

**Cory REP Deadline 7**

**Appendix A: Schedule 1 GLA response to Applicant's submissions at Deadline 4**

**CONTENTS**

**Response to Draft DCO (Rev 3) (with tracked changes) Document 3.1**

**Response to Applicant's response to GLA and LBB comments on the draft DCO Document 8.02.54**

**Response to CTMP (Rev 3) (tracked changes) Document 6.3 (Rev 3)**

**Response to Outline CoCP (tracked changes) Document 7.5 (Rev 3)**

**Response to Applicant's Response to GLA Deadline 4 Submission Document 8.02.46**

Applicant comment	GLA/TFL comment
<p><b>Draft DCO (Rev 3) (with tracked changes)</b></p> <p><b>Document 3.1</b></p>	
<p><b>1</b></p> <p><b>Schedule 1</b></p> <p>Work No. 1A (v) provides for <i>“a steam turbine and electrical generator (if not constructed and installed as part of Work No. 2).</i></p> <p>Work No. 2 (b) provides for: <i>“ if not constructed and installed as part of Work No. 1A, a steam turbine and electrical generator and a steam turbine building to house all or part of the same”.</i></p> <p>Work No. 3 provided for <i>“Works to construct and install combined heat and power equipment including heat exchangers, pipework (including flow/return pipework, valving, pumps, pressurisation and water treatment systems)”.</i></p> <p>Work No. 6 provides for <i>“Works to construct and install supporting infrastructure, including - (a) pipework (including flow/return pipework), cables, telecommunications, other services and associated infrastructure;”</i></p>	<p>Schedule 1 as drafted does not include a clear requirement for heat off-take from the steam turbine nor adequate provision for the associated plant, equipment and pipework. Consequently, the GLA is concerned about its enforceability.</p> <p>The GLA requests amendments to the description of Works to require the undertaker to install a steam turbine with heat off-take and accommodation for the district heating plant and equipment, and safeguard the route for the on-site heat network pipework to the site boundary. This aligns with the principles placed on the NLWA in their DCO.</p> <p>The proposed amendments are as follows:</p> <p>Work No 1A(v), after <i>“a steam turbine...”</i> add <i>“...incorporating a 30 MW heat off-take for district heating...”</i>.</p> <p>Work No 2(b), after <i>“a steam turbine...”</i> add <i>“...incorporating a 30 MW heat off-take for district heating...”</i>.</p> <p>Work No. 3, the Applicant should be required to show the extent of the Work (flow/return pipework valving, pumps, pressurisation and water treatment systems) on the Works Plan to ensure sufficient space has been provided.</p>

		Work No. 6, the Applicant should be required to show a safeguarded route for the flow/return pipework from Work No. 3 to the site boundary on the Works Plan.
<b>2</b>	<p><b>Requirement 14: HCV movements</b></p> <p>New subsection (2): <i>“(2) Save in the event of a jetty outage, the volume of waste delivered by road to work number 1A and work number 1B during commissioning and the operational period must not exceed 240,000 tonnes per annum”.</i></p>	<p>The GLA welcomes the Applicant’s new proposal to apply a limitation to the volume of waste delivered by road. However, it remains concerned about the quantum of waste (200,000tpa of residual waste) that would not be required to be delivered by river. At c. 30% of total inputs on the nominal case, this undermines the stated intention to maximise river transport, and falls short of the minimum 75% of total journeys to come by river, which applies to the RRRF DCO and was requested by the GLA at Deadline 3 - Sheet 4: GLA commentary on other documents prepared by the Applicant for Deadline 2. The 30% road-based limit does not appear to be justified in relation to the quantity of waste that could be sourced from the local area (Bexley).</p> <p>The GLA would not support the Applicant’s proposed road-based limitation on the basis that London Borough of Bexley (LBB) is proposing a cap of 10% of the nominal throughput by road, i.e. 65,500tpa. LBB is concerned that a higher volume would draw in waste deliveries by road from a wider area, as well as potentially impacting recycling activities in Bexley. For further discussion on this point, please refer to comments below in respect of Applicant’s response to GLA and LBB comments on the draft DCO, requirement 14.</p>
<b>3</b>	<p><b>Requirement 14: HCV movements</b></p> <p>Amendment to subsection (5) [formerly (3)]: requirement to provide the relevant planning authority with vehicle records no longer restricted to 4 times a year</p>	The amended is welcomed as it was that which was requested.

<p><b>4</b></p>	<p><b>Requirement 14: HCV movements</b></p> <p>Amendment to subsection (6) [formerly (4)]: definition of jetty outage increased to 4 days instead of 48 hours.</p>	<p>The increase from 48 hours to 4 days is acceptable.</p> <p>TfL would, however request, that there is also a commitment to using reasonable endeavours to bring an outage to a close as soon as possible.</p>
<p><b>5</b></p>	<p><b>New Requirement 15: Emissions Limits Work Number 1A [ERF]</b></p> <p><i>“15. —(1) During the operational period of Work No. 1A, the average emission limit value for nitrogen oxide and nitrogen dioxide, expressed as nitrogen oxides, of the combustion emissions discharged through the emissions stack comprised in Work No. 1A for each day must not exceed 120mg/Nm<sup>3</sup> (expressed at 11% oxygen, dry flue gas, 273.15K), except in such exceptional circumstances as agreed by the Environment Agency.</i></p> <p><i>(2) During the operational period of Work No. 1A, the annual emission limit value for nitrogen oxide and nitrogen dioxide, expressed as nitrogen oxides, of the combustion emissions discharged through the emissions stack comprised in Work No. 1A must not exceed 451 tonnes per annum.</i></p> <p><i>(3) In sub-paragraph 1, “day” means a period of twenty-four hours beginning at midnight” .</i></p>	<p>New requirement 15(2) is a welcome amendment to the DCO and reflects the GLA’s recommendations. Given the concerns raised over other pollutants, however, we would recommend that now the principle of this type of control has been accepted it should be extended to the other pollutants of concern, as listed in the Environmental Statement.</p> <p>Similarly, 15(1) &amp; (3) are welcome. We would however ask that the Applicant explain what it would consider to be “exceptional circumstances” to be agreed by the Environment Agency.</p> <p>This does not alter the GLA’s position that we believe that there should be an overall tonnage cap on the size of the plant to ensure the ERF operates within the parameters and commitments set out in the Applicant’s Environmental Statement.</p>
<p><b>6</b></p>	<p><b>New Requirement 16: Emissions limits Work Number 1B [AD]</b></p> <p><i>“16. —(1) In the event that biogas is utilised in the CHP engine, during the operational period of Work No. 1B, the average emission limit value for nitrogen oxide and nitrogen dioxide, expressed as nitrogen oxides, of the combustion emissions discharged through</i></p>	<p>As with the new Requirement 15 the GLA supports this addition.</p> <p>We note that the 3 tonnes per annum limit appears to imply that the CHP will only be operational for around 2,000 hours per year. Given the precise wording of the requirement, this could also mean that for the remaining hours the plant is running on gas other than biogas. For the avoidance of doubt the Applicant should confirm that the intention of this requirement is</p>

	<p><i>Work No. 1B must not exceed 125mg/Nm<sup>3</sup> (expressed at 5% oxygen, dry flue gas, 273.15K).</i></p> <p><i>(2) In the event that biogas is utilised in the CHP engine, during the operational period of Work No. 1B, the annual emission limit value for nitrogen oxide and nitrogen dioxide, expressed as nitrogen oxides, of the combustion emissions discharged through Work No. 1B must not exceed 3 tonnes per annum."</i></p>	<p>to limit the operational hours of the CHP engine, and that the facility will not be operated in power-only mode.</p> <p>Notwithstanding the above comments, the GLA maintains that the Applicant should adopt gas-to-grid application instead of biogas or gas-CHP that will improve energy efficiency and align with the Mayor's Air Quality policies.</p>
<p><b>7</b></p>	<p><b>New Requirement 17: Ambient air quality monitoring</b></p> <p><i>"17. —(1) Prior to the operational period of Work No. 1A and Work No. 1B, the undertaker must submit to the Environment Agency for approval an ambient air quality monitoring programme to monitor compliance with the emission limits specified in requirements 15 and 16, such programme to also incorporate any monitoring requirements required under any environmental permit for the authorised development.</i></p> <p><i>(2) The ambient air quality monitoring programme must be implemented as approved".</i></p>	<p>Subject to any comments from the Environment Agency, the GLA supports this new requirement. However as there is no proposal for a S106 agreement, and therefore no contribution to funding of local authority monitoring, the GLA will continue to support Bexley's request for funding, should they continue to pursue it.</p>
<p><b>8</b></p>	<p><b>New Requirement 18: Waste hierarchy scheme</b></p> <p><i>"18. —(1) Prior to commissioning, the undertaker must submit to the relevant planning authority for approval a scheme setting out arrangements for maintenance of the waste hierarchy in priority order, which aims to minimise recyclable and reusable waste received at the authorised development during the commissioning and operational period of the authorised development (the "waste hierarchy scheme").</i></p>	<p>The GLA welcomes the constructive approach taken by the Applicant in respect of application of the waste hierarchy. However, we would emphasise that the efficacy of the proposed measures in ensuring that feedstock processed by the REP ERF will indeed be truly residual waste will ultimately be contingent on the detail of the scheme to be submitted in accordance with the proposed requirement, in particular how the key criteria for suppliers to the ERF are established, and their ongoing effective enforcement, monitoring and reporting to the local planning authority.</p>

	<p>(2) <i>The waste hierarchy scheme must include details of—</i></p> <p>(a) <i>the type of information that shall be collected and retained on the sources of the residual waste after recyclable and reusable waste has been removed;</i></p> <p>(b) <i>the arrangements that shall be put in place for ensuring that as much reusable and recyclable waste as is reasonably possible is removed from waste to be received at the authorised development;</i></p> <p>(c) <i>the arrangements that shall be put in place for ensuring that commercial suppliers of residual waste operate a written environmental management system which includes establishing a baseline for recyclable and reusable waste removed from residual waste and specific targets for improving the percentage of such removed reusable and recyclable waste;</i></p> <p>(d) <i>the arrangements that shall be put in place for suspending and/or discontinuing supply arrangements from commercial suppliers who fail to retain or comply with any environmental management systems; and</i></p> <p>(e) <i>the form of records that shall be kept for the purpose of demonstrating compliance with (a) to (d) and the arrangements in place for allowing inspection of such records by the relevant planning authority.</i></p> <p>(3) <i>The waste hierarchy scheme must be implemented as approved”.</i></p>	<p>The waste hierarchy scheme should apply to all suppliers of waste to the ERF (e.g local authorities), and not be limited to ‘commercial suppliers’ as stipulated in point 2(c).</p> <p>In respect of point 2(a) regarding the “<i>type of information</i>”, above and beyond the sources of residual waste feedstock it is essential that the level of recyclable content is quantitatively demonstrated through periodic materials composition analysis (i.e. sampling and sorting of REP ERF feedstock to determine an assay of material contents). We would propose that additional text is inserted after (2)(a) as follows: “such information to include a quantitative review of the level of recyclable content through materials composition analysis on at least a quarterly basis, and for the findings of the analysis to be shared with the local planning authority”.</p> <p>With regard to point 2(b) “<i>arrangements that shall be put in place</i>”, we would request confirmation that these would include contractual measures stipulating maximum allowable limits on recyclable material content for feedstock processed at the REP ERF (having established levels on the basis of the above composition analysis). This could be supplemented by capture process description(s) and minimum capture thresholds for reusable and recyclable items remaining in the waste stream.</p> <p>With regard to point 2(c), the baseline for removal of recyclable and reusable waste demonstrated by suppliers to the ERF should be set at 65% as a minimum, with commercial waste suppliers setting higher targets in line with those set in the European Commission’s Circular Economy Policy package which the UK Government has committed to adopting. This will help ensure achievement of the Mayor’s 65% municipal waste recycling target by 2030.</p>
<p><b>9</b></p>	<p><b>New Requirement 25: Phasing of construction and commissioning</b></p>	<p>This proposed amendment requires that the Anaerobic Digestion plant must now be built and commissioned at the same time as the ERF. This is in line with the position taken by the GLA consistently through the Examination process, and is welcomed.</p>

	<p>The Applicant is obliged to submit a phasing plan for the construction and commissioning of each element of Work Nos. 1A, 1B, 1C and 1D and <i>“Work No. 1B must be constructed in the same phase as Work No. 1A”</i>.</p>	<p>It should be noted that the GLA would wish to see the phasing plan provide for construction of the solar PV (Work No 1C) and battery storage (Work No. 1D) as soon as practicable.</p>
<p><b>10</b></p>	<p><b>New Requirement 25: Phasing of construction and commissioning</b></p> <p>No Applicant comment, but the GLA requires some amendments to charge the relevant planning authority with approving that the steam turbine heat off-take has been provided.</p>	<p>In Requirement 25 (1), after <i>“Work Number 1 C”</i> add <i>and Work Number 1D and Work Number 2 (b)’</i>.</p> <p>This amendment will allow the relevant planning authority to ensure that the steam turbine with district heating off-take is commissioned at the same time as the ERF, giving more certainty to the ERF operating in CHP mode.</p> <p>This aligns with the requirements placed on the NLWA in their DCO (see Schedule 2, Requirement 18 of the North London Waste Authority DCO. Relevant text in Requirement 18 is set out at the end of this Schedule 1 Appendix A. The full DCO can be found at <a href="https://infrastructure.planninginspectorate.gov.uk/projects/london/north-london-heat-and-power-project/?ipcsection=docs&amp;stage=7">https://infrastructure.planninginspectorate.gov.uk/projects/london/north-london-heat-and-power-project/?ipcsection=docs&amp;stage=7</a>)</p>
<p><b>11</b></p>	<p><b>Requirement 26 [formerly 20]: CHP</b></p> <p>New subsection (2) replaces the former text requiring establishment of a working group: <i>“(2) Work Number 1A may not start commissioning until the undertaker has established a working group, that may combine with the working group established in respect of combined heat and power opportunities from RRRF, to—</i></p> <p><i>(a) agree the scope of each CHP review;</i></p> <p><i>(b) engage with the Department for Business, Energy &amp; Industrial Strategy (or such successor government department with responsibility for energy) and the Heat Network Investment</i></p>	<p>This clause is saying that the main plant (Work No 1A) ‘may’ not start commissioning until the working group is established, which seems acceptable provided ‘may’ is interpreted as ‘must’.</p> <p>The GLA would request that the working group should comprise the GLA, LLB (relevant local authority) and other relevant boroughs as a minimum, as has been the case for the working group established for the Beddington incinerator.</p> <p>The GLA considers that the RRRF and REP working group should be one and the same.</p>

	<p><i>Programme (or any such equivalent government funding programme) to identify funding for any financial shortfall identified by any CHP review; and</i></p> <p><i>(c) progress the actions in each approved CHP review and to monitor and report on the progress of those actions to the relevant planning authority” .</i></p> <p>.</p>	<p>Regarding “<i>each CHP review</i>”, the GLA would be content that the first CHP review is updated at the subsequent review dates to reflect any changes. The GLA would not expect an entirely new CHP review to take place at the subsequent review dates.</p> <p>There should be a clear understanding up front as to what comprises ‘agreement’ to the scope of the CHP review - for example, majority vote, unanimous, etc.</p>
<p><b>12</b></p>	<p><b>Requirement 26 [formerly 20]: CHP</b></p> <p>Addition of: “(3) <i>The CHP review under sub-paragraph (1) must be undertaken by a competent CHP consultant appointed by the undertaker and must be in accordance with the scope agreed by the working group established under sub-paragraph (2) and —</i>”</p> <p>Amendment to 3(a) “<i>assess potential commercial opportunities that <del>reasonably</del> exist for the export of heat</i>”.</p> <p>Amendment to 3(b) to refer to certainty: “<i>state whether or not there is sufficient <del>details are known</del> certainty about the likely district heat network to enable the undertaker to install the necessary combined heat and power pipework</i>”.</p>	<p>(3) After ‘...CHP consultant...’ add, ‘<i>agreed with the working group, such agreement not to be unreasonably withheld, and...’</i>. The working group should have a say in which consultants should not get appointed.</p> <p>3(a): The GLA accepts deletion of ‘<i>reasonably</i>’. However, the GLA in its earlier submission has stated that the Good Quality CHP (CHPQA) Scheme is not relevant in terms of the CHP review criteria - this is set out in more detail below, see <b>Applicant’s response to GLA and LBB comments on the draft DCO (document 8.02.54)</b>, Requirement 26 [formerly 20]: CHP.</p> <p>3(b): GLA is content with the proposed change.</p>



	Amendment to 3(c) to refer to actions " <i>which are technically feasible and commercially viable</i> ".	3(c): the wording appears similar to that put forward by the GLA and is therefore acceptable.
<b>13</b>	<p><b>Requirement 26 [formerly 20]: CHP</b></p> <p>Amendment to subsection (4) [formerly (2)]: "<i>The undertaker must take such actions (which are technically feasible and commercially viable) as are included within the timescales specified, in the approved CHP review</i>".</p>	The GLA is content with the change. It clarifies the criteria which trigger the developer to take such actions.
<b>14</b>	<p><b>Requirement 26 [formerly 20]: CHP</b></p> <p>Subsection (5): No change to four yearly review</p>	The GLA maintains the requirement for the two-yearly review frequency (as does LBB) for the reasons previously submitted to the ExA. We accept that the subsequent reviews could be in the form of an update (or 'revised' CHP review as the Applicant has proposed) of the previous review and therefore more 'light-touch'.
<b>15</b>	<p><b>Requirement 26 [formerly 20]: CHP</b></p> <p>No Applicant comment, but the GLA requires additional clause to safeguard the route for the on-site heat network to the site boundary. This aligns with the requirements placed on the NLWA in their DCO.</p>	The GLA proposes the addition of the following new clause (9): "the Applicant shall safeguard the district heating pipework route to the site boundary shown as part of Work No 6."
<b>16</b>	<p><b>New requirement 27: use of compost material and gas from Work Number 1B [AD plant]</b></p> <p>"27. —(1) On the date that is 12 months after the date of final commissioning, the undertaker must submit to the relevant planning authority for its approval a report ("<i>the Anaerobic Digestion</i></p>	<p>The proposed Requirement 27 states that the requirement to review outlets for gas only exists for the first review i.e. 12 months after commissioning (subsection 6). This is considered unacceptable.</p> <p>In relation to point (4), relating to the interval at which an Anaerobic Digestion review is undertaken, the GLA considers that a review period of five years is insufficiently frequent. Much of the environmental benefit associated</p>

<p><i>review”) on the potential use of the compost material and gas produced from Work Number 1B.</i></p> <p><i>(2) The Anaerobic Digestion review must—</i></p> <p><i>(a) consider the technically feasible and commercially viable opportunities that reasonably exist for the export of the compost material produced from Work Number 1B for use as a fertiliser;</i></p> <p><i>(b) consider the technically feasible and commercially viable opportunities that reasonably exist for the export of the gas produced from Work Number 1B to the gas grid network;</i></p> <p><i>and</i></p> <p><i>(c) identify any technically feasible and commercially viable actions that the undertaker can reasonably carry out in order to progress the identified opportunities together with the timescales of such actions.</i></p> <p><i>(3) The undertaker must carry out any identified technically feasible and commercially viable actions within the timescales specified in the approved Anaerobic Digestion review.</i></p> <p><i>(4) Subject to sub-paragraphs (6) and (7), on each date during the operational period of Work Number 1B that is five years after the date on which it last submitted the Anaerobic Digestion review or a revised Anaerobic Digestion review to the relevant planning authority, the undertaker must submit to the relevant planning authority for its approval a revised Anaerobic Digestion review.</i></p> <p><i>(5) Subject to sub-paragraphs (6) and (7), sub-paragraphs (2) and (3) apply in relation to a revised Anaerobic Digestion review submitted under sub-paragraph (4) in the same way as they apply</i></p>	<p>with anaerobic digestion is associated with the use of compost output (digestate) on land, and this benefit is lost if outputs are disposed by incineration or landfill. In the event that compost outputs are not used beneficially on land, the GLA considers that the anaerobic digester will not in fact be genuinely ‘recycling’ food waste process (and therefore a key benefit claimed by the Applicant will not occur).</p> <p>Under current DCO wording, circa 100,000 tonnes of compost output could potentially be lost to incineration or landfill over a five year period. If the claimed benefits of the REP anaerobic digester are to be realised, it is essential that the Applicant works on a continuing basis to secure outlets for use of compost output on land. An annual report to the relevant local planning authority is therefore considered appropriate to demonstrate commitment to achieving recycling of the AD output.</p> <p>The GLA would wish reviews for both gas and compost to be undertaken on an annual basis. As with Requirement 26, we accept that subsequent reviews could be in the form of an update of the previous review and therefore more ‘light-touch’.</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p><i>in relation to the Anaerobic Digestion review submitted under subparagraph (1).</i></p> <p><i>(6) The undertaker is only required to consider the technically feasible and commercially viable opportunities that reasonably exist for the export of the gas produced from Work Number 1B to the gas grid network in the first Anaerobic Digestion review submitted on the date that is 12 months after the date of final commissioning.</i></p> <p><i>(7) In the event that the Anaerobic Digestion review or any revised Anaerobic Digestion review demonstrates that the export of compost material produced from Work Number 1B is technically feasible and commercially viable and identifies the technically feasible and commercially viable options for the undertaker to carry out, the undertaker is not required to carry out any further Anaerobic Digestion reviews.”</i></p>	
<p><b>Applicant’s response to GLA and LBB comments on the draft DCO</b></p> <p><b>Document 8.02.54</b></p>		
<p><b>17</b></p>	<p><b>Schedule 1, Section 2</b></p> <p>Paragraphs 3.1 – 3.5 LBB’s request for a cap on total waste throughput is not accepted.</p>	<p>In the absence of a throughput cap, the potential for the REP ERF to undermine recycling will be heightened. In a number of recent cases, large scale incinerators have increased annual throughputs substantially above the original stated design capacity.</p> <p>Furthermore, without a cap on total throughput it may be possible for inputs to increase above the level assessed in the Environmental Impact Assessment. This is particularly relevant to air quality issues (see response above to new Requirement 15).</p>

<p><b>18</b></p>	<p><b>Requirement 11</b></p> <p>No changes made to include Non-Road Mobile Machinery</p>	<p>In the ISH the Applicant agreed to adopt the London Non-Road Mobile Machinery Low Emission Zone standards as a requirement, as noted by the GLA in in REP3-038 and the Applicant in REP4-014.</p> <p>The GLA requests that this relevant addition be included in the DCO or the Code of Construction Practice. The GLA is happy to provide suggested wording to add in to the requirement.</p>
<p><b>19</b></p>	<p><b>Requirement 14 (traffic movements)</b></p> <p>Paragraph 9.3 Applicant disagrees as to the need for a ‘remediation plan’ as proposed by LBB as <i>“breaching a DCO is a criminal offence, and therefore the Applicant’s own internal governance processes will require it to monitor vehicle movements to ensure a breach does not happen”</i>.</p>	<p>The GLA maintains that a remediation plan is appropriate. The absence of such a plan would undermine traffic monitoring. Also, a remediation plan is forward looking, whilst a criminal prosecution occurs in the breach.</p>
<p><b>20</b></p>	<p><b>Requirement 14 (traffic movements)</b></p> <p>Paragraph 9.5 <i>“The Applicant cannot accept a cap on the number of days that a jetty outage may occur. This is an emergency situation which the Applicant may have no control over and if triggered the Applicant would have to continue to provide a service to the public and private customers. It is not in the Applicant’s interest for a jetty outage to occur for an extended period of time and therefore the Applicant will try to rectify the situation as soon as possible.</i></p> <p><i>Furthermore, the GLA refers to the existing RRRF planning permission as precedent for some of its arguments, and there is no cap on the number of days a jetty outage can last on the RRRF planning permission (which is correct given the emergency context)”</i>.</p>	<p>The GLA/TFL is concerned with the combined traffic effects of the ERF and RRRF operating at 100% by road in a jetty outage scenario. Note that the cumulative impacts of 100% by road during a jetty outage have not yet been assessed. Temporary Jetty Outage Review (document 8.02.31) presents an assessment of 100% by road for the ERF and normal conditions for the RRRF – not 100% by road for both. The intention of a cap on the number of days a jetty outage can last is to ensure that the network would revert to normal conditions as quickly as possible.</p>

<p><b>21</b></p>	<p><b>Requirement 14 (traffic movements)</b></p> <p>Paragraph 9.7 <i>“In relation to the source of waste, the Applicant cannot agree to a cap on the amount of waste that is transported from outside London. The location of REP means it is ideally suited to receive waste, particularly via River. The source of that waste will depend on the market at the time the plant becomes operational and is therefore dynamic and transient.”</i></p>	<p>There is precedent for acceptance of a cap on the amount of waste transported from outside of London in that RRRF has a restriction of 115,000tpa, amounting to some 15% of total throughput, on waste arising from outside of Greater London. A similar cap on waste imports to the ERF would ensure that London’s strategic waste management needs can be met as the Applicant has maintained throughout the Examination process, and help achieve the Mayor’s 100% net waste self-sufficiency target by 2026.</p>
<p><b>22</b></p>	<p><b>Requirement 14 (traffic movements)</b></p> <p>Paragraph 9.14 <i>“the Applicant does not accept LBB’s limitation of 65,500 tonnes per annum, which is a figure that is not evidenced”</i>.</p> <p>In its separate document 8.02.51 Response to LBB, the Applicant states that <i>“whilst RRRF (Riverside Resource Recovery Facility) serves the needs of LBB’s local authority collected waste, there is a significant amount of commercial and industrial waste generated within the local area which requires treatment”</i>. No details are provided.</p>	<p>Requirements for incineration of waste generated in Bexley can be evidenced with reference to projections given in the London Plan for combined household, commercial and industrial waste arisings at borough level (The London Plan, December 2017, Table 9.1, p. 349). For Bexley specifically, the London Plan forecasts total household, commercial and industrial waste generation at 242,000t (taking the example year of 2041, after allowing for waste growth). Assuming municipal waste recycling at 65%, this would leave circa 85,000 tpa residual waste – after deduction of materials not processable via EfW (for example clinical and chemical wastes) this would be further reduced.</p> <p>Residual household, commercial and industrial waste generated within Bexley will therefore be entirely accounted for by the allowance for delivery of residual waste by road to the existing Riverside Energy Riverside Resource Recovery Facility incinerator. As such, any allowance for movement of waste by road to the proposed REP ERF may encourage long-range transport by road, at the expense of deliveries by river.</p>
<p><b>23</b></p>	<p><b>Requirement 20 (now 26) CHP</b></p> <p>Paragraphs 12.1 – 12.7 explains the changes proposed in the requirement and the reasons why certain changes requested by GLA</p>	<p>There is confusion over the reference regarding the use of the CHPQA and this goes back to the GLA’s LIR submission, 10.16 that states:</p>

	<p>and LBB are not accepted, including no development taking place until there is a demonstrable need for heat, and the review period (still 4 years)</p>	<p><i>'commitment to the Applicant undertaking a CHP feasibility review similar to that required for the existing RRRF assessing potential commercial opportunities for use of heat from the development, which must be submitted in writing to the relevant authority for its approval. The review should provide for ongoing monitoring and full exploration of potential commercial opportunities to use heat from the development as part of a Good Quality CHP scheme (as defined in CHPQA Standard issue 3), and for the provision of subsequent reviews of such opportunities as necessary.'</i></p> <p>By way of clarification, the CHP review should be conducted in a similar manner as that of the RRRF assessment being based on feasibility and economic performance. The CHP review should consider the extent to which it meets the CHPQA requirements for the purposes of qualifying for government incentives. The CHPQA standards should not be used as a criterion to decide whether or not to further develop the heat off-take opportunities.</p> <p>Any reference to CHPQA Standard issue 3 should be deleted since there are later references.</p> <p>It should also be noted that the GLA maintains its objection to a four year review period for the reasons set out in its response to the draft DCO (rev 3) in this document.</p>
<p><b>24</b></p>	<p><b>New Requirement 17 (AQ monitoring)</b></p> <p>Paragraphs 14.3 – 14.4 <i>"It should also be noted that the air quality contribution that the operator of RRRF pays to the LBB is not under the RRRF planning permission or secured through a section 106</i></p>	<p>Please see comment on new Requirement 17 above in response to dDCO (Rev 3) document 3.1.</p>

	<p><i>agreement, rather the payment arose out of the Applicant's obligations pursuant to an Environment Agency condition on the RRRF Environmental Permit and is secure via a bilateral contract between the LBB and the operator of RRRF (not under the Town and Country Planning Act 1990).</i></p> <p><i>14.4. This supports what the Applicant has repeatedly said, the Environment Agency will require the Applicant to provide for continuous air quality monitoring and the Applicant cannot be put in a position of having two different sets of conditions on monitoring - they need to align"</i></p>	
<b>25</b>	<p><b>New Requirement 18 (waste hierarchy)</b></p> <p>Paragraphs 17.1 – 17.2 – no additional information provided by the Applicant over and above the text of the new requirement</p>	<p>As noted above in reviewing this addition to the dDCO (Rev3) document 3.1, the effectiveness of this proposed measure to ensure application of the waste hierarchy is uncertain unless further detail is provided on requirements, and their enforcement. For example periodic sampling of the composition of feedstock received at the REP ERF would provide assurance that opportunities to recycle have been maximised.</p>
<b>26</b>	<p><b>Transport for delivery of waste and export of ash should be zero carbon</b></p> <p>Paragraph 19.1 the Applicant repeats that there is no policy requiring a development that receives deliveries to ensure that deliveries are by zero carbon vehicles.</p>	<p>Policy 7.3.1 in the Mayor's London Environment Strategy sets out that London waste authorities and their waste contractors need to comply with ULEZ (ie all HGVs to be Euro VI minimum), and work towards the Mayor's overall ambition for all heavy vehicles to be fossil fuel free by 2030. The GLA considers it appropriate and effective for vehicles servicing the REP to meet the same policy requirement.</p>
<b>27</b>	<p><b>Impact on bus services</b></p> <p>Paragraph 20.1 <i>"There is no entitlement to compensation if a business, including bus services, is affected by road works undertaken by statutory undertakers or the highway authority. Therefore, there is no claim against the Applicant or indeed UKPN, who would be carrying out the works and no need for a section 106 agreement"</i>.</p>	<p>TfL/GLA do not accept this argument. Works by UKPN are typically emergency works and it is not considered appropriate to compare the works. In these situations, TfL is typically forced to deal with and respond to the impacts because this is a statutory body undertaking statutory works.</p> <p>TfL is not seeking compensation. TFL is seeking that the Applicant cover the costs to mitigate the impact of construction on buses, including covering the costs of providing additional buses if needed during the construction of the</p>

		electrical connections. The impacts on buses are yet to be assessed but TFL expects that the works will cause delays to buses and that additional buses will be needed to avoid adverse impact on passenger journeys.
<b>28</b>	<p><b>Gas export and end uses for anaerobic digestion outputs</b></p> <p>Paragraph 21.1 <i>“The Applicant has included in the dDCO a new Requirement that obliges the Applicant to look at the feasibility and commercial viability of a connection to the gas grid and the export of compost material produced. Should the export of compost material produced not be feasible or commercially viable at the first review, the Applicant will carry out a review every 5 years. In relation to the opportunities for the export of the gas to the gas grid network, the Applicant is only required to submit a review 12 months after the date of final commissioning”</i></p>	As noted above in response to dDCO (Rev 3) document 3.1, given that the benefits of the REP AD are contingent on end uses for anaerobic digestion compost output (digestate), a five year review of opportunities for these uses is insufficiently frequent.
<b>29</b>	<p><b>London Living Wage</b></p> <p>Paragraph 22.1 <i>“There is no planning policy requirement for the Applicant to guarantee the London Living Wage in respect of the Proposed Development. In any event, the vast majority of the jobs at the Proposed Development will be highly skilled jobs, at degree or above level”</i>.</p>	<p>The Mayor's Good Work Standard<sup>1</sup> brings together best employment practice and links to resources and support from across London to help employers improve their organisations. This accredited initiative has been developed in collaboration with London's employers, professional bodies and experts.</p> <p>The Good Work Standard sets the benchmark the Mayor wants every London employer to work towards and achieve including payment of the London Living Wage as a minimum. As a large and very visible employer, the GLA would expect the Applicant to show leadership by being an accredited member to the Good Work Standard, and could use its accreditation to demonstrate social value when competing for public sector procurement opportunities. The GLA's response made at Deadline 5 still applies (GLA Schedule 1, comment 92).</p>

<sup>1</sup> See <https://www.london.gov.uk/what-we-do/business-and-economy/supporting-business/what-mayors-good-work-standard>



**CTMP (Rev 3) (tracked changes)**

**Document 6.3 (Rev 3)**

**30 Section 6.2**

Subsections 6.2.5 to 6.2.10 set out new measures relating mitigating effects on bus services within LBB. There is no provision for the Applicant to bear the costs.

The processes that apply when UKPN undertakes its own works and on behalf of a third party might be different and needs to be reflected here. The Applicant is expected to cover the costs for necessary mitigation measures. More information is needed from the Applicant to better understand how the proposed measures will effectively mitigate the effects on buses.

**Outline CoCP (tracked changes)**

**Document 7.5 (Rev 3)**

**31 Section 4**

Subsection 4.2.4 sets out further details in respect of the Vehicle Bookings Management System that would identify major departures from predicted vehicle profiles and how this would be ameliorated.

This is acceptable provided that further details on the vehicle booking management system is set out in the CTMPs.

**Applicant's Response to GLA Deadline 4 Submission**

**Document 8.02.46**

32	<p><b>Section 2: Heat offtake</b></p> <p>Subsection 2.2: The Applicant restates that its heat demand assessment has been undertaken in accordance with CHP policy and guidance, and that there is sufficient demand for both the RRRF and the REP.</p>	<p>The Applicant's latest dDCO (Rev 3) document 3.1, Requirement 26, sets out the requirement for the developer establish a working group to agree the scope of the CHP. The Applicant has therefore accepted that there is more to be done to establish the heat off-take and that this should be carried out with the RRRF working group if possible.</p>
33	<p><b>Section 2: Heat offtake</b></p> <p>Subsection 2.3 public involvement in delivering heat networks – the Applicant refers to an audit trail of discussions with public bodies including GLA.</p>	<p>The Applicant misrepresents the extent of its involvement with the public regarding the REP with those in relation to the RRRF study work. The Applicant's latest dDCO (Rev 3) document 3.1 Requirement 26 (see above) is a positive step to remedy this early shortcoming.</p>
34	<p><b>Section 2: Heat offtake</b></p> <p>Subsection 2.4 technical information – the Applicant asserts that the level of detail provided is consistent with other Orders</p>	<p>The Applicant's Combined Heat and Power Assessment (5.4, APP-035) contains technical information regarding the performance of the steam turbine heat off-take. There is no information on the anticipated on-site district heating plant and equipment other than the location identified as 'Combined Heat and Power Equipment' shown in Appendix B. It is not clear whether the provision is adequate.</p>
35	<p><b>Section 2: Heat offtake</b></p> <p>Section 2.5 synergy between RRRF and REP – the Applicant asserts (paragraph 2.5.1) that under a configuration where back-up provision is provided by alternative (non-ERF) plant, the heat export capacity could be doubled.</p>	<p>The Applicant has clarified its earlier statements that the REP and RRRF can either maximise the heat available or provide back-up heat eliminating the need for additional boilers. The GLA maintains its point that a prudent district heating operator would not rely on a third-party to provide its back-up arrangements and instead provide its own independent arrangements. The practical arrangement for RRRF and REP would be as heat suppliers.</p>
36	<p><b>Section 3: ERF would be a carbon producer</b></p> <p>Subsection 3.2 characterisation of waste stream in respect of renewable energy – the Applicant provides calculations (Table 3.1)</p>	<p>The assumptions used in the calculation by the GLA are set out in the Ready Reckoner tool , which was provided to the Applicant for assessing performance against the Mayor's carbon intensity floor policy. The Applicant has not confirmed the assumptions used in its calculations, however, so it is</p>

	<p>to show that expects the bioenergy content of the waste to be greater than 50% in all scenarios apart from the reduced food waste scenario.</p>	<p>not possible to verify the rationale for the difference in approach. Either way the Applicant has demonstrated only around half of the waste to be biogenic; as such, the GLA contests it to be considered a truly renewable energy facility.</p>
<p><b>37</b></p>	<p><b>Section 3: ERF would be a carbon producer</b></p> <p>Section 3.3 whether ERF would be a carbon producer – the Applicant maintains that landfill should be taken into account (paragraph 3.3.1).</p> <p>The Applicant also rejects the GLA’s objection to using CCGT as the marginal source of energy, and refers to the recent planning decision on the application made by Veolia for an ERF at Ratty’s Lane in Hoddesdon (ref 7/0067-17). The decision was issued on 19 July 2019. It says at paragraph IR17.57:</p> <p><i>As set out above, the figure referred to by the applicant takes account of the ‘build margin’ or counterfactual referred to by the GIG, namely a Combined Cycle Gas Turbine (CCGT). Herts Without Waste challenged the use of that as an appropriate comparator for electricity generated by the proposed ERF. However, since electricity generated by the ERF would be exported to the grid, I see no reason why, consistent with DEFRA’s Guide to the Debate, that energy should not be assumed to substitute electricity that would otherwise have been generated by a CCGT. The same argument was also put to the New Barnfield Inspector who noted</i></p> <p><i>that the Guide to the Debate provides specific support for the use of CCGT in making such an assessment. That Guide is still current, with footnote 29 on page 18 confirming that ‘A gas fired power station (Combined Cycle Gas Turbine – CCGT) is the current standard comparator as this is the ‘marginal’ technology if you wanted to build a new power station’. As noted by the New Barnfield Inspector,</i></p>	<p>The GLA wishes to clarify that it is not objecting to the use of CCGT as the reference marginal source for the purposes of the ERF meeting the Mayor’s carbon intensity floor level as a minimum. The GLA has demonstrated however that CCGT no longer reflects the actual grid situation and that the grid will continue to become increasingly decarbonised. The GLA considers that this is an important and relevant matter for the ExA and the Secretary of State to consider in making a decision on the application.</p> <p>The application is for a renewable energy power station, and not a waste processing facility. For that reason, the GLA considers that the Applicant should not resort to accounting for CO<sub>2</sub> emissions from waste that may otherwise have been landfilled.</p> <p>Further representations with regard to implications of the Hoddesdon appeal decision are set out in the GLA’s covering letter attached to this Appendix.</p>

	<p><i>it is not disputed that the absolute level of climate change benefit will vary over time, as the energy mix changes and decarbonises. However, it is reasonable to make the assessment of benefits using the marginal technology at the present time as the appropriate comparator. In light of the current guidance, I have no reason to take a different view and consider that the appropriate counterfactual has been used by the applicant."</i></p>	
<p><b>38</b></p>	<p><b>Section 3: ERF would be a carbon producer</b></p> <p>Paragraphs 3.4.3 – 3.4.48 evolution of climate change policy – the Applicant addresses the GLA’s case that if the Applicant is required to set out an explicit need case, the legal context in which it must do so is different to that which existed when the NPS was adopted. The Applicant states at paragraph 3.3.27: <i>“the evolution of climate change policy is only an issue if one accepts that REP would be a carbon producer. The Applicant does not accept that REP is”</i>.</p> <p>The Applicant refers to the Millbrook Power decision which considered whether there should be flexibility given to the interpretation of EN-1 (as to whether additional fossil fuel power stations are required) and decided that there should be no such flexibility.</p> <p>Sections 3.4.32 to 3.4.37 consider the application of section 104(7) and states that <i>“Section 104(7) is not a disapplication of the NPSs. It is a section that provides important flexibility to the decision maker. It does not require that the contents of any relevant NPS must be put out of mind and assumed not to exist”, and “it would be unlawful to consider the balancing exercise under section 104(7) without regard to the relevant NPSs”</i>.</p> <p>Notwithstanding the Applicant’s argument that it is not necessary to demonstrate need, Paragraph 3.4.37 gives a resume of the waste</p>	<p>The Applicant’s comments with regard to the evolution of climate change policy have been addressed in detail by the GLA in its covering letter.</p> <p>Millbrook is irrelevant to the GLA case as Millbrook was not seeking to say that the application should not be decided in accordance with the NPS (application of section 104(7))</p> <p>The DCO is for a renewable generating plant. The government seeks to encourage this type of electricity production to reduce carbon emissions and meet its carbon reduction and climate change obligations. Unless the ERF operates as a CHP plant, it will not reduce carbon emissions, it will displace the marginal energy plant (CCGT) and increase emissions.</p> <p>In July 2011 the Government anticipated a need for 33 GW of renewable generating capacity. The ERF would have a capacity of 0.07 GW, i.e., 0.2% of the target, which is not significant.</p> <p>Other directives (EU Energy Efficiency Directive and the resultant CHPQA incentive programme in the UK) focus on encouraging energy efficiency in electricity production. Even if the ERF could achieve its claimed 34%, it would not qualify for any support under the CHPQA without CHP. The ERF remains a carbon produce and inefficient in power-only.</p>

	<p>need case and states <i>“there is a clear waste infrastructure gap in London”</i>.</p> <p>The Applicant also sets out the carbon need case (paragraph 3.4.38).</p> <p>The Applicant refers (paragraph 3.4.48) to the need to avoid introducing a cap on EfW generation which would have <i>“far reaching implications for the energy sector, and potentially projects in other sectors with similar carbon emissions intensities”</i>.</p>	
<p><b>39</b></p>	<p><b>Section 3: ERF would be a carbon producer</b></p> <p>Subsection 3.7 use of biogas proposes a new requirement (see draft DCO Rev 3).</p> <p>The Applicant states at paragraph 3.7.5 that whilst the ES models <i>“worst case”</i> (onsite) emissions from combustion, <i>“this scenario is any worse than any other options when adequately contextualised”</i>, and that <i>“any of the biogas options identified would generate emissions during final use, whether that be in an internal combustion engine (if used in a vehicle) or in a domestic boiler (if injected into the gas grid network)”</i>.</p>	<p>Please see GLA comments on the new requirement 16 above (GLA response to dDCO (Rec 3) document 3.1).</p> <p>On the point about combustion on site not being the worse option if <i>“adequately contextualised”</i> (para 3.7.5), the GLA is not fully clear what is meant by this.</p> <p>However, in our view the correct context to consider is that any gas injected into the grid would be used in existing appliances across London. This would not add to the total amount of gas being burned in the city, and therefore not add to regional NOx emissions. By contrast the biogas engine on site would add to the total quantum of emissions from London as a whole, negatively affecting regional background levels, albeit by a small amount.</p> <p>Similarly, and biogas used to fuel vehicles would replace alternative fuels such as diesel, with beneficial results with regard to emissions.</p>
<p>40</p>	<p>Paragraph 4.4.3 states <i>“since the Applicant is committing via a DCO requirement at Deadline 5 (3.1, Rev 3) to construct the Anaerobic Digestion facility element of the Proposed Development in the same phase as the ERF, REP’s CIF score should be credited with the renewable energy generated by food and green waste. This cannot be done in the GLA’s draft unpublished tool”</i>.</p>	<p>The CIF is intended as a metric for the carbon performance of energy from waste (EfW) technologies generating energy from London’s <i>non-recyclable</i> waste (London Plan paragraph 5.85). While co-located, the REP anaerobic digestion is a separate operation to the ERF, processing recyclable (food) waste which is 100% renewable, comfortably meeting the CIF. Inclusion of</p>

<p>In paragraph 3.4.47 the Applicant queries the GLA's reference to a statement in the Committee on Climate Change (CCC)'s Net Zero report which states that energy from waste would meet just 2% of energy generation by 2050 if combined with hydro power.</p> <p>The Applicant incorrectly states in paragraph 3.4.48 that the GLA is proposing some form of cap on energy from waste plants:</p> <p><i>"If the Secretary of State were to follow the GLA's assertions through and refuse development consent for the Proposed Development on the basis that approving the Proposed Development would mean that the UK could not reach the target set in section 1 of the CCA, the implications would be that a cap is introduced on energy from waste plants (and in fact any energy generation at the same or greater carbon emissions intensity than the Proposed Development). The effect of that decision is to put a limit on the need for generating plants and a limit on the type of generating technology (neither of which is in accordance with NPS EN-1). That decision has far-reaching implications for the energy</i></p>	<p>the AD in calculating the CIF score would be a misapplication of the GLA policy, and therefore wholly inappropriate.</p> <p>London Plan policy para 5.85 states that <i>"the Mayor has developed a minimum greenhouse gas performance for technologies generating energy from London's non-recyclable waste"</i> , and <i>"All facilities generating energy from London's waste will need to meet this level..."</i> (the CIF). This text confirming how the CIF is applied has been retained in paragraph 9.8.11 in the Draft London Plan. It is clear from the Paragraph 5.85 of the London Plan that that CIF only applies to energy generated from non-recyclable waste.</p> <p>This reference can be found in the CCC's Net Zero Technical Report (May 2019) in footnote 32, page 40.</p> <p>The GLA has not proposed a cap. The GLA maintains that climate policy has evolved considerably since 2011 and the energy policy NPSs are outdated. The latest CCC Net Zero report, which provided the basis for the government setting a net zero carbon target by 2050, only makes passing reference to energy from waste (estimated to meet only 2% of generation if combined with hydropower in 2050).</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<i>sector, and potentially projects in other sectors with similar carbon emissions intensities.”</i>	
<b>41</b>	<p><b>Section 5: Implications of excess waste capacity</b></p> <p>The Applicant continues to refer to ‘miscalculations’ etc with regard to the GLA’s assessment of residual waste demand.</p>	The GLA has fully addressed these claims in its Deadline 5 submission GLA Schedule 1, comments 1 to 23.
<b>42</b>	<p><b>Section 5: Implications of excess waste capacity</b></p> <p>Having debated the calculations of residual waste treatment demand at length, the Applicant states (paragraph 5.3.11) <i>“Importantly, and relevantly, the nominal throughput for REP is not so very different from the GLA’s calculations”</i>.</p>	<p>Even ignoring the contractual commitments of various local authorities to export residual waste for treatment outside London, the GLA projects an EfW capacity gap of just 90,000 tonnes per annum by 2036 as set out in the GLA’s Local Impact Report and Written Representation at Deadline 3.</p> <p>This minimal requirement in no way provides a justification for the nominal 655,000 tonne per annum capacity requirement of the proposed ERF.</p>
<b>43</b>	<p><b>Section 5: Implications of excess waste capacity</b></p> <p>The Applicant provides criticism of the GLA’s reference to the SE council’s local plans (paragraphs 5.3.20 – 5.3.23).</p>	As expounded in the GLA’s Deadline 5 submission GLA Schedule 1, comments 13 to 15, rather than directly adopting projections from neighbouring Waste Planning Authorities, the Applicant has presented its own analysis which omits some recent documents, while challenging and dismissing the findings of some councils.
<b>44</b>	<p><b>Section 6: Waste transfer impacts</b></p> <p>Table 6.1 sets out operational capacity at the riparian WTSs and concludes a total of 797,000tpa including Tilbury (75,000tpa).</p>	The theoretical capacity at the riparian transfer stations is largely based on historical planning permissions and does not indicate that they are suitable for the additional throughput proposed. The use of the riparian transfer stations is an essential component of the river infrastructure required to deliver waste by river to the ERF, and consequently should form part of the EIA.
<b>45</b>	<p><b>Section 7: Air quality impacts</b></p>	This issue has been raised a number of times. However the Applicant has noted that the GLA referenced the LAQM.TG(16) guidance, and implies that this means that we must exclude people exposed to pollution merely because

	<p>The Applicant disagrees with the GLAs assertion that workplaces are relevant locations for long term exposure, and provides details from the LAQM.TG(16), stating that the GLA have referenced this guidance.</p>	<p>they are at their place of work. We should therefore clarify our previous references to this guidance.</p> <p>The GLA quoted from the LAQM.TG(16) guidance at paragraph 2.88 to 2.91 of our deadline 4 submission (REP4-024).</p> <p>The purpose of the quotations in REP4-024 is to explain, in its own words, the purpose and function of TG(16). To summarise TG(16) is not, and is not intended to be, guidance for the purposes of planning decisions. It is intended to be technical guidance for Local Authorities discharging their duties under the Environment Act 1995, specifically those duties relating to Air Quality Management Areas.</p> <p>At paragraphs 2.90 and 2.91 the GLA refers to the guidance on the planning portal, which is intended to assist planners and planning decision makers. This does not exclude workplaces.</p>
<p><b>46</b></p>	<p><b>Section 8: Traffic</b></p> <p>Most of the comments reference the Outline CTMP.</p> <p>Contribution to bus services – <i>“The Applicant continues to maintain that financial contributions for the temporary disruption to local bus service, or for additional services or buses which TfL or the bus operator, are not necessary during the construction works for the Electrical Connection”</i> and references the Outline CTMP.</p>	<p>TfL/GLA maintains its position that a method to assess the impacts of the construction of electrical connection on bus services must be agreed as part of the Outline CTMP. It is envisaged that additional buses will need to maintain frequency will be needed. The cost will need to be met by the Applicant. TFL have cited Brent Cross as a precedence.</p>
<p><b>47</b></p>	<p><b>Section 9: GLA response to LBB representation</b></p> <p>Paragraph 9.2.4: <i>“The Applicant is entirely baffled as to how it has ‘misconstrued’ the findings of the draft London Plan or London Environment Strategy. As has been made clear in numerous submissions, most recently in the Section 2 and Figure 1 of Applicant’s response to Greater London Authority Deadline 3</i></p>	<p>The GLA has demonstrated that the 900,000 tonne per annum capacity gap asserted by the Applicant is incorrect. For further detail please refer to ‘Appendix 2A Cory DCO: GLA Post Hearing Written Oral Submission Summary’, submitted at Deadline 3), as well as further commentary in ‘Schedule 1 - Deadline 5 – GLA response to Applicant document 8.02.35’. The Applicant’s analysis substantially overestimates London’s future requirement for EfW capacity, due to neglect of two key factors:</p>



	<p><i>Submission (8.02.35, REP4-014) the Applicant has very simply, and consistently, relied upon the draft London Plan and London Environment Strategy to demonstrate the remaining need (of c.900,000 tonnes) for new residual waste treatment capacity."</i></p>	<ul style="list-style-type: none"> <li>• the suitability of residual waste streams;</li> <li>• reduction in the mass of residual waste due to pre-treatment.</li> </ul> <p>The importance of accounting for these factors in determining requirements for EfW capacity is recognised across the industry, including by the consultancy Tolvik, upon whom the Applicant relies in discussion regional and national waste capacity need routinely through its submissions to the Examining Authority.</p>
<p><b>48</b></p>	<p><b>Section 10: Response to GLA's comments on Response to GLA/TfL LIR</b></p> <p>The Applicant explains the proposed cap on transport by road at Paragraph 10.2.3:</p> <p><i>"The cap is established through a cumulative commitment for waste material of 40,000 tpa to the Anaerobic Digestion facility + 204,400tpa to the ERF (80 HCVs at 7 tonne loads over 365 days)".</i></p>	<p>This explanation provides useful detail with regard to the proposed amendment to Requirement 14 and is duly noted.</p>

## **North London ERF DCO Requirement 18**

### **Combined heat and power**

**18.**—(1) Works No. 1a must be constructed to produce combined heat and power through the provision of steam and hot water pass-outs and the preservation of space for the future provision of water pressurisation, heating and pumping systems.

(2) A corridor of land to contain heat pipes from the proposed electricity and heat generating station to the edge of the Edmonton EcoPark must be safeguarded, the location of which must be broadly in accordance with that identified on indicative drawing number D\_0013 Rev 00 of the design code principles.

(3) Prior to the full operation of the authorised development the undertaker must submit to the relevant planning authority for its approval a written scheme on combined heat and power feasibility assessing potential commercial opportunities for the use of heat from the authorised development as part of a Good Quality Combined Heat and Power scheme (as defined in Combined Heat and Power Quality Assurance Standard Issue 6) and providing for subsequent reviews of such opportunities.