

Schedule 3 – GLA’s comments on London Borough of Bexley comments on the Applicant’s revised draft DCO submitted at Deadline 3

Document	Item	LBB comment	GLA comment
Proposed amendments to Draft DCO	Schedule 2 Requirement 13 (1) p.20	LBB is content with the amendments to Requirement 13 to clarify that TfL will be a consultee to the Construction Traffic Management Plan (CTMP) for streets within the LBB.	1. Whilst it is noted that LBB is content with the amendments to Requirements 13 to clarify that TfL will be a consultee on the CTMP, TfL would also expect to be a consultee on the CTMP for streets in other LPA areas and in particular TLRN and SRN
	Schedule 2 Requirement 13 (1) p.20 - 21	Requirement 13 of the draft DCO stipulates that each CTMP shall be approved by the LBB. The LBB considers that each CTMP submitted, for each part of the relevant development, should include software modelling assessments for each phase of construction to ascertain any local impacts that may have an impact on the strategic network and existing HCV movements.	2. TfL considers this to be a reasonable requirement to ensure the use of appropriate traffic modelling applications to assess the impacts of construction traffic on the strategic (as well as the local) network, which is largely unknown at this time, and to identify appropriate mitigation that will need to be deployed to address the impacts of the relevant construction phase. It should be noted that TfL has requested the modelling of specified junctions through non-microsimulation modelling.
	Schedule 2, previous Requirement 14(2), and 14(4)	The ES fails to consider the full capacity of the ERF and RRRF facilities operating during a jetty outage with the HCV movements sought by the Applicant under requirement 14 (2) of Schedule 2 of the draft DCO. The transport assessment presented in the ES is	3. The applicant has undertaken of likely effects during jetty outage conditions. The applicant’s Temporary Jetty Review (Technical note 8.02.31) does not present an assessment of the cumulative effects of the REP and RRRF at 100% by road for a

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<p>p.22 - 25</p>	<p>not considered by the LBB to assess the worst case or cumulative transport assessment scenarios that the Applicant seeks to be permitted in the event of a jetty outage under requirement 14 (2) [worked examples provided]</p>	<p>‘jetty outage’ scenario. The RRRF movements added to the ‘2028 Do Something Scenario’ are for normal operation and not the 100% by road permitted under jetty outage condition. The criteria for the worst case ‘jetty outage scenario’ are 100% by road for the REP and the same for the RRRF. A further assessment is therefore requirement. This is also set out in the GLA’s Schedule 1, submitted for Deadline 5.</p>
<p>Schedule 2, Requirement 14(4) (previously 14(6)) p. 25</p>	<p>LBB requires records to be made available as required (a cap of four requests per year is not acceptable) and records should include details on waste volumes.</p>	<p>4. At paragraph 4.13 of the Deadline 4 document, the GLA provided commentary on this as well and agree with LBB that the cap on the number of requests should be lifted as the wording already states that any request by the LPA would need to be reasonable.</p>
<p>Schedule 2, Requirement 14(5)(b) (previously 14(7)(b)) p.25 - 26</p>	<p>Definition of jetty outage - at the ISH on 6 June 2019 LBB made representations that there may be a need for two definitions of “jetty outage”; one being up to a four day period being a ‘routine’ jetty outage (and during which bottom ash would be stored ready to be taken away by river on the resumption of service from the jetty) and a second definition for a longer duration in the event of a more serious outage. The Applicant agreed to consider and propose wording to this effect in its revised draft DCO, however this has not been provided. LBB considers that the proposed definition of “jetty outage” as being for a period of just 48 hours is too short. The LBB consider that the definition should be as per the tracked change version of the draft DCO presented by the LBB at deadline 2,</p>	<p>5. The GLA concur with LBB.</p>

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		a definition that has been agreed and established under the extant RRRF consent.	
	Schedule 2, Requirement 20(2) p.28	LBB are looking to tighten up the heat study requirements but don't go as far as GLA	6. With regard to the Study Area, it is noted that the DCO (Document 3.1 Rev 2 June 2019) has been amended and includes the following text "as part of a Good Quality CHP scheme (as defined in CHPQA Standard Issue 3) as..". It is unclear why the Applicant makes reference to the CHPQA standard in the context of the CHP review. This reference should be deleted since the CHPQA standards are only relevant to receiving fiscal and other government benefits and have high efficiency thresholds in order to qualify for support. In carrying out the CHP review, the Applicant may use the CHPQA thresholds as justification for not supplying heat when there is a smaller feasible and viable heat load to supply.
	Schedule 2, Requirement 20(5) p. 29	LBB would also like to see a CHP review on a two year basis rather than every four years.	7. The GLA agrees with the LBB comment that the CHP review should occur on a 2-year basis, as set out in the GLA's Deadline 4 submission.
Comments on dDCO submitted at Deadline 3	Part 2 Article 6 (3)	Proposed removal of ash storage area - the Applicant seeks to remove the ash storage area. The LBB's position is that all bottom ash material from the proposed Energy Recovery Facility (ERF) plant is to be transported by river. This approach accords with the assumptions made by the Applicant in their transport assessment. If the Applicant is confident to remove this storage area that could accommodate empty or full ash containers, which would help manage ash	8. TfL agrees that, in line with the existing RRRF facility and the TA, the REP should commit to transport all bottom ash material via the river. As previously stated by the GLA; the proposed development would be expected to do as well, if not better, than the existing RRRF. This is in accordance with London Plan 6.14, London Plan Policy 6.27, Draft London Plan Policy T2, and Draft London Plan Policy T7.

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		waste in the event of a jetty outage, then LBB considers that the Applicant should be required to ensure that all bottom ash is removed from the REP site via the river.	
	Schedule 1 p.31	Cap on throughput capacity is required in line with ES assessment.	9. The GLA concurs with LBB
	Schedule 2 Requirement 20 p.32	At the ISH on 6 June 2019 LBB made representations in relation to Requirement 20 (7) that this paragraph is removed because the provision removes the obligation on the applicant to carry out any further CHP reviews in the event that any CHP is exported from the plant. Such wording could lead to a situation in which the requirement to carry out a further review would fall away in situations where only a small proportion of heat export is achieved or that export of heat is commenced and then ceases.	10. The GLA supports the point made by LBB.
Applicant's response to LBB's WRs	2.3.13 waste need and capacity p.33	The Applicant acknowledges that the assessment undertaken in the ES as set out in the Waste Strategy Assessment (Annex A of the Project Benefits Report) does not consider the upper level of the proposed ERF plant of 805,920 tpa but has instead only considered the nominal throughput level of 655,000 tpa. The LBB consider that the capacity of the ERF should be based on the assessments undertaken in the ES and as such question why this assessment has not been undertaken and presented in the ES	11. GLA modelling clearly demonstrates that, even given an annual ERF capacity of 655 kt, the residual waste feedstock requirement of REP is in excess of London's requirements, after improvements in recycling are accounted for. At an upper input requirement of 806 ktpa, this situation is exacerbated, increasing the likelihood that the REP ERF negatively impacts London's recycling performance.
			12. Given the track record in underestimation of incinerator throughput at the existing Riverside incinerator (as well as other examples including

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			incinerators at Lakeside and Runcorn) it appears highly plausible that the REP ERF will ultimately operate at the upper throughput level.
2.3.43 p. 33	LBB maintains its request for the Applicant to assess the number of properties at which the impact of nickel emissions would be minor, so that a proper judgment of effects can be made in accordance with the relevant guidance. This matter was also raised by ExA as Question 2.0.10. LBB agrees with the GLA’s views that the Applicant’s response to Question 2.0.10 misses the point of the question.		13. The GLA wholly support LBBs position here, as set out in the GLA’s comments on Applicant’s response to LBB, also submitted for Deadline 5.
2.3.44 p.34	Excluding an assessment of short-term nitrogen dioxide and sulphur dioxide levels in this way leaves a gap in the assessment of impacts: no ES significance criteria have been applied to these short term impacts. LBB maintains its request for the Applicant to provide an assessment of short term impacts in accordance with the relevant guidance.		14. The GLA agree with LBB that these results should be reported and considered.
Appendix D proposed new LBB requirement 11A for AQ monitoring	LBB notes that “the GLA support Bexley’s request for funding for monitoring” (“GLA Sheet 3 Relevant LIR and WR Responses” page 7). GLA noted that its statutory guidance recommends that s106 agreements should be used to secure funding for monitoring. This may affect how this issue is dealt with through the		15. The GLA has considered this point within the Applicant’s response to LBB, also submitted for Deadline 5.

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	p.35	DCO process (for the present, LBB has proposed a Requirement in relation to this matter).	
Post-hearing note on public health and evidence	p.38	The findings of this post-hearing note relate to the risks to health posed specifically by waste to energy plants. The findings do not cast any doubt on the damage costs associated with air pollutants in general, and do not undermine the case being made by LBB for support for an air quality monitoring programme, on the basis of the established damage costs associated with emissions of oxides of nitrogen and fine particulate matter	16. The GLA has considered this point within the Applicant’s response to LBB, also submitted for Deadline 5.
Appendix L to B1 Outline CTMP (Rev 2)	p.38 - 39	Construction impacts are largely unknown without detailed assessment of CTMPs. In particular, the cumulative impacts of the construction of the electrical connection with associated lane closures. The CTMP therefore, once detailed should be subject to further modelling analysis to quantify network impacts. This can only be realised once detailed CTMPs are devised.	17. TfL concurs with LBB, because the construction impacts of the REP, on its own, and the potential cumulative construction impacts of the REP and electrical connection are unknown, it is reasonable to seek assurances that the impacts will be assessed using appropriate modelling approaches.
Temporary Jetty Outage Review (8.02.31)	p.39 - 40	Table 3.1 contained in the Temporary Jetty Outage Review report states that a situation where both the existing RRRF and the proposed REP were operating at the proposed capped level of 300 one-way HCV movements for waste inputs during a jetty outage, the one-way HCV movements would be 671 HCV movements (339+332). This would equate to 1,342 total HCV movements during a jetty outage. This being a level almost 70% greater than that assessed in the ES. The LBB consider that the maximum permitted level of traffic movements allowed from the proposed development should not exceed the worst-case	18. TfL agrees with LBB that an assumption of a flat rate for waste delivery across each 24 hour period is not realistic. The counts for the RRRF suggests that that the movements for the AM peak could be as much as 10% of total generated movement or 65 inbound and 65 outbound movements for the REP and RRRF combined.

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		<p>scenario assessed within the ES submitted in support of the application.</p> <p>Further, the transport assessment has assumed a flat rate of delivery of waste across each 24 hour period. Such an assumption is not considered by LBB to be realistic unless hourly restrictions are placed on the operator.</p>	
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