STATEMENT OF COMMON GROUND 5

BETWEEN

THE BOROUGHS OF THE SOUTH LONDON WASTE PLAN

AND

VIRIDOR
(REPRESENTED BY TERENCE O’ROURKE)

Summary:

In response to representations and following meetings and further discussions, the boroughs of the South London Waste Plan have agreed to propose (i) amending the boundary of Site 18; (ii) amending the footnote on Page 37; (iii) amending the second bullet point on Page 60; (iv) amending paragraph 4.77; (v) deleting the final sentence of Policy WP8. As a consequence of these amendments, Viridor has no objection to South London Waste Plan.
This Statement of Common Ground has been prepared to identify areas of agreement between Viridor, represented by Terence O’Rourke, and the Boroughs of the South London Waste Plan on matters relating to the South London Waste Plan Proposed Submission DPD and the representations by Viridor, represented by Terence O’Rourke.

Background

This Statement of Common Ground relates to two representations (Nos. 24 and 25) made regarding the South London Waste Plan Proposed Submission DPD.

In summary, the representors requested:

- a revision to the site boundary of Site 18 to allow for operational requirements;
- an amendment to the footnote on Page 37 stating that the temporary permissions do not prevent proposals coming forward to extend the use of the site beyond 2023;
- an amendment (similar to above) to a statement relating to temporary use in the “Action Taken” section regarding Site 18 on Page 60;
- an amendment (similar to above) to a statement relating to temporary use in the “Issues to Consider” section regarding Site 18 on Page 60;
- an amendment to Policy WP3 removing the stated preference for anaerobic digestion, gasification and pyrolysis.

Matter of Agreement

The boroughs of the South London Waste Plan and Viridor, represented by Terence O’Rourke, agree to propose the following amendments to the South London Waste Plan Proposed Submission version:

<table>
<thead>
<tr>
<th>Proposed Minor Change No - Suggested By</th>
<th>Policy Reference</th>
<th>Background to Change</th>
<th>Wording of Proposed Change</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>PMC85 Viridor</td>
<td>Page 37 Schedule 1 Footnote</td>
<td>It has been agreed to propose the following amendment to wording after meetings with representatives of Viridor, Terence O’Rourke and the South London Waste Plan.</td>
<td>Delete: “* All facilities on Beddington Farmlands have temporary permissions only. All are due to expire in 2023, just beyond the lifetime of this plan. After this, the land will be incorporated into the Wandle Valley Regional Park” Replace with: “* These sites identified in the schedule are subject to temporary planning”</td>
<td>To clarify current planning policy situation</td>
</tr>
<tr>
<td>PMC96 Viridor</td>
<td>Page 49 Paragraph 4.77</td>
<td>It has been agreed to propose the following amendment to wording after meetings with representatives of Viridor, Terence O’Rourke and the South London Waste Plan.</td>
<td>After the second sentence, ending “pyrolysis” add the following sentence: “This contrasts with advice in Chapter 5, Paragraph 27 of the Waste Strategy for England (DEFRA, 2007), which states: “the Government does not generally think it appropriate to express a preference for one technology over another, since local circumstances differ so much.”</td>
<td>To clarify current planning policy situation</td>
</tr>
<tr>
<td>PMC99 Viridor</td>
<td>Page 50 Policy WP8</td>
<td>It has been agreed to propose the following amendment to wording after meetings with representatives of Viridor, Terence O’Rourke and the South London Waste Plan.</td>
<td>Delete the final sentence of the policy, which reads: “Preference will be given to advanced conversion technologies such as anaerobic digestion, gasification and pyrolysis”</td>
<td>To clarify current planning policy situation</td>
</tr>
<tr>
<td>PMC111 Viridor</td>
<td>Page 59 Site 18 Map</td>
<td>It has been agreed to propose the following cartographical amendment after meetings with representatives of Viridor, Terence O’Rourke and the South London Waste Plan.</td>
<td>Delete: Current map. Replace with: Map below</td>
<td>To identify operational requirements within the site.</td>
</tr>
<tr>
<td>PMC112 Viridor</td>
<td>Page 59 Site 18 Site Area</td>
<td>This change is a result of the redrawn site boundary</td>
<td>Delete: 5.02ha Replace with: 7.43ha</td>
<td>Factual update</td>
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</tr>
<tr>
<td>PMC Viridor</td>
<td>Page 60 “Action Taken” section First row</td>
<td>It has been agreed to propose the following after meetings with representatives of Viridor, Terence O’Rourke and the South London Waste Plan.</td>
<td>NO AMENDMENT</td>
<td>This is a response to a consultation</td>
</tr>
<tr>
<td>PMC 113 Viridor</td>
<td>Page 60 “Issues to Consider” section Second bullet point</td>
<td>It has been agreed to propose the following amendment to wording after meetings with representatives of Viridor, Terence O’Rourke and</td>
<td>Delete: “Ensuring that the site is made available for the creation of the Wandle Valley Regional Park by the end of 2023” Replace with: “Ensuring that the site is made available for the creation of the Wandle Valley Regional Park by the end of 2023”</td>
<td>To clarify current planning policy situation</td>
</tr>
<tr>
<td>South London Waste Plan.</td>
<td>Regional Park by virtue of the existing temporary planning permissions and the London Borough of Sutton’s resolution to grant temporary planning permission.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Dear Duncan,

Thank you for the revised site plan, which now appears to cover everything we discussed.

Many thanks

Steve Molnar

On 14/4/11 09:49, "Duncan Clarke (Waste)" <duncan.clarke@rbk.kingston.gov.uk> wrote:

Hi Gary and Steve,

Please find attached a revised copy of the site plan.

If you think it covers the bund to the east and the Dano building, I would be grateful if you could confirm this by return email.

Regards,

Duncan

Duncan Clarke
South London Waste Plan Project Manager
Royal Borough of Kingston-upon-Thames
E: duncan.clarke@rbk.kingston.gov.uk
T: 020 8547 5375

From: Garry Wolfe [mailto:GWolfe@viridor.co.uk]
Sent: 13 April 2011 17:30
To: Duncan Clarke (Waste)
Cc: 'Wilson Jeff'; 'Eben Van Der Westhuizen'; 'Tara Butler'; 'Franklin Anthony'; Steve Cardis; 'Day, Andy'; 'Steve Molnar'; Ian John; Robert Ryan
Subject: RE: Proposed Amendments to the South London Waste Plan following Meeting

Dear Duncan,

Thank you for your e-mail and confirmation of the details of our discussions with you during our meeting on site on 28th March. I can confirm that we have no objections to the proposed wording and actions under Items 2-6 of your e-mail note.

With regard to Item 1 and the red line boundary of Site 18, we welcome the intention that the boundary should cover the 2005 resolution to grant areas and the access and circulation areas of the site which are so important to its operation. In this context, the boundary requires further modification to achieve this aim.

Two areas in particular need to be added to achieve this.

The first is a thin strip of land to the east of the Dano building, where your plan appears to have misinterpreted the existing operational site boundary slightly, which includes the bund on this
boundary.

The second is to the east of the Dano building, where the line does not include the area within which the Dano fines sludge building and its apron have a resolution to grant permission as part of the 2005 AD application.

To illustrate this, please find attached a copy of three plans of the site.

The first plan shows the relationship between the Dano fines sludge building and your proposed boundary, so you can see the extent of this resolution to grant that lies outside your red line.

The second plan shows in orange the additional areas that we propose are included in the Site 18 boundary to achieve the aim of covering the 2005 resolution to grant areas and the access and circulation areas of the site which are so important to its operation.

The third plan is an updated boundary to include these additional areas.

I trust that you will agree with our proposed modifications and the justification for them. Please contact Steve Molnar or myself if you would like to discuss this proposed revised boundary.

In relation to your request for information on waste data for the Beddington site and the progress towards concluding the s106 agreement for the AD planning application I can provide you with the following information:

1. Beddington Waste Data: [Information to follow]

2. s106 Agreement: The following is a very brief potted summary. The delay in obtaining an agreement of the s106 is principally associated with the need to setup a Trust to manage the long-term maintenance of the landfill and what form this Trust took. However, these long-term management arrangements are now covered in the current permitting regime. Viridor have been discussing with Sutton this changed approach and how this should be covered in the s106. In general this approach is accepted by Sutton and currently Viridor are awaiting confirmation from Sutton regarding the detail of the agreement. Viridor believe that, subject to Sutton legal department’s engagement, that the s106 can be concluded within 2 months.

I hope the above information answers your questions and that you will consider and accept our proposals for a modification to the red line boundary for Site 18.

Regards

[Signature]

Garry Wolfe
Development Manager
Viridor
From: Duncan Clarke (Waste) [mailto:duncan.clarke@rbk.kingston.gov.uk]
Sent: Friday, April 01, 2011 5:44 PM
To: Garry Wolfe; 'Steve Molnar'
Cc: 'Wilson Jeff'; 'Eben Van Der Westhuizen'; 'Tara Butler'; 'Franklin Anthony'; Steve Cardis; 'Day, Andy'
Subject: Proposed Amendments to the South London Waste Plan following Meeting

Dear Gary and Steve,

Thank you very much for hosting the meeting on Monday at Beddington Farmlands to discuss the South London Waste Plan and also to see your site in operation. We felt it was a most productive and informative meeting.

Following the meeting, the boroughs would like to propose the following as suggested amendments to put the Planning Inspector at Submission of the South London Waste Plan and also to form the basis of a Statement of Common Ground.

1. Revised boundaries. Please find attached a revised site map for Site 18: The Viridor Recycling and Composting Centre. The boundary now covers the 2005 resolution to grant areas and the access and circulation areas of the site which are so important to its operation.

2. It was agreed that the footnote on Page 37 of the Plan needed some amendment. Therefore, we propose the following amended wording:

"These sites identified in the schedule are subject to temporary planning permissions or resolutions to grant temporary planning permissions. All are due to expire in 2023. After this, the land will be incorporated into the Wandle Valley Regional Park."

3. It is proposed that there are no alterations made to the “Actions Taken” section on Page 60.

4. It is proposed that the second bullet point in the “Issues to Consider” section on Page 60 is amended to read:

"Ensuring that the site is made available for the creation of the Wandle Valley Regional Park by virtue of the existing temporary planning permissions and the London Borough of Sutton’s resolution to grant temporary planning permission"

5. It is proposed that Paragraph 4.77 is amended as follows:

“Policy 5.8 supports and encourages the use of more widespread use of innovative energy technologies to reduce use of fossil fuels and carbon dioxide emissions. For waste that cannot be recycled or composted (including anaerobic digestion), the Mayor has a preference for advanced conversion waste technologies such as gasification and pyrolysis. This contrasts with advice in Chapter 5, Paragraph 27 of the Waste Strategy for England (DEFRA, 2007), which states: “the Government does not generally think it appropriate to express a preference for one technology over another, since local circumstances differ so much.” However it is expected that all proposed technologies recovering energy from non-recyclable waste...”

6. The final sentence of Policy WP8 is deleted.
If you consider these amendments acceptable, I would be grateful if you could send me an email confirming as much. I will then be able to draw up a Statement of Common Ground.

Finally, also at the meeting, we requested some information and I would be grateful if you could provide me with details of:

(i) The current and future waste streams for the landfill and recycling and composting centre

(ii) The progress of the S106 agreement for Resolution to Grant D2005/54794

Regards,

Duncan

**Duncan Clarke**
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Additional area to reflect resolution to grant permission for Dano fines processing D2005/54794/FUL.
A  Dano fines sludge processing building
B  New apron area