

16th December 2010

Dear Sir/Madam

**Planning Act 2008 (PA 2008) and the Infrastructure Planning
(Examination Procedure) Rules 2010**

Notice of availability of relevant representations¹ and of the Preliminary Meeting² regarding an application for a Resource Recovery Facility that comprises an energy from waste electricity generating station with a gross electrical output capacity of 65 MWe, together with associated development including a post treatment materials recovery facility at Rookery South Pit, near Stewartby, Bedfordshire – IPC Reference Number EN0 100011

I am writing to you following my appointment as the Lead Member of the Panel constituting the Examining authority for this application. The other members of the Panel are Commissioners Andrew Phillipson and Emrys Parry.

1. *Confirmation of your status as an interested party*

As you have submitted a relevant representation to the Commission, or you are one of those persons referred to in the PA 2008³, I can confirm you are an interested party and will therefore receive notifications from the Commission about the examination throughout the process⁴. All relevant representations submitted are available for you to access on the Commission's website or to inspect at various locations. Further details are provided in Annex A to this letter.

2. *Invitation to the Preliminary Meeting*

I am also writing to inform you of the date of the Preliminary Meeting and to invite you to attend the Preliminary Meeting⁵.

The Preliminary Meeting will take place on 17 January 2011 at 10.00 in the Park Inn Hotel, St Mary's Street, Bedford, MK42 0AR

3. *The purpose of the Preliminary Meeting*

The purpose of the Preliminary Meeting is to enable views to be expressed about matters set out in the agenda (Annex B), and in particular to hear views

¹ Rule 21 of the Infrastructure Planning (Examination Procedure) Rules 2010

² S88 PA 2008 and Rule 6

³ S102(1)(a)-(c) PA 2008

⁴ S102 PA 2008

⁵ S88(3) PA 2008 and Rule 6

about the way in which the application is to be examined. After the Preliminary Meeting the Examining authority must decide how the application is to be examined⁶. You will find the Examining authority's initial views about the way in which the examination will be run at Annex C; this sets a timetable giving proposed deadlines for information to be submitted to the Examining authority and dates for any hearings⁷.

The agenda for the meeting has been set following our initial assessment of the principal issues arising on the application. These are set out in a statement at Annex D. These are the principal issues we have so far identified; we wish to hear from interested parties particularly where they consider issues may need to be examined in a different way from what is set out in Annex C.

It is important to recognise that the meeting is about procedure, **not** the merits of the application.

4. *Arrangements for the Preliminary Meeting*

If you wish to attend the Preliminary Meeting, it would help us manage the meeting in an efficient way if you are able to write to the Case Leader (David Cliff - his contact details are: rookerysouth@infrastructure.gsi.gov.uk or Infrastructure Planning Commission (IPC), Temple Quay House, Temple Quay, Bristol, BS1 6PN) -

- To confirm your attendance; and
- If you wish to speak at the meeting, to note the agenda items you wish to speak to, listing points you wish to make.

On your arrival you will be asked to give your name to staff of the Commission and you will be directed either to the main hall in which the Preliminary Meeting is taking place or, if the capacity of the hall is exceeded, to another room on the same site where we will provide a simultaneous video transmission of the proceedings.

We aim to run an efficient and effective Preliminary Meeting and therefore strongly encourage one representative only to speak on behalf of groups of individuals with procedural concerns, and only then if others such as a local authority or statutory consultee has not already made the point.

If you wish to make any submissions on matters not set out in the agenda and which would enhance the discussion at the Preliminary Meeting, I ask that you write to the Case Leader setting out the submissions that you wish to make at least 7 days before the Preliminary Meeting. I will endeavour to accommodate reasonable requests which I consider will assist a discussion on the procedure to apply to the examination and in that case will alter the agenda on opening the Preliminary Meeting.

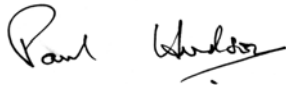
⁶ S89(1) PA 2008

⁷ Rule 8

A note will be taken of the Preliminary Meeting and circulated to you as soon as practicable⁸. You will also receive from me as soon as practicable after the meeting a copy of the decision we make about how the application is to be examined⁹.

Please note that you are **not required** to attend the meeting and you will still be able to make written representations on the application by the deadline set for such representations, whether or not you attend the Preliminary Meeting.

Yours faithfully

A handwritten signature in black ink that reads "Paul Hudson". The signature is written in a cursive style with a horizontal line underlining the name.

Paul Hudson

Lead Member of the Panel of Commissioners

For and on behalf of the Infrastructure Planning Commission

⁸ Rule 7 (2)

⁹ S89(4) PA 2008 and Rule 9

Annex A

Availability of relevant representations and documents

On the Commission's website at www.independent.gov.uk/infrastructure following the links: *Projects – Eastern – Rookery South Energy from Waste – View Representations*.

For inspection and copying at:

- Bedford Borough Council, Town Hall, St Paul's Square, Bedford, MK40 1SJ

Copying charge: 14p per sheet for black and white copies

Opening Hours: Monday - Thursday 8.45 am - 5.00 pm, Friday 8.45 am - 4.45 pm

- Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

Copying charge: Free for the first 50 pages and then 10p per sheet for black and white copies

Opening Hours: Monday to Thursday 8.30 am – 5.00pm, Friday 8.30 am – 4.00 pm

Annex B

Agenda for the Preliminary Meeting

Date: 17 January 2011
Time: 10.00
Venue: Park Inn Hotel, St Mary's Street, Bedford MK42 0AR

10.00	Welcome and Introductions
10.10	Principal Issues and other matters to be examined – see Annex D
10.40	Methods of Examination, including the need for issue-specific hearings. The Examining authority (ExA) does not consider that any of the issues so far identified requires examination other than through written representations.
11.30	Break
11.45	Timetable for the Examination - see also Annex C
	Deadline for submissions: <ul style="list-style-type: none">• Local Impact Report• Statements of Common Ground• Written Representations• Responses to ExA's first round of questions (to be issued by the ExA on or before 21 January)• Comments on the Local Impact Report• Comments on Relevant or Written Representations• Comments on Responses to ExA's first round of questions• Responses to ExA's second round of questions (to be issued by the ExA on or before 11 April)• Comments on responses to ExA's second round of questions <p>Time period reserved for issue-specific hearings (if required)</p> <p>Time period reserved for any compulsory acquisition hearing</p> <p>Time period reserved for any open-floor hearing</p> <p>Examination closes on or before 15 July 2011</p>
13.00	Close of the Preliminary Meeting

Annex C

Draft timetable for the examination of the application

1	Preliminary meeting	17 Jan 2011
2	Procedural timetable issued (Rule 8(2)) and the Examining authority's (ExA's) first round of written questions (Rule 8(1)(b)(i) and (iii))	by 21 Jan
3	Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Local Impact Report (LIR) (Rule 8(1)(j)) • Statements of Common Ground (Rule 8(1)(e)) • Written Representations (WRs) by all interested parties (Rule 8(1)(a)) • Responses to ExA's first written questions 	28 Feb
4	Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Comments on the LIR (Rule 8(1)(j)) • Comments on relevant or WRs (Rules 8(1)(c)(i) and 8(1)(d)(i)) • Comments on responses to ExA's first questions (Rules 8(1)(c)(ii) and 8(1)(d)(ii)) 	28 Mar
5	ExA's second round of written questions (Rule 8(1)(b) (i to iii))	by 11 Apr
6	Deadline for responses to ExA's second round of questions	9 May
7	Notification of date(s) within the period specified below for any issue-specific hearings (in the event that the ExA decides during the progress of the examination that they are needed – Rule 8(1)(h))	by 13 May
8	Comments on responses to ExA's second round of questions (Rules 8(1)(c)(ii) and 8(1)(d)(ii))	by 6 Jun
9	Deadline for notifying ExA of wish to be heard at an open-floor hearing for IPs (Rule 8(1)(f)) or compulsory acquisition hearing for affected persons (Rule 8(1)(g))	6 Jun
10	Time reserved for issue-specific hearings (if any required)	13 to 24 Jun
11	Time period reserved for any compulsory acquisition hearing	27 Jun to 1 Jul

12	Time period reserved for any open-floor hearing	4 to 8 Jul
13	Deadline for close of examination	15 Jul 2011

Annex D

Initial Assessment of Principal Issues

This is the initial assessment of the principal issues arising from consideration by the Examining authority of the application documents and representations received concerning an application for a Resource Recovery Facility that comprises an energy from waste electricity generating station with a gross electrical output of 65MWe, together with associated development including a post treatment materials recovery facility at Rookery South Pit near Stewartby, in Bedfordshire. It is not a comprehensive or exclusive list of relevant matters; regard will be had to all important and relevant matters in reaching a decision after the examination is concluded.

Air quality

- The risk of (accidental) release of pollutants outside the limits to be set by the regulator in the Environmental Permit, and the consequences for the health of the nearby population

Compulsory acquisition

- The justification for the compulsory acquisition of the land and rights and the powers that are sought by the draft Order

Landscape and visual impact

- The impact of the plant on the landscape character of Marston Vale
- Effects on views from within the Marston Vale Millennium Country Park, the Greensand Ridge, from recreational routes and on other views, including those from heritage assets
- Proposals for measures to mitigate landscape and visual impacts

Traffic and transportation

- Effects (including cumulative impact) on the major road network, Green Lane, and other affected routes particularly the 'old' A421 past Marston Moretaine
- The risk of HGVs travelling to/from the plant using unsuitable roads (including at any times when the main access route is not available)

Waste Recovery and Management

- The extent to which the proposal fits with the waste hierarchy deriving from the Waste Framework Directive 2008 (Directive 2008/98/EC)
- The justification for the size of plant proposed and its relationship to the area from which waste would be sourced
- The proposals for the management of residues from the energy from waste plant.

Examining authority

10 December 2010