

Legend

- Site Boundary
- Airfield Building (Unlabelled)
- Canal
- Tank
- Conveyor
- Electricity Substation
- Ford Airfield Industrial Estate
- Gas Governor
- Grain Stores
- Hoppers and Conveyors
- Materials Recovery Facility
- Observation Post
- Prison
- Roads and Aircraft Standings
- Sewage Works
- Skip Depot
- Stockpile Bay
- Tanks (Autoclaves)
- Travelling Crane
- Water Tank

Notes.
Includes historical site features identified from historical maps and aerial photography. Boundaries of site features are indicative.

Colour Drawing

Figure Title
Pertinent Historical Features

Project Name
Ford Energy Recovery Facility and Waste Sorting and Transfer Facility, Ford Circular Technology Park

| | |
|------------------------------|-------------------|
| Project Number 1620007830 | Figure No. 2 |
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Client
Ford EfW Ltd, Grundon and Viridor

RAMBOLL

APPENDIX A LEGISLATIVE CONTEXT AND METHODOLOGIES

1. LEGISLATIVE CONTEXT

1.1.1. England

The regime for contaminated land was set out in Part 2A (ss.78A-78YC) of the Environmental Protection Act 1990 (EPA), as inserted by S.57 of The Environment Act 1995 and came into effect in England on 1st April 2000 as The Contaminated Land (England) Regulations 2000 (SI 2000/227). These regulations were subsequently revoked with the provision of The Contaminated Land (England) Regulations 2006 (SI 2006/1380) (as amended), which came into force in August 2006, and consolidated the previous regulations and amendments. Revised statutory guidance ("the Guidance") for local authorities on how to implement the regime, including the decision-making process on whether land is contaminated land in the legal sense, has been published by Defra and entered into force in April 2012.

Under Part 2A of the EPA Section 78A(2), "contaminated land" is defined as "land which appears... to be in such a condition, by reason of substances in, on or under the land, that –

- a) significant harm is being caused or there is a significant possibility of such harm being caused ; or
- b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused".

"Significant harm" is defined in the Guidance on risk based criteria and must be the result of one or more relevant 'contaminant linkages' relating to the land. The presence of a contaminant linkage relies on the Source-Pathway-Receptor concept, where all three factors must be present and potentially or actually linked for a potential risk to exist. Under the Guidance, a 'significant contaminant linkage' is one which gives rise to a level of risk sufficient to justify a piece of land being determined as contaminated land. Should the authority consider that there is an unacceptably high probability, supported by robust science-based evidence that significant harm would occur if no action is taken to stop it, the land should be deemed a Category 1: Human Health. Land should be placed into Category 2 if the authority concludes, on the basis that there is a strong case for considering that the risks from the land are of sufficient concern, that the land poses a significant possibility of significant harm. Both Category 1 and Category 2 cases would be capable of being determined as contaminated land under Part 2A on the grounds of significant possibility of significant harm to human health. If the legal test for significant possibility of significant harm is not met, the authority should place the land into Category 3. If the local authority considers that there is no risk or that the level of risk posed is low, the land should be placed into Category 4.

For six common contaminants (benzo(a)pyrene, cadmium, arsenic, benzene, hexavalent chromium and lead), a set of screening values have been developed and endorsed for use by Defra (the Category 4 Screening Levels, or C4SLs) that describe a level of risk just below the Category 3/4 boundary set in the Statutory Guidance, i.e. where concentrations are below the C4SL, there is no risk or the level of risk is acceptably low.

The pollution of controlled waters is defined in Section 78A(9) of the Act as "the entry into controlled waters of any poisonous, noxious or polluting matter or any solid waste matter". The new Guidance stresses that the Part 2A regime is designed to identify and deal with 'significant pollution' and not lesser levels of pollution. As with human health risk, Categories 1 and 2 comprise land where the local authority considers that a significant possibility of significant pollution of controlled waters exists and Categories 3 and 4 comprises cases where the authority considers that a significant possibility of such pollution does not exist. The local authority should be satisfied that a substance is continuing to enter controlled waters or is likely to enter controlled waters. Wales

1.1.2. Wales

The regime for contaminated land was set out in Part 2A (ss.78A-78YC) of the Environmental Protection Act 1990 (EPA), as inserted by S.57 of The Environment Act 1995 and came into effect in Wales on 1st July 2001 as The Contaminated Land (Wales) Regulations 2001 (WSI 2001/2197, W.157). These regulations were subsequently revoked with the provision of The Contaminated Land (Wales) Regulations 2006 (SI 2006/2989 W.278), which consolidated the previous regulations and amendments and added in provisions regarding radioactive contaminated land. These regulations came into force on 10th December 2006 and were accompanied by statutory guidance published by the Welsh Assembly Government in December 2006 ('the Guidance') for local authorities on how to implement the regime. The 2006 statutory guidance was replaced by the Contaminated Land Statutory Guidance - 2012 (WG19243), issued by the Welsh Government.

Under Part 2A of the EPA Section 78A(2), "contaminated land" is defined as "land which appears... to be in such a condition, by reason of substances in, on or under the land, that –

- a) significant harm is being caused or there is a significant possibility of such harm being caused; or
- b) pollution of controlled waters is being, or is likely to be caused" .

"Significant harm" is defined in the Guidance on risk based criteria and must be the result of one or more relevant 'contaminant linkages' relating to the land. The presence of a contaminant linkage relies on the Source-Pathway-Receptor concept, where all three factors must be present and potentially or actually linked for a potential risk to exist. Under the Guidance, a 'significant contaminant linkage' is one which gives rise to a level of risk sufficient to justify a piece of land being determined as contaminated land. Should the authority consider that there is an unacceptably high probability, supported by robust science-based evidence that significant harm would occur if no action is taken to stop it, the land should be deemed a Category 1: Human Health.

Land should be placed into Category 2 if the authority concludes, on the basis that there is a strong case for considering that the risks from the land are of sufficient concern, that the land poses a significant possibility of significant harm.

Both Category 1 and Category 2 cases would be capable of being determined as contaminated land under Part 2A on the grounds of significant possibility of significant harm to human health. If the legal test for significant possibility of significant harm is not met, the authority should place the land into Category 3. If the local authority considers that there is no risk or that the level of risk posed is low, the land should be placed into Category 4.

For six common contaminants (benzo(a)pyrene, cadmium, arsenic, benzene, hexavalent chromium and lead), a set of screening values have been developed and endorsed for use by Defra² (the Category 4 Screening Levels, or C4SLs) that describe a level of risk just below the Category 3/4 boundary set in the Statutory Guidance, i.e. where concentrations are below the C4SL, there is no risk or the level of risk is acceptably low. In March 2015, the Welsh Government issued a statement reaffirming that C4SLs are a "pragmatic but still strongly precautionary approach to risk assessment of potentially contaminated land". The represent a level of a contaminant in soil that would pose a low risk to human health and would not be considered contaminated under Part 2A. The statement notes that C4SLs have been derived using toxicological methods that are robust and are considered appropriate in the UK. The Welsh Government's statement confirms that C4SLs can provide a simple test for deciding if land is suitable for use and definitely not contaminated under Part 2A. As such, they can be used as a generic screening criteria and could be used as part of the risk assessment process under the planning regime as with Part 2A.

The pollution of controlled waters is defined in Section 78A(9) of the Act as “the entry into controlled waters of any poisonous, noxious or polluting matter or any solid waste matter”. According to the Guidance, before determining that pollution of controlled waters is being, or is likely to be, caused, the local authority should be satisfied that a substance is continuing to enter controlled waters or is likely to enter controlled waters. The term “controlled waters” in relation to Wales has the same meaning as in Part 3 of the Water Resources Act 1991, except that “ground waters” does not include waters contained in underground strata but above the saturation zone.

As with human health risk, Categories 1 and 2 comprise land where the local authority considers that a significant possibility of significant pollution of controlled waters exists and Categories 3 and 4 comprises cases where the authority considers that a significant possibility of such pollution does not exist. The local authority should be satisfied that a substance is continuing to enter controlled waters or is likely to enter controlled waters.

1.1.3. Scotland

The regime for contaminated land was set out in Part 2A (ss.78A-78YC) of the Environmental Protection Act 1990 (EPA), as inserted by S.57 of The Environment Act 1995 and came into effect in Scotland on 14th July 2000 as The Contaminated Land (Scotland) Regulations 2000 (SSI 2000/ 178). These regulations were subsequently revoked with the provision of The Contaminated Land (Scotland) Regulations 2005 (SSI 2005 /658), which came into force in April 2006 and consolidated the previous regulations and amendments and were accompanied by statutory guidance published by the Scottish Government in May 2006 (‘the Guidance’) for local authorities on how to implement the regime.

Under Part 2A of the Environmental Protection Act 1990, “contaminated land” is defined in the Contaminated Land (Scotland) Regulations 2005 (as amended) as land which appears to the local authority to be in such a condition, by reason of substances in, on or under the land, that:

- a) significant harm is being caused, or there is a significant possibility of such harm being caused; or
- b) significant pollution of the water environment is being caused or there is a significant possibility of such pollution being caused .

“Significant harm” is defined in the Guidance on risk based criteria and must be the result of a “pollutant linkage”, which may be assessed using qualitative risk assessment models. The presence of a pollutant linkage relies on the Source-Pathway-Receptor concept, where all three factors must be present and potentially or actually linked for a potential risk to exist. Where the water environment forms the receptor, ‘significant pollution’ is determined by assessing the potential for impact/harm/damage associated with the substance in the water environment and must be as a result of a significant pollutant linkage.

1.1.4. Northern Ireland

The regime for Contaminated Land in Northern Ireland was set out in the Waste and Contaminated Land (Northern Ireland) Order 1997 (as amended). Part 3 of the Waste and Contaminated Land (Northern Ireland) Order 1997 contains the main legal provisions for the introduction of a contaminated land regime in Northern Ireland, but the regime is not yet in operation. It is noted that the Contaminated Land (Northern Ireland) Regulations 2006 and associated statutory guidance were published in draft for consultation in 2006, but have yet to be finalised. Under Part 3 of the 1997 Order, contaminated land is defined as,

“any land which appears to a district council in whose district it is situated to be in such a condition, by reason of substances in, on or under the land, that -

(a) significant harm is being caused or there is a significant possibility of such harm being caused; or

(b) pollution of waterways or underground strata is being, or is likely to be, caused .

“Significant harm” is defined in the draft guidance on risk based criteria and must be the result of a “pollutant linkage”, which may be assessed using qualitative risk assessment models. The presence of a pollutant linkage relies on the Source-Pathway-Receptor concept, where all three factors must be present and potentially or actually linked for a potential risk to exist.

1.1.5. The Channel Islands

There is no formal contaminated land regime in the Channel Islands, as they are not part of the UK, and as such they usually adopt either the English or French legislation or create their own.

1.1.6. Isle of Man

There is no formal contaminated land regime in the Isle of Man, and they usually adopt a best ‘practice approach’ from a European country of choice on this basis.

1.1.7. Risk Assessment Framework

“Significant harm” or “significant pollution of controlled waters” is defined in the Guidance on risk based criteria and must be the result of one or more relevant ‘contaminant linkages’ relating to the land.

The presence of a contaminant linkage relies on the Source-Pathway-Receptor concept, where all three factors must be present and potentially or actually linked for a potential risk to exist. For a risk of pollution or environmental harm to occur as a result of ground contamination, all of the following elements must be present:

- A source - a substance that is capable of causing pollution or harm;
- A receptor - something which could be adversely affected by the contaminant; and
- A pathway - a route by which the contaminant can reach the receptor.

If one of these elements is absent there can be no significant risk. If all are present then the magnitude of the risk is a function of the magnitude and mobility of the source, the sensitivity of the receptor and the nature of the migration pathway.

The Environment Agency Contaminated Land Report CLR 11 Model Procedures for the Management of Land Contamination provides the technical framework for structured decision making about land contamination. CLR 11 advocates a phased approach to risk assessment comprising:

- Preliminary Risk Assessment (PRA) – desk study and qualitative assessment
- Generic Quantitative Risk Assessment (GQRA) – assessment of contaminant concentrations against generic assessment criteria.
- Detailed Quantitative Risk Assessment (DQRA) – detailed site specific risk assessment and development of site-specific assessment criteria.

Each of these phases follows the same basic steps but adds site specific details and further certainty into the assessment as the stages progress. The basic steps are:

- Hazard identification and hazard assessment – development or refinement of the source-pathway-receptor conceptual model, and identification of potential pollutant linkages.
- Risk Estimation – qualitative risk estimation predicting magnitude and probability of potential consequences that may arise as a result of a hazard.
- Risk Evaluation – deciding whether a risk is unacceptable.

2. RISK ESTIMATION

An assessment of environmental risks is made for each potential pollutant linkage identified.

Risk estimation has been completed in accordance with the guidance provided in:

- NHBC and Environment Agency 2008. Guidance for the Safe Development of Housing on Land Affected by Contamination. R&D Publication 66: 2008.

The following is taken directly from NHBC/EA 2008. The key to the classification is that the designation of risk is based upon the consideration of both:

- a) the magnitude of the potential consequence (*i.e.*, severity) [takes into account both the potential severity of the hazard and the sensitivity of the receptor];
- b) the magnitude of probability (*i.e.*, likelihood) [takes into account both the presence of the hazard and receptor and the integrity of the pathway].

Table 1: Classification of Consequence (after NHBC/EA 2008)

| Category | Definition |
|----------|--|
| Severe | <p>Highly elevated concentrations likely to result in "significant harm" to human health as defined by the EPA 1990, Part 2A, if exposure occurs.</p> <p>Equivalent to EA Category 1 pollution incident including persistent and/or extensive effects on water quality; leading to closure of a potable abstraction point; major impact on amenity value or major damage to agriculture or commerce.</p> <p>Major damage to aquatic or other ecosystems, which is likely to result in a substantial adverse change in its functioning or harm to a species of special interest that endangers the long-term maintenance of the population.</p> <p>Catastrophic damage to crops, buildings or property.</p> |
| Medium | <p>Elevated concentrations which could result in "significant harm" to human health as defined by the EPA 1990, Part 2A if exposure occurs.</p> <p>Equivalent to EA Category 2 pollution incident including significant effect on water quality; notification required to abstractors; reduction in amenity value or significant damage to agriculture or commerce.</p> <p>Significant damage to aquatic or other ecosystems, which may result in a substantial adverse change in its functioning or harm to a species of special interest that may endanger the long-term maintenance of the population.</p> <p>Significant damage to crops, buildings or property.</p> |
| Mild | <p>Exposure to human health unlikely to lead to "significant harm".</p> <p>Equivalent to EA Category 3 pollution incident including minimal or short lived effect on water quality; marginal effect on amenity value, agriculture or commerce.</p> <p>Minor or short lived damage to aquatic or other ecosystems, which is unlikely to result in a substantial adverse change in its functioning or harm to a species of special interest that would endanger the long-term maintenance of the population.</p> <p>Minor damage to crops, buildings or property.</p> |
| Minor | <p>No measurable effect on humans.</p> <p>Equivalent to insubstantial pollution incident with no observed effect on water quality or ecosystems.</p> <p>Repairable effects of damage to buildings, structures and services.</p> |

* For these purposes, disease is to be taken to mean an unhealthy condition of the body or a part of it and can include, for example, cancer, liver dysfunction or extensive skin

ailments. Mental dysfunction is included only insofar as it is attributable to the effects of a pollutant on the body of the person concerned.

The likelihood of an event (probability) takes into account both the presence of the hazard and target and the integrity of the pathway and has been assessed based on the categories given below.

Table 2: Classification of Probability (after NHBC/EA 2008)

| Category | Definition |
|-----------------|--|
| High Likelihood | There is pollutant linkage and an event would appear very likely in the short-term and almost inevitable over the long-term, or there is evidence at the receptor of harm or pollution. |
| Likely | There is pollutant linkage and all the elements are present and in the right place which means that it is probable that an event will occur. Circumstances are such that an event is not inevitable, but possible in the short-term and likely over the long-term. |
| Low Likelihood | There is pollutant linkage and circumstances are possible under which an event could occur. However, it is by no means certain that even over a long period such an event would take place, and is less likely in the shorter term. |
| Unlikely | There is pollutant linkage but circumstances are such that it is improbable that an event would occur even in the very long-term. |

The potential severity of the risk and the probability of the risk occurring have been combined in accordance with the following matrix in order to give a level of risk for each potential hazard.

Table 3: The Classification of Risk (after NHBC/EA 2008)

| | | Consequence | | | |
|-------------|-----------------|---------------|---------------|---------------|----------|
| | | Severe | Medium | Mild | Minor |
| Probability | High Likelihood | Very high | High | Moderate | Low |
| | Likely | High | Moderate | Moderate/ Low | Low |
| | Low Likelihood | Moderate | Moderate/ Low | Low | Very low |
| | Unlikely | Moderate/ Low | Low | Very low | Very low |

Very high risk

There is a high probability that severe harm could arise to a designated receptor from an identified hazard at the site without remediation action OR there is evidence that severe harm to a designated receptor is already occurring. Realisation of that risk is likely to present a substantial liability to be site owner/or occupier. Investigation is required as a matter of urgency and remediation works likely to follow in the short-term.

High risk

Harm is likely to arise to a designated receptor from an identified hazard at the site without remediation action. Realisation of the risk is likely to present a substantial liability to the site owner/or occupier. Investigation is required as a matter of urgency to clarify the risk. Remediation works may be necessary in the short-term and are likely over the longer term.

Moderate risk

It is possible that harm could arise to a designated receptor from an identified hazard. However, it is either relatively unlikely that any such harm would be severe, and if any

harm were to occur it is more likely, that the harm would be relatively mild. Further investigative work is normally required to clarify the risk and to determine the potential liability to site owner/occupier. Some remediation works may be required in the longer term.

Low risk

It is possible that harm could arise to a designated receptor from identified hazard, but it is likely at worst, that this harm if realised would normally be mild. It is unlikely that the site owner/or occupier would face substantial liabilities from such a risk. Further investigative work (which is likely to be limited) to clarify the risk may be required. Any subsequent remediation works are likely to be relatively limited.

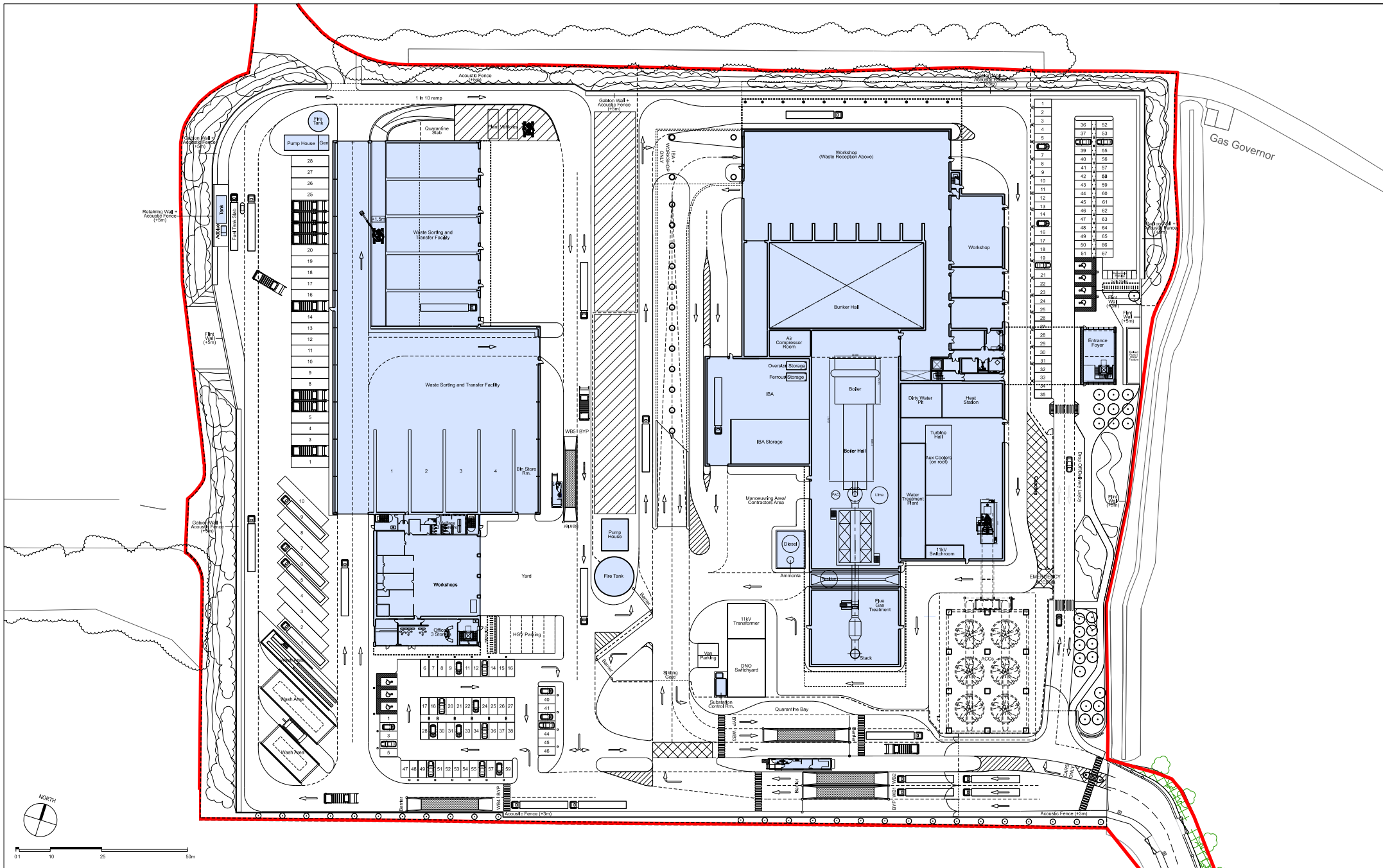
Very low risk

It is a low possibility that harm could arise to a designated receptor, but it is likely at worst, that this harm if realised would normally be mild or minor.

No potential risk

There is no potential risk if no pollution linkage has been established.

APPENDIX B PROPOSED DEVELOPMENT PLAN



NOTE

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- WHERE DISCREPANCIES EXIST BETWEEN REFERENCE OR ASSEMBLY DRAWINGS & DETAIL DRAWINGS, THE LATTER TAKE PREFERENCE.

Key

----- Fencing Line
 ——— Red Line Boundary

| | | | |
|-----------------|----------|-------------------------------|------------------------|
| PROJECT | | FORD CIRCULAR TECHNOLOGY PARK | |
| DRAWING | | Proposed Site Layout | |
| FOR INFORMATION | | 20/06/10 | Issued for Information |
| 1:500@A1 | 20/06/10 | | |
| SCALE | DATE | | |
| 1404 PL106 | - | | |
| DWG. NO. | REVISION | | |

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APPENDIX C SITE WALKOVER PHOTOS



Photo 1. Site entrance, weighbridge and site office (centre of plate). It should be noted that since the time of the site visit this is no longer the site entrance.



Photo 2. Hangar 1

| | |
|--|---|
| Title: Photographic Log | Client: Ford Energy from Waste Limited |
| Site: Ford Circular Technology Park | Date: 25 February 2020 |



Photo 3. Hangar 1, facing southwards



Photo 4. Hangar 2

| | |
|--|---|
| Title: Photographic Log | Client: Ford Energy from Waste Limited |
| Site: Ford Circular Technology Park | Date: 25 February 2020 |



Photo 5. Smaller single storey bricked building on the northern side of Hangar 2



Photo 6. Main waste building

| | |
|--|---|
| Title: Photographic Log | Client: Ford Energy from Waste Limited |
| Site: Ford Circular Technology Park | Date: 25 February 2020 |



Photo 7. Yard area, facing northwards



Photo 8. Old rails

| | |
|--|---|
| Title: Photographic Log | Client: Ford Energy from Waste Limited |
| Site: Ford Circular Technology Park | Date: 25 February 2020 |