

## **Rookery South ERF Community Liaison Panel Meeting 7 Final notes.**

**March 8th 2018, 18.30 - 17.50**

**Marston Forest Centre Station Road, Marston Moretaine Bedford, MK43 0PR**

**In attendance:** D. Cooper; P. Neale; S. Watt; T. Fossey; M. White; S. Clark; N. Webb; S. Marsh **and** N. Goudie, E. D'Avilar (Environment Agency) **and** M. Young, T. Knibbs (GrantScape) **and** M. Sirven, D. Cowan (Veolia) **and** J. Harper, N. Grimstone, A. McShane (Covanta).

**Apologies received from:** Cllr T. Hill; Dr R. Chatham; J. Thomas; R. Romans; R. Franceys.

**Facilitator:** R. Treacher – [robin@quantumpr.co.uk](mailto:robin@quantumpr.co.uk); Tel 07818 515770.

### **NOTES FROM THE MEETING**

#### **Application from BACI to join the CLP**

It was reported an application to join the CLP had been received from Beds Against Covanta Incinerator (BACI). It had originally intended to be present at this meeting to request membership but had deferred the request to the next meeting. Following a discussion it was agreed to extend an invitation to BACI to attend the next meeting to address the CLP and explain the contribution it feels it could make to the Panel.

#### **Presentation by the Environment Agency**

##### **Introduction by the EA**

A presentation on the recently awarded Permit was made by Neil Goudie and Emma D'Avilar from the Environment Agency (East Anglia Division).

NG described himself as a regulatory specialist with good local knowledge of the area and spoke of the work and role he and the Agency played when Hanson ran the local brickworks. He spoke about the size of the East Anglia region and of the wider role of the Agency. He emphasised the Agency will enforce the conditions set out in the Permit.

E D'A said she was the new E.A. representative on the CLP and that she had a great deal of experience with the waste sector and explained how the Compliance Classification Scheme operated using a scale from 1 to 4 (1 being a major incident and 4 having no potential environmental effect).

*See power point presentation slides attached and a briefing note on Compliance assessment and enforcement.*

CLP members expressed some disappointment that the presentation was too general and that they had hoped for specific examples of conditions being applied to the ERF plant, and an explanation as to how these would be monitored and the consequences both in terms of the environment and penalties if breaches occurred.

##### **Permit discussion**

The EA said the conditions were set out in the Permit documents which are readily available on the Agency's website. However, CLP members felt the language, length and complexity of the documents made it difficult for lay person to understand. It was also stated that CLP members are in

a position to explain the Permit conditions to others – but at the moment members are themselves having difficulty understanding it.

The E.A. said that the Permit was a legal document for which there is a 3-month Judicial Review Period during which there is the potential for a challenge. Furthermore it was currently in a four month period during which the developers could challenge/appeal the conditions. Under this circumstance the Agency felt unable to "over simplify" the conditions. It undertook to address the top ten issues – to be identified by the CLP – once the four month appeal period expired. It expressed its wish to work alongside the CLP and offered to take subject areas or topics (to be identified) at each of the future meetings. It was felt this would make the Permit easier for CLP members to digest.

It was agreed that the Agency would present the Permit in terms of receptor, impact and control at the next CLP meeting. This would focus on emissions to air and water with particular attention given to PMs VOCs and water.

### **Concerns regarding permit enforcement**

It was suggested that the public did not have faith in the E.A.'s ability to enforce the Permit and that the Agency is under resourced. The Agency replied that its regulations and regulatory powers were some of the toughest in the world and that they will – and have – closed installations which repeat non-compliances.

### **Concerns regarding Permit feedback**

There was criticism that some objectors who had taken the time and trouble to make detailed objections had not received detailed replies. The EA said the number of consultation responses was "probably" unprecedented. However, it could only respond to matters raised which came within the Agency's remit but all objections were carefully read.

Once the Permit is out of the Appeal period, the EA undertook to prepare a 2-3 page overview for CLP members' use. This would include a "risk control" summary and addressing 'source → pathway → receptor, the barriers and controls.

The Agency was asked if the volume of response (about 2,000) adds any weight to the objection and how closely would the plant be monitored. The Agency replied that all objections had been scrutinised and that it will act upon evidence of non-compliance.

### **Compliance failure escalation paths**

Asked what will happen if there is a Category 1 non-compliance, the CLP was told the Agency would respond within 2 hours (work days) and within 4 hours (out of work) and would prosecute. An example of Category 1 is a large fish kill, a release of toxic chemicals or a persistent water pollution. The EA would also react in the event of a non-compliance that has potential for harm as well as one that actually causes harm.

The Agency added that as the plant will not be operational for a few years, there would be time – through the CLP – to explain these issues in more detail and it reiterated its wish to work with the CLP to bring about greater understanding

### **Presentation by GrantScape – Electricity Subsidy Scheme**

Matt Young (Chief Executive) and Tina Knibbs (Marketing Manager) from GrantScape explained some of the key elements of the Electricity Subsidy Scheme- a legally binding commitment Covanta

made to the near neighbours of the ERF plant. Covanta will contribute 10% of the average electricity bills to these domestic properties for 35 years starting in 2021. This amounts to £60 a year, index linked.

GrantScape is a charity based in Salford with specialist knowledge of working within the recycling and renewables sector and has been appointed by Covanta to run the scheme.

Those eligible to benefit must live in one of the local Parishes (Brogborough, Wotton, Cranfield, Marston Moretaine, Houghton Conquest Millbrook, Stewartby and Lidlington. Claimants will need to prove their home address and be living in the area on April 30<sup>th</sup> 2018.

TK explained how the annual claim process would work.

*See presentation slides attached.*

In answer to questions, GrantScape said those who registered but then forgot to make a claim in future years would be sent a reminder and payments were going to be made in February each year..

Matt Young assured the CLP that the Charity would make the process as simple as possible. He also undertook to look at requests from Stewartby Water Sports Club and village halls within the subsidy footprint to see if they could also make claims.

A information sheet (Frequently Asked Questions) was being prepared and CLP Members were invited to sent GrantScape (directly or via the Facilitator) the Questions they thought people were most likely to need answers to.

#### **Any other business**

- **Covanta Newsletter**

Nick Webb, Chief Executive of the Forest of Marston Vale Trust (MVT) expressed his concerns about the recently produced newsletter and asked that in future articles involving the MVT should be cleared with the Centre before publication.

This prompted a debate about the newsletter (which was posted to 4,800 residents on the day of the CLP meeting). It was agreed the newsletter would be produced about four times a year and the next edition should be sent out ASAP after the next CLP meeting to allow for consultation with the CLP about its contents in advance.

- **Circulation of the CLP's Terms of Reference**

It was agreed that the Facilitator should send the latest copy of the CLP's Terms of Reference (updated October 2016) to BACI and all existing CLP members for reference. They should also be posted on the Rookery South ERF website.

*See terms of Reference attached.*

- **Meeting notes**

It was proposed that the notes of the previous meeting were approved at the start of each meeting. The Facilitator emphasised that they are notes not minutes and agreed to accept suggested amendments to the notes of the CLP meeting from Members as soon as they are circulated (and while memories are fresh) and not wait until the next CLP meeting. He reserved the right to make any final decision about how any potential conflict in requests for amendments should be handled. This was agreed.

- **Thanks to Dave Cooper**

The Facilitator – on behalf of the CLP – thanked Mr Dave Cooper for his many contributions made to the CLP over many years. Mr Cooper announced during the meeting he was no longer the Stewartby Parish Council representative. The Facilitator undertook to write to the Parish Council requesting a new nominated representative.

**Next meeting**

The next meeting will be held on **Monday, June 11<sup>th</sup> at the Forest Centre starting at 6.30pm**. There were no new items identified for the June Agenda although members expressed a hope that a more detailed discussion over the Permit could be had with the Environment Agency as the Permit would be beyond the period of a potential judicial review. See agreed action above. Members were invited to submit their questions either to the EA or to the Facilitator in advance.

**Attachments:**

- Environment Agency presentation
- Compliance assessment and enforcement sheet
- Electricity Subsidy scheme
- Revised Terms of Reference – October 2016