

Rookery South RRF Community Liaison Panel Meeting 18 Notes

Rookery South RRF Community Liaison Panel Meeting 18

15th April 2013, 18.30 – 20.15

Attended – See attached

1. Introductions, personnel changes at Covanta, CLP membership

Kate Fairweather (KF) welcomed the Community Liaison Panel (CLP) members to the meeting after a gap in meetings during the Special Parliamentary Process (SPP) to determine the outcome of the application. Now that the Development Consent Order (DCO) has been made the CLP will pick up again with regular meetings during the next stages of the project. KF referred to the Terms of Reference for the CLP, which the members agreed at the last meeting still apply, as the CLP purpose is to provide a forum for the local community to raise concerns and for Covanta to provide information in response to those concerns. **See copy of agreed Terms of Reference attached.**

Malcolm Chilton (MC), Managing Director of Covanta advised that Rachel Ness has left the company, and introduced Katy Wells (KW) who is the new Project Director, and David Massingham who is Director of Planning. Robin Treacher, Communications Director will be Covanta's ongoing contact for the CLP.

KF advised that the CLP has two new members: Mike Green now representing MMAG, and Gillian Charnock now representing Beds CPRE. Otherwise the membership remains the same.

2. Overview of the project to date, next steps and timescales - Malcolm Chilton,

Katy Wells

MC thanked the CLP for coming together again and looked forward to continuing dialogue with the CLP through pre-commencement, into construction and then on into commissioning and operational phases. He emphasised that, although there was opposition to the application, now that the DCO has been published Covanta will go ahead with the development. He met with two Local Authority councillors this afternoon and confirmed to them that the CLP is the primary community consultation route for the project. The CLP is the key conduit to ensure that Covanta is a good neighbour and that there is local community involvement on key measures to lessen the impact of the Facility. These measures include the planting scheme at Marston Vale Forest, landscaping, repair and enhancement to footways around the park, the routing plan for HGVs to avoid Stewartby, noise monitoring, the Community Trust Fund and subsidised electricity scheme.

KW ran through the planning stages since the last CLP meeting: Following the IPC process the Special Parliamentary Process (SPP) had delayed the project considerably from late 2011 to February 2013, with the DCO finally published by the Secretary of State on 25th March 2013. There are a number of pre-commencement conditions that Covanta has to work on with the Local Authorities, such as schemes for landscaping, fences, noise monitoring and the restoration of the clay pit. KW will report back to the next meeting with an update on this work. Covanta has also reviewed the Environment Agency (EA) Draft Permit which will now go out to public consultation.

The low level restoration work should commence in Spring 2014, and construction should commence Autumn 2014, and the build will take three years to complete.

Action: KW to update the next CLP meeting on project development

Questions

What are Covanta's other UK projects?

Covanta have three major projects including Rookery in the UK, plus one in Dublin which is due to start construction in June: Ince in Cheshire has planning permission and is due to commence construction at the end of the year, Airdrie in Scotland has planning permission and is due to commence construction mid-2014.

Rookery South RRF Community Liaison Panel Meeting 18 Notes

What progress has Covanta made in securing contracts for the 585,000 nominal tonnage per annum of waste required for the RRF?

Covanta is discussing contracts with a number of national and some regional waste companies and expect to have agreements in place in the next 6 months. The contracts will probably be two thirds Commercial and Industrial waste, and one third Municipal Waste. Most of the waste is expected to come from the South East, primarily because it is uneconomic to transport waste long distances by road. If waste could be transported by rail then this would make any distance viable. Covanta will review the potential for rail delivery biennially, but at present have no permission for this.

3. Update on the EA Permitting status - Alasdair McKellar

See copy of presentation slides attached.

Alasdair McKellar (AM) went through the stages of the EA permitting process.

Following the consultation on the Permit during 2011 – 2012 the Permit is now in the Determination Stage. Covanta have seen the Draft Permit and been given the chance to review and comment on this. The EA will peer review the Draft Decision internally and then go to further consultation.

AM is aiming for the community consultation on the Draft Permit and Decision Document to commence in June, allowing him four weeks before this to advise the CLP, the Parish Councils and book Stewartby Village Hall for a drop-in session to maximise opportunities for people to input. The consultation will formally be open for a 4 week period.

Any new information arising from the consultation will be taken into consideration and responded to, and EA will also take into account anything that could change the Permit conditions. It is very unlikely that EA would decide to not issue a Permit at this stage but if new relevant information becomes available this could affect the decision.

It is likely that there will be future Permit variations for example if the calorific value of the waste is different to that planned or if there are technology changes. EA will consult on any substantial variations, as defined on the EA website.

EA are aware that this is a high public interest site and will ensure that public concerns are answered, while treating Covanta fairly as they would any other operator.

Questions

How much variation is substantial?

A change in the makeup of the waste with a different calorific value that means a major change in the throughput could trigger a Permit variation. There is more detail on the EA website.

Action: AM to provide a copy of the EA document re Permit variations - *attached*

Why was Covanta given a copy of the Draft Permit before consultation begins?

It is good practice to discuss the permit with the operator for a number of reasons. For example so that lengthy and costly arguments and judicial reviews can be avoided or so that the operator can check for factual accuracy.

After the meeting, AM discussed this with the EA's permitting officer responsible for determining the permit and he provided a further explanation;

'Covanta have not been given the opportunity to "approve" the draft permit, nor have we sought any "approval" from Covanta.

The Environment Agency is unable to legally issue a permit which the operator can not physically comply with, and so operators are given the chance to raise any factual errors prior to issue. In this case, an initial draft was sent to the operator to check for errors, and to ensure no surprises (additional conditions) which resulted from changes within the discharge strategy.

Rookery South RRF Community Liaison Panel Meeting 18 Notes

If we didn't check for any factual errors or mistakes, went to consultation, and then these were highlighted, we would have to stop the consultation, make changes, and then re-start consultation

Does EA ever refuse a Permit, or take one away from an operator?

EA has stopped plants from operating when they are not meeting Permit requirements. Before an operator puts in an application for a permit, the EA would normally have discussions with them. If there was a reason that a permit would be refused the operator are advised of this and would be told that it wasn't worth their applying. AM from his own experience has told a prospective operator not to make an application because there was an obvious reason to refuse a Permit.

Action: AM to check if EA has refused a Permit

Where can people access the EA application?

A copy of the application is in Ampthill Library and at the Council Offices.

Action: AM will provide a copy of the discs to any CLP member if they want these, CLP members to contact AM to arrange this

Action: AM to provide a Q&A session on the Draft Permit and Decision Document at the next CLP meeting, provided that the EA consultation process has begun

4. Canal agreement - David Massingham

David Massingham (DM) explained that the Joint Committee during the SPP, at the request of the Local Authorities, had added a requirement for Covanta to help with the construction of the Milton Keynes to Bedford Canal where it goes through the Rookery site. This is secured through a Section 106 agreement for Covanta to pay £3.375 million for works required for two culverts under the roads and a linking channel across the site. The money is payable as a £200k initial payment to the Local Authorities, prior to implementation of the DCO, to cover design costs, and then the balance for construction once prior to the facility becoming operational. The money will be held in Trust by the Local Authorities until used for this section on the site, or if not used would be returned to Covanta after 20 years.

Questions

This is a lot of money to hold for this Canal project, which is still in early planning stages, who is responsible for the project and who will it get off the ground?

The Local Authorities are responsible for implementing the project with the Waterways Trust.

Action: Sue Marsh (SM) to ask for input to the CLP from the Waterways Trust

Were the Parish Councils consulted about the S106 agreement?

SM explained that the Local Authorities were only consultees on the planning for this project because it was an IPC determined application. The Council would normally consult with Parish Councils on S106 agreements on planning applications, but this was a different procedure.

NB The CLP were consulted about the S106 agreement at CLP Meeting 16, 4th April 2011 and provided with a draft copy, and further detail of the executed S106 was covered at CLP Meeting 17, 12th December 2011, with a copy of the executed S106 circulated to CLP members with the Meeting Notes in March 2012, this was also published on the Covanta web site at the same time.

Action: DM to provide a quantified statement of the S106 measures so that CLP members can see the full range of community commitments

5. Transport route issue re old A421 - Robina Chatham

Robina Chatham commented that HGV traffic has begun to use the old A421 again, as a short cut to Stewartby and as a fast route during busy periods. She is aware of this as a horse rider because the traffic tends to be much faster than it was before the new A421 was opened, and it is becoming

Rookery South RRF Community Liaison Panel Meeting 18 Notes

dangerous. She has spoken to the Council's Planning Officer, who said that this was partly because SatNav systems are directing HGVs along the old A421, plus local drivers being aware that this route can be faster. The Council commented that they could seek to make the old A421 a no HGV route, but that the police would be unable to enforce this within their resources.

Given that this is already happening, can Covanta realistically expect to keep HGVs on their prescribed routes to the RRF?

MC commented that there are details of the agreed routes from Green Lane to the new A421 in the plans, together with the methods Covanta will use to enforce use of these routes with HGV operators.

Questions

What are HGV overnight parking arrangements for the site, because when the landfill site was in operation HGV started queuing to get onto the site from 05.00 each day?

The waste operators will load their trucks in the mornings and deliver during the day so there will not be overnight parking, however there will be clear sanctions for any driver who does not follow the rules.

How can Covanta enforce the rules when a driver may be a sole trader subcontracted by the main waste operator?

Covanta will have clear sanctions in place for drivers, and will require waste operators to use properly licensed transport contractors with clear commitment to following the rules.

Action: Covanta to present on the transport routes and enforcement plans to the next CLP meeting

6. Any other business

The CLP raised a concern about the effectiveness of the surface water discharge and effluent management plans included in the EA Permit, given changes in weather patterns and flooding as seen this year.

Action: Covanta and EA to present the detailed plans for water discharge pollution controls covered in the Draft Permit to the next CLP meeting

The CLP asked if Covanta was aware of the recently announced plans to electrify the railway, that early discussions suggest will cause the rail crossing to be closed for 40 minutes each hour, and how this would affect the operation of HGV traffic to and from the Rookery site.

Rod Calvert commented that the Chamber has spoken to Network Rail and that they were rather taken by surprise by the announcement that funding was to be provided for the electrification, so plans are very much in development.

MC said that they are looking at Network Rail proposals, Covanta has agreed a scheme with them about the crossing, but clearly Network Rail cannot block a highway for 40 minutes every hour and they will have to consider alternatives, such as a road bridge.

Action: Covanta to provide an update, and ask Network Rail for an input to the CLP

The CLP asked if the improvements to footways in the S106 also cover bridleways and provision for horse riding across the area.

KW confirmed that there are plans for improvements to cover access for pedestrians, horses and cycles.

Action: Covanta to present the public Rights of Way improvement plans to the next CLP meeting

The CLP asked for details about the procurement policy for the development and opportunities for local businesses and employment.

Rookery South RRF Community Liaison Panel Meeting 18 Notes

MC said that there are commitments to local employment at the facility. However the plant will be constructed under a turnkey contract that is under tender at present. There are few organisations capable of such a large project so will not be local, but will themselves require a wide range of suppliers. Covanta will seek to include local procurement clauses in the contract as they have at other sites. At Ince for example the contract has included apprenticeships and employment for local people.

Rod Calvert said that the Chamber of Commerce would want to work with the contractor to identify and assist with local employment, business opportunities and support such as training.

Action: Covanta to provide updates on the construction contract when appropriate

7. Date of next meeting and items to cover

The next meeting will be held on Monday 1st July at 18.30 at the Marston Forest Centre.

Items for the agenda are:

- Update on the progress of the project KW
- Quantification of the S106 benefits costs DM
- Detail of the transport routes for the development and actions Covanta will take for policing correct use of these routes by contractors, to include information on the improvements to the rail crossing – input from Network Rail re electrification plans if available to comment
- Detail of agreed improvements to public rights of way including which are footpaths, bridleways and mixed pedestrian/cycle and horse riding paths KW
- Water discharge controls covered in the EA Draft Permit re surface water and effluent management Covanta and AM
- Q&A on the EA permitting consultation (provided the Draft Decision and Permit documents have gone out for consultation by the meeting date) AM
- Input from the Waterway Trust on plans for renovation of the Milton Keynes to Bedford canal, if available

Rookery South RRF Community Liaison Panel Meeting 18 Notes

CLP Membership

Lisa Frangiamore	Houghton Conquest Parish Council - apologies
Peter Neale	Marston Morteyne Parish Council
Jennie Thomas	Millbrook Parish Meeting
Alan Barnard	Maulden Parish Council
David Cooper	Stewartby Parish Council
Gillian Charnock	Branch Development Officer Beds CPRE – apologies
Rod Calvert	Beds Chamber of Commerce
Nigel Allison	Stewartby Water Sports Club
Mike Green	MMAG
Richard Franceys	Amphill Resident - apologies
Ed Hiam	Stewartby Resident
Robina Chatham	Lidlington Resident
Independent Observers	
Sue Marsh and James Delafield	Principal Minerals and Waste Planning Officer, Central Bedfordshire Council
Alasdair McKellar	PPC Compliance Officer, Environment Agency
Covanta representatives	Malcolm Chilton – Managing Director Katy Wells – Project Director for Rookery South RRF David Massingham –Director of Planning Robin Treacher – Communications Director
Kate Fairweather	Independent Chair