams Farm Road.*

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Biffa Waste Services Limited is incorporated and registered in England and Wales, Number 00946107
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- III. *To include provision within the CoCP of the phasing of traffic lights and the Meridian Way junction;*
- IV. *To include provision within the CoCP of a commitment to long-term, regular monitoring of vehicular activities along Ardra Road to ensure that mitigation measures are adopted if determined to be necessary, in consultation with the existing operations along Ardra Road.*

Further representations submitted by Biffa on 6th June 2016 concluded the following:

“We welcome the requirement for the Applicant to review the measures as set out within the document titled: “The Examining Authority’s second written questions and requests for information”, specifically with reference to 2Q 1.4 and 2Q 6.3. Whilst helpful discussions have previously taken place with the North London Waste Authority, our objections have not yet been overcome since it has not yet been made clear how the draft DCO and CoCP will be revised to secure the measures set out above.

Therefore, we support the amendments to those documents as requested by the Examiner. At this time we do not have sufficient information to ameliorate our objections which have been expressed in our previous objections and we continue to express concern about the impact of this development upon our strategically important facility pending clarification of the planning control measures/conditions to be included in any consent so as to ensure the necessary mitigation is implemented and maintained.”

The Applicant has since provided an amended Code of Construction Practice (‘CoCP’) and has confirmed that an updated Environmental Commitments and Mitigation Schedule (‘ECMS’) is due to be provided for Deadline 6. As such, Biffa reserves its position in order to consider both documents together to determine whether our objections have been addressed.”

Further Representations

Community Consultation

Biffa has had an opportunity to review the amended CoCP submitted for Deadline 6. Amended paragraph 3.2.4 states:

*“A Community Liaison Group will be established comprising representatives from the Contractor, LondonWaste Ltd, LB Enfield, Lee Valley Regional Park Authority, neighbouring borough Council, **Eley Industrial Estate** and community representatives.”*

Further amendments are proposed throughout the revised CoCP which seek to provide assurances that further monitoring regimes are submitted to control HGV movements throughout the construction period and which the Applicant states will be submitted to and approved by the London Borough of Enfield (‘LB Enfield’) (paragraph 11.8.3). Additionally, the Applicant states that traffic marshals will be in place at both ends of Deephams Farm Road and that their use will be periodically reviewed (paragraph 11.8.2).

Paragraph 11.3.4 states that highway improvement or repair works may be undertaken on Ardra Road and the junction with Meridien Way, at various times of the day or night, subject to approval by LB Enfield.

Whilst we welcome these measures and the introduction of a Community Liaison Group, Biffa maintains its concerns regarding the compilation of these strategies without full consultation with existing operations situated on Ardra Road. Our understanding is that Ardra Road is not currently an adopted highway and operators, including Biffa, retain access rights over its use. As such, the Applicants will have a duty to consult with those users if any works are to take place.

In order that these measures are effective and appropriate to protect the existing operations we urge the Examiner to consider the following amendments to those paragraphs shown in bold below:

*11.3.4 Works may be undertaken at the junction of A1055 Meridian Way and Ardra Road and on Ardra Road (other than works associated with the creation of a give-way junction with Deephams Farm Road), for example, carriageway resurfacing required to avoid damage to construction vehicles as well as all other vehicles using the Ardra Road. If such works are required, the works will be undertaken in short sections and at least one lane would be open at all times in the sections where works are undertaken to ensure continued access to affected businesses. To minimise disruption, night working will also be considered, subject to agreement from LB Enfield, **the Community Liaison Group** and consent under Section 61 of the Control of Pollution Act 1974. Notice will be given to any resident or local business that would be affected, with the durations provided.*

*11.8.2 During construction, vehicular traffic along Deephams Farm Road will be controlled through the use of traffic marshals at both the northern and southern ends of the road. This will help to regulate traffic entering and leaving the site during the busiest construction periods. The need for traffic marshals at both the northern and southern ends of Deephams Farm Road will be reviewed periodically. **The Community Liaison Group will be consulted upon review of this strategy***

*11.8.3 **Agreement will be sought from The Community Liaison Group on the HGV monitoring strategy prior to submission to LB Enfield for approval** ~~The HGV monitoring strategy will be agreed with LB Enfield~~ and is likely to include the following:*

- Recording of all vehicles entering/exiting the Edmonton EcoPark via the northern access, including details of the trip purpose and origin/destination;*
- Undertaking regular (at least once a year) traffic surveys on Ardra Road during the construction period to understand the vehicle movements to the Edmonton EcoPark in the context of traffic flows at that time. Traffic surveys will also be undertaken in the first year following the completion of construction. Given that the volume of traffic associated with the Project using Ardra Road is likely to remain unchanged, no further monitoring is proposed beyond this point;*
- A mechanism to review the use of the northern access and will identify if vehicles should be using an alternative access (e.g. RRF construction which should be arriving via the southern access on Advent Way); and*
- Regular liaison meetings with the other business which use Ardra Road to understand any issues and/or concerns that arise during the construction period.*

For the avoidance of doubt, these comments should be considered alongside our previous submissions into the Examination process.

I trust these comments will be taken into account in your determination of the current application. Should you have any queries on any of the issues raised then please do not hesitate to contact me.

Yours faithfully
For Biffa Waste Services Ltd



James Stewart-Irvine
Planning Manager