

Medworth Energy from Waste Combined Heat and Power Facility

Supplementary Submission made on behalf of Wisbech Town Council

Wisbech Town Council has made a separate submission on the revised Waste Fuel Availability Assessment (WFAA) published at Deadline 2.

The Examining Authority will note that the revised WFAA shows a significant reduction (49%) in waste fuel within the study area. The implications of this change do not seem to have been reflected in the conclusions of the Environmental Statement. Clarification is sought as to whether further information will be required to address this deficiency and if so, the timescales for the submission of this environmental information.

In light of the very substantial change in the evidence base supporting the proposal, Wisbech Town Council has not reviewed the Applicant's responses (REP1-028) to its Relevant Representation (RR-010) to avoid duplication of effort and limit unnecessary expenditure. Wisbech Town Council reserves the right to comment on the Applicant's revised response to RR-010 in light of the updated evidence contained in the WFAA and any future updates to the Environmental Statement made necessary as a result.



Medworth Energy from Waste Combined Heat and Power Facility

Comments on Revised Waste Fuel Availability Assessment
on behalf of Wisbech Town Council

April 2023

Title

Medworth Energy from Waste Combined Heat and Power Facility –
comments on revised Waste Fuel Availability Assessment

Client

Wisbech Town Council

Project Number

WTC/1800

Status

FINAL

Report Number

0001

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1 Introduction

- 1.1 These comments are submitted on behalf of Wisbech Town Council in response to the revised Waste Fuel Availability Assessment submitted by the Applicant at Deadline 2 (24th March 2023) in support of the Development Consent Order (DCO) application for the construction, operation and maintenance of an Energy from Waste (EfW) Combined Heat and Power (CHP) Facility on a site off Algores Way, Wisbech, Cambridgeshire.
- 1.2 The facility would be capable of processing up to 625,600 tonnes of waste per annum and would have a generating capacity of over 50 MW.
- 1.3 Wisbech Town Council continue to object to the application principally on the basis that there is no need for the facility to meet residual waste requirements within the Study Area and to include such an over-provision in recovery capacity will jeopardise the achievement of recycling targets and would be contrary to emerging Government policy set out in the National Policy Statement for Renewable Energy Infrastructure (EN-3).

2 Revised Waste Fuel Availability Assessment (WFAA)

- 2.1 The emerging National Policy Statement (NPS) for Renewable Energy Infrastructure (EN-3) makes it clear that the proposed plant must not result in over-capacity of EfW waste treatment at a national or local level (paragraph 2.10.5).
- 2.2 There is no explanation as to why the Applicant has sought to revise the WFAA. If it was simply to update the information presented previously, the latest figures for Local Authority Collected Waste published by Defra for 2021-2022 should have been used (rather than the 2020-2021 data included in the revised report).
- 2.3 It is noted that the figures for HIC arisings in Table 4.2 have reduced significantly. The previous version suggested that there were 17,933,855 tonnes, this is now reduced to 9,831,199 in the current version (a 45% reduction in just two years). However, there appears to be an error in the calculation of the total figure for HIC arisings, with the information included in Table 4.2 including an extra 560,000 tonnes which are unaccounted for. The correct figure should be 9,271,199 and not 9,831,199 (which actually represents a 48% reduction since 2019).
- 2.4 An explanation is required for the significant reduction in HIC arisings if the figures are to have any credibility at all. If it simply represents use of more up to date data, then further consideration must be given to the impact of this downward trend on future requirements. It is not appropriate to rely on this data set as representing future requirements if it is subject to such significant change in only two years.
- 2.5 Notwithstanding the above, Wisbech Town Council maintains its previous position that the Applicant is relying on waste from areas significantly beyond the two-hour drive time catchment. This is unsustainable and contrary to the proximity principle which requires waste to be managed as close as possible to its point of origin.
- 2.6 The Applicant dismissed the fact that a significant amount of waste would arise from outside the two-hour drive time on the basis that it was simply a tool to indicate broadly where the Proposed Development is likely to draw waste in from and was never intended to act as a catchment area. However the 'study area' for the WFAA is what the Applicant is relying upon to demonstrate that it will not result in over-capacity of EfW treatment at a local level to justify the need for the facility.
- 2.7 As set out in RR-010, the flexibility to accept waste from anywhere would be at odds with the requirements in the NPS as there is no safeguards to ensure that the development will not prejudice the achievement of local or national waste management targets if there has been no assessment of the implications for those targets in the first place. This point was not addressed by the Applicant in its response to Wisbech Town Council's Relevant Representation.
- 2.8 In its response to Wisbech Town Council's Relevant Representation (REP1-036), the Applicant seeks to justify the ability to accept waste from anywhere noting that waste markets are influenced by a range of factors including availability of management capacity

and government fiscal, waste management and planning policies.

- 2.9 The fact that waste markets are influenced by a number of factors is not disputed, but the issue is that the Applicant has not sought to consider what implications these factors will have on the availability of waste in the future. It is clear that the general direction of waste management policies is on the reduction of residual waste. The Applicant refers to the Environmental Improvement Plan (paragraph 2.2.32 – 2.2.34) but does not attempt to consider what implications this will have on the amount of waste available for incineration within the Study Area. By 31st January 2028, the EIP requires the amount of residual waste (per person) to be reduced by 24% from 2019 levels and to halve residual waste per person by 2042.
- 2.10 As set out in Table 1 below, by only considering available residual waste within the two-hour catchment, and excluding waste under contract to Rookery South, the total amount of Local Authority Collected Waste (LACW) available falls to only 1,843,102 tonnes. When the reduction of residual waste required by the EIP by 2028 is taken into account the figure falls to only 1,252,423, only 29% of the figure suggested by the Applicant. This figure falls to only 612,520 tonnes by 2042 when the requirement to reduce residual waste by 50% comes into play (only 14% of the figure suggested by the Applicant). No account has been taken of improvements in rates of recycling to avoid any potential for double counting with the reduction in residual waste required by the EIP.

Table 1: Revised Availability of Total LACW within catchment

Applicant's Revised Assessment of Total LACW (Table 4.1)	4,282,279
Less waste outside catchment from Essex (only Uttlesford and Braintree are even partially in the catchment) – 13% of total waste (104,105)	-692,776
Less waste outside catchment from Hertfordshire (only E Herts and N Herts are even partially in the catchment) – 21% of total waste (113,562)	-427,128
Less waste from Luton, Milton Keynes and Leicester City as out of catchment	-356,523
Less waste from West Northamptonshire as out of catchment (In 2021/22 North Northamptonshire accounted for 45% of waste for what was formally Northamptonshire CC) (169,990)	-207,766
Less waste from Bedford, and Central Bedfordshire, Hertfordshire (within catchment) and Norfolk due to municipal waste contracts at Rookery South ERF which opened in 2022	-754,984
Revised Assessment of Total LACW	1,843,102
Less 24% of 2019 figure (assumed revised assessment of Total LACW for 2019/20 (see Table 1 of RR-10) i.e. 2,461,163) to meet (EIP target 2028)	-590,679
Less 50% of 2019 figure (assumed revised assessment of Total LACW for 2019/20 (see Table 1 of RR-10) i.e. 2,461,163) to meet (EIP target 2042)	-1,230,582
Availability of Total LACW within catchment at 2028	1,252,423
Availability of Total LACW within catchment at 2042	612,520

Table 2: Revised Availability of HIC arisings within catchment

Applicant's Revised Assessment of HIC arisings (Table 4.2 – corrected figure)	9,271,199
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Less waste outside catchment from Essex – assume same proportion of LACW i.e. 13% of total (346,061t)	-2,661,661
Less waste outside catchment from Hertfordshire (only E Herts and N Herts are even partially in the catchment – assume same proportion of LACW 21 i.e. 21% of total (208,421t)	-784,060
Less waste from West Northamptonshire as out of catchment (In 2021/22 North Northamptonshire accounted for 45% of waste for what was formally Northamptonshire CC) (436,246t)	-533,190
Less waste from Luton, Milton Keynes and Leicester City as out of catchment	-555,645
Less waste from Bedford, Central Bedfordshire, Norfolk and Hertfordshire (within catchment) due to opening of Rookery South (assume same figure for LACW)	-754,984
Revised Assessment of Total HIC arisings	3,981,659
Less 24% of revised HIC arisings at 2021 i.e. 3,981,659 (assumed 2019 data in submitted WFAA is incorrect) to meet (EIP target 2028)	-955,598
Less 50% of revised HIC arisings at 2021 i.e. 3,981,659 (assumed 2019 data in submitted WFAA is incorrect) to meet (EIP target 2042)	-1,990,830
Availability of Total HIC within catchment at 2028	3,026,061
Availability of Total HIC within catchment at 2042	1,990,830

- 2.11 When the waste catchment is applied according to the two-hour travel time and waste is removed from WPAs with a contract to supply the Rookery South ERF, the availability of waste falls from over 9 million tonnes to less 4 million tonnes (see Table 2 above). Reductions in residual waste required by the EIP will see this figure fall to approximately 3 million tonnes by 2028 and less than 2 million tonnes by 2042.
- 2.12 In terms of waste landfilled (Tables 4.3 and 4.4 of WFAA), Essex is responsible for 70% of LACW and 49% of HIC waste and Hertfordshire 14% of LACW and 9% of HIC waste, the vast majority of both authorities being outside the Study Area. The majority of Northamptonshire is also outside the study area and this accounts for 5% of LACW and 4% of HIC waste. If waste is removed from those areas completely outside the study area (Milton Keynes, Luton and Leicester) and if it is assumed that the proportion of landfilled waste in Essex, Hertfordshire and Northamptonshire is the same as for LACW, then the amount of HIC waste landfilled in 2021 falls from 2.4 million to only just over 1 million tonnes.
- 2.13 All of the local authority RDF exports included in Table 4.5 within the East of England (i.e. Bedford, Central Bedfordshire and Norfolk) and 91% of the total RDF exports from the study area are from authorities with contracts with Rookery South which only opened last year and therefore its impact would not have been evident in the 2020/21 data relied upon by the Applicant. Further assessment is required to consider the effect on RDF exports.
- 2.14 The summary of baseline position included at paragraphs 4.1.13 and 4.1.14 of the revised WFAA is entirely misleading. No account has been taken of the targets in the EIP which will have a significant impact on the amount of residual waste available to EfW plants in the area, inevitably creating capacity for additional throughput at existing facilities.
- 2.15 Of the 9.8 million tonnes the Applicant claims is available, at the very most, only 3,981,659t would arise within a two-hour drive time of the proposed facility. This is without doubt still a significant overestimate as it assumes all waste from Central Bedfordshire,

- Suffolk, Leicestershire County Council and Lincolnshire County Council would be available to the Medworth EfW CHP facility even though less than half of the area of the waste planning authority is within a two hour drive time.
- 2.16 Once the 2042 targets in the EIP are factored in, there would be less than 2 million tonnes of residual waste available in the study area (again a significant overestimate for the reasons set out above).
- 2.17 Setting aside the reductions in residual waste required by the EIP, at least 5.3 million tonnes of the 9.8 million tonnes relied upon by the Applicant would need to be transported for more than two hours to reach the facility. This clearly highlights the fact that it is in the wrong place, contrary to the proximity principle and the emerging NPS in that it will lead to an over provision of EfW capacity which will jeopardise the achievement of recycling targets.
- 2.18 The assessment of the impact on climate from the transport of waste (APP-041) considers the proportion of residual waste by origin and distance to the town centres of the largest settlements in each WPA (Table (14.28).
- 2.19 Of the ten WPAs, the largest settlement of only two are within the 2-hour catchment. Norwich is nearly 92 km from the facility and is on the very edge of the 2-hour catchment. Oakham within Rutland district is 71.5km from the facility but is within the 2-hour catchment.
- 2.20 The percentage share of the overall shortfall quoted in Table 14.28 does not tally with the data in the WFAA which certainly does not suggest the 33% of the waste available arises in Norfolk which raises questions over the accuracy of the climate assessment.
- 2.21 The figures for waste being sent to non-hazardous landfill are also misleading, reliant to a very significant extent on waste in Essex and Hertfordshire (the vast majority of which are outside the Study Area). Rather than the 2.4 million tonnes suggested by the Applicant, a more realistic assessment would be in the region of 1 million tonnes.
- 2.22 Notwithstanding the above, the implication that the waste currently landfilled in Essex would be available to the Medworth facility is entirely misleading. No account has been given to the significant additional capacity (595,000 tpa) consented at the Rivenhall EfW plant in Essex which is expected to be fully operational by the end of 2025.
- 2.23 The figures for RDF exports are also likely to be significantly influenced by the opening of the Rookery South facility, to the extent that this source of waste is unlikely to make anything other than a very minor contribution to a facility at Medworth.
- 2.24 The Applicant should attempt to forecast future requirements based on the changes to waste policy in the EIP and the impact of new facilities within the Study Area that post-date the baseline.
- 2.25 It is not clear how the changes to the WFAA affect the conclusions of the Transport Assessment and Environmental Impact Assessment. There remains a disconnect with the assumptions in the Climate Change Assessment which needs to be resolved to have any confidence in the conclusions.

Waste Planning Authority Waste Requirements

- 2.26 The Applicant has sought to forecast future residual waste requirements through an assessment of the Waste Local Plan evidence base but have failed to give any consideration to the requirements of the Environmental Improvement Plan to reduce the amount of residual waste by 50% by 2042. This will have a significant effect on Waste Planning Authority's recovery requirements.
- 2.27 In respect of the Bedfordshire and Luton Minerals and Waste Local Plan, the Applicant acknowledges the contribution of Rookery South ERF to forecasted future residual waste requirements, noting that it will result in a surplus of 316,000 tpa.
- 2.28 It is noted that the Applicants continue to exclude the 495,000 tpa surplus provision identified in the recently adopted Cambridgeshire and Peterborough Minerals and Waste Local Plan (the host authority) when calculating the total requirement.
- 2.29 The Applicant's continue to rely on out of date information in the calculation of waste management capacity in Essex. The Non-Hazardous Waste Capacity Update Report (May 2018) states that there was a surplus of consented capacity of 1,454,000 tonnes of non-hazardous waste at 2017, reducing to 1,408,000 tonnes by the end of the Plan period (2035). This includes consented capacity of 823,000 tpa (including a 595,000 tpa waste to energy facility) at the Rivenhall Waste Management Facility which is expected to be fully operational by the end of 2025. Rather than a surplus of 1.4 million tpa, the WFAA records a shortfall of 209,000 tpa.
- 2.30 In Hertfordshire, all of the LACW is managed out of county under contracts which run until 2039. The suggestion that Hertfordshire County Council proposes to export approximately 260,000 tpa to facilities outside its boundary for treatment (it currently has a contract with Rookery South which is well within the two hour drive time of the entire county) is considered to amount to an unmet need sufficient to justify a facility at Wisbech (beyond the two hour drive time for the vast majority of the county) is absurd. Rather than a shortfall of 281,000 tpa post 2035, the shortfall should only be 21,000 tpa.
- 2.31 The Norfolk Minerals and Waste Local Plan Publication document (May 2022) confirms that sufficient capacity already exists to accommodate the forecast growth in waste arisings over the Plan period to 2038. Therefore, it is not considered necessary to allocate any specific sites for waste management facilities in the NM&WLP. The revised WFAA considers this data to be incorrect on the basis that any waste transferred out of Norfolk amounts to an unmet need. Again this is nonsensical as a basis on which to justify at facility at Wisbech (which relies almost entirely on waste being imported significant distances from outside Cambridgeshire). Using the Applicant's logic, the only way this unmet need could be met would be at a facility in Norfolk, therefore the proposed Medworth facility would do nothing to meet this need.
- 2.32 The Leicestershire Minerals and Waste Local Plan up to 2031 was adopted in 2019. It confirms at paragraph 4.11 that sufficient capacity has already been permitted to handle the waste requiring management. This includes the 350,000tpa Newhurst Energy Recovery Facility near Shepshed being developed by Biffa, Covanta and EQT, which is currently in its construction phase and due for completion in 2023. The shortfall of 23,448 tpa identified in the WFAA would therefore not exist.

- 2.33 The Review of the Lincolnshire Minerals and Waste Local Plan (February 2021) allocates sufficient sites in the Sites Location Plan to meet the requirement for energy recovery.
- 2.34 The Northamptonshire Minerals and Waste Monitoring Report 2019 (March 2021) is not referred to in the WFAA, rather it relies on data from 2012. Table 4 of the aforementioned report confirms that there was a surplus in capacity of 43,000tpa of treatment and other forms of recovery.
- 2.35 The WFAA relies on data from the emerging Rutland Local Plan 2018-2036 which was withdrawn in September 2021. The Local Needs Assessment (September 2018) confirms that the existing contract for municipal waste treatment reduces the future advanced treatment requirements by 8,500tpa, leaving around 20,000tpa.

Table 3: Revised WPA forecasted future residual waste requirements

	<i>Period up to 2030</i>	<i>Period up to 2035 and beyond</i>
Bedford City Council Central Bedfordshire Council Luton Borough Council	+316,000	+316,000
Cambridgeshire County Council Peterborough City Council	+518,000	+495,000
Essex County Council	+1,408,000	+1,408,000
Hertfordshire County Council	-10,000	-21,000
Milton Keynes Council	+193,000	+193,000
Norfolk County Council	0	0
Suffolk County Council	0	0
Thurrock	0	0
Total for East of England	+2,425,000	+2,391,000
City of Leicester	-23,000	-23,000
Leicestershire County Council	0	0
Lincolnshire County Council	0	0
Northamptonshire County Council	+43,000	+43,000
Rutland County Council	-20,000	-20,000
Total for 'in scope' East Midlands	0	0
GRAND TOTAL	+2,425,000	+2,391,000

- 2.36 The assessment of residual waste forecasts in Waste Local Plans is inaccurate. Far from there being a shortfall in requirements, there is actually a surplus of almost 2,500,000 tpa and this is before the requirements of the Environmental Improvement Plan are taken into account.
- 2.37 Nationally, the Applicant states there will be 17.72 million tonnes of residual waste requiring treatment in 2043, with current EfW capacity at 2022 equating to 19.4 million tonnes, i.e. a surplus of capacity of over 1.5 million tonnes (see paragraph 5.2.24 of revised WFAA). The Applicant is suggesting that despite this surplus, a number of the existing facilities will be decommissioned or require upgrading. No further information is provided on the location of these facilities or their operational capacity. Analysis is required at the study area level rather than the national level, and an indication given as to which facilities are likely to be decommissioned if the conclusions in the WFAA are to be relied upon

3 Conclusion

- 3.1 Notwithstanding the serious concerns on the revised WFAA raised above, if the data the Applicant is now relying upon has changed so significantly since it was first published nine months ago, it raises serious questions about its credibility. If waste arisings can reduce by 45% between 2019 and 2021 (with no explanation other than the passage of time) and the shortfall in waste management capacity has reduced by 42% since the Applicant first undertook the assessment nine months ago, the WFAA cannot be considered to represent a robust basis on which to determine the need for a nationally significant waste recovery facility.
- 3.2 The emerging NPS makes it very clear that the proposed plant must not result in over-capacity of EfW waste treatment at a national or local level. It is Wisbech Town Council's contention that the proposed facility will result in over-capacity of EfW waste treatment and as a result will prejudice the achievement of recycling targets contrary to the waste hierarchy and will lead to the transport of waste from significant distances, contrary to the proximity principle.