

### Adverse Impacts on Human Physical and Mental Health

â€¢ The question of emissions and health is central to this Planning Application. â€˜Facts' are essential rather than solely and unquestionably relying on â€˜opinion' from â€˜government experts.'

â€¢ To rely on this perpetuates the soundness and dependability of one side of the argument, which discriminates against the other.

â€¢ Where there is doubt about the evidence presented by those who say this Planning Application presents no harm to human or environmental health, against those who claim the contrary, it must be accepted that the arguments for or against incineration are uncertain.

â€¢ There is a body of scientific evidence, together with government departments' reports, MPs and other organisations concerns, strongly indicating that there is good reason to believe that harmful effects may occur as a result of this Proposed Development.

â€¢ Judicial Notice cannot be taken of either the HPA/PHE/UKHSA or the Environment Agency position on this Proposed Development

## Adverse Impacts on Human Physical and Mental Health

- **The question of emissions and health is central to this Planning Application. ‘Facts’ are essential rather than solely and unquestionably relying on ‘opinion’ from ‘government experts.’**
- **To rely on this perpetuates the soundness and dependability of one side of the argument, which discriminates against the other.**
- **Where there is doubt about the evidence presented by those who say this Planning Application presents no harm to human or environmental health, against those who claim the contrary, it must be accepted that the arguments for or against incineration are uncertain.**
- There is no robust evidence showing **“locational implications”** around health concerns have been considered, to acknowledge that this Proposed Development may have a bigger health impact on this particular community, with higher than national average health issues, than others. It is insufficient simply to accept that local PCTs and directors of public health have been involved, their knowledge is too limited, and previous FOIs show the answers to any questions and what comments to make are all provided by the HPA/PHE. The Inspector, on behalf of the Secretary of State should have sight of this evidence in order to fully and fairly determine this Planning Application without further discrimination.
- The reliability of the information being given to the Inspector and Secretary of State by the HPA/PHE/UKHSA for this Planning Application highly questionable and not underwritten by science.
- It is repeatedly stated “There is no evidence to show/suggest ...” The choice of those supporting the waste industry is **to purport lack of evidence as evidence of lack of risk.** This is not only preposterous but dangerous yet it is very much the choice of the HPA/PHE/UKHSA and Environment Agency.
- For almost 40 years the HPA/PHE/UKHSA position has been that modern ‘well run’ incinerators are safe despite ever-increasing scientific evidence, reputable peer-reviewed scientific studies, showing otherwise.

### **How can it be said that PHE, formerly HPA, and now the UKHSA, provide anyone with evidence-based professional, scientific expertise and support?**

- In those 40 years, neither PHE nor its predecessor The HPA have ever carried out any independent, meaningful studies with the health interests of the public first and foremost, upon which they could accurately provide any advice to anyone, have ignored decades of research and study outcomes, and ignored the abject failures of the Environment Agency.

*“As part of the permitting process, the Environment Agency consults Public Health England and the local director of public health on every energy-from-waste application that it receives and takes their comments into account when deciding whether to issue a permit.”*

***“The Environment Agency will not issue an environmental permit if the proposed plant will have a significant impact on the environment or will harm human health.”***

(Rebecca Pow, Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs - Waste Incineration Facilities - debated on Tuesday 11 February (Hansard))  
(Emphasis mine)

- The Environment Agency has never turned down a request for a permit:

*“because usually there is a solution which can deliver the necessary protection. Our experience is that applicants are usually **aware of the relevant criteria they need to meet** and technology needed to achieve the limits and requirements of European*

legislation – if not then we ensure requirements are met anyway.” (Response to FOI Feb 2014 – emphasis mine)

- What the people of Wisbech and our fragile environment are left with are figures supplied by MVV, mitigated **to a figure that by the EA’s own admission is based on what is technically achievable rather on what is safe.**
- Environmental Statements are written by consultants who work on behalf of developers. They almost without exception conclude that developments should proceed. For example, computer models of incinerators almost always show particulate emissions at a fraction of 1% of background levels. However, the real world tells a different story. According to a reputable scientific journal the ‘modern’ Swedish Boras incinerator contributes significantly more than 1% of these harmful particles, potentially between 17-35%. This is not an isolated study.
- This Planning Application relies on modelling data, which is supposed to be a scientific measure of safety, yet it ignores the significant emissions of secondary particulates and the synergistic effect of chemical interactions. Given no actual feedstock customers have been identified the waste composition is entirely unknown which severely limits the accuracy of predicting pollutants’ emissions. A model is a simplification of reality. Being wholly reliant on guesstimates, the consultants’ computer models are more able to satisfy the Applicants needs and show particulate emissions at ‘insignificant’ levels.
- Whilst the consultants conclude an increase in particles from the incinerator is acceptable, this contradicts European Law, that reflects recent scientific evidence: **“Fine particulate matter (PM2.5) is responsible for significant negative impacts on human health. Further there is as yet no identifiable threshold below which PM2.5 would not pose a risk.”** EC Directive 2008/50/EC goes on to say that such is the risk to health, levels of PM2.5 must be reduced in urban areas.
- This position is also supported by The World Health Organisation who indicate that there is no such thing as a safe level of particulate matter in our air. If there is no safe level, then any increase, no matter how small, cannot be dismissed as ‘insignificant,’ neither can it be airbrushed away as ‘mitigated.’
- WHO’s annual average guidelines of PM2.5 is ten micrograms per cubic meter (10 µg/m<sup>3</sup>), the current EU air quality limits for PM2.5 is 25 micrograms per cubic meter (25 µg/m<sup>3</sup>)
- The HPA/PHE only focus on the larger PM10, which are well-known to cause far less health issues.

*“Public Health England is the expert body on public health and **as such it is their responsibility to take an objective view in respect of the evidence on health.** Our role is then to act on their advice.*

*As mentioned we consult with the relevant government health experts **to get the best scientific advice on health.** In this case the Health Protection Agency (now Public Health England). We also consulted with the xxxxx Primary Care Trusts.” (Response to FOI Feb 2014 – emphasis mine)*

- **“Does the EA uphold and adhere to the Precautionary Principle?**

*The precautionary principle has no application in this case:*

*The United Kingdom Interdepartmental Liaison Group on Risk Assessment (UK-ILGRA) state in their paper “The Precautionary Principle: Policy and Application” that the precautionary principle should be invoked when there is good reason to believe that harmful effects may occur and the level of scientific uncertainty about the consequences or likelihood of the risk is such that the best available scientific advice cannot assess the risk with sufficient confidence to inform decision making. The Health Protection Agency, (Response to British Society for Ecological Medicine Report, “The Health Effects of Waste Incinerators) say that **“as there is a body of scientific evidence strongly indicating***

*that contemporary waste management practices, including incineration, have at most a minor effect on human health and the environment, there are no grounds for adopting the 'precautionary principle' to restrict the introduction of new incinerators"*

(Response to FOI Feb 2014 – emphasis mine)

And yet in the HPA's own study paper (June 2019) it clearly states:

*"However, there remains public concern and **scientific uncertainty** about possible health effects on the population exposed to emissions from MWIs (**Health Protection Agency, 2009**)."*

→ **Below will show that there is a body of scientific evidence, together with government departments' reports, MPs and other organisations concerns, strongly indicating that there is good reason to believe that harmful effects may occur as a result of this Proposed Development.**

It will also detail evidence that throughout those 40 years the HPA, PHE, UKHSA have been negligent in their role as "the expert body on public health", to give "the best scientific advice on health", and "to take an objective view in respect of the evidence on health," as described by the Environment Agency FOI above, and on whom the EA totally rely before granting a permit.

It will also detail evidence on the Environment Agency's negligence and conflict of interests.

● **As a result, the input by UKHSA and the EA into this Planning Application directly discriminates against the health and wellbeing of those in the populated areas in and around the proposed site in Wisbech, and will do so for the next 40+ years, particularly against women, children and future newborns, which breaches the Equality Act 2010 - pregnancy & maternity.**

**It also discriminates against the significantly important and sensitive ecological environment, and food production from the surrounding farmland of national importance.**

● **With no robust evidence as to why this Proposed Development should be sited in this location should not benefit from a Development Consent Order.**

→ **Judicial Notice cannot be taken of either the HPA/PHE/UKHSA or the Environment Agency position on this Proposed Development**

**Judicial notice is used when something is widely known as true, and accepted as non-controversial. When this is the case, evidence is not required to confirm if that thing is true because it is extremely well established.**

• In the case of EfW incinerators the HPA/PHE/UKHSA and the Environment Agency are continuing to project a sense of certainty about something they can not be certain about. It is certainly not well-established as true – quite the opposite.

Just because they have repeated the same thing over and over again for almost 40 years, it doesn't mean it is true or that there is science or data to support it.

• The National Policy Statements acknowledge that the construction, operation and decommissioning of energy infrastructure can lead to emissions to air which have the potential to adversely impact human health as well as protected habitats and species and the wider environment.

● The public know very well there are pollutant concentrations coming out of incinerator stacks after all treatments, filters and "mitigation measures" are taken; that 'Continuous Emissions Monitoring Systems' that are supposed to ensure emissions are controlled and regulated under an Environment Agency permit are not effective; that the Environment Agency do not closely monitor these facilities but rely on self-reporting; that incinerators across Britain are failing to properly report their levels of dangerous pollutants; that serious health effects are experienced around EfW incinerators, and over decades there have been numerous peer-reviewed studies in

reputable scientific journals that show modern incinerators DO damage public health; and that incinerator companies are renowned for choosing to locate in deprived locations where the existing health of the local population is poor, particularly respiratory issues, so the direct detrimental health effects are concealed.

- From PHE's own figures - rates of emergency admissions for heart disease, heart attack, and Chronic Obstructive Pulmonary Disease (COPD) for Wisbech are all **over 50% above** National averages. For cancer incidence it is **10.6% above** the National average.

The NHS digital Quality and Outcomes Framework shows the GP recorded prevalence of COPD in Wisbech and Fenland is "**statistically significantly worse** than the C&P CCG/England average."

- **Public Health England (PHE)** existed to protect and improve the nation's health and wellbeing, and reduce health inequalities.

*We were an executive agency of the Department of Health and Social Care, and a distinct organisation with operational autonomy. **We provided government, local government, the NHS, Parliament, industry and the public with evidence-based professional, scientific expertise and support.***

- **Office for Health Improvement & Disparities**

***We focus on improving the nation's health so that everyone can expect to live more of life in good health, and on levelling up health disparities to break the link between background and prospects for a healthy life***

- There has been no evidence of any "protect" "improve" "reduce health inequalities" or "levelling up health disparities" for the people of Wisbech, neither has there been for this Planning Application, just silence.

The public know those who are supposed to be the "**expert body on public health**" are untrustworthy and have been grossly negligent for decades.

- Is it any wonder that this planning application has such a huge toll on mental health?

Wisbech is known to be a deprived area but the people are certainly not deprived of common sense or an ability to see that for almost 40 years the HPA/PHE/UKHSA and the Environment Agency, publicly-funded organisations, have deliberately and negligently turned a blind eye to the harmful effects from EfW incinerators, and have done the same here.

- **By doing so again with this proposed development, PHE/UKHSA is effectively giving the Applicant a green light to discriminate against those with existing health conditions and to conceal the detrimental health effects of this proposed development.**
- **This discrimination cannot be allowed. With the absence of any robust evidence of need for this Proposed Development to be situated in Wisbech, it should not benefit from a Development Consent Order.**
- The public do not trust incinerator companies and with good reason – in an article in the Plymouth Herald on Oct 8<sup>th</sup> 2017 inside MVV's incinerator two years after its completion with **Paul Carey:**

*"On a tour of the control room, **Paul explains that fears expressed by many locals regarding the facility's emissions are unfounded.***

*The Environmental Agency have full visibility of what we do. If we have a problem we're obliged to report it to them, which we do. **We've not had emissions problems at all.***

It only takes a quick glance at MVV Devonport's Compliance Report to show that not to be true.

*"We add in things like baking soda to the boiler and we inject in activated carbon which acts like a flying sponge and soaks up **heavy metals.***

**"They all get caught in a bag house with 2,400 individual filters. So what ends up coming out of the chimney is essentially hot air and hot water and that's why you see a white plume which is water vapour."**

The public's intelligence is repeatedly insulted.

- MVV also made assurances at the ISH for this Proposed Development that they will only burn residual waste, but in the same article:

*"From the bowels of Plymouth's Barne Barton-based incinerator it's possible to survey a cavernous hangar filled with refuse - just four days worth from across the South West; prams, mattresses, carrier bags, old clothes and the rest of the city's unwanted detritus.*

*"Society's throwaways," managing director of MVV Environment Services Ltd Paul Carey says, staring out over a vast sea of technicolour trash.*

**"You stand here long enough you start picking out items - sofas, children's toys. All sorts of things where you think, 'I could have used that, it looks perfectly usable.'**

**"It's amazing what people throw away, it's disappointing in many ways."**

*"Paul adds: "Waste is just another fuel for us."*

Without any front-end recycling for this proposed development the percentage of the 625,000tpa that could be recycled or reused is huge - but to the Applicant waste = money.

*From the raging furnace, only visible through small windows in the facility's core, **the resulting ash is filtered and then shipped out to Holland where it contributes to the country's efforts to prevent flooding.***

- It is not just the public who are aware of the health effects of air pollution and of the danger of uncaptured emissions from incinerators of dioxins, heavy metals and particulates and the link to cancer, respiratory and circulatory disease and even dementia.

**"Public Health England (PHE) has today, Monday 11 March 2019, published a review of evidence on how to improve air quality in the United Kingdom."**

*Air pollution is the biggest environmental threat to health in the UK, with between 28,000 and 36,000 deaths a year attributed to long-term exposure. There is strong evidence that air pollution causes the development of coronary heart disease, stroke, respiratory disease and lung cancer, and exacerbates asthma."*

- *We recommend that at a local level, any new policy or programme of work which affects air pollution should aim to deliver an overall benefit to the public's health.*

- *So transport and urban planners will need to work together, with others involved in air pollution to ensure that new initiatives have a positive impact.*

*Decision makers should carefully design policies, to make sure that the poorest in society are protected against the financial implications of new schemes."*

- Whilst this appears to be aimed at local level, these recommendations must equally apply at national level, and cannot just be inflicted on a community against all local wishes.
- Back in 2018, a report launched in the House of Lords revealed harmful particles released by incinerators in England the previous year were equivalent to the emissions of more than 250,000 lorries travelling 75,000 miles per year. Lib Dem peer Lord Tyler said: **'The Government seems unconcerned about adequately monitoring the emissions from incinerators and has allowed this monitoring loophole to go unchecked.'**

- **Waste Incineration Facilities - Volume 671: debated on Tuesday 11 February 2020 (Hansard)** – A read through this will show a number of MPs who have, or are opposing incinerators in their constituencies and expressed **grave concerns about emissions, failures of monitoring exceeded emissions and how long they have continued, the ineffectiveness of the Environment Agency ...**
- **Jan 2019 the UK government has unveiled its “Clean Air Strategy 2019”** - which aims to cut the costs of air pollution by £1.7bn every year by 2020, rising to £5.3bn every year from 2030. Environment Secretary Michael Gove said: *“The evidence is clear. While air quality has improved significantly in recent years, **air pollution continues to shorten lives, harm our children and reduce quality of life.** We must take strong, urgent action”*

The government introduced [its Clean Air Strategy in 2019](#) In 2021 EFRA said The Clean [Air Strategy](#) relies too much on local authorities, delegating most responsibility for delivering air quality improvements to them without providing sufficient resources to deliver the plans.

- **In February 2021, the Environment, Food and Rural Affairs (EFRA) Committee** warned that air pollution is the largest environmental risk to UK public health and is linked to as many as 64,000 early deaths a year. The government should amend the Environment Bill to include targets for lower concentrations of air pollutant PM2.5 particles in order to protect people from its devastating health impacts,
- **Thu 16 Dec 2021 - The All Parliamentary Group on Air Pollution** called for a Moratorium on all new incinerators in the UK in 2021, based on evidence given to them on the risk to human health and farming from incinerators. **The report concludes that ultrafine particles released by incineration at scale constitute a significant health hazard.**
- Research shows that the PM2.5 emitted by incinerators can penetrate deep into our lungs and impair lung function. The taskforce for lung health has stated that “exposure to PM2.5 can cause illnesses like asthma, COPD, coronary heart disease, stroke, and lung cancer”.
- The World Health Organisation indicates that there is no such thing as a safe level of particulate matter in our air, and that is echoed on the DEFRA website.

**Something with no safe level cannot be “mitigated” out like an airbrush.**

- **Even PHE in their comment for Boston’s proposed facility said - “Overall, whilst residual effects on air quality may be considered ‘non significant’ in planning terms if air quality standards are met, **there is no threshold for health effects related to nitrogen dioxide and particulate matter.**”**
  - **Yet something that has no threshold for health effects has been “mitigated” or minimised out of significance in this Planning Application by the same organisation.**
  - **To keep looking the other way and ignore their existence with incinerators is gross negligence, wilful neglect of a public duty, and misconduct in public office.**
  - **Chris Whitty, Chief Medical Officer (CMO) for England, published his annual report on 8 December 2022,** focusing on air pollution. *Air pollution is the largest environmental risk to public health in the UK and can affect us all throughout our lives. In England, air pollution is estimated to contribute towards between 26,000 and 38,000 deaths per year and many people suffer avoidable long-term health issues because of it. **Air pollution can affect the health of different population groups including children, pregnant women and people with underlying health conditions, such as respiratory and cardiovascular disease. There are also disparities in people’s exposure to air pollution, which can be higher for those living in areas of greater deprivation, near heavy traffic and some indoor air pollution can be linked to housing quality.***
- **There are endless studies around incinerators that show modern incinerators DO damage public health.**

## Breaches the Equality Act 2010 - pregnancy & maternity.

### Scientific studies show there is a significant potential for serious health impacts discriminating against women, babies and young children.

- Peer-reviewed studies in reputable scientific journals show an increase in cancer, particularly amongst women, and birth defects in children. They are from modern incinerators in countries that are subject to the Waste Incineration Directive.

In 2011 a peer-reviewed scientific study of a community living around a modern Italian incinerator found: *“The internal analysis of the cohort based on dispersion modelling found excesses of mortality for some cancer types in the highest exposure categories, especially women.”*

Most studies check health data in administrative areas. This study is significant in that it separately checked the population just in the area affected by the emission plume before comparing it to the wider area. In the affected area it found that there was an increase in colon, liver and breast cancer. In the wider administrative area this wasn't shown.

- **This suggests that the many studies that conclude there are no health impacts, that use health data from the larger administrative areas, are flawed since they are diluting the results.**
- Another study (2010) of health effects on babies born after the Waste Incineration Directive came into force, concluded: *“This study confirms our previous observation of a link between the **risk of urinary tract birth defects** and exposure to municipal solid waste incineration emissions in early pregnancy...”*
- **2020 - Biomonitoring of Metals in Children Living in an Urban Area and Close to Waste Incinerators** - Ruggero Ridolfi, an oncologist with more than 40 years of clinical experience, found the presence of **23 heavy metals in toenails of 236 children** aged 6-9 years residing in the municipality of Forlì, Italy, and highlighted the link with acute childhood leukaemia. He could correlate with the presence of these metals in the environment and for a prolonged exposure. The consumption of local vegetables was at the limits of significance also for Cadmium.
- Another peer-reviewed scientific paper by Franchini (**2004**) was a literature review: *“Several studies have demonstrated that old but also new incinerators can contribute to the contamination of local soil and vegetation by organic and inorganic compounds present in variable quantities in fly ash and flue gases released from the plants.”*
- **Zero Waste Europe released an in-depth study on a waste incineration plant in the Netherlands**, revealing how even state-of-the-art incinerators emit dangerous pollutants far beyond EU toxic emissions limits. The study found, for example, that eggs laid by chickens in people's backyards within a 2 km radius showed **dioxin and furan contamination exceeding the limits for safe consumption**. We know that, as a result, the developing lungs of children can be irreparably damaged and have their function restricted, making illnesses such as asthma and respiratory disease worse.
- A 2022 study by a team from the University of Aberdeen and Hasselt University, Belgium, found that **unborn babies have air pollution particles in their developing lungs, livers, and brains of the aborted fetuses**, as early as the first trimester of pregnancy, when key organ development occurs. The team found evidence of “black carbon particles” – also known as soot particles – in umbilical cord blood, which shows that the particles can cross the placenta. According to the researchers, **the level of particles found was linked to the amount of air pollution the mother was exposed to during pregnancy**.
- Even Prof Jim Bridges, who was known for selling his ‘expertise’ to support waste incinerators, admitted 10 years ago that dioxins were found in eggs and cows milk, which in itself proves dioxins not only bioaccumulate in a mother's body but are passed on to newborns, be that chickens, cows or humans.



This also has a substantial differential impact through age, particularly with young children who survive pregnancy.

There are other studies that reach similar conclusions in addition to these.

→ **But it's not just more recent studies, serious red flags were raised long ago, they were not followed up or expanded on by the HPA/PHE but ignored:**

● **1998 - Migration patterns of children with cancer in Britain**

**Objectives:** To investigate the early migration patterns of children who later developed cancer. To test a prior hypothesis that some cancers are initiated by early exposures to toxic atmospheric pollutants from point sources.

**Setting and subjects:** Records of 22,458 children dying from leukaemia or other cancer under the age of 16 years in Great Britain between 1953 and 1980: including 9224 who moved house between birth and death. The migration analysis was based upon birth and death addresses, converted first to postcodes and thence to map coordinates. The geographical locations of potentially toxic industrial sites were obtained through direct map searches and from commercial directories.

**Results:** Systematic asymmetries were found between measured distances from birth and death addresses to **sources emitting volatile organic compounds, or using large scale combustion processes.** The children had more often moved away from these hazards than towards them. Many of the sources had already been identified as hazardous using other methods. There was also a birth association with areas of dense habitation; possibly because of unidentified toxic sources contained within them. All forms of cancer were involved although some effluents were associated preferentially with specific types.

**Conclusions:** The main findings of an earlier study, based upon a different and independent method, were confirmed. **Proximities to several types of industrial source, around the time of birth, were followed by a raised risk of childhood cancer. Combustion products and volatile organic compounds were especially implicated.** Within the 16 year limit of the study, the increased risk did not decay with advancing age. **Low atmospheric concentrations of many carcinogenic substances suggest that the mother acts as a cumulative filter and passes them to the fetus across the placenta or in breast milk.**

● **1996 - Cancer incidence near municipal solid waste incinerators in Great Britain**

**Abstract**

By use of the postcoded database held by the Small Area Health Statistic Unit, cancer incidence of over 14 million people living near 72 municipal solid waste incinerators in Great Britain was examined from **1974-86 (England), 1974-84 (Wales) and 1975-87 (Scotland).** Numbers of observed cases were compared with expected numbers calculated from national rates (regionally adjusted) after stratification by a deprivation index based on 1981 census small area statistics. Observed-expected ratios were tested for decline in risk with distance up to 7.5 km. The study was conducted in two stages: the first involved a stratified random sample of 20 incinerators; the second the remaining 52 incinerators. **Over the two stages of the study was a statistically significant ( $P < 0.05$ ) decline in risk with distance from incinerators for all cancers combined, stomach, colorectal, liver and lung cancer.** Among these cancers in the second stage, the excess from 0 to 1 km ranged from 37% for liver cancer (0.95 excess cases 10(-5) per year to 5% for colorectal cancer. There was evidence of residual confounding near the incinerators, which seems to be a likely explanation of the finding for all cancers, stomach and lung, and also to explain at least part of the excess of liver cancer. For this reason and because of a substantial level of misdiagnosis (mainly secondary tumours) found among registrations and death certificates for liver cancer, **further investigation, including histological review of the cases, is to be done to help determine whether or not there is an increase in primary liver cancer in the vicinity of incinerators.**

- There are many current and past papers on the health effects of incineration. Many conclude no health effects, others are inconclusive, some show increased disease and cancer. **The need for further research is almost always repeated.**

→ **In November 2000**, after pressure from Hilary Benn, Labour MP for Leeds Central, and Crispin Blunt, Conservative MP for Reigate, **Paul Leinster, director of environment protection at the Environment Agency, admitted** to MPs during the Commons environment sub-committee investigating waste strategy, **that it had no idea how dangerous Britain's new generation of incinerators will be to public health.**

Leinster told Crispin Blunt: "**We are really at only an early stage at finding out how public health will be affected by the building of incinerators.**"

Entech, **a private consultancy employed by the EA had made a major error** on the number of the number of deaths and hospital admissions that would be caused by emissions from incinerators, and figures of 88 deaths and 168 hospital admissions every year were not accurate.

No new figures were available then, and over 20 years later, no new figures have been provided.

- **At the very least this is gross negligence, wilful neglect of a public duty, and misconduct in public office.**
- **Yet the public were, and continue to be told, that operating permits are only issued by the EA if incinerators are safe.**
- **The public have a watchdog, who by design, remains ignorant of incinerator health risks.**
- **In 2004, however, the UK's Health Protection Agency (HPA) recommended no further research be done.** They stated modern well-run incinerators were safe, but their paper did not study health effects around modern incinerators. It also had to be rewritten because of severe criticism from the Royal Society, Britain's most eminent scientific body. The World Health Organisation (2007) disagreed with the HPA, and concluded research is needed.
- A Freedom of Information request showed that in **2006-2007** English incinerators broke the law almost 1400 times. But that did not stop the HPA keep on repeating:
 

*"Incinerators that are well run and regulated do not pose a threat to public health"*
- In 2009 **DEFRA found "no evidence for a link between the incidence of disease and the current generation of Incinerators"**. The 2009 report was criticised by the Royal Society, who said its findings were uncertain.
- **"The HPA was forced to admit in Parliament in 2009 that it had done no studies around incinerators. It even recommended that none be undertaken"** (Hansard)

**The evidence the HPA had been using was based on opinion of estimates provided by a company working for the incinerator industry.**

- Despite this admission from McKracken, and ignoring incinerator breeches, the HPA carried on repeating the false claim:

*"The Health Protection Agency is an independent statutory government organisation whose role is to provide expert advice on public health matters to Government, stakeholders and the public. It reviewed the latest scientific evidence on the health effects of modern incinerators and concluded in its position paper dated February 2010 that any potential damage from modern, well run and regulated incinerators is likely to be so small that it would be undetectable."*

Presumably attempting to rely on: If you repeat any lie enough times and for long enough, people will accept it as fact.

- **Again, at the very least this is gross negligence, wilful neglect of a public duty, and misconduct in public office.**

→ In a letter to a member of public, **dated June 8, 2009, Justin McCracken, chief executive of the Health Protection Agency**, wrote the following:

*"Furthermore, the reason we have not studied the 'rates of illness or premature deaths at electoral ward level around any incinerator' is that the number of people around an incinerator is too small to detect whether or not the incinerator is having an impact on health."*

- The 1998 - Migration patterns of children with cancer in Britain a decade earlier had not found that to be the case nor the 1996 - Cancer incidence near municipal solid waste incinerators in Great Britain Nor the later studies of infant deaths around 63 incinerators in Japan, and 27 incinerators in Italy found elevated rates of infant deaths - exactly what we have here in the UK.

→ In January 2012 the HPA revealed to the media they were in discussions about a potential upcoming study into whether emissions from incinerators contribute to birth defects.

**"An HPA spokesman said: "The HPA's position is that well run and regulated modern municipal waste incinerators are not a significant risk to public health.**

However, we recognise that there are real public concerns about this issue and **will take every possible step to reassure people that the position is as we have outlined.**

HPA also continually seeks to review and extend the evidence base on which it bases its advice. For these reasons we are in discussions with researchers at Imperial College London about a potential study into birth outcomes around municipal waste incinerators and a detailed proposal for what would be a complex study is being drawn up."

- These discussions had first been reported at the beginning of May 2011.

*"A spokesman from Imperial told the paper: "Scientists from Imperial are currently in discussions with the HPA over a possible national study of municipal solid waste incinerators."*

An HPA spokesperson said: *"As modern municipal waste incinerators have not been operating for very long, a study of birth outcomes is considered appropriate as the critical exposure period would be during the nine months of pregnancy."*

He said the HPA believed modern incinerators did not pose a serious risk to health. But he added: *"We recognise that there are real public concerns about this issue and will take every possible step to reassure people that the position is as we have outlined."*

→ To follow their existing position statement with: ***"and will take every possible step to reassure people that the position is as we have outlined"*** is effectively stating the outcome to be a **foregone conclusion**.

- This statement was also on the HPA website, but rapidly changed when the admission was realised, along with the vast majority of online media publications.
- Critics rightly argued that the remit of the study did not go far enough and that any study should consider issues including heart disease, asthma and cancers caused by released particles as well as birth outcomes including defects and mortality rates, which had already been proposed.
- The HPA were able to ensure the outcome of their one and only study because **they studied the large, relatively harmless PM10 particles**, which tend to get capture by the filters because of their size, not the medically important PM 2.5s, which are typically unmonitored.
- Unsurprisingly:

*"The models show that MWIs added very little to the existing background levels of PM10 at ground level"*

*“Using these models, the team then investigated potential links between concentrations of PM10 emitted by MWIs and any increased risk of adverse birth outcomes.”*

*“They found no association between birth defects and the modelled concentrations of PM10 emitted by MWIs”*

→ And by studying the PM10s it allowed **Professor Anna Hansell, who originally led the work while at Imperial College London, to predictably say:**

**“Taken together, this large body of work reinforces the current advice from Public Health England - that while it’s not possible to rule out all impacts on public health, modern and well-regulated incinerators are likely to have a very small, or even undetectable, impact on people living nearby.”**

*“The researchers highlight that their findings are limited by a number of factors. Also, they did not have measurements (for the hundreds of thousands of individual births considered) of metals or chemical compounds such as polychlorinated biphenyls (PCBs) and dioxins, but used PM10 concentrations as a proxy for exposure to MWI emissions - as has been used in other incinerator studies.”*

And, after the HPA/PHE managed to drag it out for years, rather typical of almost every study,:

**“They add that ongoing review of evidence is needed to explore links further, as well as ongoing surveillance of incinerators in the UK to monitor any potential long-term impacts on public health.”**

However, the original lead for the HPA’s study **Professor** Anna Hansell, focuses on PM2.5s:

*WHO’s annual average guidelines of PM2.5 is ten micrograms per cubic meter (10 µg/m<sup>3</sup>, the current EU air quality limits for PM2.5 is 25 micrograms per cubic meter (25 µg/m<sup>3</sup>), which is higher than the levels researchers have recently noted as being linked to reduced lung function, and who showed that each annual increase of 5 µgm<sup>-3</sup> [PM2.5](#) particulates in air was comparable to two years of ageing.*

*These investigations allowed her to identify that in populations who live in areas where PM2.5 levels are above the maximum levels recommended by the World Health Organisation, COPD is four times higher than in people who experience passive smoking.*

- By their own accidental admission **the HPA/PHA appears to have designed a study to get the results they wanted in order to continue a position which purports lack of evidence as evidence of lack of risk.**
- This projects a sense of certainty about something when even the conclusion their own study shows uncertainty.
- To conclude as they have in the light of such well known and clear evidence-based\_harm just from PM2.5s alone, (totally ignoring those which will clearly increase from the single point convergence of HGVs), and instead rely on a flawed ‘study’ which made it clear had a pre-determined outcome .... **the UKHSA must be considered negligent in their duties.**
- FOIs of communications between counties’ Directors of Public Health and the HPA/PHE regarding incinerators have previously shown they are informed exactly what to say by The Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment - and it is **all based on PM10s**, which are far, far larger and heavier particles and therefore more able to be captured - thereby emissions of PM10s can be more easily dismissed as ‘insignificant’ or ‘negligible.’ **PM2.5s or less**, which are known to have a much greater impact on health, are ignored.
- This is an insult to peoples’ intelligence

- This brings into question whether **the public, the Inspector, and the Secretary of State, is being** provided with evidence-based professional, scientific expertise, the best scientific advice, or whether they are being misled?
- To ensure that is not the case with this proposed development **I ask that the Inspector**, on behalf of the Secretary of State, **requests from UKHSA the actual “evidence-based professional, scientific expertise and support” they relied on to conclude their position for the proposed development**, because it would not just be a dereliction of duty if it were again based on PM10s, not PM2.5s or less, but deliberately inept to the point of gross negligence, and amounts to **misconduct in public office**.

## → **Health - Discrimination - The Environment Agency**

Planning and public alike are led to believe the **Environment Agency** is operating on their behalf, and on behalf of the environment - that is certainly the impression given on its website:

*“We were established in 1996 to protect and improve the environment.*

*We work to create better places for people and wildlife, and support sustainable development.”*

- However, at a meeting about flood protection in King’s Lynn in 2013 an EA employee giving the talk proudly said:

***“The corporate mission of the Environment Agency is to deliver the government’s growth objectives.”***

- I repeated this back to him and asked if I had heard him correctly – yes, I had. I then asked:

***‘If the government wanted to allow an EfW incinerator to be built, like the one in King’s Lynn, but the EA knew it was unsafe, would they just keep quiet and let it go ahead?’***

***“Yes.”*** he said, very sheepishly.

This shocking admission was made in front of a large roomful of people, which included the sitting Conservative MP Henry Bellingham, who didn’t bat an eyelid.

- There is a clear conflict of interests in the role of the Environment Agency, **which discriminates against the population at large**, who are led to believe their interests are being served.

This conflict of interests and gagging orders were exposed way back in 2001/2 by Alan Dalton, a former member of the Environment Agency Board, over the toxic ash from the Byker incinerator, Newcastle.

Gagging of EA employees has been exposed again more recently over the funding cuts, lack of water pollution monitoring, ever-increasing self-monitoring, as well as all perceived EA roles and responsibilities ....

Environmental permits are guaranteed because the figures supplied by the Applicant for this Proposed Development are mitigated **to a figure that by the EA’s own admission is based on what is technically achievable rather on what is safe**.

- IBA was a large, problematic by-product of the incineration process, and so it was allowed to be ‘green-washed’ and now in is ‘landfilled’ out of the way beneath roads and car parks.
- **IBA aggregates and metals are classed as being recycled when such a process amounts to recovery, not recycling**. Why is the EA allowing this incorrect use of terminology, to be repeatedly used by the applicant.

- In the recovery process, **before IBA is deemed suitable, it is supposed to be sampled and measured to ensure that it is non-hazardous and compliant under the European Waste Code 19 01 12.**
- The Applicant makes no mention of this but it is not overseen by the EA, it appears to be left to 'others' to test who would be required to make much stricter controls for disposal if it failed testing and classed as hazardous – where is the disincentive not to cut corners? Where is the safeguard?
- The recovery of metals after burning appears to be considered a 'plus point' yet burning not only lessens the value through contamination but creates serious emissions on their own and through a synergistic effect. **Thousands of tonnes of aluminium are burnt needlessly, creating a known neurotoxin** – yet neither the HPA/PHE/UKHSA or the EA highlight this for the harm to human health the incineration causes where there was none before.
- It is common knowledge, **of which judicial notice may be taken**, that EfW incinerators frequently breach their emission levels, that emissions of the most harmful PM 2.5s and below are not continuously measured, that the synergistic effects of burning ... have not been researched, and the EA fails in its purpose to protect and improve the environment.
- Where there is doubt about the evidence presented by those who say this Planning Application presents no harm to human or environmental health, against those who claim the contrary, it must be accepted that the arguments for or against incineration are uncertain.
- The reliability of the information being given to the Inspector and Secretary of State by the HPA/PHE/UKHSA and the EA regarding this Planning Application is highly questionable and not underwritten by science.
- **To rely on this perpetuates the soundness and dependability of one side of the argument, which discriminates against the other**
- **Judicial Notice cannot be taken of either the HPA/PHE/UKHSA or the Environment Agency position on this Proposed Development**
- **They should be held accountable for their actions and inactions, which amount to gross negligence and wilful neglect of a public duty. The abuse of the public's trust constitutes misconduct in public office.**

There is no robust evidence showing **"locational implications"** around health concerns have been considered, to acknowledge that this Proposed Development may have a bigger health impact on this particular community, with higher than national average health issues, than others.

**There is good reason to believe that harmful effects may occur as a result of this Proposed Development.**

**With no robust evidence as to why this Proposed Development should be sited in this location should not benefit from a Development Consent Order.**