



# **Cumbria Waste Needs Assessment 2022**

## **Cross Boundary Waste Movements & Duty to Cooperate**

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## Abbreviations

AD	Anaerobic Digestion
C & I	Commercial & Industrial Waste
C, D & E / CDEW	Construction, Demolition & Excavation Waste
DEFRA	Department for Environment, Food and Rural Affairs
EA	Environment Agency
EfW	Energy from Waste
ELV	End-of-Life Vehicle
HWRCS	Household Waste Recycling Centres
IVC	In-Vessel Composting
LAA	Local Aggregate Assessment
LACW	Local Authority Collected Waste
MBT	Mechanical Biological Treatment
MRS	Metal Recycling Site
MRF	Material Recycling Facility
MSW	Municipal Solid Waste
nPPG	national Planning Practice Guidance
NPPW	National Planning Policy for Waste
RDF	Refuse Derived Fuel
SNRHW	Stabilised Non-Reactive Hazardous Waste
VLLW	Very Low-Level Waste
WCA	Waste Collection Authority
WDA	Waste Disposal Authority
WDF	WasteDataFlow
WDI	Waste Data Interrogator
WNA	Waste Needs Assessment
WPA	Waste Planning Authority
WTS	Waste Transfer Station

## Glossary of Terms

<b>Agricultural Waste</b>	Waste produced on a 'farm' in the course of 'farming'. Agricultural waste takes both 'natural' (or organic) and 'non- natural' forms e.g. plastics and metal.
<b>Anaerobic Digestion</b>	A process to manage organic matter including green waste and food waste broken down by bacteria in the absence of air, producing a gas (biogas) and nutrient rich solid or liquid (digestate). The biogas can be used to generate energy either in a furnace, gas engine, turbine or to power vehicles, and digestate can be applied to land as a fertiliser.
<b>Bio waste</b>	Waste that can break down over time due to natural biological action/processes, such as food, garden waste and paper.
<b>Commercial Waste</b>	Waste from factories or premises used for the purpose of trade or business, sport, recreation or entertainment.
<b>Composting</b>	A process in which biodegradable waste (such as green waste and kitchen waste) is broken down in aerobic conditions by naturally occurring micro-organisms to produce a material suitable for use as a soil improver.
<b>Construction, Demolition &amp; Excavation Waste</b>	Waste arising from the building process comprising demolition and site clearance waste and builders' waste from the construction/demolition of buildings and infrastructure. Includes masonry, rubble and timber.
<b>Defra</b>	The UK Government department responsible for developing national waste management policy.
<b>Energy from Waste</b>	The conversion of the calorific value of waste into energy, normally heat or electricity through applying thermal treatment of some sort. May also include the production of gas that can be used to generate energy.
<b>Environment Agency</b>	The body responsible for the regulation of waste management activities through issuing permits to control activities that handle or produce waste. It also provides up-to-date information on waste management matters and deals with other matters such as water issues including flood protection.
<b>Exemptions</b>	Certain activities exempt from the need to obtain an environmental permit. Each exemption has specific limits and conditions that must be complied with to remain valid. Exemptions must be registered with the Environment Agency. Each registration lasts 3 years.
<b>Green waste</b>	Biodegradable plant waste from gardens and parks such as grass and hedge trimmings, from domestic and commercial sources suitable for composting.
<b>Hazardous Waste Landfill</b>	Sites where hazardous waste may be disposed by landfill. This can be a dedicated site or a single cell within a non-hazardous landfill, which has been specifically designed and designated for depositing hazardous waste.
<b>Hazardous Waste</b>	Waste requiring special management under the Hazardous Waste Regulations 2005 due to posing potential risk to public health or the environment (when improperly treated, stored, transported or disposed). This can be due to the quantity, concentration, or characteristics of the waste.
<b>Household Waste</b>	Waste from households collected through kerbside rounds, bulky items collected from households and waste delivered by householders to household waste recycling centres and "bring recycling sites". along with waste from street sweepings, and public litter bins.
<b>Incineration</b>	The controlled combustion of waste. Energy may also be recovered in the form of heat (see Energy from Waste).
<b>Industrial Waste</b>	Waste arising from any factory and from any premises occupied by an industry (excluding mines and quarries).
<b>Inert Landfill</b>	Landfill site permitted to only accept inert waste for disposal.
<b>In Vessel Composting (IVC)</b>	Composting materials within a closed system. Can be used to treat food and garden waste.

<b>Landfill (including land raising)</b>	The permanent disposal of waste to land, by the filling of voids or similar features, or the construction of landforms above ground level (land-raising).
<b>Landfill Directive</b>	European Union requirements restricting the landfilling of biodegradable municipal waste and requiring pre-treatment of all waste to be landfilled and separate disposal of hazardous, and non-hazardous and inert wastes.
<b>Local Aggregate Assessment (LAA)</b>	Annual local aggregate supply and demand assessment conducted by Mineral Planning Authorities which includes a survey of recycled aggregate producers within their particular Plan area.
<b>Local Authority Collected Waste</b>	Waste collected by or on behalf of a local authority. Includes household waste and business waste were collected by a local authority and non-municipal fractions such as construction and demolition waste delivered to HWRCs. LACW is the definition used in statistical publications, which previously referred to municipal waste.
<b>Mass Balance</b>	Method of assessing the quantity of waste that may be converted to recycled aggregate by comparing inputs and outputs for sites reporting through the WDI.
<b>Materials Recycling Facility (MRF)</b>	A facility for sorting recyclable materials from the incoming waste stream.
<b>Mechanical Biological Treatment (MBT)</b>	A waste facility that combines a sorting facility with a form of biological treatment such as composting or anaerobic digestion.
<b>Municipal Solid Waste (MSW)</b>	Household waste and any other waste collected by a waste collection authority such as municipal parks and gardens waste and waste resulting from the clearance of fly-tipped materials.
<b>Non-Hazardous Waste Landfill</b>	A landfill permitted to accept non-inert (biodegradable) wastes e.g. municipal and commercial and industrial waste and other non-hazardous (including inert) wastes. May only accept hazardous waste if a special cell is constructed.
<b>Open Windrow Composting</b>	A process in which biodegradable waste (such as green waste and kitchen waste) is broken down in an open-air environment (aerobic conditions) by naturally occurring micro-organisms to produce a material suitable for use as a soil improver.
<b>Recovery</b>	Subjecting waste to processes that recover value including recycling, composting or thermal treatment to recover energy.
<b>Recycling</b>	The reprocessing of materials extracted from the waste stream either into the same product or a different one.
<b>Refuse Derived Fuel</b>	A fuel produced to a contract specification by processing the combustible fraction of waste.
<b>Residual Waste</b>	Waste remaining after materials for re-use, recycling and composting/organic waste treatment e.g. anaerobic digestion have been removed.
<b>The Plan area</b>	The area subject to the Waste Local Plan to which this study relates. In this case the county of Cumbria including the Lake District National Park.
<b>Waste Collection Authority (WCA)</b>	A local authority that has a duty to collect household waste. They also have a duty to collect commercial waste if requested to do so and may also collect industrial waste.
<b>Waste Disposal Authority (WDA)</b>	A local authority responsible for managing the waste collected by councils acting as waste collection authorities and the provision of household waste recycling centres. In this case Cumbria County Council.
<b>Waste Planning Authority</b>	The authority responsible for planning for waste within a specific administrative area. In this case Cumbria County Council and the Lake District National Park Authority.
<b>Waste Transfer Station</b>	A site to which waste is delivered for sorting or baling prior to transfer to another place for recycling, treatment or disposal.

## 1. Introduction

The purpose of this report is to assess the nature and quantum of movements of waste (a.k.a. waste flows) between Cumbria and other areas to determine which may be regarded as strategic for the purposes of engagement with other Waste Planning Authorities (WPAs) under the Duty to Cooperate (DtC).

Duty to Cooperate engagement is intended to explore the likelihood of waste flows remaining, or becoming, strategic in future involving consideration of the following:

1. Whether historical flows of waste indicated by this report are likely to continue including consideration of any barriers to the continuation of waste exports; and
2. whether new flows of waste beyond the Plan area are likely to occur, taking any predicted changes in capacity that the management of waste arising in Cumbria currently relies on (situated either within or beyond Cumbria) into account.

DtC engagement is conducted against the backdrop of the national policy expectation that authorities should consider planning for the management of waste arising in other areas where appropriate.

Advice is provided to support Cumbria County Council in its DtC engagement activities and this includes identification of proposed 'target' WPAs.



## 2. The Duty to Cooperate

Section 33A of the Planning and Compulsory Purchase Act 2004 requires Councils to cooperate with other 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 Councils to engage “*constructively, actively and on an on-going basis*” in “*maximising the effectiveness*” of Local Plans.

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.

The updated National Planning Policy Framework (February 2019) expects that Local Plans will include ‘non-strategic’ and ‘strategic’ policies, and explains that strategic policies should... “*set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for: .....infrastructure*” and this includes “*for .....waste management*”. 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.*”

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

Within the North West waste officers group, to which Cumbria County Council belongs, a number of different thresholds for waste movements are applied by different WPAs (e.g., For non-hazardous waste Cumbria has applied a 1,000 tonne threshold whilst Cheshire West and Chester has a 2,500 tonne threshold). As the consensus to what constitutes a 'strategic' level of waste movements varies between authorities, the thresholds adopted by South East England WPA's that form the South East Planning Advisory Group (SEWPAG) have been applied as a starting point for considering whether dialogue is required:

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

It should be noted that the above thresholds are intended to be used as an initial screening tool only, and movements falling above these, may be further screened out following more detailed consideration of the significance of individual flows. This second stage is important given the expectation that flows of significance are to be subject to Statements of Common Ground between source and receiving WPAs.

### 3. Waste Flows from Cumbria

#### 3.1 Export and Imports of Waste in Cumbria

Table 1 below shows the tonnages of Cumbria waste managed at permitted facilities within Cumbria and outside, as well as the tonnage of waste managed within Cumbria from outside of Cumbria in 2020.

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

*Source: WDI 2020*

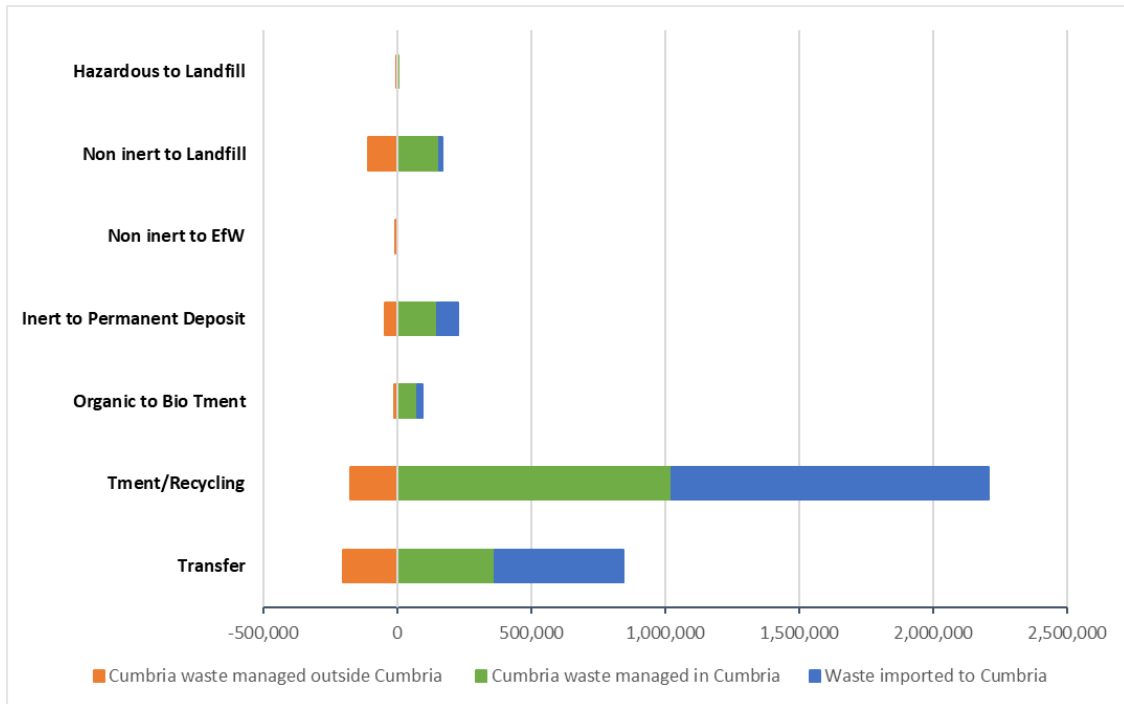
Component	Total
Cumbria waste managed outside Cumbria	552,111
Cumbria waste managed in Cumbria	1,766,417
Waste imported to Cumbria	2,318,527

Table 1 shows that c1,766,500 tonnes of Cumbria's waste was managed in Cumbria in 2020. This compares with c552,000 tonnes managed outside the county. This export is offset by the significant import of waste for management from outside Cumbria of c2,319,000 tonnes, specifically for recycling and transfer as shown in Figure 1. So, taking this snapshot as a simple balance, Cumbria is net-self-sufficient. Figure 1<sup>1</sup> displays visually the balance between imports and exports by waste management method and waste type in Cumbria.

It should be noted that this is a single snapshot in time for a year and is not a true representation of net -self-sufficiency as actual inputs for 2020 may not be reflective of total capacity (and can be expected to be an underestimate of capacity in most cases).

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<sup>1</sup> Note that Figure 1 only includes waste managed at permitted sites in England and does not include waste exported to Wales, Scotland or further afield.



**Figure 1: Waste import and export balance in Cumbria 2020 by management method and waste type where known (tonnes)**

A key matter to address when assessing the robustness of the Plan strategy is to establish whether 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 following section.

### 3.2 Applying DtC thresholds

The SEWPAG ‘thresholds’ for Duty to Cooperate referred to previously have been applied.

Table 2 below shows movements of waste from Cumbria in 2020 (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 WPA's of Inert, Non-inert and Hazardous Waste exports from Cumbria in rank order applying SEWPAG DtC thresholds 2020.**

Source: WDI 2020

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

Receiving WPA	Hazardous	Inert	Non-inert
Lancashire	853	<10,000	125,246
Gateshead	402	<10,000	101,120
Rotherham	<100	<10,000	38,169
Cheshire West and Chester	1,072	11,277	<5,000
Hartlepool	<100	<10,000	12,328
Liverpool	654	<10,000	8,648
Darlington	103	<10,000	6,976
Wigan	<100	<10,000	7,035
Staffordshire	<100	<10,000	6,506
Redcar and Cleveland	858	<10,000	5,300
Stockton-on-Tees	4,710	<10,000	<5,000
North Tyneside	2,077	<10,000	<5,000
Trafford	463	<10,000	<5,000
Knowsley	462	<10,000	<5,000
Gateshead	402	<10,000	<5,000
Derbyshire	394	<10,000	<5,000
Salford	359	<10,000	<5,000
St Helens	335	<10,000	<5,000
Cheshire East	293	<10,000	<5,000
Nottinghamshire	237	<10,000	<5,000
Stoke-on-Trent City	190	<10,000	<5,000
Kirklees	183	<10,000	<5,000
Blackburn with Darwen	161	<10,000	<5,000
Barnsley	125	<10,000	<5,000
Plymouth	117	<10,000	<5,000
County Durham	103	<10,000	<5,000

The threshold screening exercise identifies 6 WPA's accepting waste in quantities that meet or exceed the SEWPAG DtC thresholds in two or more the waste streams. All other WPA areas only meet or exceeded the threshold for a single waste stream in 2020.

Detailed examination of the totals indicates that movements of waste from Cumbria that might be classed as strategically significant i.e. met or exceeded the proxy DtC thresholds went to 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 suggests that flows to such sites are of greater strategic importance to the Plan strategy. Conversely where inputs to individual sites fell below the threshold they have been excluded from further analysis.

A detailed analysis by principal waste streams has been conducted using 2020 data.

### 3.3 Cumbria Hazardous Waste Destinations

**Table 3: Destination sites for Cumbria Hazardous Waste Exports 100t<sup>2</sup> or more in rank order 2020**

Facility WPA	Facility Type	Site Name	Principal Waste Type	Total
Stockton-on-Tees	Biological Treatment	Port Clarence Landfill Site (including soil stabilisation plant)	Haz Soils	3,428
	Landfill	Port Clarence Non-Hazardous Landfill Site	Haz CDE	797
	Treatment	Billingham Treatment Plant	Oil	486
North Tyneside	Treatment	Dudley Pharmaceutical Site	Liquid waste	2,077
Cheshire West and Chester	Incineration	Ellesmere Port Incinerator	Liquid waste	1,072
Redcar and Cleveland	Treatment	Holden Close Waste Management Facility	Waste from grit chambers and oil separators	539
	Landfill	ICI No 3 Teesport	Asbestos	318
Lancashire	Transfer	Kierby Perry Yard	Oil	458
Liverpool	Treatment	Garston Distillation Services	Liquid waste	489
Trafford	MRS	Tenax Road, Trafford Park	WEEE	309
	Transfer	Trafford Park Waste Oil Facility	Oil	153
Knowsley	Treatment	Acornfield Road Waste Management Centre	Liquid waste	306
	Transfer	Avanti Treatment and Transfer Centre	Liquid waste	155
Gateshead	Treatment	Gap Waste Management	WEEE	402
Derbyshire		Norwood Recycling Centre	Wastes containing other haz waste	394
St Helens		St Helens Electrical Recycling Facility	WEEE	223
Nottinghamshire		Bilsthorpe Oil Treatment Plant	Oil	237
Stoke-on-Trent City	Transfer	Land Recovery Limited Hazardous Waste Facility	Contaminated glass, plastic and wood waste	190
Kirklees	Landfill	Bradley Park Landfill	asbestos	183
Blackburn with Darwen	Treatment	Central Oil Recovery Depot, Blackburn	Oil	161
Plymouth	Treatment	SYLOC Waste Treatment Facility	Oil	117
County Durham	Landfill	Aycliffe Quarry Landfill (with SNRHW)	Asbestos	103

Table 3 shows the following:

- Of the c32,500 tonnes of hazardous waste produced in Cumbria in 2020, 46% was exported and this was primarily managed through 22 sites hosted by 17 WPA's
- The four dominant flows were hazardous C, D & E waste going to landfill, liquid waste going for treatment or high temperature incineration and, waste from grit chambers and oil separators and oil going for treatment.

<sup>2</sup> WPAs with sites receiving various quantities of sub 100t of hazardous waste from Cumbria have not been included

### 3.4 Cumbria Inert Waste Destinations

**Table 4: Destination sites for Cumbria Inert Waste exports c10,000t or more in 2020**

Facility WPA	Facility Type	Site Name	Principal Waste Type	Total
Cheshire West and Chester	Material Recycling Facility	Manisty Wharf	Glass (cullet)	11,264

Table 4 shows the following:

- The only flow that exceeded the 10,000t threshold was glass cullet going to a material recycling facility operated by Recresco Ltd, where it is processed and colour sorted. It should be noted that this waste is classified under chapter 19 and does not fall within what might be generally understood to be the definition of inert waste applied for the purposes of the DtC screening exercise i.e. inert waste of C, D & E origin.

### 3.5 Cumbria Non-inert Waste Destinations

**Table 5: Destination sites for Cumbria Non-inert Waste exports 5,000t or more in rank order 2020**

Facility WPA	Facility Type	Site Name	Principal Waste Type 5,000t or more	Total
Gateshead	Landfill	Blaydon Quarry Landfill	Waste processing residues	101,071
Lancashire	Treatment	Hapton Valley Transfer Station <sup>3</sup>	Waste processing residues; RDF	56,740
	Transfer	Stodday Remote Tanker Terminal	Sludges from waste water	45,085
	Treatment	Lancashire Waste Recycling Limited <sup>4</sup>	Waste processing residues	11,821
	MRS	Morecambe Metals	WEEE & metals	6,069
Rotherham	On/ In Land	Maltby Colliery	Compost rejects (19 05 99)	38,065
Hartlepool	Treatment	Hartlepool BioPower Anaerobic Digestion Plant	Sludges & animal-tissue waste	8,766
Liverpool	MRS	S Norton & Co Ltd	Ferrous metal	7,155
Darlington		Cleveland House	Metals incl ferrous metal	6,976
Wigan	Transfer	Junction Works	Plastic	6,832

Table 5 shows the following:

- 288,578 tonnes of non-inert waste produced in Cumbria in 2020 was exported and was primarily managed at 10 sites hosted by 7 WPA's.

<sup>3</sup> Destination site for LACW MBT residues

<sup>4</sup> As above

- Flows of RDF and waste processing residues (c170,000t) and sludges from waste water (c45,000t) sent for treatment and transfer at 4 sites within 2 WPA's accounts for 74% of the non-inert waste exports.
- One site at Maltby Colliery was classed as Recovery to Land operation receiving c38,000t of composting residues.
- Smaller tonnages of metals and farm waste was exported to 6 sites hosted by 6 WPA's.
- It is noted that no organic waste above the 5,000t threshold was exported outside of Cumbria in 2020 which is also shown in Figure 1 highlighting Cumbria's reliance on the two in county AD sites for management of its organic waste. Any organic waste imported to Cumbria was managed at composting sites rather than the AD facilities, indicating the AD facilities are dedicated to serving Cumbria.



## 4. Summary

Thirty-three sites have been identified as receiving what may be regarded as strategically significant quantities of waste having received the threshold quantity, or close to it, from Cumbria in 2020. These were spread across 21 WPA areas.

In addition, analysis of data for 2018 and 2019 indicates a further 15 WPA's received waste in excess of the thresholds. These are shown in Appendix 1.

All the host WPAs ought to be contacted to confirm the following:

1. Whether the facilities identified as receiving waste are still operational. It should be noted that facilities identified as Recovery to Land and Landfill will have a finite life. Recovery to Land facilities are likely to be operational for a few years only.
2. Any planning reasons that might mean the acceptance of wastes cannot continue, such as consent conditions and end dates; or if the site has been earmarked in Plans for redevelopment.
3. Whether the host WPA has any specific policies about providing for the management of waste that arises outside their Plan area.
4. 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 Cumbria's waste.

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

Joint Cumbria WNA 2022

**Appendix 1: Historical Cross Check: Destination WPA's of Hazardous, Non-inert and Inert Waste exports from Cumbria applying thresholds 2018-2020.**

*Source: WDI 2018, 2019 & 2020*

Facility WPA	Hazardous <sup>5</sup>			Non-Inert			Inert		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Barnsley		143							
Birmingham City	210								
Blackburn with Darwen	118	200	161						
Cheshire East	130		293						
Cheshire West and Chester		1,580	1,072		13,566		16,638		11,264
County Durham	257	211	103	13,472	7,312			13,462	
Darlington			103	8,571	6,551	6,976			
Derbyshire		229	394						
Gateshead	287		402	87,443	70,108	101,071			
Hartlepool				12,600	6,182	8,766			
Kirklees	493	364	183						
Knowsley	150	185	462						
Lancashire	1,997	1,790	853	117,639	122,563	119,715			
Leeds		183		8,140	9,374				
Liverpool	817	649	654	9,036	9,144	7,155			
Norfolk	1,022	716							
North Tyneside	408	275	2,077						
Northamptonshire	347	310							

<sup>5</sup> WPAs with sites receiving various quantities of sub 100t of hazardous waste from Cumbria have not been included.

Joint Cumbria WNA 2022

Northumberland				23,975					
Nottinghamshire	261	253	237						
Plymouth		210	117						
Redcar and Cleveland	535	473	858	10,097					
Rotherham	142				21,331	38,065			
Salford	309	679							
Sandwell	361	147							
Sheffield		641							
Staffordshire	244								
St Helens	828	737	335						
Stockton-on-Tees	2,178	6,047	4,710	8,210					
Stoke-on-Trent City	455		190						
Sunderland				10,846					
Thurrock							15,098	11,526	
Trafford	169	186	463	20,978	19,864				
Warrington					5,654				
Wigan						6,832			