Medway Local Plan - Waste Evidence Base

Medway Waste Needs Assessment 2024 Update

Strategically Significant Cross Boundary Waste Movements

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1. Introduction

1.1 This report presents the outcome of an assessment of the movements of waste (a.k.a. waste flows) between Medway and other waste plan areas to determine which movements may be regarded as strategic for the purposes of engagement with other Waste Planning Authorities (WPAs). This is to ensure that waste flows identified as being or becoming strategic in future are resilient.

1.2 The identification of such flows has involved consideration of the following:

- Whether historical flows of waste indicated by this report are likely to continue;
- Barriers to the continuation of waste exports;
- Whether new flows of waste beyond the Plan area are likely to occur taking the above factors into account and any changes in capacity that the management of waste arising in Medway currently relies on (situated either within or beyond Medway).

This is considered in light of the national policy expectation that authorities should consider planning for the management of waste arising in other areas where appropriate.

1.3 Advice is provided to support Medway Council as waste planning authority for Medway in its engagement activities including identification of proposed 'target' WPAs for Duty to Cooperate/alignment engagement purposes.

2. Waste as a Strategic Issue

2.1 The management of waste has little regard for administrative boundaries, with waste arising in one authority's area often being managed in another. Furthermore, waste management facilities may have a catchment which extends beyond the boundary of the Plan area within which it is situated. Such flows are recognised in relation to the disposal of waste and recovery of mixed municipal waste in particular in the National Planning Policy for Waste that expects waste planning authorities to:

> "*…plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle, recognising that new facilities will need to serve catchment areas large enough to secure the economic viability of the plant*;".

2.2 Hence the management of waste can be a cross boundary strategic matter, the planning for which requires co-operation between waste planning authorities.

The Duty to Cooperate

2.3 Section 33A of the *Planning and Compulsory Purchase Act 2004* requires Councils that produce development plan documents to cooperate with local planning authorities, county councils and bodies or other persons as prescribed. The Duty to Cooperate imposes, in particular, a duty to: *"engage constructively, actively and on an ongoing basis*". This is required in relation to "maximising the effectiveness" of, and having "*regard to",* activities concerned with supporting or preparing planning policies "*so far as relating to a strategic matter".* As such the Duty places a legal duty on plan making Councils to engage "*constructively, actively and on an on-going basis"* in "*maximising the effectiveness*" of Local Plans.

2.4 As noted above, the Duty applies to the preparation of development plan documents, in so far as they relate to a "*strategic matter*". A strategic matter is defined as *"sustainable development or use of land that has or would have a significant impact on at least two planning areas including... in connection with infrastructure that is strategic*..." (S33A(4)). Waste management qualifies as a strategic matter for the purposes of the Duty.

2.5 The updated National Planning Policy Framework (December 2023) expects that Local Plans include 'non-strategic' and 'strategic' policies, and explains that strategic policies should:

> *"... set out an overall strategy for the pattern, scale and design quality of places (to ensure outcomes support beauty and placemaking), and make sufficient provision for…housing"* and this includes "*for⋯..waste management*".

2.6 It goes on to specify that:

> "*In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these."*

2.7 The management of waste has little regard for administrative boundaries, with waste arising in one authority's area often being managed in another. Furthermore, waste management facilities

may have a catchment which extends beyond the boundary of the Plan area within which it is situated. Such flows are recognised in relation to the disposal of waste and recovery of mixed municipal waste in particular in the National Planning Policy for Waste that expects waste planning authorities to:

"…*plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle, recognising that new facilities will need to serve catchment areas large enough to secure the economic viability of the plant*;".

2.8 While it is anticipated that the Duty to Cooperate will be revoked under the *Levelling up and Regeneration Act*, in the absence of any alternative mechanism the DtC remains the approach being adopted in Plan making processes to seek alignment between Plan making bodies and other Plan making and statutory bodies. It is anticipated that whatever mechanism is put in place an assessment of strategic flows of waste will need to be undertaken for plan making purposes.

Strategic Waste Flow Thresholds

2.9 The South East Waste Planning Advisory Group (SEWPAG), to which Medway Council belongs, adopted a Statement of Common Ground (SoCG) dated March 2020 which includes the following commitments of WPAs in the south east to work together to ensure compliance with the DtC:

"2.10 …, ***the Parties agree*** *that they can rely on ongoing movements of waste to other areas provided there are no conditions related to the planning permission for any particular site which might hinder the receipt of waste from other areas.*

2.11 Where movements of waste between areas are taking place which are of such a size and nature that separate provision would need to be planned for if they were to cease, ***the Parties agree*** *that there will be a need for dialogue between areas to establish the existence of any planning matter which might hinder such an arrangement in future. Such waste movements are considered to be 'strategic'.* ***The Parties agree*** *that what constitutes a 'strategic' level of waste movements will vary between authorities, however the levels set out below provide a starting point for considering whether dialogue is required:*

- *Non-hazardous waste: 5,000 tonnes per annum*
- *Hazardous waste: 100 tonnes per annum*
- *Inert waste: 10,000 tonnes per annum*

2.12 The ***Parties agree*** *that agreement on ongoing waste movements between authorities may be achieved by an exchange of letters and that a separate SCG may not be required.*

2.13 The ***Parties agree*** *that when any WPA is updating waste planning policy that might affect the ongoing import of waste from another area that is considered to be 'strategic' in nature, it will notify the affected authority at related stages of consultation."*

2.10 Therefore, engagement with WPAs that are also members of SEWPAG may be conducted within the context of the adopted SoCG. In the absence of separately agreed thresholds with WPAs outside SEWPAG, the same thresholds have been applied.

3. Waste Flows from Medway

Export and Import of Waste to and from Medway

3.1 Table 1 below shows the tonnages of Medway waste managed at permitted facilities within Medway and beyond, as well as the tonnage of waste managed within Medway from outside of Medway in 2022.

Table 1: Tonnages of Medway waste managed in permitted facilities within Medway and outside Medway, and tonnage of imported waste to Medway facilities

Source: WDI 2022

Medway arisings		**Managed in Medway**		
	Medway waste managed outside Medway	**Medway waste managed in Medway**	**Waste imported to Medway**	**Total Managed**
	274,979	288,344	646,728	935,072
Total Medway waste managed	563,324			

3.2 Table 1 shows that c288,500 tonnes of Medway's waste were managed in Medway in 2022. This compares with c275,000 tonnes of Medway waste managed outside Medway. This export is offset by the significant import of waste for management from outside Medway of c646,500 tonnes, specifically for recycling as shown in Figure 1. So, taking this snapshot as a simple balance, Medway is net-self-sufficient. Figure 1[1] displays visually the balance between imports and exports by waste management method and waste type in Medway.

[1] Note that Figure 1 only includes waste managed at permitted sites in England and does not include any waste exported to Wales, Scotland or further afield as this is not reported in the WDI.

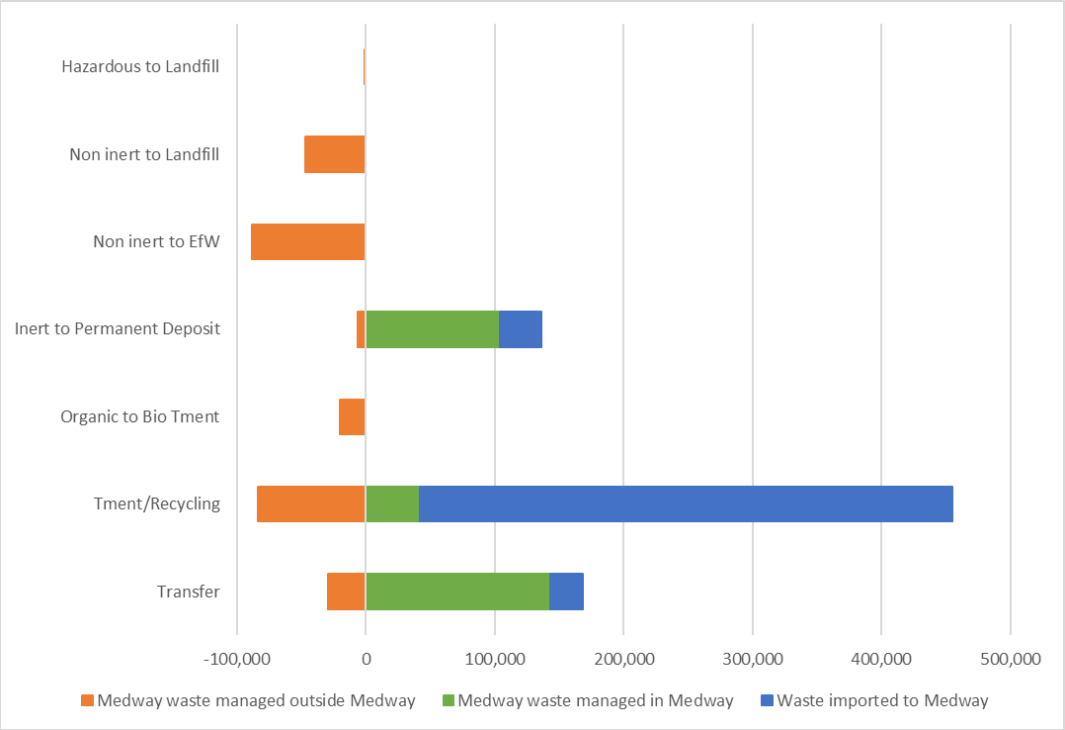

Figure 1: Waste import and export balance in Medway 2022 by management method and waste type where known (tonnes)

3.3 It should be noted that Figure 1 is a single snapshot in time for a year and is not necessarily a true representation of net -self-sufficiency as actual inputs for 2022 may not be reflective of potential capacity of sites operating in Medway (and can be expected underestimate capacity in most cases with landfill being an exception).

3.4 A key matter to address when assessing the robustness of the Plan strategy is to establish whether outgoing flows of waste to waste management facilities beyond the Plan area relied upon by a source WPA will be available for the duration of its Plan period. The focus for Duty to Cooperate engagement in this case is therefore to address outgoing waste flows and these are considered in the section.

Applying the SEWPAG Strategic Movement Thresholds

3.5 The SEWPAG strategic movement 'thresholds' referred to previously have been applied. Table 2 shows movements of waste from Medway in 2022 (latest data available) to other WPAs (in rank order) where one or more of the above thresholds have been met or exceeded.

Table 2: Destination WPAs of Hazardous Waste, Non-inert and Inert exports from Medway in rank order by total applying SEWPAG DtC thresholds 2022

Source: WDI 2022

N.B. Entries highlighted are those where thresholds have been met or exceeded

Receiving WPA	Hazardous	Non-inert	Inert
Kent	2,469	69,285	16,452
Lewisham	0	35,756	<10,000
Thurrock	0	27,435	<10,000
Havering	0	15,972	<10,000
Southwark	0	13,741	0
Bristol City	0	10,950	0
Greenwich	0	10,849	<10,000
Suffolk	10,352	<5,000	0
Hillingdon	0	10,083	0
Cambridgeshire	0	9,998	<10,000
Lancashire	0	9,349	0
Northamptonshire	0	5,013	<10,000
Stockton-on-Tees	628	0	0
Sandwell	172	<5,000	0
Kingston Upon Hull City	167	<5,000	0
Walsall	104	<5,000	0

3.6 A total of 16 WPAs accepted quantities of waste from Medway in excess of the screening strategic thresholds in 2022 with only Kent accepting waste in quantities that exceeded at least two of the thresholds.

Identifying Specific Receiving Sites of Strategic Significance.

3.7 Detailed examination of the waste stream specific totals indicates that movements of waste from Medway that might be classed as strategically significant i.e. met or exceeded the screening thresholds were managed at the sites shown in the following tables. It is considered that where strategic flows went to a small number of sites the strategic reliance is greater than if it was distributed across a large number of sites. This therefore suggests that flows to such sites would be of greater strategic importance to a Plan strategy. Conversely where inputs to individual sites fell below the strategic significance threshold they have been excluded from further analysis.

3.8 A detailed analysis by principal waste streams has been conducted using 2022 data.

Medway Hazardous Waste Destinations

3.9 Table 3 shows the destinations of Medway hazardous waste to sites receiving more than 100 tonnes.

Table 3: Destination sites for Medway Hazardous Waste exports c100t or more in 2022 in WPA rank order

Source: WDI 2022

Facility WPA	Site Category	Site Name	Operator	Principal Waste Type 100t or more	Total
Suffolk	Treatment	Hollywell Waste Oil Treatment Facility	Slicker Recycling Ltd	ELV components and oils	10,352
Kent	MRS	16 Manor Way Business Park	Ace Car Breakers Ltd	ELV components	1,604
	Treatment	Gas Road, Sittingbourne	Sweeep Kuusakoski Ltd	WEEE	707
Stockton-on-Tees		Billingham Treatment Plant	Rapier Energy Ltd	ELV components	627
Walsall	Transfer	Brownhills Environmental Management Facility	Red Industries (Brownhills) Ltd	Multiple wastes sub 100 tonnes	104

3.10 Table 3 shows the following:

- The separate waste stream specific report for hazardous waste found c41,500 tonnes of hazardous waste produced in Medway in 2022. Of the c14,500 tonnes exported as reported by the WDI 2022 this was primarily managed through 5 sites hosted by 4 WPAs.
- The three dominant flows were ELV components for treatment (including MRS) and oils and WEEE for treatment.

Medway Non-Inert Waste Destinations

3.11 Table 4 shows the destinations of Medway non-inert waste to sites receiving more than 5,000 tonnes.

Table 4: Destination sites for Medway Non-Inert Waste exports c5,000t or more in rank order by WPA

Source: WDI 2022

Facility WPA	Site Category	Site Name	Operator	Principal Waste Type 5,000t or more	Total
Kent	Incineration	Kemsley Generating Station	Enfinium K3 Chp Operations Ltd	Mixed municipal waste	50,056
LB Lewisham		SELCHP, Lewisham	South East London Combined Heat & Power Ltd		26,099
	Transfer	Deptford Recycling Centre	SSSI Ltd	RDF	9,657
Thurrock	Landfill	Ockendon Landfill	Veolia Es Landfill Ltd	Fluff light fraction, process residues	27,387
LB Havering		Rainham Landfill		Fluff light fraction	15,972
LB Southwark	Treatment	Southwark Integrated Waste Management Facility	Veolia Es Southwark Ltd	Mixed packaging	13,741
Bristol City	Incineration	Severn Road Resource Recovery Centre	Viridor Avonmouth Waste Services Ltd	Plastic and rubber	10,950
LB Greenwich	Transfer	Greenwich Integrated WMF	Veolia Es Cleanaway (UK) Ltd	Bulky waste	10,760
LB Hillingdon	Treatment	High View Farm	West London Composting Ltd	Biodegradable kitchen and canteen waste	10,083
Cambridgeshire		The Heath, Woodhurst, Huntingdon	Envar Composting Ltd		9,581
Lancashire		Pelican Reach (Plot L)	Viridor Polymer Recycling Ltd	Plastic and rubber	9,349

3.12 Table 4 shows the following:

- The separate waste stream specific report for C&I waste found c141,000 tonnes of C&I waste produced in Medway in 2022 and the separate LACW report found c131,500 tonnes of LACW was produced in Medway in 2022. The c236,000 tonnes of non inert waste that includes C&I waste and LACW exported was primarily managed at 12 sites hosted by 11 different WPAs.
- The three dominant flows were mixed municipal waste for incineration or RDF production and fluff light fraction and process residues going to landfill.

Medway Inert Waste Destinations

3.13 Although Table 2 shows that Kent received c16,500 tonnes of inert waste from Medway, analysis of the individual site inputs revealed that this total value is composed of inputs to multiple sites[2] none of which received 10,000 tonnes or more. Therefore, no further analysis has been undertaken.

[2] One site in Kent (Manor Way Inert Recycling facility) received c9,000 tonnes and, the remaining 7,500 tonnes was managed at a total of 11 sites with inputs to none exceeding c4,500 tonnes.

4. Summary

4.1 A total of 17 sites have been identified as receiving what may be regarded as strategically significant quantities of waste from Medway in 2022. These were spread across a total of 14 WPA areas

4.2 In addition, analysis of data for 2020 and 2021 indicates a further 5 WPAs received waste in excess of the thresholds. The WPAs are listed in Appendix 1 and the sites in Appendix 2 and 3.

4.3 It is recommended that all the host WPAs identified be contacted to confirm the following:

- Whether the facilities identified as receiving waste are still operational given the dataset is for 2022. It should be noted that facilities identified as Recovery to Land and Landfill will have a finite life. Most Recovery to Land facilities are likely to be operational for a few years only.
- Any planning reasons that might mean the acceptance of wastes from Medway cannot continue, such as consent conditions and end dates; or if the site has been earmarked in local plans for redevelopment.
- Whether the host WPA has any specific policies about providing for the management of waste that arises outside their respective Plan area.
- Whether any Statements of Common Ground have been entered into with other WPAs concerning continued availability of capacity at the facility in question that might compromise continued access for Medway's waste.

4.4 The outcomes of the above engagement should be documented, and Statements of Common Ground sought with WPAs hosting facilities expected to take strategically significant quantities of waste for which ongoing access is to be relied upon during the Plan period as appropriate.

Appendix 1: Destination WPAs of Hazardous, Non-inert & Inert Waste exports from Medway 2020-2022

Highlighted cells: Orange - additional WPAs receiving strategically significant waste from Medway in 2020 and/or 2021
Green – WPAs receiving strategically significant waste from Medway Source: WDI 2020, 2021 & 2022

Facility WPA	Hazardous			Non-Inert			Inert		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Kent	1,741	2,365	2,469	69,134	68,032	69,285	31,070	50,216	16,452
Lewisham	0	0	0	17,536	31,585	35,756	<10,000	<10,000	<10,000
Thurrock	<100	0	0	52,361	26,139	27,435	<10,000	<10,000	<10,000
Havering	0	0	0	33,552	25,191	15,972	10,084	15,085	<10,000
Southwark	0	0	0	13,780	14,483	13,741	0	0	0
Bristol City	0	0	0	0		10,950	0	0	0
Greenwich	0	0	0	7,801	13,470	10,849	<10,000	<10,000	<10,000
Suffolk	6,097	9,516	10,352	0		<5,000	0	0	0
Hillingdon	0	0	0	10,328	17,674	10,083	0	0	0
Cambridgeshire	0	0	0	13,745	14,315	9,998	0	<10,000	<10,000
Lancashire	0	<100	0	<5,000	7,650	9,349	0	<10,000	0
Northamptonshire	0	0	0	9,581	<5,000	5,013	0	<10,000	<10,000
Stockton-on-Tees	<100	0	628	0	0	0	0	0	0
Sandwell	0	<100	172	0	0	<5,000	0	0	0
Kingston Upon Hull City	0	0	167	<5,000	<5,000	<5,000	0	0	0
Walsall	192	<100	104	<5,000	<5,000	<5,000	0	0	0
Hampshire	0	1,042	0	<5,000	<5,000	<5,000	0	<10,000	<10,000
Rochdale	<100	279	0	0	0	0	0	0	0
Gloucestershire		278	0	0	0	0	0	0	0
Bexley	<100	<100	<100	7,736	0	0	0	0	0
Bedford	<100	0	<100	6,190	<5,000	<5,000	0	0	0

Appendix 2: Destination of Medway Hazardous Waste to Additional WPAs receiving strategically significant quantities in 2021

Year	Facility WPA	Site Category	Site Name	Operator	Principal Waste Type 100t or more	Total
2021	Hampshire	Incineration	Fawley High Temperature Incinerator	Tradebe Fawley Ltd	Chemicals and cytotoxic and cytostatic medicines	1,042
	Rochdale	Treatment	Heywood Oil Recovery	Crown Oil (Environmental) td	Oils	279
	Gloucestershire	Landfill	Wingmoor Farm	S Grundon (Waste) Ltd	Sludges	278

Appendix 3: Destination of Medway Non-Inert Waste to Additional WPAs receiving strategically significant quantities in 2020

Year	Facility WPA	Site Category	Site Name	Operator	Principal Waste Type 100t or more	Total
2020	Bexley	Incineration	Norman Road North	Riverside Resource Recovery Ltd	Mixed municipal waste	7,736
	Bedford	Treatment	Monoworld Recycling Facility	Monoworld Ltd	Plastic and rubber	6,187