

Medworth ISH_22 FEB_PT3

Created on: 2023-02-22 15:17:53

Project Length: 00:47:32

File Name: Medworth ISH_22 FEB_PT3

File Length: 00:47:32

FULL TRANSCRIPT (with timecode)

00:00:05:26 - 00:00:29:16

Thank you very much for coming back to this meeting. When we adjourned, I suggested that perhaps we look at moving forward in the agenda to item six and skip item five on the proviso that the applicant would have considered the question regarding

00:00:31:03 - 00:00:39:27

energy security that I asked under item four for the responded as part of the oral submission. Is that the case? Can you confirm that, please? Mr. GUTH?

00:00:40:24 - 00:00:54:20

Yes. ALEXANDER be for the applicant. I mean, you indicated this morning, too, that you were slightly unclear as to our position on energy, on energy security on that basis. In addition to what we said this morning, we are going to try and provide you briefly with some further clarity on the point.

00:00:54:22 - 00:01:14:14

I must I must correct that I was not I was not in clear you mentioned to me before the break that you felt that you have not answered that question fully. And therefore I have given you an opportunity to actually complete that answer. But I did not say or mentioned that I was unclear on your answer.

00:01:14:24 - 00:01:49:20

So I'd misunderstood that step in, which is what we will do in any event is just to summarize briefly our position. In fact, Ms.. Broderick is going to take over and explain our position by reference to national policy, and then Mr. KENYON will speak briefly in relation to and security of supply, also by reference to the environmental statement. It shouldn't take long and then we can move to item six, unless you wanted to just have a brief steer from us on net zero.

00:01:50:11 - 00:02:11:12

I think that perhaps when we finish item six, we might revisit that item after if we have time. But I think that for the time being we all will finish that point in terms of energy security, which was hanging, which is the only reason why I'm proposing that we revisit it and then we move straight into item six. So very briefly, please.

00:02:11:17 - 00:02:15:21

Thank you both. So I'm going to hand over to Ms.. Broderick beside me.

00:02:17:26 - 00:02:55:13

Can I project for the applicant? And as we referred to earlier, but just to reiterate the role of energy from waste in terms of meeting the UK's energy needs is set out in paragraph 2.5.2 of the adopted national policy statement and three. That point is also reflected in the updated draft NPS. And three similarly at paragraph 2.5.2, which again recognises that the recovery of energy from combustion of waste plays an important role in meeting the UK's energy needs.

00:02:56:17 - 00:03:37:21

In the Project Benefits report, which is application number 8p-95. At paragraph 2.4.4. The applicant has set out how the proposed development meets the increasing demand for electricity and also the security of electricity supply, which are key issues facing the country at the moment. Phased development is a renewable source which is not intermittent and therefore as recognised by national policy. As I mentioned, it provides an important baseload in terms of meeting sufficient electricity at times of low renewable energy from other sources such as wind or solar.

00:03:38:18 - 00:04:10:07

As the UK Government policy is intending to increase the amount of renewable energy and that set out in the net zero strategy and the British energy security strategy. The importance of a baseload of electricity becomes increasingly more relevant. Going on to explain by giving some way of a practical example how much electricity the development will generate, which is up to 55 megawatts, and how that relates to average household electricity consumption in this area.

00:04:10:21 - 00:04:29:09

Paragraph 2.4.5 of the Project Benefits report, we indicate that the least amount of electricity would be sufficient to supply the households within Fenland and Kingston in West Norfolk with electricity to give an indication of the scale of the project and the amount of electricity it could generate.

00:04:31:02 - 00:04:32:23

Thank you very much for that intervention.

00:04:34:15 - 00:04:40:06

Would anyone else like to ask any questions on need? Or if not, I'll just move us to the next topic.

00:04:42:08 - 00:04:44:27

Okay, so we're happy then to the next topic, if there's nothing further.

00:04:45:22 - 00:04:51:02

Do I see anyone else from room? No further questions on this topic. Can I ask? Virtually.

00:04:54:03 - 00:05:02:19

I don't see any hands raised, so I'll move on then to item six. That would be land plans, compulsory acquisition of land and book of references.

00:05:04:19 - 00:05:20:16

So I would ask the case team to actually put up, first of all, some of the documents that I relied on to draft my questions, and that would be Delenda plans, please. First of all.

00:05:36:26 - 00:05:44:08

While we're doing that. Can I just. I think we might be showing it now.

00:05:49:17 - 00:05:53:24

Um. I would like to first of all,

00:05:55:09 - 00:06:38:16

I had a couple of questions regarding specific articles, but considering the time and length of of this hearing, I'm just going to provide some context. So the questions that I'm going to ask particularly relates very specifically to a different article in Justice that that's 22, 24, 25, 26 and 27. But I wanted to particularly talk about how those articles apply to the land plans and if the applicant could just explain a little bit further their position in terms of how it is the application of those particles.

00:06:39:16 - 00:06:44:16

And how they are reflected within the land plan and key of the land plans. Please. Thank you.

00:06:45:17 - 00:06:46:25

Can I project for the applicant?

00:06:48:17 - 00:06:55:09

I'm going to be referring in my response, as you mentioned, to the articles in the draft DCA,

00:06:56:24 - 00:07:26:29

which is application APB, Dash 013 and also section all of the Statement of Reasons for Suffocation Reference app Dash 017 and the Statement of Reasons sets out the various powers that we are seeking. The first power is the power in Article 22. This is the power to compulsorily acquire land. And this is the acquisition of the freehold land. And this is the land shown coloured pink on the land plans

00:07:28:18 - 00:08:05:07

in addition to the compulsory acquisition of land. There is also the ability to acquire subsoil only the land should that be an appropriate for the development. And that is referred to in Article 25 and of the draft DCA. In terms of the acquisition of rights, Article 24 of the DCA provides that the acquisition of rights can take place over any of the land that Shane colored pink, but also in respect of the land, colored blue on the land plans, then only rights and the imposition of restrictions can be sought.

00:08:05:10 - 00:08:17:19

And the details of these rights and restrictions as set out in schedule eight at the draft DCA. And explained in more detail in step in Section four of the statement of reasons.

00:08:20:21 - 00:08:51:04

In addition, we're seeking to acquire powers of temporary possession, and this is temporary possession for the carrying out of the construction of the authorized development. And those powers are set out in Article 31 of the draft DCA. The power to utilize land temporarily applies to all of the land that's shown on the land plan. So that's the land color pink and colored blue and colored green.

00:08:51:16 - 00:09:15:12

But in respect of the land colored green on the land, plans and only powers of temporary use are being sought. We are not seeking permanent rights to acquire the land or permanent permanent acquisition of the freehold of the land. So that is the distinction between the sort of the three different colors that is shown on the land plans and the rights that we're seeking in the draft.

00:09:15:20 - 00:09:55:10

Perfect. That we are left to the point that I wanted. So I wanted to now have a specific look at some plants that you have included, which are the plots that we can view now. They are mostly concentrated on the cheat sheet, 13 out of 17 of the land plants. So I just wanted us to have a quick look at these specific plots. I'm talking about 13 for C, 13 for D and 14 one A, which basically correspond broadly to the section of Al Gore's white that is painted pink.

00:09:56:14 - 00:10:09:03

Considering what you have just explained in terms of the compulsory acquisition powers that you are seeking for under the pink land, how to how did those apply to Al Gore's wife, please?

00:10:11:21 - 00:10:44:17

The applicant. And as is set out in the statement of reasons, the purpose for acquiring the freehold of this section of our causeway, which is the unadopted section of Uncle's way, was to enable us to

dedicate the land as public. Holloway which you can only do if you are the owner of the land. We had understood from our investigations into the state's history that it was the originally the intention for this section of our schools way to be adopted, and that had been done to a sufficient standard for adoption.

00:10:45:01 - 00:11:43:21

However, for two reasons that adoption had not taken place and we were therefore looking to be able to facilitate the adoption of that section of the road by the DCO process. Through subsequent discussions with Cambridgeshire County Council. We understand that the Highway Authority may not have a desire to have that section of the road adopted. We are waiting for confirmation from Cambridgeshire County Council on that point. If that is provided in writing to us, then then obviously won't be a need for us to acquire the freehold of land, which would be purely for the purposes of dedicating it as public highway and instead would we be only seeking a right of access along the section of our causeway for both construction operation and maintenance and decommissioning, and because it would be a private highway at that point and therefore we would need a private property in order to access the site.

00:11:44:09 - 00:12:16:05

Of course. Thank you very much. And in terms of the options that you have mentioned. Now, I would like us to look at two of the options specifically that you have had to have mentioned. One, dedicating it to public accessibility and the public highway and where that can be found within the DCO and what sort of instruments you propose are secured in place in order to secure that. And also, I wanted an update in terms of your negotiations and discussions with the Highway Authority on this matter.

00:12:19:19 - 00:12:20:04

Thank you.

00:12:22:24 - 00:12:28:06

Just so I understand the question, I mean, you're suggesting where in the DCA does it deal with dedication?

00:12:28:20 - 00:13:06:03

I'm I'm suggesting where in the DCO there is a provision for the options that you have just highlighted in your response. One of them being that at that stretch of algos was going to be dedicated for public accessibility and it will be dedicated for a public highway. And then what odd status of your conversations with the Highways Authority on this point, considering that this is not an adopted highway, which is part of the justification why you are asking now for compulsory acquisition and powers for this highway and.

00:13:07:24 - 00:13:12:21

What provisions are into DCO in order to secure. There are all of the different options.

00:13:12:24 - 00:13:44:07

Yes, sir, I understand that, but that's very helpful for that clarification. But just in terms of our discussions with the Highways Authority, I mean, as Mr. Projects explained, we have been engaged in discussions with them. Their most recent communication to us is that they do not wish to have it adopted. They do not wish to adopt it. And on that basis is not it is not currently our intention to seek full compulsory purchase powers. In respect of Al Gore's way, because, as Mrs.

00:13:44:09 - 00:14:03:17

Barak explained, the only reason why we wanted to do that was so that we could could have it adopted. If the authority, as they've indicated to it, do not want to adopt it, then we won't seek those

powers. And once they've confirmed that that's the position, all we will seek is rights, that is to say rights over the land rather than

00:14:05:03 - 00:14:12:03

the power to compulsorily acquire the land. Because if it can't be adopted, we don't want it. All we need is the right right.

00:14:12:11 - 00:14:26:06

Mr. Potter Understand? That's that answer. That's very helpful. Thank you. If that is the case, then actually that reduces the amount of alternatives that we were discussing at the beginning of the answer. So we actually have a more clear way forward. So can we please.

00:14:28:10 - 00:14:34:22

Can someone please tell me how that way forward is going to be protected and provided within the DCO.

00:14:36:12 - 00:15:20:09

Budget for the applicant? For the moment, the current drafting of Article 24 one does enable the applicant to acquire compulsory rights and impose restrictions over any of the land shown pink, so they power to acquire a lesser right as it were. So not the freehold, but only a right already exists in the DCO and in respect of the pink land, so the power already exists. However, in order to provide clarity to everybody and and we think it would be helpful would be to submit amended land plans, changing the colour of those particular plots from pink to blue, and then adding those plots to schedule eight to make it clear.

00:15:20:19 - 00:15:26:08

And the applicant is only seeking to acquire rights and to set out that these are rights relating to access.

00:15:26:22 - 00:15:38:27

That sounds that yes, I would agree with that sort of perspective. So can we actually can we please have an extra note for that to be submitted at the deadline? If you agree the applicant.

00:15:39:06 - 00:15:56:26

We will. We will submit those. However, the caveat is that we are waiting just for formal commission that they do not wish to adopt Angus way. So if we can be provided with that confirmation, we would happily amend the plan, reluctant to do so without just based on oral discussions.

00:15:57:03 - 00:16:00:11

Can I ask if Cambridgeshire County Council would like to comment on this point?

00:16:01:21 - 00:16:04:08

No, that's not my dream.

00:16:05:05 - 00:16:06:10

So. Okay.

00:16:06:20 - 00:16:07:11

To the council.

00:16:10:28 - 00:16:24:21

Thank you for the applicant, and perhaps I could suggest if that's an action out of this hearing for Cambridgeshire to provide that confirmation, if you will, creating a list of actions coming out of the hearing. And then we can obviously.

00:16:25:00 - 00:16:40:25

I, I believe that that was the implication that when, when it was said that you would that Mr. Urquhart would actually go back to Kampuchea County Council to get further information on this point. Is that the case? Is that possible? Yes. Yes, it would be possible. Okay. Thank you.

00:16:41:13 - 00:17:07:00

Just to clarify what Mr. Broderick is saying, I don't think Ms.. Products doubting for a second that Mr. Fraser record is going to go back to Cambridge and relay the point to them. I suppose what Ms. Broderick was seeking and output from today's hearing was that Cambridge? It's not within that friend's gift to. To secure them, to provide a response. So what we're asking is that Cambridgeshire as an output from the meeting provide a response that we can then we can tie up this.

00:17:07:02 - 00:17:25:16

Yeah, that would actually be my gift to him and I would request that. So if you could have a note for an action, please. For Cambridgeshire County Council to provide some further clarity, or at least an update on their position in relation to those specific plots along our course way, please. That would be the action for deadline one. Thank you.

00:17:31:26 - 00:18:11:29

I would also like us to have a wider discussion in terms of the book of reference and how and how people have been consulted and how people identified in book of reference. So started conversation. Can I please ask the applicant to explain how potentially affected persons with a legal interest in the land or any part of the land affected by the application have been identified in the book of reference. And for the sake of clarity and just brevity. I will actually say as well that I am particularly interested in all of the businesses and people that are located along Al Gore's way, particularly on the stretch of road that is identified as pink.

00:18:12:06 - 00:18:20:16

And if you think that those people should be considered as affected persons and this should be identified as such in the book of reference.

00:18:23:09 - 00:18:58:25

Collaboratively. Atkins. Just in relation to your first point, I would refer to Section seven of the Statement of Reasons, which was an APB, Dash 017, which understands as sets out how the applicant undertook diligent inquiries to identify persons with an interest in land and persons who might be able to make a relevant claim and as defined in Section 44 of the Planning Act 2008. And as Mr. Kerry mentioned this morning, the applicant appointed Carter Jonas, who are professional land references to produce the book of reference.

00:18:59:15 - 00:19:49:27

And as part of that process, they obtain data from a wide variety of publicly available sources, including the land registry. They also sent out requests for information and questionnaires, erected site notices, and undertook site visits to establish who had an interest in land within the order limits. That information was then utilized to compile the book of reference that accompanied the application, which is was updated and as I examination reference as 006 and the format of that book of science and with the infrastructure planning applications prescribes forms and procedures Regulations 2009, which clearly sets out the Chairman of the interests and the and the parties that need to be identified in that book of reference.

00:19:50:05 - 00:20:02:14

And then everybody in that book of reference has been notified of the acceptance of this application and offered the opportunity to submit written relevant representations in relation to your second point

00:20:04:00 - 00:20:22:24

relating to how the businesses along our goals way were identified that followed the similar process. So initially they would have looked at information available on publicly available sources such as the land registry and say part of

00:20:24:19 - 00:20:52:08

it, the area of land is registered at the land registry. And so the persons listed with an interest in Category two, I should say that the land is owned by Fenland District Council, and a number of those category two interests had registered interests at the land registry. And then they also identified other parties that might have an interest in that in that land through their diligent inquiries.

00:20:53:14 - 00:21:14:15

And thank you for that clarification. And can I just ask on my last point, which is particularly in relationship to does the applicant believe that businesses along our causeway, particularly the big section of road identified in the maps, the long causeway should be identified as affected persons? Yes or no?

00:21:17:19 - 00:21:35:18

The applicant where we had identified that they had a right of access as a property, right of access along with a road. And then they were included within the book of reference as a category two interest. So where we've had that, their details, then they have been included.

00:21:37:04 - 00:21:41:08

Right affected person by way of having a right to access and on that private section of right.

00:21:41:20 - 00:21:57:24

Thank you very much. And in terms of checking that process with public information, particularly, that's the planning inspector time that we have received as part of this process are relevant reps. Have you carried out that assessment?

00:22:00:04 - 00:22:03:20

Cross-referencing the information from the relevant reps with the book of reference.

00:22:04:16 - 00:22:24:00

Claire, but at the applicant. Yes, we have. And we are in the process of preparing the most requisition schedule that was requested for deadline one, which will list out where persons have made a relevant rap, whether they are also an infected person and the nature of their interest in the plots that they have an interest in.

00:22:24:11 - 00:22:48:24

Perfect. Thank you very much for that answer. Those are my questions on this specific item. I will now look to my right and check if anyone would like to ask any questions on this specific item. Now we have someone else. We have a member in the. In the room? Yes. Would you like to step up or. Thank you.

00:22:50:21 - 00:22:52:29

Please remember to introduce yourself if you can.

00:22:54:09 - 00:23:25:20

Excuse me, Helen. Angelo, business owner on our causeway. And I just wanted to clarify that as a business owner, we have not ever received anything in writing regarding the compulsory purchase from MVA. The only time that I've seen is because I've been on the website and I gather. Excuse me. On the 10th of February, a hand-delivered letter was sent out to and it said on it. All businesses are now goes away.

00:23:26:02 - 00:23:34:17

I'm only aware of one business that has received this letter. I've not received it. And I've spoken to about ten other businesses. So I just wanted to make that point that.

00:23:35:00 - 00:23:48:17

Can I can I ask you a follow up question? Were you could you confirm, please, if you are aware, if you are one of the businesses that actually a registered and submitted a relevant rep to us via our website?

00:23:48:19 - 00:24:20:22

Yes, you did. I did. Yes, I did as an individual. And I did it as my business and my husband did as well. Thank you very much. I know of many that did. I just wonder why would I know if any one businesses received the hand-delivered letter on the 10th of February? I would have thought that businesses who my business is 200 meters away from the proposed site, I would have thought that I would have received something along these lines, and I absolutely haven't.

00:24:21:12 - 00:24:26:25

Thank you very much for for that information. Thank you. All right. Thank you, Mr.. Both. Applicant.

00:24:27:14 - 00:24:32:29

What I think it maybe, Ms.. Broderick, that deals with this point, but. Oh, and before we spend late.

00:24:33:25 - 00:24:39:02

Actually, can I. Can I ask. Can I ask the lady that had just intervened to come back and. Please.

00:24:40:20 - 00:24:41:06

Sorry about that.

00:24:41:09 - 00:24:41:25

Thank you.

00:24:42:09 - 00:24:52:10

Just before we respond, it would just perhaps be useful to understand what's happened. I understand you have a business on Al Gore's way.

00:24:52:12 - 00:24:54:03

Yes, we do. Right down at the bottom.

00:24:54:05 - 00:24:58:01

Yes. Which is one thing to understand, if possible, what the address of that business is.

00:24:58:03 - 00:25:19:05

So I can can I just before you answer that question, can I just clarify it? Can I just stress that you are not in this public forum if you do not feel comfortable in divulging that information? You can submit it in writing. I just feel that that is necessary to say before we have any answer.

00:25:19:18 - 00:25:25:18

Thank you. Probably.

00:25:26:09 - 00:25:40:03

I wouldn't put, as I said in my introduction, for the sake of keeping the digital records clean and as not having to do any sort of editing, I wouldn't really feel comfortable in actually going further down this path.

00:25:40:05 - 00:25:46:08

Mr. Booth. Sorry. Yeah, that's fine. I was just looking to truth and be able to verify our records. Thank you, but thank you.

00:25:46:15 - 00:25:47:23

Okay. Thank you very much.

00:25:49:16 - 00:25:51:04

To the applicant. We didn't.

00:25:53:05 - 00:26:25:18

We were just checking. I would just want you to reflect that it in part three of the book of reference as against, for example, plot 14 one A We have listed a number of businesses and individuals that we believed to have based on those diligent enquiries, a right of access along this particular stretch of our way that is included within the order limits, which obviously is just the unadopted part of our causeway rather than the the entirety of the road known as our causeway.

00:26:26:04 - 00:27:01:21

And there are obviously several pages worth of businesses listed there that were based on the information that was available to us when the book of reference was compiled. Obviously if we have and missed a business because they have an unregistered tenancy, for example, or another type of interest that we were not aware of, well then obviously we will look into that at and look to update the book of reference as we are doing for the next deadline to log interests that perhaps have been missed if they weren't identifiable through.

00:27:02:12 - 00:27:19:12

Thank you. That yes, that would be useful. And I think that I would like the applicant to actually do that exercise. As I understand from the oral submission that was just made by Mrs. Pantalone, is that correct? Yes.

00:27:22:05 - 00:27:31:08

Irrelevant reports submitted. Therefore, there is a record of this business. Hence why I asked the question earlier in terms of comparing this with relevant reps.

00:27:31:19 - 00:27:52:16

So I appreciate that we can we do believe that this particular interest, what is already listed in the book of reference was identified and therefore would have received the information. But we will check our records and we will respond in our written summary of these or submissions to confirm that up.

00:27:52:18 - 00:28:22:21

Noted that, noted that you believe that and I think that there is then if we could actually have that cross-referencing process carried out and very clearly demonstrated that has been carried out, then if the business that was just referred to is not included, then we have an opportunity to actually cross-reference that information because that information will become available on our website and then it will be up for you and you'll be able to actually check it against the book of reference.

00:28:23:13 - 00:28:30:06

And if you have any any difficulties in doing that, you can contact the case team and we will will assist you in that process.

00:28:30:15 - 00:28:31:01

That's fine.

00:28:31:05 - 00:28:31:26

It does just.

00:28:32:08 - 00:28:57:01

Clarify that we have received lots of information about the incinerator, but we've absolutely not received anything regarding potential compulsory purchase. That's the bit that I'm trying to get across, that that's something. And if I wasn't savvy enough to be going on the website and looking at it, I would never have found it. And that's that's the point that I'm trying to get across to make.

00:28:57:23 - 00:29:00:08

That point is not to be spent alone. Yes, thank you.

00:29:01:19 - 00:29:06:00

The applicant and I'd just like to clarify for the avoidance of doubt that the applicant

00:29:07:29 - 00:29:37:05

is not seeking to compulsorily acquire anybody else's right of access at all. I'll go that way. They were seeking to acquire the freehold from Fenland District Council in order to dedicate it to the public highway in the original application. But if that is no longer required and it will be seeking a right of access for itself along our causeway and it won't be having an impact on any existing rights of access from a property perspective.

00:29:37:07 - 00:30:24:23

I understand that. But picking up on your response just now, I can understand why considering the land plans that we have in front of us and how that specific stretch of road is depicted in the land plans that I think that there is a reasonable assumption and a reasonable argument here to be answered in terms of was that information or was that information clear? Because as we have highlighted, as part of your previous answer to your to the articles that I have asked asked us to go through, and that is to fighting Pink is not necessarily identified on the principles that have just been highlighted.

00:30:25:23 - 00:30:47:23

Therefore, I think that there is a reasonable question here, and this is something that I would like the applicant to actually look into in terms of consultation and how people that have actually been consulted on the land plans as they stand now have not interpreted information included.

00:30:49:26 - 00:31:20:13

Clapper at that point. Understood. And that believes that the information is in the application documents, in particular the statement of reasons. But we understand the reasons for the confusion that has arisen. And the applicant did seek to address this confusion in the letter that was mentioned, that had been sent to some business centers. But we were definitely and addressed that particular point in our written submission so we can signpost clearly to where that information has been set out.

00:31:20:15 - 00:31:27:23

And we will also provide a summary of how that information was notified to.

00:31:28:12 - 00:31:58:27

And therefore, can I ask for an action for deadline one for that information to be submitted to the examining authority, particularly highlighting the points that we have discussed today, i.e. the articles that apply to issue with the land plans and what sort of resolution the applicant puts forward and details of consultation carried out on to the businesses on the basis that, as you have highlighted just now, that might be considered affected persons.

00:32:00:06 - 00:32:18:24

I think what people have got to understand is that business is down there. I didn't know about this. And then we look at the plans. No explanation. We're not, you know, lawyers or anything. We just look at these plans and say compulsory purchase of the road. But we don't that that doesn't mean anything to us. Thanks.

00:32:20:06 - 00:32:29:24

I, I will try and address that process through written submissions and into next deadlines, as I have highlighted, not to the applicants. So thank you very much.

00:32:29:26 - 00:32:31:03

Thanks very much. Thank you.

00:32:31:05 - 00:32:35:09

Thank you. Anyone else would like to intervene or participate on this point?

00:32:39:29 - 00:32:43:15

Can I ask if there is anyone online that would like to intervene?

00:32:54:04 - 00:33:28:11

I don't see any pants waists. So if there isn't any further questions, I'll move on to the next item, which is item seven Review of issues and actions arising. Um, I have been taken down into case team has been taking down as well actions from today's hearings. I don't intend to go through them now, but we will be writing those up and publishing them as soon as practicable. So those would be available on our website as well. And I will move us on if there are no questions on that to item eight, which will be AOB.

00:33:30:22 - 00:33:33:25

Anyone who has any job that they would like to race.

00:33:37:04 - 00:33:37:23

Mr. Boss.

00:33:38:13 - 00:34:04:25

Sir, it's just at the time now, I think is what? 2:30. And I appreciate, obviously, that there's an open floor hearing this evening, but in circumstances where we do have some time left and I notice, obviously, Councillor Twala is still here. I was wondering whether we should at least briefly look to address the issue of why Wisbech is effectively a paraphrase of agenda item five.

00:34:07:25 - 00:34:09:15

Because. Because he's here.

00:34:09:17 - 00:34:10:16

And. Yes.

00:34:11:02 - 00:34:12:13

And I think it's perhaps preferable.

00:34:12:15 - 00:34:23:13

I understand that. Can. Can I ask Mr.. Why are you. I believe that you have expressed an interest before to actually attend the open floor meeting, if that's the case.

00:34:23:29 - 00:34:25:03

I have, sir. Yes.

00:34:25:05 - 00:34:35:00

Yes. Yes. And you are you as far as your hallway, you will be attending the open floor meeting either this evening or tomorrow morning.

00:34:35:15 - 00:34:36:16

I was planning this evening.

00:34:36:23 - 00:34:51:22

This evening. Thank you very much. In that case, can I ask Mr. Booth, would you be happy for us to address that issue as part of the open floor hearings where we actually might have some other people as well that would raise similar sort of questions?

00:35:00:20 - 00:35:04:25

So the only concern I have on that score, I suppose, is that

00:35:06:15 - 00:35:41:24

the primary purpose perhaps of the open floor hearing is not for us to set out anything that we wish to say in relation to the application, but instead to afford members of the public an opportunity to speak themselves. And what I'm concerned is that if we look to take up a significant portion or a material portion of the open for hearing by setting out our stall in relation to agenda item five, that is cutting into the opportunity of members of the public to participate.

00:35:42:05 - 00:35:45:24

So it's just really a timing issue. I.

00:35:46:25 - 00:36:20:25

I, I appreciate that point, but I'm also very aware that we are reaching 3:00 and I believe that I have been informed earlier today that intends to prepare the room for today for the open floor hearing. It would be ideally need to start. We will need to clear the room by 3:00 in order for it to be set up. So I would I would say that probably we have a couple of minutes, but I would please ask you to be very brief. I will allow some a brief discussion about this now, but please do keep it very brief if that's at all possible.

00:36:20:28 - 00:36:37:18

So the alternative is this. I mean, I'm not sure that the sort of why waste speech question or the slash alternatives is suitable for a written submission is perhaps, I think, better to be dealt with in terms of oral and oral hearing. We could, of course, roll it over into one of the three.

00:36:37:20 - 00:36:45:14

Exactly. If there is need to revisit this topic, we can revisit at other issue specific hearings that we have scheduled.

00:36:46:03 - 00:36:53:18

Yes. Well, I suppose what I'm just flagging that I think it's probably best dealt with orally if you don't wish to deal with it now. I certainly don't want to back.

00:36:53:20 - 00:36:57:25

I think I think we have 8 minutes to deal with that. Would that be acceptable?

00:36:58:03 - 00:37:01:10

Well, it said in terms of 8 minutes, I can ask Mr.

00:37:02:29 - 00:37:14:02

Kerry to explain the position in broad terms as to why it is that he has identified. The site is identified. And it may be that that's sufficient for the purposes of the examination.

00:37:14:07 - 00:37:36:11

But I would in that case, I would suggest that we initiate discussion. Now, we use those 8 minutes. And then if there are any further conversations that we need to have, then actually we can either consider the position of carrying it to another issue specific hearing if it needs to be dealt with orally or we can deal with in writing as well. So I think that that's probably the best way forward, if that's acceptable.

00:37:36:13 - 00:37:37:05

Yes, sir. Thank you very.

00:37:37:07 - 00:37:37:22

Thank you.

00:37:39:01 - 00:37:48:13

Perhaps, Mr. Kerry. Good look to you. And just to provide really a brief summary, and we are talking just a couple of minutes here in terms of why Wisbech.

00:37:50:20 - 00:37:53:20

Thank you. Paul Carey, managing director of the Environment.

00:37:55:17 - 00:38:29:12

When we look for these projects and we're looking for sites all the time, we're doing this across the country and I visit a lot of sites in my job. So the first thing we're looking for is a site where there's clearly a what we would call a residual waste capacity gap. And we've discussed that. I'm not going to go through that again. We believe this is an area where there is that gap. But having done that, we very much look for sites that have true potential for this thing called CHP, combined heat and power for us, energy from waste and combined heat and power are one and the same thing.

00:38:29:14 - 00:39:02:01

We don't look to separate them. So we're very much looking for sites that have this ability to enable combined heat and power with a good demand for heat rather than a trickle of heat. So that's very much what we look for. As I said, we look for these across the country. And when it comes to that heat demand, there is a lot of information out there available. And using that information, one could easily recognize that it was either Norwich.

00:39:02:08 - 00:39:35:03

One area in further to the east or Wisbech where those heat demands were. So that really was what drew us in the first place. But then we go further and check for other factors, such as the size of the site. I mean, there has to be a certain area required for the site and there has to be a good prospect of

enabling you to connect your wires to the grid. And clearly, you also have to be able to bring the waste into those either by rail or by road or or both.

00:39:35:26 - 00:40:11:02

Sometimes it's by sea, but very, very, very rarely. But road is clearly for the large part of the way forward. And so when it came to looking at those different criteria, we speak to the box now and not to say we didn't look at other sites, we did. There is a site down in Essex known as Rivian Hall. We've referred earlier to this Peterborough Green Energy site, which is over near Peterborough, and neither of those were suitable, in our opinion, for the sort of project that we envisage.

00:40:11:04 - 00:40:47:17

And certainly they don't have the ability to deliver the heat that you would have in this project. We also looked at the site at King's Lynn, which at the time had just finished going through a planning process which was rejected by Norfolk County Council, having awarded a waste contract to this company called Infinium. They called now that was then called, we regret to say, but it was clear that that site was not going to be a suitable site. It was a little bit further east, but if it had gone through that planning process and failed, it didn't seem right to try that again.

00:40:47:28 - 00:41:12:18

And across the country, as I said, we'd go to other sites. So this is the site that we came to, and I recognise this site way back in 2010. I have been with the company that long and I met the owner of the land, but it took me until 2017, before he became satisfied that we were the right partner for that site. So since 2017 we have been

00:41:15:07 - 00:41:50:09

working with him, negotiating with him. The advantage of his land was that it was then an existing waste management site in the local adopted waste management plan. So that was another bonus. I know that changed subsequently, but it took until 2019 before we were able to sign the necessary agreements with him, at which point we then began the development of this site. So in short, this site immediately met and was identified to be able to meet the criteria that we use way back in 2010.

00:41:50:19 - 00:42:10:09

And we then took it through all the time having regard for other sites, which we discounted, and then took this to a commercial position with the landowner to to get an agreement with him to use the site, and upon which we have then began to develop it. And I hope that's done within the time limit.

00:42:11:03 - 00:42:19:05

Yes. Thank you very much. It was. Thank you, Mr. Kerry. Mr. Warley, is there any any further points that you would like to make?

00:42:21:00 - 00:42:27:00

Thank you, sir. I'm just coming back home. The response to

00:42:28:20 - 00:43:08:22

the movement of waste from Norfolk to Bedford. That's the point I was trying to make, which I believe was missed, is that if you have an existing facility in a already in a situation of a well situated in a high population centre, you will you will far better in terms of proximity and various other issues such as reduction in carbon emissions, because the majority you're citing an incinerator where the majority of the waste is.

00:43:09:03 - 00:43:44:08

And if you have low population areas such as Wisbech or this part of the world, you are, yes, you have waste to take to incinerators or wherever. Hopefully something better up the the the waste

hierarchy. But it's better for for the longer distances to come from the low. Population centers and have shorter distances to the high population centers. So if you are choosing to site waste incinerator, it should be sited close to a high population center.

00:43:44:17 - 00:43:46:21

That was the point I was trying to make at least.

00:43:47:07 - 00:43:53:04

Okay. I will ask the applicant if you would like to comment on this specific point very quickly again.

00:43:53:08 - 00:44:25:05

Yes. I mean, I suppose in a sense, Councillor Dwyer, his point doesn't really address what Mr. Kerry said. Rather related to a point that I made before lunch and very briefly in relation to that point, and I can answer that while he refers to proximity and what is known as the proximity principle, and he refers to population centers. The fact remains that Norfolk is currently on. Mr. de Waal is a count transporting 180,000 tons of waste across.

00:44:26:13 - 00:45:24:15

Southeastern England passed our site and carrying it very further, very much further distance to the early site at Rookery south in Central Bedfordshire. So we say that that isn't tenable position for him to adopt. So I don't think it's anything further that I'd wish to say in relation to that. The only further point I'd like to make in relation to why Wisbech is that Mr. Kerry has talked, I think very clearly and very briefly in relation to why it is that the applicant alighted upon this site and just to say and record that having first identified the site in 2010 and then having subsequently identified or entered into an auction agreement in 2019, it's right to say that the applicant has at all times continued to evaluate its site selection process and taking into account, amongst other things, responses to statutory and non-statutory consultation and also changes to waste policy.

00:45:24:22 - 00:45:33:09

So that's a further part of the process. It has been an ongoing and evolving process. That's the only point I wish to make on that.

00:45:34:28 - 00:45:40:29

Mr.. Only But very quickly, please, because we are now over the time to fix that.

00:45:41:11 - 00:45:49:17

The point is this is a huge incinerator, which is far out of proportion for the location. Thank you.

00:45:49:20 - 00:45:54:25

I understand. Yes. Okay. And just very quickly, Applicant, just to give you the last word you.

00:45:55:06 - 00:46:09:17

Said, that is going to be to give us the last word. I don't think I'm going to tell you anything that you've not heard before. We don't accept that this is an improperly sized facility. We think it's entirely suitable. And the basis on which we say that is set out in the evidence.

00:46:09:19 - 00:46:30:21

Thank you. So clearly, there is a difference of opinion in terms of the suitability of the sites which which it's not. It's an excellent point. I would request Councillor Holly as well to submit. Please read a written representation of your oral submission today as well please, for that line one.

00:46:31:01 - 00:46:31:20

I will. Thank you.

00:46:31:22 - 00:46:32:08

Sir. Thank you.

00:46:35:01 - 00:46:36:10

Any other AOB.

00:46:39:25 - 00:47:09:29

Now, if there isn't any other way will be, then I will move to apply to mine closure of hearing. So thank you all for contributing so soulfully and usefully to this meeting, including those that are joining us virtually. We will consider all submissions made today very carefully. The next hearings and examination are the open floor hearings, which are due to begin at 6 p.m. tonight in this room. And then we have the open floor hearing, too, which will begin at 10 a.m. tomorrow.

00:47:10:01 - 00:47:22:09

Also in this room at the time is now 3:02 and issue specific hearing one for the Met with energy from waste. CHP limited is now closed. Thank you.