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**WOKINGHAM**  
BOROUGH COUNCIL

Central and Eastern Berkshire Authorities  
Joint Minerals and Waste Plan

## **Statement of Common Ground on waste movements to energy from waste facilities**

Between

**The Central and Eastern Berkshire Authorities**

and

**Slough Borough Council**

### **1 Introduction**

- 1.1 This Statement of Common Ground (SCG) is made between the Central and Eastern Berkshire Authorities (CEB Authorities – Bracknell Forest, Reading, Windsor and Maidenhead and Wokingham) and Slough Borough Council (the parties) regarding their duties as Waste Planning Authorities.
- 1.2 The SCG is being prepared in line with plan-making guidance<sup>1</sup>, in order to comply with the requirements of the National Planning Policy Framework (NPPF)<sup>2</sup>.
- 1.3 The area covered by the SCG encompasses the administrative boundaries for the parties - these are shown in Figures 1 and 2.

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<sup>1</sup> Planning Practice Guidance, Guidance on Plan-making, 13 September 2018, Ministry of Housing, Communities & Local Government (MHCLG) - <https://www.gov.uk/guidance/plan-making>

<sup>2</sup> NPPF, para 27, July 2018, MHCLG - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

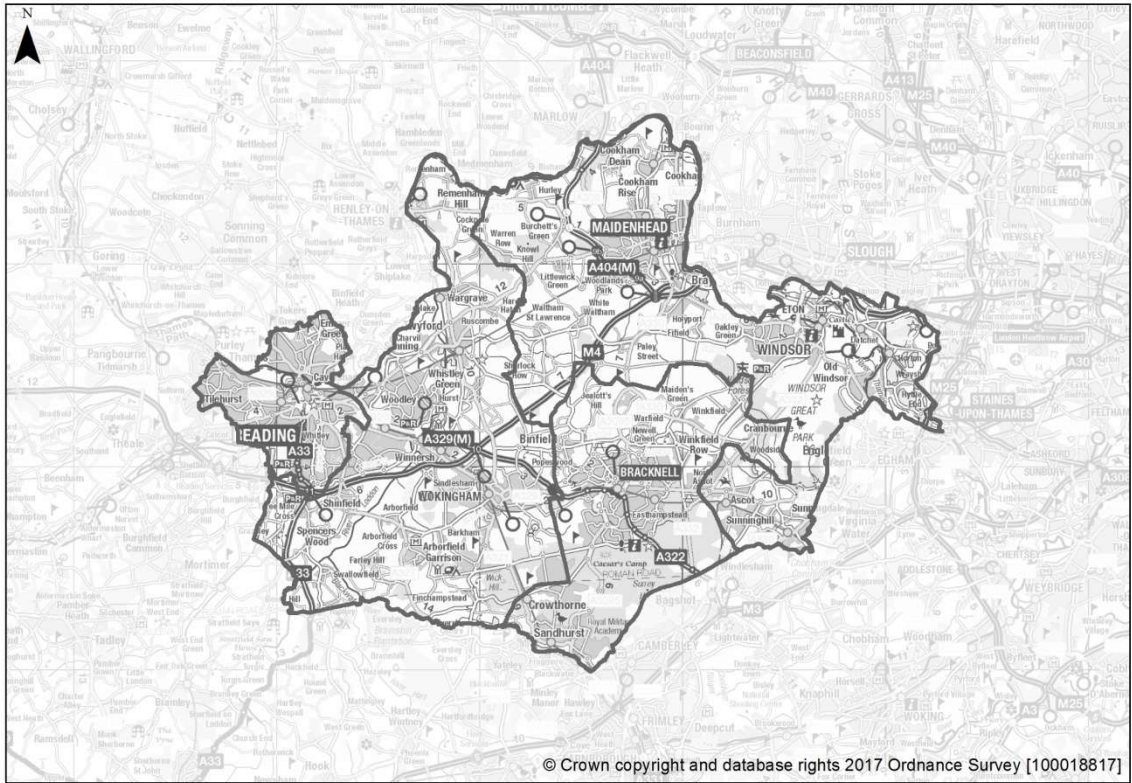


Figure 1 - Administrative areas of the Central & Eastern Berkshire Authorities



Figure 2 - Administrative area of Slough Borough Council

- 1.4 The parties are entering into this SCG to address key strategic waste cross-boundary issues that have been identified between the plan-making areas.

## **2 Background**

- 2.1 The CEB Authorities are preparing a Joint Minerals and Waste Plan that will replace the existing Replacement Minerals Local Plan for Berkshire, adopted in 1995 and subsequently adopted alterations in 1997 and 2001<sup>3</sup> (including Appendices<sup>4</sup> and saved policies<sup>5</sup>) and the Waste Local Plan for Berkshire adopted in 1998<sup>6</sup> (including saved policies).
- 2.2 Slough Borough Council is currently covered by the Replacement Minerals Local Plan for Berkshire and the Waste Local Plan for Berkshire, as above.
- 2.3 This SCG sets out the areas which the CEB Authorities and Slough Borough Council wish to address to work positively together in order to demonstrate effective and on-going joint working on strategic cross-boundary issues, and to document these matters and progress in cooperating to address them, as required by paragraphs 27 and 35 of the NPPF. Where relevant it also identifies any areas where the authorities do not agree, and how the parties propose to address this.

## **3 Confidentiality**

- 3.1 The parties agree that, in some cases, commercial confidentiality will prevent an authority from making certain information publicly available. In these cases, it may be reasonable and appropriate to provide a range of figures or indicate a general trend in order to determine the significance of such information.

## **4 Strategic Matters**

### *Waste Movements to Energy from Waste Facilities*

- 4.1 The parties agree that the Environment Agency's Waste Data Interrogator and Incinerator Waste Returns, are the most relevant sources of data to identify movements of inert and non-hazardous waste between the authorities' plan-making boundaries.
- 4.2 The parties agree that the Environment Agency's Waste Data Interrogator and Hazardous Waste Data Interrogator are the most relevant sources of data to identify movements of hazardous waste between the authorities' plan-making boundaries.

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<sup>3</sup> Replacement Minerals Local Plan for Berkshire 2001 - <http://www.bracknell-forest.gov.uk/replacement-minerals-local-plan-for-berkshire-2001.pdf>

<sup>4</sup> Replacement Minerals Local Plan for Berkshire 2001 Appendices - <http://www.bracknell-forest.gov.uk/replacement-minerals-local-plan-for-berkshire-2001-appendices.pdf>

<sup>5</sup> Mineral Local Plan Saved Policies - <http://www.bracknell-forest.gov.uk/mineral-local-plan-saved-policies-schedule.pdf>

<sup>6</sup> Waste Local Plan for Berkshire (1998) - <http://www.bracknell-forest.gov.uk/waste-local-plan-for-berkshire.pdf>

- 4.3 The parties agree that the waste movements identified in Appendix 1 regarding waste movements between the authorities are correct.
- 4.4 The parties agree to use as guidance the 2014 South East Waste Planning Advisory Group (SEWPAG) thresholds for strategic waste movements, defined as:
  - Non hazardous waste - 2,500 tonnes per annum
  - Inert waste - 5,000 tonnes per annum
  - Hazardous waste - 100 tonnes per annum
- 4.5 On the basis of the identified strategic waste movements, the parties agree that the key relevant waste sites have been identified and discussed through Duty to Cooperate meetings and communication. These communications are detailed in a Duty to Cooperate Statement and are expected to continue in the future.
- 4.6 The parties agree that, in principle, the current waste movements can be expected to continue and that there are no planning reasons to prevent this.
- 4.7 The parties have identified the provision of non-hazardous landfill as a key strategic issue that requires a regional approach and have resolved to work on a separate, relevant SCG with other parties through work organised by SEWPAG.
- 4.8 The parties agree that they will each identify the relevant waste needs for their area and will seek to address this need through the plan-making process.

#### *Lakeside Energy from Waste Facility*

- 4.9 Currently, a significant quantity of waste from the CEB Authorities goes to the Lakeside Energy from Waste (EfW) facility in Colnbrook, Slough. This facility has a capacity of 450,000 tonnes per annum and received 77,330 tonnes of waste from Central and Eastern Berkshire in 2017, although it should be noted that during this period, no Local Authority Collected Waste (LACW) originating from Wokingham or Windsor and Maidenhead was noted as sent to the facility. This represents more than 10% of the estimated non-hazardous waste arisings from Central and Eastern Berkshire.
- 4.10 As the waste movements from the CEB Authorities to the Lakeside EfW facility are part of long-term contractual arrangements that are acceptable to all parties of this agreement and represent waste management near the origin of the waste, it is considered that there are no planning reasons why the movements should not continue.
- 4.11 It is acceptable to all parties that these movements are excluded from the waste capacity provision that the Joint Minerals and Waste Plan is seeking to make.
- 4.12 The parties agree that it is important to stress the need for retaining or replacing the Lakeside EfW facility. The Lakeside EfW facility is part of a potential area for expansion for Heathrow airport, which may come forward

within the Plan period. Both the Lakeside EfW facility and the parts of the railhead are within the area proposed for the third runway at Heathrow airport by the Airports National Policy Statement<sup>7</sup>. The importance of the Lakeside EfW facility to the CEB Authorities is highlighted in both the Waste Background Study and the emerging Joint Minerals and Waste Plan. A monitoring indicator is proposed to be included regarding the potential loss of the facility in order to acknowledge this risk.

- 4.13 As part of SEWPAG the following statement regarding the lakeside EfW facility has been agreed: “The Government has indicated that it prefers the proposed additional runway at Heathrow airport as an airport expansion option and the development area for the runway would likely include both the existing Colnbrook waste complex and rail depot. While the current Waste Plan for the Berkshire area does provide possible alternative for EfW facilities, these have not been implemented. Planning permission for a replacement facility is therefore urgently needed. Without a replacement facility, the potential loss of the existing facility would have a significant impact on waste management in the region as waste would need to travel further. The waste from London is unlikely to find alternative waste management within London, thus increasing travel in the area and beyond. Any increase in road transportation would likely contribute to issues of congestion and air quality in this area. As it is located nearby, the proposed replacement facility would offer a solution that is consistent with the proximity principle as set out in National Planning Policy for Waste. Furthermore, the absence of a replacement facility may result in waste being managed by landfill which National Planning Policy for Waste indicates is the least preferred option.”
- 4.14 In fact, the risks from the potential additional runway at Heathrow are more broad ranging than just the Lakeside EfW facility. There is an associated Materials Recycling Facility that is also at risk, as well as the Colnbrook rail depot, both of which are strongly supported by the parties. Furthermore, any changes to the Heathrow development may lead to impacts on a number of surrounding quarries and landfills as well. These impacts may affect the broader waste management situation in the area and would likely necessitate a review of this SCG.

#### *Transport movements*

- 4.15 The parties recognise that moving waste outside a plan area may have traffic and air quality impacts. Furthermore, these movements will be in addition to other movements between areas, from mineral developments, residential areas and other sources.
- 4.16 It is proposed that consideration is required of the impact of transport movements both near proposed developments and along their proposed routes. This consideration should be given as part of a holistic approach to planning applications that looks, as much as practicable, at all the impacts of a proposed developments, regardless of administrative boundaries.

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<sup>7</sup> Airport National Policy Statement 2018 - <https://www.gov.uk/government/publications/airports-national-policy-statement>

- 4.17 This approach is to be supported by the policy text and implementation approach of the Joint Minerals and Waste Plan, in particular through Policy DM9 (Protecting Health, Safety and Amenity) and Policy DM12 (Sustainable Transport Movements).
- 4.18 As the Joint Minerals and Waste Plan notes, minerals and waste development and associated traffic movements can give rise to air pollutants that adversely impact human health and sensitive environmental receptors. This can include sulphur oxides (SO<sub>x</sub>), nitrogen oxides (NO<sub>x</sub>) and carbon particulates (e.g. PM<sub>10</sub>). HGV traffic can extend these air quality impacts significantly beyond development sites and into adjacent local authority areas. Local authorities review and assess air quality on a regular basis<sup>8</sup>, against a set of Air Quality Objectives (AQOs)<sup>9</sup>. Local authorities are required to declare as Air Quality Management Areas (AQMAs)<sup>10</sup> where AQOs are exceeded. Central and Eastern Berkshire and adjacent authorities have AQMAs delineated for parts of their areas for which Air Quality Action Plans (AQAP) have been prepared. AQAPs are often integrated with Local Transport Plans (LTP). AQMAs will need to be considered when making any decisions on routing.
- 4.19 As further noted in the Joint Minerals and Waste Plan, all minerals and waste development should give the greatest consideration to potential highway and transportation impacts that may be associated with the development. Planning conditions and legal agreements can be used to control and/or manage highway impacts. This may include conditions on hours of working and restrictions on the number of lorry movements, routeing agreements or legal agreements for mitigation which may include highway improvement and/or maintenance works.
- 4.20 The CEB Authorities consider that the supporting text within the Joint Minerals and Waste Plan has policy standing and is to be considered alongside Policy text when determining planning applications. However, for the avoidance of doubt, the parties agree that the impact of lorry movements upon AQMAs within a plan area and in adjoining areas will need to be considered when determining planning applications.

## **5 Working together**

- 5.1 The parties have pro-actively sought to involve each other in the plan-making process. This includes, but is not limited to, sending notifications regarding relevant plan-making consultations, responding to relevant plan-making consultations, direct meetings, exchanging information regarding relevant minerals or waste movements and attendance at regional minerals or waste events.

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<sup>8</sup> The Environment Act 1995 requires local authorities to review and assess air quality on a regular basis, against a set of Air Quality Objectives (AQOs).

<sup>9</sup> Set out in the Air Quality Standards Regulations 2010 - <http://www.legislation.gov.uk/ukxi/2010/1001/contents/made>

<sup>10</sup> Air Quality Management Areas - <https://uk-air.defra.gov.uk/aqma/>

5.2 The parties will continue to use these and other ways of working together in the future.

## **6 Governance**

6.1 This SCG will be initially agreed at officer level and then signed off at executive member level or delegated, as appropriate.

6.2 This SCG will be maintained by the parties. The information will be reviewed as new information from the agreed data sources (or new data sources) becomes available. The SCG will be updated and circulated for agreement by the parties when circumstances change or when the information shows it is necessary to do so, by way of identifying new strategic matters and/or changes to existing strategic matters, and/or identifying that matters are no longer strategic.

## **7. Signatories**

Signed on behalf of Bracknell Forest Council:

Cllr Chris Turrell, Executive Member for Planning & Transport

Date: 07.06.21

Signed on behalf of Reading Borough Council:

Councillor Tony Page, Lead Councillor for Strategic Environment, Planning and Transport

Date: 17.08.2021

Signed on behalf of the Royal Borough of Windsor and Maidenhead:

Cllr Coppinger, Lead Member

Date: 31.08.2021

Signed on behalf of Wokingham Borough Council:

Steve Moore, Director of Place & Growth

Date: 03.06.2021

Signed on behalf of Slough Borough Council:

Name:

Position:

Date: