Proposed Solar PV Development

Byers Gill Solar
EN010139

6.4.2.10 Environmental Statement Appendix 2.10 Outline Materials Management Plan (MMP)

Planning Act 2008

APFP Regulation 5(2)(a)

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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1. Introduction

1.1. Purpose of document

1.1.1. This document provides an outline Materials Management Plan (MMP) to support the ES Appendix 2.12 Outline Soil Resources Management Plan (Document Reference 6.4.2.12) for Byers Gill Solar (the Proposed Development). RWE (the Applicant) has prepared this MMP as part of an Application for a Development Consent Oder (DCO) for the construction, operation and decommissioning of the Proposed Development.

1.1.2. This outline MMP explains how excavated materials that will be generated in the course of constructing the Proposed Development will be re-used in a manner that is compatible with the Waste Framework Directive (Parliament 2008) and associated regulations.

1.1.3. A detailed MMP (alongside a detailed Soil Resource Management Plan) will be prepared for each phase of the development (construction, operation and decommissioning) in accordance with this Outline MMP as secured through requirement 8 of the draft DCO (Document Reference 3.1).

1.1.4. The measures proposed within this outline MMP will be agreed with the relevant local planning authority (LPA) prior to commencement of construction works. The detailed MMP will be prepared following appointment of the Principal Contractor (PC), prior to commencement of work.

1.1.5. An Environmental Impact Assessment (EIA) has been undertaken for the Proposed Development and an Environmental Statement (ES) (Volume 6 of the DCO application) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In accordance with the requirements of the EIA Regulations, the ES contains the assessment of the likely significant effects on the environment that may be caused during the construction, operation and decommissioning of the Proposed Development and describes proposed mitigation measures.

1.1.6. This outline MMP has been prepared with the objective of compliance with the relevant legislation and mitigation measures identified through the EIA process.

1.1.7. The appointed PC will be responsible for working within the environmental controls documented in the MMP.

1.1.8. A number of complementary management plans have also been produced to support the construction of the Proposed Development and these are listed in Table 1-1. This outline MMP should be read in conjunction with this suite of management plans.

Table 1-1 Construction specific management plans to support the DCO application

Management Plan	Purpose	Document reference
Outline Construction Environmental Management Plan (CEMP)	Sets out how negative environmental impacts will be minimised during construction.	ES Appendix 2.6 (Document Reference 6.4.2.6)
Outline Construction Traffic Management Plan (CTMP)	Sets out how construction traffic and staff vehicles will be managed during construction.	ES Appendix 2.8 (Document Reference 6.4.2.8)
Outline Pollution and Spillage Response Plan	Sets out methods to manage pollution and spillage incidents on site during construction.	ES Appendix 2.9 (Document Reference 6.4.2.10)
Outline Materials Management Plan (MMP)	Sets out how excavated materials that will be generated in the course of constructing the Proposed Development will be re-used in a manner that is compatible with the Waste Framework Directive and associated regulations.	ES Appendix 2.10 (Document Reference 6.4.2.10)
Outline Site Waste Management Plan (SWMP)	Sets out how the Proposed Development will manage resources efficiently, and measures to prevent and minimise waste.	ES Appendix 2.11 (Document Reference 6.4.2.11)
Outline Soil Resources Management Plan	Sets out the overall approach to managing soil resources affected by the Proposed Development.	ES Appendix 2.12 (Document Reference 6.4.2.12)
Archaeological Management Strategy (AMS)	Sets out the management of archaeological remains, both known and currently unknown, during construction.	ES Appendix 8.5 (Document Reference 6.4.8.5)
Landscape and Ecological Management Plan (LEMP)	Sets out the management of the landscape and ecological features of the Proposed Development.	ES Appendix 2.14 (Document Reference 6.4.2.14)
Outline Public Rights of Way (PRoW) Management Plan	Sets out how PRoWs would be managed to ensure they remain safe to use, and disruption to users of the PRoW is minimised.	ES Appendix 2.15 (Document Reference 6.4.2.15)
Arboricultural Impact Assessment (AIA)	Sets out the protection measures to be implemented during the construction phase, including activity supervision by a suitably qualified arboriculturist where appropriate.	ES Appendix 7.7 (Document Reference 6.4.7.7)

1.2. Project Team Roles and Responsibilities

1.2.1. The detailed MMP should include an overview of roles and responsibilities and how they interact with this plan.

1.2.2. Key roles and responsibilities expected during the construction phase of the Proposed Development in managing environmental impacts will likely include, but are not limited to:

- Site Manager – Overall responsibility for activity onsite and will be based onsite full time.
- Construction Project Manager - Overall responsibility for ensuring all elements in the DCO, relevant management plans and all environmental legal and other requirements are implemented, and appropriately resourced, managed, reviewed and reported.
- Environment Manager - Responsible for the overall management of environmental aspects on site, ensuring environmental legislation and best practices are complied with, and environmental mitigation and monitoring measures identified are implemented. The Environmental Manager will oversee environmental monitoring on-site and carry out regular environmental site inspections, reporting and responding to any incidents or non-compliance. The Environment Manager will liaise with relevant environmental bodies and other third parties as appropriate.
- Environmental Clerk of Works (ECoW) – Oversee the management of, and provide advice about, environmental and ecological risks during construction including for example, management of protected species, surface water management, waste management, pollution, air quality and noise.

1.2.3. These roles and responsibilities are indicative and will be confirmed in the MMP. It is noted that ultimate responsibility for the implementation of the MMP under the DCO rests with the undertaker.

1.3. The Proposed Development

1.3.1. The Proposed Development is a renewable energy scheme, covering an area of approximately 490 hectares (ha), and comprising solar photovoltaic (PV) panels, on-site Battery Energy Storage Systems (BESS), associated infrastructure as well as underground cable connections between Panel Areas and to connect to the existing National Grid Substation at Norton. The Proposed Development will have the capacity to generate over 50 Megawatts (MW) of electricity.

1.3.2. A full description of the Proposed Development and a detailed description of the design and environmental mitigation is provided in ES Chapter 2 The Proposed Development (Document Reference 6.2.2).

1.4. Proposed Development Location

1.4.1. The majority of the Proposed Development, including the Panel Areas, substation and on-site BESS are located within the administrative area of Darlington Borough Council. The eastern part of the cable routes crosses into the administrative area of Stockton-on-Tees Borough Council. The northern extent of the Order Limits are located just within Durham County Council's administrative area.

1.4.2. The Order Limits and surroundings consist of agricultural fields, interspersed with individual trees, hedgerows, farm access tracks, woodlands and local farm holdings.

There are several local villages located within close proximity to the Proposed Development, including Brafferton, Newton Ketton, Great Stainton, Bishopton and Old Stillington.

1.4.3. The Order Limits for the Proposed Development are shown in ES Figure 1.1 Location Plan (Document Reference 6.3.1.1).

2. Relevant policy and guidance

2.1. General

2.1.1. The detailed MMP will set out policy and guidance for materials management at the site. These may include those listed below (or an updated iteration), but not be limited to:

- CIRIA Report C809 Sustainable management of surplus soil and aggregates from construction (CIRIA 2023).
- Civil Engineering Contractors Association (CECA) Waste Classification and Permitting in Construction (Association 2018).
- CL:AIRE Definition of Waste Code of Practice (CL:AIRE, Definition of Waste: Code of Practice 2008).
- CL:AIRE Guidance Bulletin 3 – Definition of Waste Development Industry Code of Practice (CL:AIRE, CL:AIRE Guidance Bulletin 3 - Definition of Waste Development Industry Code of Practice 2023).
- Environment Agency and Department for Environment, Food & Rural Affairs Waste: environmental permits (Environment Agency and Department for Environment 2022).
- Environment Agency Land Contamination Risk Management (LCRM) (Agency 2023).
- National Planning Policy for Waste 2014 (Department for Levelling Up 2014)
- Resources and Waste Strategy for England 2018 (F. &. Department for Environment, Resources and waste strategy for England 2018)
- Waste Framework Directive 2008/98/EC (Parliament 2008).
- Waste Management Plan for England 2021 (F. &. Department for Environment, Waste Management Plan for England 2021 2021)
- Waste Prevention Programme for England 2023 (F. &. Department for Environment, The waste prevention programme for England: Maximising Resources, Minimising Waste 2023)

Background to Material Re-use

2.1.2. The Environment Agency (EA) has a long-standing general concern regarding the re-use of unnecessary quantities of site-won materials at development sites, which is seen as a mechanism that could be used by disreputable developers to circumvent waste regulations and taxation.

2.1.3. Where material is excavated without a clear intent and need for re-use and a proven suitability for that use, the material can be considered a waste by the EA. This can result in substantial compliance difficulties, even for seemingly innocuous re-use tasks like backfilling around a pylon foundation excavation with the same material that was dug out to install the foundation.

2.1.4. It should be noted that "Uncontaminated soil and other naturally occurring material excavated in the course of construction activities where it is certain that the material will be used for the purposes of construction in its natural state on the site from which

it is excavated" are excluded from the Waste Framework Directive (WFD). Re-use of these materials in accordance with the above exclusion is therefore not considered to be a waste activity by the EA.

2.1.5. CL:AIRE *Definition of Waste: Development Industry Code of Practice* (DoWCoP) provides a self-regulated system by which developers can demonstrate that the re-use of excavated materials does not fall into the category of waste disposal and can be carried out without the need for waste permitting. While use of the DoWCoP is not strictly required for materials which fall within the WFD exclusion noted above, it is still considered prudent to include details of their management and reuse within the MMP.

2.1.6. To demonstrate compliance with the DoWCoP, it must be established that the excavated material to be re-used is (i) suitable for use. (ii) has a certainty of use, (iii) will only be used in necessary quantities and (iv) will not present a risk to health or the environment if re-used; collectively these are referred to as the four factors. When working under the DoWCoP, compliance with these criteria must be documented in a MMP, which is usually prepared by the PC or designer at the detailed design stage (ie post consent) and needs to be in place prior to the material being excavated. The MMP is open to verification and sign off by a Qualified Person (QP) and a declaration made to confirm that the materials are to be reused as stated. The QP must be chartered through a relevant professional body and registered with CL:AIRE. The MMP must be reviewed by a QP and declared to CL:AIRE prior to the reuse of materials at the site.

2.1.7. This document discusses the preparation of a detailed MMP which is synonymous with Material Management Plans set out in CL:AIRE.

3. Excavated Materials Management Plan

3.1.1. The Proposed Development should comply with good practice in accordance with CL:AIRE DoWCoP. CL:AIRE provides three main scenarios for material excavation and management. General waste from site offices and welfare facilities is likely to include:

- Use on Site of Origin.
- Direct Transfer; and
- Cluster Projects.

3.2. Use on Site of Origin

3.2.1. The definition of Use on Site of Origin within CL:AIRE includes a single site or area covered by a single planning permission or a number of parcels of land in close proximity to one another forming a large development scheme. Excavated materials can be excavated and re-used in reinstatement at the Site of Origin on the provision that the four factors outlined in paragraph 2.1.6 are satisfied, i.e. (i) suitable for use (ii) has a certainty of use (iii) will only be used in necessary quantities (iv) will not present a risk to health or the environment if re-used. With regard to the Proposed Development, the Site of Origin is defined as the Order Limits.

3.2.2. Where a Site of Origin approach is used, and a cluster or direct transfer approach is not possible, surplus material should be removed offsite to an authorised waste management site.

3.2.3. Whenever it is envisaged that materials would be temporarily stored on site and the use of those materials would occur more than one year from being stored, a bespoke time limit for such storage would need to be agreed with the Environment Agency (EA). The period of storage would take account of the extant consent or agreed programme of works.

3.3. Direct Transfer

3.3.1. The Direct Transfer provisions included in the DoWCoP allow for use of clean naturally occurring soil and mineral materials on another development site. The materials must originate from greenfield sites, such as agricultural land, where there is not a potential for past contaminative use (e.g. areas subjected to historical landfill or animal burial pits). Materials sourced from brownfield sites (areas of sites) require extensive characterisation to qualify for the direct transfer provision.

3.3.2. To qualify for reuse on another development site, the soils also have to have been excavated with an MMP in place. If surplus soils are identified during the Project Development, their excavation under this oMMP and/or future detailed MMP will allow them to be candidates for reuse on other development sites under Direct Transfer protocols. An MMP would need to be developed for the receiver site to satisfy the four factors, including reference to the Proposed Development as a donor site.

3.3.3. The Direct Transfer provisions could also allow soils to be imported to the Proposed Development if a deficit of soils is identified during the Proposed Development. However, it is not envisaged that the import of soils will be required at this stage. If they are required, import through direct transfer will be considered as a sustainable reuse of materials which may otherwise be considered waste.

3.4. Cluster Projects

3.4.1. The DoWCoP allows for a number of development sites located in a close proximity to be linked and provide a sustainable soil resource by allowing for remediation, at what is defined as a 'hub site', and transfer of soils between sites. The treatment of soils at the hub site needs to be regulated under the Environmental Permitting regime. At this stage it is not considered that the Project Development would require, or benefit, from being involved in a Cluster Project arrangement. It is therefore not considered further in this outline MMP but would be within the detailed MMP if a requirement for its use is discovered.

3.5. Detailed MMP

3.5.1. The re-use of site-won materials should comply with the CL:AIRE code of practice to preclude them being defined as waste. This means that the excavated materials must:

- Not to be a risk to human health or the environment;
- Be suitable for their intended use without further processing (chemically and geotechnically);
- Be suitable for use following treatment under an appropriate Environmental Permit.
- Have certainty of use (specified in panning, remediation strategies); and
- Be only the quantity that is absolutely necessary.

3.5.2. The detailed MMP would be developed to include the above information, together with details of planning consent, site ownership, PC details, consultations with statutory consultees, tracking systems and verification.

3.5.3. The Construction Code of Practice for the Suitable Use of Soils on Construction Sites (F. &. Department for Environment, Code of practice for the sustainable use of soils on construction sites 2018) provides best practice guidance for the excavation, handling, storage and final placement of soils and which would be taken into account in the detailed MMP and SRMP.

3.5.4. Whilst the MMP will require approval by the relevant local authorities, it is intended that it will be maintained and updated by the PC throughout the construction of the Proposed Development as live documents. It will be augmented by design specifications and construction documentation such as PC's construction phasing and therefore at any given time will provide comprehensive information on the management of excavated materials appropriate to the stage of development.

3.6. Verification Plan and Verification Report

3.6.1. The Verification Plan included within the MMP would identify how the placement of materials would be recorded and the quantity of materials to be used. A Verification Report is produced and kept up to date throughout the construction period to provide an audit trail to show that materials and waste have gone to the correct destinations.

3.6.2. The Verification Report must also document any changes that may have been made to the MMP due to e.g. unforeseen ground conditions or alterations to the Proposed Development.

3.7. Qualified Person Assessment

3.7.1. The MMP would be subject to review and declaration by a QP, who must be registered with CL:AIRE. The declaration serves as notification the QP is satisfied that having reviewed the information, the CL:AIRE code of practice can be used appropriately. All declarations are added to the CL:AIRE Declaration management system and a Declaration receipt is issued. This carries a copy of the submitted information and is copied to the EA. The regulators add the information to their respective systems which informs local area teams.

3.7.2. The QP would be required to review the various documents relating to the excavation and movement of materials. They must be suitably qualified and experienced to undertake the review and be confident in signing the Declaration.

3.7.3. The QP assessment process would include consideration of the following main lines of evidence:

- Has the source site of the excavated materials been adequately described and appropriate information provided that confirms that these materials will not cause harm to the environment or harm to human health in the proposed location of future use;
- Have all parties involved with the excavation and treatment of materials been identified;
- Have all the materials been adequately characterised and fall within the scope of the DoWCoP;
- Has the MMP been completed using the correct CL:AIRE template;
- Have all the lines of evidence been followed and the appropriate regulators consulted and that they have no objection; and
- Is there enough evidence to demonstrate certainty of use of the excavated materials and of the correct quantity.

3.7.4. Subject to acceptance and sign off of the MMP by the QP, there would be no requirement for the EA to have any input to the process other than for auditing purposes. This could involve visiting the site and reviewing the MMP documentation, operation and management at the site and at any site(s) receiving the material. Once the Declaration has been made, the organisation commissioning the QP must then follow the MMP for reuse of materials covered and produce a Verification Report on

the works which would form part of the audit trail upon completion of the Proposed Development.

3.7.5. The MMP should follow the layout of the example CL:AIRE template as included in Appendix 1.

4. Proposed Material Re-use

4.1.1. It is anticipated that the majority of the excavated material generated by the Proposed Development would be clean naturally occurring soil. This is consistent with the current and historical use of most of the land within the Order Limits (agricultural) and the risk of substantial volumes of chemically or geotechnically unsuitable material is considered to be very low. Any small proportion of unsuitable material would not be re-used (i.e. would be removed as waste). There is not currently envisioned to be a substantial requirement for geotechnical improvement of excavated materials prior to re-use (e.g. lime or cement stabilisation).

4.1.2. An Outline Soil Resources Management Plan (SRMP) (ES Appendix 2.12 (Document Reference 6.4.2.12)) has been developed and sets out the overall approach to managing soil resources affected by the Proposed Development. This should be read in conjunction with this outline MMP.

4.1.3. Based on the assessment above, there are no likely substantial concerns regarding suitability that could affect the feasibility or applicability of using the DoWCoP.

4.1.4. Anticipated activities and areas where management of excavated materials will be required include:

- Construction of temporary access areas and tracks.
- Construction compounds.
- Horizontal Directional Drilling.
- Watercourse crossing.
- Onsite Substation.
- Access tracks and Solar Stations.
- On-site trenching for cabling.

4.2. Excavation Arisings

4.2.1. The construction of temporary access areas and compounds will primarily involve soils stripping which will mainly impact the topsoil. The construction of Solar PV modules associated equipment and trenching for the installation of cabling is likely to involve the excavation of subsoil as well as topsoil.

4.2.2. The preferred method for restoration of excavated or disturbed areas is to replicate, where practical, the principal habitat communities found within the area. Reinstatement will be undertaken by re-use of onsite vegetation and soil using turf/clodding methods. Vegetation monitoring will be carried out by the ECoW who will determine if re-seeding is required. Should re-seeding be required, species appropriate to the surrounding vegetation will be selected.

4.2.3. The sections below detail how different types of excavated materials will be stored and used in the reinstatement process.

4.3. Topsoil

4.3.1. Topsoil will be stored beside the construction area for use in the re-instatement. Consideration will be given to the potential for entrapment of water in their placement.

4.3.2. For temporary works areas, such as temporary access tracks and construction compounds, soils should be stripped in layers when the soil is sufficiently dry to a depth of 10 – 15cm and stockpiled adjacent to the work area for use in reinstatement at the completion of the project. In areas where permanent infrastructure is proposed, 30cm is considered an acceptable maximum depth for topsoil in most cases.

4.3.3. The preferred method of cable installation is via a cable plough. This method lifts the soil and simultaneously installs the cable before the machine plough backfills the lifted topsoil to cover the laid cable. This method is the least intrusive and would not require the removal, storage or management of topsoil.

4.3.4. In areas where cable plough may not be possible, trenching would be used. Where trenching is required the vegetation layer and topsoil will be removed and segregated and stockpiled separately from the removed subsoil for use in reinstatement. If necessary, where depth allows, further segregation of the vegetation layer and topsoil will be undertaken to prevent burying of the upper vegetation layers in deeper soil on replacement.

4.3.5. The stripped turfs/topsoil will be stored adjacent to the compounds and will be used for future restoration in areas of fixed equipment, while surplus topsoil would be used to restore affected areas after construction or removed from the Order Limits.

4.4. Aggregate

4.4.1. Aggregates will be stored either in construction compound storage areas, designated storage areas within the Order limits or local to working zones with ‘on-time’ delivery planned where required, but within the constraints of the CEMP and the CTMP. Aggregates will be used in construction of access tracks and preparation of compounds and substation or in the structural fill for foundations as part of the permanent infrastructure.

4.4.2. Aggregate will also be required in the construction of temporary infrastructure, including access tracks and construction compounds. Upon completion of construction, the aggregate will be dug up and removed before the area is reinstated with the subsoils and topsoil previously excavated from the area.

4.5. Subsoil

4.5.1. Any subsoil which requires removal, wherever possible, will be stored separately from other materials and ideally adjacent to the removal areas for future reinstatement.

4.5.2. Given the overall construction programme, subsoil shouldn't need to be stored for more than a year. Should this be required, these storage areas will be managed at least annually to prevent the growth of woody vegetation, such as brambles or shrubs.

4.6. Contaminated Soil

4.6.1. Any materials deemed not be suitable for reuse during excavation due to the presence of contaminants will be regarded as waste materials and require disposal off site at a suitable licenced waste facility.

4.7. Movement of Materials

4.7.1. Soils will only be moved within the Order Limits when the conditions are suitable, stockpiles / bunds of excavated soils should be allowed time to dry out after the winter. Bunds will not be disturbed before the beginning of May and wherever possible, trafficking would be avoided between the beginning of December and mid-March for the medium clay loam areas, or mid-November and early April for the heavy clay and clay areas.

4.8. Record Keeping

4.8.1. The movement of materials within and between sites will be tracked with an audit trail. The system will include:

- Annotated plans indicating the excavation areas, any temporary stockpiles and proposed placement areas;
- Inspection and testing methods and certificates; and
- Records of movements, delivery tickets, including dates, volumes, material types, originating area and placement area as a minimum.

4.8.2. A Materials Management Plan form provided by CL:AIRE is included in Appendix 1 as an example of record keeping of the movement of materials during the advancement of the Proposed Development.

5. Waste Management

5.1.1. The 'Waste Hierarchy' provides an outline approach of how waste management should be assessed within the outline MMP. The Waste (England and Wales) Regulation 2011 places a duty on all persons who produce, keep or manage to apply the 'Waste Hierarchy' in order to minimise waste production at every stage of the Proposed Development.

5.1.2. The 'Waste Hierarchy' promotes selection of the Best Practicable Environmental Option (BPEO) and preferred option for management of waste.

5.1.3. There are five principal stages in the 'Waste Hierarchy' as follows:

1. Prevention
2. Preparing for re-use
3. Recycling
4. Other recovery
5. Disposal

5.2. Waste Prevention

5.2.1. Minimisation of waste generation is achieved through careful design and creating a 'waste aware' culture on-site. All reasonable actions will be taken by the PC to avoid the production of and/or minimise the volume of waste produced as a result of the Proposed Development. This can be through reducing consumption, using resources efficiently, and designing for longevity.

5.3. Waste Separation for Reuse and Recycle

5.3.1. Where possible, the separation of waste will be carried out at the source in order to maximise opportunities for reuse and recycling. Segregation of waste will require training, monitoring and enforcement.

5.4. Waste Storage, Disposal and Transportation

5.4.1. All areas used for temporary storage of waste onsite will comply with Defra and EA guidelines and will be clearly signed. Waste storage facilities will be provided at source using the best environmental options available. Any hazardous or special waste will be stored in separate, secure containers and clearly identified as such.

5.4.2. Disposal activities will also be carried out in accordance with DEFRA / EA, pollution prevention guidance (F. &. Department for Environment, Pollution prevention for businesses 2024) in order to ensure compliance with current waste legislation.

5.4.3. Waste transportation will take place at regular intervals to avoid the accrual of waste. Where possible, delivery vehicles will aim to remove waste materials on return trips.

5.4.4. Only registered waste carriers will be authorised to transport waste and a Waste Transfer Note (WTN) will be completed for each load of non-hazardous waste, which must contain a record of their waste carrier registration number. The appropriate European Waste Catalogue (EWC) code will be established using updated Technical Guidance (WM3) and will be noted on the WTN, in addition to how it is contained. All sites receiving waste must have an appropriate permit, licence or registration exemption, the details of which should also be recoded. These consignment notes will be held for at least three years.

6. Other Regulatory Issues

6.1. Temporary Storage Durations

6.1.1. The DoWCoP states: "*Whenever it is envisaged that the use of materials will occur in excess of one year from being stockpiled/stored, a time limit will have to be agreed between the EA and the person responsible for the MMP [Materials Management Plan]. The decision relating to the length of storage will be made within the context of the extant planning permission or agreed programme of works. Supporting information may be requested by the EA in the form of site plans, cross sections and stockpile management issues, e.g. control of dust, suspended solids runoff*".

6.1.2. Should storage durations need to exceed this, then agreements with the EA would be sought as required. Such agreements are not required at DCO application stage, because should this contingency be needed then the procedure is mandatory under the DoWCoP.

6.2. Movement of Excavated Material Within the Order Limits

6.2.1. In theory, excavated materials could be moved anywhere within the Order Limits for re-use. This can create regulatory concern due to ambiguity as to what can be considered the 'site of origin' when moving material (noting that more onerous restrictions apply for moving excavated materials between sites than within a site). However, in practice it is assumed that materials would be re-used locally to their point of excavation as far as is possible. This is necessary for construction practicality, cost-efficiency, programme and sustainability / environmental performance. Therefore, the extent of the Order Limits is not considered to present a feasibility issue or complication to the use of the DoWCoP.

6.3. Temporary Works

6.3.1. The Project will include various temporary works that involve the re-use of excavated material, such as temporary screening provision around construction compounds. Any such materials will be removed prior to, or on, the completion of construction, by either placing them elsewhere within the Order Limits as permanent re-use under the DoWCoP, or removing from the site under Direct Transfer provisions or as waste (if surplus).

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A.1 Appendix 1 – CL:AIRE Template Materials Management Plan

Materials Management Plan (MMP) Form - October 2014

This form should be completed once the lines of evidence have been marshalled in relation to suitability for use, certainty of use and quantity required.

The answers to the questions posed within this form, together with the supporting information will constitute the MMP and must be provided to the Qualified Person.

A Qualified Person may comment on draft versions of this MMP, but will not complete the Declaration until all the relevant documents, demonstrating lines of evidence have been provided for each site.

The person / organisation who will pay the Declaration fee should confirm that they have read and understand the Terms and Conditions relating to the payment of the Declaration fee to CL:AIRE. These can be found on the CL:AIRE website.

The person / organisation agreeing to pay the Declaration Fee - Name, organisation and contact details inc. email address -	

☐ **I confirm I have read and understood the Terms & Conditions.**

Each question must be answered. If the question is not applicable please state this and provide a brief explanation.

1. Specify the scenario to which this MMP relates, as described in the Definition of Waste: Development Industry Code of Practice (DoW CoP) (1, 2, 3 or 4):

☐ 1. Reuse on the Site of Origin

☐ 2. Direct Transfer of clean naturally occurring soil / mineral materials

☐ 3. Cluster Project

☐ 4. Combination of any of the above

In the case of a combination of reuse scenarios, please describe it below (e.g. (i) Reuse on Site of Origin and Direct Transfer of clean naturally occurring unpolluted soils, (ii) Reuse on the Site of Origin with Direct Transfer of clean naturally occurring soil to x number of development sites etc:

(NB: A Declaration is required for reuse on the Site of Origin and for any 2 site arrangement i.e. there is no facility for a combination Declaration)

2. Organisation and name of person preparing this MMP	(Full address and contact details)

Document Control

Date issued	
Revision date	
Summary of revision 1	
Summary of revision 2	

Insert additional lines to the table above for any subsequent revisions.

Note - revisions to the MMP do not trigger an additional Declaration by a Qualified Person, unless an additional site is added to the project.

Revisions to the MMP must be recorded and summarised in the Document Control box above.

Site Details

3. Site / Project name(s)	
Reuse / receiving site name :	
Donor site name (if Direct Transfer)	

Landowners

4a. Name of Landowner(s) (full address and contact details) – where excavated materials are to be reused	
4b. Name of Landowner(s) (full address and contact details) – where excavated materials are arising from	

Summary and objectives

5a. Provide a brief description of the planned project and how excavated materials are to be reused.	

General Plans and Schematics

6. **Attach** a location plan for the site(s) and a plan of the site(s) which identifies where different materials are to be excavated from, stockpile locations (if applicable), where materials are to be treated (if applicable) and where materials are to be reused.	Plan Document Reference(s):

7. **Attach** a schematic of proposed materials movement. Where there is only one source area and one placement area briefly describe it. For all other projects a schematic is required.	Description & Schematic Document Reference:

Parties Involved and Consultation – if more than one party please provide additional details for them and identify the location that they will be working e.g. where a site is zoned

8a. Main earthworks contractor(s) (full address and contact details) – Where excavated materials are to be reused	
8b. Main earthworks contractor(s) (full address and contact details) - Where excavated materials are arising from	
9. Treatment contractor(s) (full address and contact details) – for treatment on site of origin, or at a Hub site within a fixed STF / Cluster Project	
10. Where wastes and materials are to be transported between sites, provide details of the transport contractor(s) (full address, contact details and waste carriers registration details (if applicable))	
11. Provide Local Authority contact details (full address and named contacts) where excavated materials are to be reused	

12a. For the site where materials are to be reused and for Hub Site locations provide Environment Agency contact details (full address and named contacts):	
For all Cluster Projects: 12b. Attach any relevant documentation from the EA relating to the excavation and reuse of the materials to demonstrate no objection to the proposals (see 3.37 of DoW CoP) If the EA has not been consulted please explain why (see paragraph 3.39 of the DoW CoP).	EA references:

Lines of Evidence

There is no one single factor that can be used to decide that a substance or object is waste, or when it is, at what point it ceases to be waste; as complete a picture as possible has to be created.

The following sections require completion to ensure the correct decision is made.

If a requested item is not relevant it is important to clearly state why this is so (e.g. no planning permission required because permitted development status exists).

Suitable for use criteria

13. Please describe or provide copies of the required specification(s) for the materials to be reused on each site.	Document Reference(s):

Where contamination is suspected or known to be present 14a. Please provide copies of or relevant extracts from the risk assessment(s) that has been used to determine the specification for use on the site. **This must relate to the place where materials are to be used.** This must be in terms of (i) human health (ii) controlled waters and (iii) any other relevant receptors. If a risk assessment is not relevant for a particular receptor given the site setting please explain why below:	Document Reference(s):
14b. Please attach any relevant documentation from the LA relating to the excavation and reuse of the materials to demonstrate no objection (see 3.37 of the CoP)	LA Document references:
14c. Please attach any relevant documentation from the EA relating to the excavation and reuse of the materials to demonstrate no objection (see 3.37 and Table 2 of the CoP)	EA Document references:
14d. Please attach any relevant documentation from any other regulators (if relevant) relating to the excavation and reuse of the materials to demonstrate no objection (see 3.37 of the CoP)	Document Reference(s):

Where contamination is not suspected	Document Reference(s)
15a. Please attach copies or relevant extracts from the Desk Top Study that demonstrates that there is no suspicion of contamination.	
15b. Please attach copies of or relevant extracts from the site investigation/testing reports that adequately characterise the clean materials to be used (if appropriate).	Document Reference(s)
15c. Please attach copies of any other relevant information (if available) confirming that land contamination is not an issue.	Document Reference(s)

NB: It is your responsibility to assess the nature of the material to be used and that it fits within the limitations of the scenario under which it is to be used

Certainty of use

Various lines of evidence are required to demonstrate that the materials are certain to be used. This includes:

- The production of this MMP
- An appropriate planning permission (or conditions that link with the reuse of the said materials)
- An agreed Remediation Strategy(ies)
- An agreed Design Statement(s)
- Details of the contractual arrangements

Please identify in the following sections what lines of evidence relate to the site(s) **where the materials are to be used**.

16a. Planning Permission(s) relating to the site where materials are to be reused Please provide a copy of the relevant planning permission	Document Reference:
16b. Explain how the reuse of the excavated materials fits within the planning permission(s) for each site.	
16c. If planning permission is not required for any one site please explain why below e.g. permitted development, clean up of a chemical spill, surrender of an Environmental Permit, re-contouring within the existing permission.	
Where contamination is suspected or is known to be present 17. Please provide a copy of any Remediation Strategy(ies) that have been agreed with relevant regulators.	Document Reference(s):
Where contamination is not suspected 18. Please provide a copy of any Design Statement(s) that have been agreed (e.g. with the planning authority or in the case of permitted developments the client).	Document Reference(s):

Quantity of Use

19. Please provide a breakdown of the excavated materials for each site and how much will be placed at each site or sub area of each site. Where this is not specific to a single readily identifiable source refer to an annotated plan, schematic or attach a tabulated summary.	Document Reference(s):
20a. How has consolidation/compaction being considered in the above mass balance calculations?	
20b. How has loss due to treatment being considered in the above mass balance calculations (if applicable)?	
20c. How has the addition of treatment materials being considered in the above mass balance calculations (if applicable)? Note - An exact figure is not required but one that is reasonable in the circumstances and can be justified if challenged.	

Contingency arrangements

Explain what is to happen in the following situations and **identify the appropriate clauses** in the contract(s) (Such clauses must be provided to the Qualified Person, preferably as a summary document): or

21a. What is to happen to, and who is to pay for out of specification materials?	Reference:
21b. What is to happen to, and who is to pay for any excess materials?	Reference:
21c. What happens if the project programme slips in relation to excavated materials or materials under -going treatment?	Reference:
21d. Other identified risk scenarios for the project (relating to excavated materials)?	Reference:

The Tracking System

Where contamination is suspected or known to be present, state the procedures put in place to:

22a. For all sites please describe the tracking system to be employed to monitor materials movements.	
Where contamination is suspected or known to be present, state the procedures put in place to: 22b. Prevent contaminants not suitable for the treatment process being accepted	

Where contamination is suspected or known to be present, state the procedures put in place to: 22c. Prevent cross contamination of materials not in need of treatment, wastes awaiting treatment and treated materials	
Where contamination is suspected or known to be present, state the procedures put in place to: 22d. Demonstrate that materials that do not require treatment and successfully treated materials reach their specific destination	
Where contamination is suspected or known to be present, state the procedures put in place to: 22e. Ensure that waste for off-site disposal or treatment is properly characterised and goes to the correct facility	
23. Please attach a copy of the tracking forms / control sheets that are to be used to monitor materials movements. To include transfer of loads on site into stockpiles prior to treatment (if applicable), stockpiled after treatment (if applicable), stockpiled awaiting use (as appropriate) and final placement.	Document reference(s)
For Hub Sites within Cluster Projects & where materials need treatment before reuse	Permit reference / EA letter reference:

24. Please attach a copy of the Environmental Permit covering the treatment process. Alternatively, if the treatment is covered by a Mobile Plant Permit and associated Deployment Form, attach a copy of the EA agreement to the Deployment Form.	

Records

25. Where, and in what form, are records to be kept? Note – records e.g. transfer notes, delivery tickets, Desk Top Study, Site Investigation, Risk Assessment(s), Verification Report(s) need to be kept for at least 2 years after the completion of the works and production of the Verification Report	

Verification Plan

26. Provide or explain the Verification Plan which sets out how you will record the placement of materials and prove that excavated materials have been reused in the correct location and in the correct quantities within the development works (see 3.4 of the DoW CoP).	Document Reference