

Riverside Energy Park

Statement of Common Ground: Greater London Authority

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1 Statement of Common Ground between the Applicant and the Greater London Authority and Transport for London

1.1 Introduction

- 1.1.1 This Statement of Common Ground (SOCG) has been prepared by Cory Environmental Holdings Ltd (the Applicant), in collaboration with the Greater London Authority (GLA) and Transport for London (TFL) (“the Parties”). This SOCG presents a summarised outcome between the Parties.
- 1.1.2 The Applicant has applied to the Secretary of State under the Planning Act 2008 for powers to construct, operate and maintain an Energy Recovery Facility (ERF), an Anaerobic Digestion plant, battery storage, PV panels and an electrical connection, to be known as Riverside Energy Park (REP).

1.2 Principle of the Proposed Development

- 1.2.1 The GLA object in principle to the Proposed Development, namely the new ERF, as it considers that the disbenefits outweigh the benefits. The GLA supports the proposals for Anaerobic Digestion and solar photovoltaic infrastructure.
- 1.2.2 The Applicant, GLA and TFL have engaged with each other throughout the pre-application, pre-examination and Examination process. The Applicant has made a number of amendments to Requirements within the Development Consent Order (DCO) in response to the comments and concerns from the GLA, TfL and other Interested Parties. The parties have made progress to reach agreement on some of the matters on the DCO raised by both the GLA and TFL.

1.3 Matters Agreed on the DCO

- 1.3.1 Notwithstanding the GLA’s objection to the principle of the development, should the Examining Authority recommend that the Secretary of State grant development consent for REP, the GLA and TFL agree to the wording in Schedule 1 within the draft DCO and to the wording in the following Requirements set out in Table 1. Schedule 1 and Schedule 2 of the draft Order are appended to this SoCG (as submitted by the Applicant at Deadline 8a (3.1, Rev 4)).

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Table 1 Requirements Agreed

	Schedule 2 - Requirement
1	Time Limits
2	Detailed Design Approval
3	Parameters of Authorised Development
4	Pre-commencement Biodiversity Mitigation Strategy
5	Biodiversity and Landscape Mitigation Strategy
6	Replacement planting for Work No. 9
7	Archaeology
8	Highway Access
9	Surface and foul water drainage
10	Ground condition and ground stability
11	Code of Construction Practice GLA agrees to the updated CoCP submitted at Deadline 8a
12	Construction Hours
15	Emission limits – Works No 1B
17	Operational worker travel plan
18	Operational lighting Strategy
19	Control of operational noise
20	River wall
22	Notice of start of commissioning and notice of date of final commissioning
23	Phasing of construction and commissioning of Work No 1
26	Decommissioning
27	Amendments to approved details
28	Flood risk activity permit
29	Finished floor levels
30	Metropolitan open land
31	Delivery and servicing plan
33	Notification from the undertaker

1.4 Matters Not Agreed on the DCO

1.4.1 Whilst the GLA agrees to the following Requirements to be placed on the Order, the GLA and the Applicant are not in agreement over certain points, which are explained in the "Reason for Objection" column.

Table 2 Requirements Not Agreed

	Requirement	Reason for Objection
13	Construction Traffic Management Plan	<p>The GLA/ TFL agree with the need for this Requirement; however, consider it should go further to recognise that the construction of the electrical connection will impact on buses, at the points where the works interface with buses, and as such the Applicant should be required in the DCO, or stipulated in the CTMP, to cover the cost of bus mitigation, which would likely consist of additional buses to maintain frequency and capacity during relevant stages of the works. The GLA consider that these amendments are necessary and appropriate.</p> <p>The Applicant does not consider that there is any justification for the Applicant to fund additional buses as a result of the installation of the electrical connection. The Applicant has proposed to mitigate the impact on buses by choosing the final electrical connection route option that is before the ExA/SoS and the works are temporary in nature and will move along the highway. The Applicant has also received an Electrical Connection Offer in respect of the electrical connection from UKPN, a statutory undertaker. Finally, the Applicant has agreed to carry out junction appraisals as part of the CTMP, which will inform the mitigation in the CTMP at the time of the construction works. This mitigation will be funded by the Applicant.</p> <p>The GLA also wishes for the Applicant's commitment to maximise river transport of waste and materials during the construction phase to be strengthened in order to support the Applicant's aim, as set out in the Project and its Benefits report, to reduce the number of vehicles on the road. The Applicant has amended the Outline CTMP to include an appraisal of opportunities for using the existing jetty facilities for the moving of materials during the construction phase and does not consider these additions necessary. The jetty is an operational jetty with waste delivered to RRRF at certain times. Construction materials will also have certain times when it can be delivered/be required to arrive at the REP site and therefore an appraisal of opportunities must be carried out with the conclusions evidenced to LBB for approval. The Applicant considers this to be a reasonable and proportionate approach. The GLA does not consider this goes far enough particularly as the Applicant intends to deliver considerable volumes of waste via the existing jetty at RRRF to service REP. The GLA, in its Deadline 8A submission, has proposed amendments at paragraph 10.1.3 in the CTMP (REP8-008 (rev 5) submitted at Deadline 8. These are not agreed by the Applicant.</p>
14	Heavy commercial vehicle movements delivering waste	<p>The GLA agree with this Requirement but wish for suppliers to REP including the Applicant to commit to use Euro VI vehicles as a minimum. The GLA has suggested flexibility for those suppliers to REP already in fleet contract not Euro VI compliant, to commit to a minimum of Euro VI compliance in the next fleet procurement round.</p>

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		The Applicant does not consider this to be a planning policy matter and considers it has no control over the procurement of vehicles by waste suppliers.
15	Emissions limits Works No. 1 A	The GLA does not agree that this requirement is rendered unnecessary by the combination of a throughput cap and the concentration limits likely to be imposed by the Environmental Permit. The Applicant considers that this requirement is no longer necessary now that the throughput cap is included in the draft DCO alongside the controls within the Environmental Permit.
16	Waste hierarchy scheme	<p>The GLA agrees in principle with the Requirement but seeks amendments to: Requirement (2)(b) contractual measures to secure maximum limits on recyclable material content; Requirement 2(c) setting the baseline to at least 65% recycling; and Requirement 16(2)(e) bi-annual composition analysis instead of annually to ensure the waste hierarchy scheme effectively delivers on its purpose. The GLA's position is that the Environment Permit does not set or regulate acceptable levels of recyclable material in waste to be treated in an ERF.</p> <p>The Applicant's Response to GLA's D7 DCO comments (8.02.89) sets out the Applicant's position. The Applicant considers that REP is just one element of the overall waste management infrastructure network in London and that it is not reasonable or appropriate, to place the burden of increased recycling activities on facilities such as REP. The GLA in its submissions has maintained that sufficient evidence and measures are needed to demonstrate that separate collection of recyclable waste, from both the Applicant and other waste collectors intending to supply the proposed ERF, has effectively been undertaken complying with Regulation 13 of the Waste Regulations, which requires separate collection of recyclable waste. The Applicant's position is that this is a regulatory issue of the Environment Agency as the regulator and not something that the Applicant can be expected to monitor.</p>
21	Community Benefits	The GLA requests a commitment to the London living wage within this Requirement, in line with the Mayor's Good Work Standard. The Applicant does not consider this to be a planning policy matter.
24	Combined Heat and Power	<p>The GLA agrees in principle with this requirement however suggests further minor amendments to 24(1), 24(4)(c), 24(4)(d) and 24(5) which have been submitted at Deadline 8b.</p> <p>The GLA seeks the CHP review specified in Requirement 24(6) to be undertaken every 2 years, rather than the 3 years specified in the DCO to not undermine CHP delivery. The Applicant considers three years to be a reasonable time period, which is agreed with the London Borough of Bexley.</p>
25	Use of compost material and gas from Work No 1B	The GLA agrees in principle with this requirement however considers the Anaerobic Digestion review specified in Requirement 25(4) should be undertaken annually, rather than the 2 years specified in the dDCO. The Applicant considers two years to be a reasonable

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		time period,. The GLA propose deleting 25(6) as it considers that the Applicant is sufficiently protected under 25(4).
32	Tonnage cap	<p>The GLA seeks this to be limited to the nominal throughput of 655,000 tpa to not exceed the basis of the Applicant's Carbon Assessment. The GLA does not agree the Applicant's methodology in its Carbon Assessment Note justifying an upper 805,920 tonnage limit cap will deliver the same or better carbon benefits than the nominal throughput.</p> <p>The GLA considers that a cap on waste received from outside London is necessary to ensure that the development remains a strategic facility to meet London's waste management needs helping to meet the Mayor's 100% net waste self-sufficiency target by 2026. The Applicant considers the relevant tonnage cap to be 805,920 tonnes per annum in line with the upper throughput level assessed in the Environmental Statement. Furthermore, the Applicant considers that there is no need for a regional cap based on its stated evidenced national need and the Proposed Development's strategic location and proximity to the river. The GLA disagrees that there is a national need for the ERF element of REP and considers that such a development would jeopardise achievement of London and national recycling targets. The Applicant disagrees with this reasoning and has provided evidence to the Examination that proposals such as REP do not jeopardise recycling targets.</p>

1.5 Confirmation of Agreement

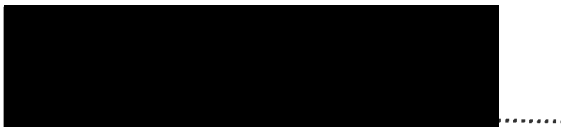
This SOCG is prepared jointly and agreed by the Parties:

Signed for and on behalf of the Applicant



Date: 9 OCTOBER 2019

Signed for and on behalf of the Greater London Authority and Transport for London



Date: 9 October 2019