

File Name: ISH7 - 27 June 2023_Part 1

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FULL TRANSCRIPT (with timecode)

00:00:05:13 - 00:00:10:22

Good morning, everyone. Can I just clarify that? Everyone can hear me clearly, please?

00:00:13:03 - 00:00:16:12

Yep. Yes, I can hear you, Mr. Pinto.

00:00:17:08 - 00:00:25:11

Thank you. Thank you very much. Um, can I also confirm with Stuart is that live streaming and recording of this event has commenced?

00:00:26:07 - 00:00:27:14

Yes. Yes, it has.

00:00:28:20 - 00:01:13:12

Thank you. Thank you very much. For those people watching the live stream can also advise that should we at any point adjourn proceedings this morning? We'll have to stop the live stream in order to give us clear recordings files. As a result, it point at which we recommend to meeting and restart the live stream. You may need to refresh your browser page to view the restarted stream. I will remind you of this again should we need to adjourn? It is now 10:00 and it's time for this hearing to begin. I would like to welcome you all to this issue. Specific Hearing seven on environmental matters in relation to an application made by met with limited who will refer to as the applicant for an order granting development consent for the met with energy from waste combined Heat and Power facility.

00:01:14:10 - 00:01:56:06

The development proposed comprises the construction operation and maintenance of the energy from waste combined heating power facility with associated grid connection, CHP connection, water connections, access improvements and temporary construction compound. Thank you all for attending this hearing. My name is Andre Pinto. I am a charter town planner employed by the Planning Inspectorate and I have been appointed by the Secretary of State for levelling up housing and communities to be the lead member of the panel to examine this application. Clemmensen and I together constitute the examining authority and will be reporting to the Secretary of State for Energy Security and zero with the recommendation as to why the development consent order should be made.

00:01:56:23 - 00:02:26:26

The case manager for this project is Tracy Williams. Tracy is being supported today by Atila and Phoebe Charles. If you have any queries about the examination process or the technology we are using for virtual events, this should be your first point of contact. The contact details can be found at the top of any letter you have received from us or the project page of National Infrastructure website. I will now deal with a few housekeeping matters.

00:02:26:28 - 00:03:02:19

Uh, today is a virtual event being held on the Microsoft teams platform for those people observing or participating through teams in order to minimize background noise. Can you please make sure that you send muted unless you are speaking, if you are participating virtually and you wish to speak at relevant point in proceedings, please use the hand up function. Please be patient as we may not get you immediately, but we will invite you to speak at the appropriate time. I will also like to remind

people that the chat function on Microsoft's team has been deactivated, so please don't try and use this at any point.

00:03:02:21 - 00:03:37:20

If you don't manage to ask your questions or raise your points at relevant time, there will be an opportunity at the end of the meeting to raise this under agenda item. Any other business? If I don't think that we have anyone on the telephone today, but if we do, you should clearly state your name if you wish to make a comment. Once you have indicated that you wish to speak, please wait to be invited before making your contribution. Please speak loudly and clearly, especially for those on the telephone. We'll seek to allocate sufficient time to each issue to allow its proper consideration.

00:03:37:22 - 00:04:17:24

We propose that today will be splitting three sessions each approximately an hour and a half to two hours. At completion of the session at around 1130, we would have a break of approximately approximately half an hour before resuming at 12:00 and continuing until 130. The final session will of the day will then take place between 230 and until 4:00. Subject to topics being covered, we will, however, be flexible about these timings and considering that there are only two topics to cover in today's agenda, and it is anticipated that we might be able to flex on these timings.

00:04:18:25 - 00:04:38:15

We are conducting this event virtually rather than a physical, face to face event and dynamics will be different for those participating and observing. But is something that you may see me look away from the camera and not looking directly at speaker. This is because I may be writing notes or looking at other material on screens, but will be paying close attention to what is happening.

00:04:40:04 - 00:04:44:19

Thank you very much. Um, any questions on any of the above?

00:04:48:02 - 00:05:22:06

I don't see any hand raised. So I propose that I continue in addition to the live stream recording of today's meeting will be made available on demand with energy from Waste combined Heat and Power Facilities section of the National Infrastructure Planning website as soon as practicable after the meeting has finished. With this in mind, please ensure that you speak clearly into a microphone stating your name and who you are representing each time before you speak. If you are attending virtually and do not want your image to be recorded, please turn off your camera. Because digital recordings that we make are retained and published.

00:05:22:08 - 00:05:56:16

They form a public record that can contain your personal information into which the general data protection regulations apply. Only in the rarest of circumstances might we ask you to provide personal information of the type that most of us would prefer to keep private or confidential? Therefore, for the public record to avoid the need to edit digital recordings, please try your best not to add information to the public records that you would wish to keep private or that it is confidential. If you feel that personal information is necessary, please provide this in written document that we can redact before publication.

00:05:56:28 - 00:06:27:07

The planning inspector's practice is to retain and publish recordings for a period of five years from Secretary of State's decision. A link to the planning Inspectorate's Privacy Notice was provided in Rule six letter. I assume that everybody here today has familiarize themselves with this document which which establishes how the personal data of our customers is handled in accordance with the principles set out in the data protection laws. Please speak to the case team if you have any questions about this. This meeting.

00:06:27:09 - 00:06:39:23

This meeting will follow the agenda as published on the 19th of June 2023, and it would be helpful if you have a copy in front of you. Can I just ask if there is anyone on the call today that do not have access to an agenda?

00:06:45:05 - 00:07:20:02

I don't see any hands raised. So assume that everyone has access to an agenda. And to briefly summarize, we will be discussing on item one welcoming introductions. Item two will be covering the purpose of this issue specific hearing. Item three will cover waste issues. Item four will cover cumulative effects. Item five is review of issues and actions arising. Item six any other business and item seven is closure of the hearing. We will conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to.

00:07:20:20 - 00:07:49:26

But if the discussion can't be concluded, then it might be necessary for us to prioritize matters and to defer other matters through written questions. Likewise, if you cannot answer the questions being asked or require time to gather information requested, then please get can you just indicate that that you need to respond in writing and we will advise you when it would be best to submit your response or issue in writing to us. Thank you very much. Does anyone have any queries on what I have just set out?

00:07:55:00 - 00:08:25:09

I don't see any hands raised, so I'll move on to introductions. I'm going to ask now those of you who are participating in today's meeting to introduce yourselves when state your organization's name, could you please introduce yourself stating your name, who you are representing, in which agenda item you wish to speak on. If you are not representing an organization, please confirm your name. Summarize your interest in the application and confirm the agenda item in which you wish to speak in. Please could you also state how you wish to be addressed in Mr..

00:08:25:24 - 00:08:32:07

Mrs.. Ms. or Ms. and I would like to start with the applicant, please.

00:08:35:17 - 00:08:46:05

Good morning, sir. My name is Claire Broderick. I'm a legal director at Pinsent Masons LLP Solicitors for the Applicant. I'll now let the rest of the applicant's team introduce themselves. Thank you.

00:08:46:17 - 00:08:47:10

Thank you. Thank you.

00:08:49:23 - 00:08:57:24

Good morning, sir. My name is Gary McGovern. I'm a partner with Pinsent Masons Solicitors for the Applicant. You may refer to me as Mr. McGovern. Thank you.

00:08:58:13 - 00:08:59:09

Thank you. Thank you.

00:09:00:04 - 00:09:09:28

Good morning, sir. My name's Tim Marks. I'm head of planning at Environment Limited, representing the applicant. And you can refer to me as Mr. Marks. Thank you.

00:09:11:22 - 00:09:21:01

Good morning. My name is Paul Carey. I'm the managing director of Environment Limited and of the applicant. And you may refer to me as Mr. Carey.

00:09:21:03 - 00:09:22:20

Thank you. Thank you.

00:09:25:09 - 00:09:29:04

Good morning. My name is David Kenyon. I'm a technical director,

00:09:30:27 - 00:09:35:08

town planning consultant, and you can refer to me as Mr. Kenyon. Thank you.

00:09:37:13 - 00:09:46:15

Good morning, sir. My name is Mike Turner. I'm also a managing director of Environment Limited and the applicant. And you can refer to me as Mr. Turner.

00:09:47:17 - 00:09:48:05

Thank you.

00:09:51:06 - 00:10:07:00

Good morning, sir. My name is Claire Brown. I'm technical director at. Acting on behalf of the applicant in respect of agenda item three on Waste Matters. And I'd like you to refer to me as Mrs. Brown, please. Thank you.

00:10:07:02 - 00:10:07:24

Thank you. Thank you.

00:10:13:26 - 00:10:26:11

Uh, good morning, sir. My name is Patrick Hoyle, principal consultant for acoustics, noise and vibration for. I will be talking on behalf of the applicant with regards to technical issues for noise and vibration.

00:10:27:19 - 00:10:32:13

Thank you very much. And could you confirm if we can refer to you to Mr.. As Mr. Hoyle.

00:10:32:25 - 00:10:35:29

Please refer to me as Mr. Hoyle. Thank you. Thank you.

00:10:37:07 - 00:10:38:24

I'm Ben Warren, technical.

00:10:38:26 - 00:10:47:27

Director at WSP, covering air quality issues in relation to 0.4 Think cumulative effects. Um, and you can refer to me as Mr. Warren.

00:10:49:22 - 00:10:50:10

Thank you.

00:10:52:09 - 00:11:07:12

Good morning. My name's Neil Furber. Landscape Architect at UK acting for the appellant and I will be speaking if required to item four cumulative and can be referred to as Mr. Furber.

00:11:08:18 - 00:11:09:06

Thank you.

00:11:11:25 - 00:11:15:09

Clever trick the applicant. That concludes the applicants team for today's hearing.

00:11:15:11 - 00:11:24:04

Thank you. Thank you, Mr. Moderator. Can I ask now, please? Can we chair County Council to introduce themselves?

00:11:24:22 - 00:11:44:17

Yes. Good morning, sir. Andrew Fraser Urquhart, King's counsel for Cambridgeshire County Council and also Fenland District Council, which we refer to collectively as the councils. I have 1 or 2 additional officers who I will bring in and introduce, if I may. At the time they're called forward to speak. Thank you.

00:11:52:19 - 00:11:59:26

And now. You can ask representatives from Wisbech Town Council to introduce themselves, please.

00:12:01:13 - 00:12:13:13

Good morning, sir. My name is Emma Barnett. I'm here to speak on behalf of Wisbech Town Council on Agenda item three, and you may refer to me as Miss Barnet. Thank you.

00:12:19:28 - 00:12:26:01

Are there any other representatives from the local authorities and the parish councils that have not caught so far?

00:12:30:08 - 00:12:38:00

I don't see any hands raised. So I would now like to also invite Winn to introduce themselves, please.

00:12:40:02 - 00:13:00:28

Thank you, sir. Good morning. My name is Mr. Shlomo Dhawan, and I'm the national coordinator of Win here today to speak to item three Waste Issues. And I am Mr. Josh Derwin also from Win and will also pick your pick in on item three waste issues if necessary.

00:13:02:01 - 00:13:03:00

Thank you very much.

00:13:06:06 - 00:13:06:24

Thank you.

00:13:08:17 - 00:13:14:02

And I believe that we have with us some other interested parties, Mrs. Perryman.

00:13:19:23 - 00:13:27:25

Good morning, sir. My name is Jenny Perryman. I'm an interested party, and I can be referred to as Ms.. Perryman.

00:13:28:28 - 00:13:30:05

Thank you very much, Mr. Perriman.

00:13:34:29 - 00:13:39:29

And believe that We also have Valerie McCray with us.

00:13:43:18 - 00:13:50:22

Good morning, sir. My name is Valerie McRae. I'm interested party. And I'm just observing.

00:13:51:07 - 00:13:53:17

Oh, okay. Thank you very much. It's great.

00:13:58:07 - 00:14:01:04

And Diana Mortimer.

00:14:22:14 - 00:14:35:12

Good morning, Mr. Mayor. I believe I believe that you are with us. I can see you that you have dialed in. Can I just ask you to introduce yourself if you possibly can confirm your attendance in the interest?

00:14:40:19 - 00:15:00:27

I don't believe that. I don't believe that Mrs. Matthew is now able to do that. So I've reached the, um. I don't think that I have any other declared interest interested party in participating today. Can I just check if there is anyone that have not called out today that wishes to speak?

00:15:05:27 - 00:15:13:03

I don't see any hands raised, so I'll move on then to item two of the agenda, which is the purpose of the issue specific hearing.

00:15:14:26 - 00:15:46:25

So the purpose of this specific hearing is to undertake the examination of your mental matters, particularly in relation to waste issues and cumulative effects. As previously mentioned, an agenda for this meeting was published on the 19th of June of 2023. Today's hearing will be a structured discussion led by the Examining Authority. Please be sure that we are familiar with what you have already submitted to us so you don't have to repeat in length anything that you've already put to us in writing. Submissions carry equal weight regardless of the format in which they are put forward to us.

00:15:48:02 - 00:16:20:24

If you do refer to any documents this morning, it would be helpful if you could give us the correct examination library reference number. Please do try to avoid using any acronyms as people who might be watching or in the room might not be as familiar with those terms as you are. There are a number of documents included in the agenda for this item, which I may be referring to. I will confirm references from the deadline five documents that were not available when the agenda was issued, but I do not propose to go through the entire list of those references now.

00:16:20:26 - 00:16:25:24

But can everyone confirm to me that they are in agreement with the list included?

00:16:34:28 - 00:17:20:22

I don't see any disagreement, so I'll move us on then to this specific discussion item, which will be item three Waste Matters. The purpose of this item is to examine issues linked with waste, principally the waste fuel availability assessment, which will be referring to as Wafa in which is read 5020 and then tract version which is read five zero 19 which underpins the need for development, including waste of variability, composition and compliance with waste hierarchy and examine if the development proposal is of an appropriate type in scale so as to not prejudice to achievement of local or national waste management targets.

00:17:21:25 - 00:17:58:17

As I've mentioned before, I don't propose to go through the lists of the documents in detail, but we'll actually confirm the documents that relate to deadline five. And so that would be Cambridgeshire County Council and Fenland District Council. Deadline five Comments on any further information submissions by deadline for which is Web 5043. Applicants. Comments on the deadline for Submissions Part one Statutory parties, which is Web 503 for waste fuel availability assessment, which is web five oh 20 And my question, which is web five on ten.

00:17:58:27 - 00:18:35:00

Cambridgeshire County Council and Fenland District Council response to the two questions, which is Web 5045 the applicant's response to the Excite two questions, which is Web two zero Rep five Apologies rep 5032 Wisbech Town Council responses to execute two which is web 5054. And also we have recently published the environmental Agency response to AQ2 as well, which is web 5055.

00:18:37:06 - 00:18:40:26

And are there any comments that anyone would like to make on this list?

00:18:46:07 - 00:19:12:09

I don't see any hands raised. So I propose that I move on with my first question then, which is directed at the applicant. So can the applicant please provide an update on the latest version of the West fuel availability assessment and how to propose to waste Combustion generating station is in accordance with the West Iraqi the proximity principle and of an appropriate type and scale so as to not prejudice the achievement of local or national waste management targets.

00:19:16:06 - 00:19:50:16

Yes, sir. Claire Brown for the applicants. Um, certainly in terms of the updated fuel availability assessment, which the reference you've already given at five zero 19, the track version zero 20 the clean version. Um, this updated version remains a very conservative assessment and remains an assessment that is fundamentally focused on the availability of suitable residual waste that's currently managed at the very bottom of the waste hierarchy so that that's currently landfilled.

00:19:50:18 - 00:20:21:09

And it remains an assessment that's split into two parts. We've got the regional localised assessment based upon a defined study area and then we have a national based assessment in terms of what's changed between this current iteration of the fuel availability assessment and the previous versions and the key things for both the national and the local assessments are that this latest version has been updated to reflect the very latest baseline data.

00:20:21:18 - 00:20:50:28

So that's most notably data that was published in May of this year by DEFRA in terms of local authority collected waste for 2021 and 2022, and also data that's been published by the Organisation on Energy from Waste Statistics for 2022. Both sets of data which I've said were published in May. So the assessment has been updated to reflect that very latest data.

00:20:52:15 - 00:21:26:18

In addition for the local assessment, there's been further refinements to the study area. For example, through discussion with interested parties and other consultees, we are now excluding Milton Keynes in this funded study area. We've updated the waste local plan evidence bases which are used by the fuel availability assessment to predict future waste needs and are relied upon by the the assessment for future waste needs.

00:21:27:05 - 00:22:04:28

And also we've made clear in the fuel availability assessment where we're relying either on where that policy is extant, um, fully adopted, fully tested policy or where that policy is. Um, and the evidence base of that waste local plan level are emerging, if you like, and allied to that where we on the applicant side have made interpretation and commentary against those emerging evidence bases, we've sought to make that clear in the updated fuel availability assessment as well.

00:22:06:27 - 00:22:35:02

For the national assessment. The change of the key changes are that this is now an England focused assessment, um being carried out to more closely align with the proximity principle and to reflect the basis of the vast majority of waste management policy, um, a national waste management policy against which this development is being assessed.

00:22:36:28 - 00:22:56:06

Importantly, the national assessment has also sought to fully reflect the Government's targets for residual waste, which was set out in the 2023 Environmental Improvement Plan, a plan that was published.

00:22:57:25 - 00:23:34:10

After our our first version of the fuel availability assessment was was produced. So we have two targets here that we've sought to reflect in in the assessment. We have an interim target known as Target two, which is a 2028 target where the government are seeking to reduce the total level of residual waste being produced to a level not exceeding 25.5 million tonnes.

00:23:34:12 - 00:24:05:12

So that's the first target we've looked at and how our assessment and how our development can comply with that. And the second target which we've sought to incorporate in the updated assessment, has been the ultimate achievement of the Government's 2042 targets of halving residual waste produced per person and finally, in terms of the national assessment and what changes the updated assessment has reflected.

00:24:06:03 - 00:24:36:06

We have included consideration of what we're terming coincidence nation. So this was the point around specifically cement works and how much capacity um, residual waste management as a way of fuelling cement works could, could can accommodate. And we've, we've reflected that in the updated assessment too.

00:24:37:08 - 00:25:08:16

Um, in terms of the updated conclusions. Don't know if it'd be helpful very briefly for me to, to just confirm that the local assessment for the east of England along with the in scope East Midlands waste planning authorities, the assessment has looked at and and and reflected how very reliant on landfill um the east of England and the East Midlands waste planning authorities are.

00:25:09:05 - 00:25:45:09

Um, and just for example, in 2022, 2021, 22, around 23% of landfill, um, 23% of residual waste. Household residual waste was landfilled in the east of England compared to a national average of 8%. Um, up to 2035. Our conclusions are that there remains a minimum shortfall of non landfill capacity for both household and industrial and commercial waste.

00:25:45:13 - 00:26:01:00

Think it's important that we remember that this facility is designed to take the smaller household waste stream as well as the much larger industrial commercial waste stream, but a minimum shortfall of 1.5 million tonnes at that local, local, regional level.

00:26:03:01 - 00:26:33:09

Nationally. Our updated water fuel availability assessment should say, has concluded that by 2028, even if the Government's ambitious residual waste reduction targets are met, those are the targets set out in the Environmental improvement plan. There would remain a minimum shortfall in England of 3.5 million tonnes of residual waste capacity.

00:26:34:04 - 00:26:46:24

So against that backdrop, it's certainly considered that the proposed development would not result in an oversupply of energy from waste capacity at either the local or the national level.

00:26:48:14 - 00:27:36:09

Finally. So you specifically asked us to consider points around compliance with waste hierarchy, compliance with the proximity principle, and whether the proposed development would prejudice the achievement of waste management targets. If I've just got a couple of minutes to say about that, if that's okay. Not wanting to go on, please, too long. Um, so in terms of compliance with the waste hierarchy. As I noted at the outset of this short presentation, the fundamental focus of our fuel availability assessment has been on how much in scope residual waste that's currently sent to landfill is available, so the facility will not take recyclable waste.

00:27:36:11 - 00:28:02:27

It is aimed at taking that waste that is currently managed at the very bottom of the waste hierarchy. In other words, it goes to landfill. So we will not take recyclable waste. And indeed we have got a requirement, a suggested requirement on the waste hierarchy in place that goes one step further in terms of ensuring that recyclable materials are not managed at the at the proposed development.

00:28:04:24 - 00:29:01:06

In terms of compliance with the proximity principle? Um, we are, we are certainly we certainly consider that the fuel availability assessment has applied a proportionate study area, a study area that's been defined using some clear parameters and to guarantee, in addition to guarantee the applicant's commitment to adhering to the proximity principle, we are able to confirm that we have agreed a requirement with the County Council, which seeks to apply a catchment area to the proposed development, which effectively looks at sourcing 17.5% of the proposed developments.

00:29:01:16 - 00:29:22:03

Inputs from within 75km of the proposed development and no more than 80% from within the defined the study area that's defined within the fuel availability assessment. And that's something that we have agreed with with Cambridgeshire County Council.

00:29:23:24 - 00:29:55:14

Finally, whether the proposed development would prejudice the achievement of waste management targets. Um, as I've already mentioned, one of the key changes to the updated fuel availability assessment is the the consideration of how much residual waste would be available if the Government's ambitious residual waste reduction targets are met.

00:29:55:16 - 00:30:30:01

So that's the 2028 interim target and the 2042 ultimate target of halving residual waste. Um, as I've we've concluded in the fuel availability assessment by 2028, even achieving that target, we consider there would be still 3.5 million tonnes of capacity, um, capacity shortfall and by 2042, I mean clearly this is a, this is 20 years, 20 years hence and it becomes more difficult to predict.

00:30:30:09 - 00:31:21:04

But based upon current data, um, of current data and risings, um, we could sort of say that they broadly equate current capacity broadly equates to, to future a rising's however significant health

warning because what is current capacity may not be the current capacity, the capacity in the future in 20 years time. And we've done some work in the fuel availability assessment that looks at the the age of the existing energy from waste um network, the assets across England and effectively by 2042 the ten oldest energy from waste facilities in England will be over 40 years old.

00:31:21:06 - 00:31:52:17

And these facilities account for over 3 million tonnes, 3.2 million tonnes, a large proportion of capacity which is very likely to need replacing with CHP enabled more modern CHP enables and potentially carbon capture facilitated updated infrastructure. So on that basis, our conclusions are that there remains a very likely shortfall come 2042.

00:31:53:11 - 00:32:24:28

So to sum up, sir, very, very briefly, we are of the view that the proposed development will not result in an oversupply of capacity at either the local or national level, both now and in the future, even if ambitious targets are met. And we believe that the proposed development can offer capacity that would make a contribution to moving waste up the hierarchy and is in accordance with the proximity principle. I'll finish there, so I don't want to go on too long.

00:32:25:28 - 00:33:00:24

But thank you for that. Mrs. Brown. If I may just clarify a couple of points on your submission. Now you have mentioned in relation to, um, confirming compliance with promises, with the promise, with the proximity principle you have mentioned as the setting of specific catchment areas, which I think if I've interpret your response correctly, I think that in your report, um, it's also referred to waste areas, one in waste areas two.

00:33:01:12 - 00:33:07:10

Could you just confirm to me. The catchment of those specific to various place.

00:33:10:10 - 00:33:13:11

You said 75 kilos. Could you just.

00:33:15:14 - 00:33:49:20

Yes, sir. Very briefly and may defer to my my colleague here, Mike Turner, who's been directly engaged in the discussions with sorry, Claire Brown, for the applicants, who's been engaged in the discussions directly with Cambridge County Council Waste Area one is 75km from the proposed Development Waste Area. Two comprises the study area for the this that's defined in the waste fuel availability assessment.

00:33:50:06 - 00:33:56:09

So the two hour travel time that we have discussed on the previous waste hearing.

00:33:57:20 - 00:34:11:01

Um, so the yes, the the two hour travel time which indicates which waste planning authorities fall into the study area. So that is what waste waste area two has been based upon.

00:34:12:03 - 00:34:13:02

Thank you very much.

00:34:27:15 - 00:34:28:06

So

00:34:29:23 - 00:35:14:14

moving on to the applicants response for the examining questions to and that would be rep 5032. Um, and you have actually touched on this specific issue just now, Mrs. Brown, in terms of your representation to us, um, in how you have actually taken into consideration the government's target, um, in terms of the different, um, different targets included within the environmental plan? Uh, can, can, can you please explain further in your response, you mentioned in response to .2.8 and I'm going to try and actually share shortly this, this response.

00:35:15:02 - 00:35:39:17

Um, the applicant stated that the, the updated waste fuel availability assessment concludes that government environmental improvement plan interim targets be achieved by 2028. There would be a shortfall in residual waste management capacity in England of 3.5 million tonnes. Can you just take explain to us a little bit more how you have actually arrived to that specific number, please?

00:35:42:28 - 00:36:10:05

Yes, sir. Claire Brown for the applicant. So the environmental improvement Plan target interim Target two is very specific around talking about reducing the total mass of residual waste to a level not exceeding 25.5 million tons by the beginning of 2028.

00:36:12:14 - 00:36:12:29

Um.

00:36:16:04 - 00:36:46:24

That's figure that 25.5 million tons is a figure for is a is a is a figure. So what we've what we've done is using using government data, which which states that England is responsible for approximately 84% of all national waste arising. We've applied that percentage to the 25.5 million tonnes.

00:36:47:17 - 00:36:55:21

Um, which means that for England sort of a pro-rata for the, for England would, would mean that.

00:36:57:29 - 00:37:12:02

England would. Been looking to achieve a level not exceeding 21.4 million tonnes. So that's sort of a that's kind of the the pro-rated target for England

00:37:13:21 - 00:37:48:08

as at the end of 2022, um, the consented and in construction capacity capacity in England equated to 17.9 million tonnes. Um, actually that's predicted capacity to by 2027 and then a a subtraction of um the 21.4 taking away the 17.9 gives you 3.5 million tonnes.

00:37:48:10 - 00:37:55:01

So that's um, residual waste management capacity of 3.5 million tonnes. That's how we've arrived at that.

00:37:55:14 - 00:38:39:19

Does that help? Yes. Thank you very much. Any the same response Further down, the applicant states that looking ahead at 2042, it is concluded that should government residual waste reduction targets be achieved, it is anticipated, will be around 17.7 million tonnes of residual waste in England that require management, which I think corresponds with the numbers that you have initially mentioned to us. Can I just clarify if the applicant's understanding is that this is, um, what, what is that included in the 17.5 million tonnes of residual waste as well? That requires management because am assuming it's not a shortfall as identified for 2028.

00:38:43:04 - 00:39:18:13

So the the predictions for 2042, um, are based. So first of all, the target that's set out in the environmental improvement plan is a per capita target. So the, the plan states that by 2042, the government's looking to limit or reduce the production of residual waste per head down to 287kg per head.

00:39:19:00 - 00:39:56:13

Um, using uh, office for National Statistics population predictions. We're estimating that that equates to around about 17.7 million tonnes of residual waste that would require management in England. As you've quite correctly pointed out, current energy from waste capacity data set out by Vic um, published in May this year, states that by 2026 there's predicted to be 17.9 million tonnes.

00:39:56:15 - 00:40:27:10

That's clearly more than the 17.7 million residual waste in England predicted by 2043. However, and this is where the crystal ball gazing comes, then that's 17.9 million tonnes of capacity is capacity that will exist in 2020, 26, 2027 around that period of time. But we're looking much further ahead. Um, up to 2042.

00:40:27:17 - 00:41:15:21

And the point I was trying to make in my opening remarks is that by that time, a lot of that capacity, a lot of that 17.9 million tonnes capacity will start to be well will be ageing considerably. And the figure that I've pulled out is that the ten oldest energy from waste facilities by 2042 will all be 40 years and older and that equates to over 3 million tonnes of capacity and that's capacity that will is not modern, will not be modern come 20, 40, 42 will not be not build, will not be carbon capture facilitated.

00:41:15:23 - 00:41:30:11

So our position is that looking that far ahead, we cannot rely on all of that 17.9 million tonnes of capacity that will exist in a couple of years being available by 2042.

00:41:32:11 - 00:41:45:28

Thank you. Thank you very much for that clarification. Um, if I can actually, uh, specifically remain on this point on, on the answer to this question. Um.

00:41:47:23 - 00:42:21:18

Obviously all of the information that you have given to us and provided and have just explained now relates mostly to England. So taking us back to the consideration of the proximity principle and the targets within the environmental improvement Plan and how how does the applicant feel that this information translates in relation to the proximity principle, considering that it states that it should be treated as close to the source as possible?

00:42:26:01 - 00:42:58:07

Claire Brown for the applicant. I think that's the very reason why this fuel availability assessment has two parts to it, and the two parts have sought to comply with existing and emerging national policy around looking at the position nationally, which is what we've done, and also looking at the more sort of regional localised position, which is also the sort of the second prong of the the fuel availability assessment.

00:42:58:19 - 00:43:54:13

So our position would be that yes, nationally we've demonstrated that there is a shortfall in capacity, but when you drill down to the to the localised level, which becomes even more important to look at from a proximity point of view, because quite clearly we don't want to be hauling material halfway across England. We need to we need to ensure compliance with the proximity principle and bring the waste in from as close as we possibly can, which is why the assessment has this regional based assessment and why the applicant has agreed a catchment requirement as part of the um, as part of the

process to, to seek to ensure that the material is brought in from the east of England and the relevant parts of the East Midlands region.

00:43:55:08 - 00:44:19:25

But thank you very much for that, Mrs. Brown. I will have some further questions in relation to this specific issue, particularly in terms of the waste areas. But I would like to invite now the local authorities in Ipswich to comment on the discussion that we have just said. Can I just ask if Cambridgeshire County Council would like to comment on the points that we have just discussed?

00:44:21:01 - 00:44:29:24

So yes, I think briefly I'll turn over to Matthew Breese, who is our waste Officer. He'll come up on camera and introduce himself.

00:44:31:12 - 00:44:31:27

Thank you.

00:44:34:28 - 00:44:44:24

Good morning. My name is Matthew Breese. I'm the principal policy officer for Minerals and Waste at Cambridgeshire County Council. I may be addressed as Mr. Breese. Thank you, Mr. Breese.

00:44:46:14 - 00:45:26:27

So we have a few comments, but hopefully they will be brief. So in relation to the need and the proposed size of the facility, the council, as you know, has three main concerns in this examination. The first is ensuring waste is managed as high up the waste hierarchy as possible. Second, ensuring the proximity principle is observed. And thirdly, ensuring you, as the examining authority, have a clear understanding of the implications of permitting a facility that will provide 625,000 tonnes per annum of capacity, particularly the distance which waste will need to travel to fuel this facility and the likelihood it prevents smaller, more localised facilities from being forward.

00:45:27:02 - 00:45:27:17

Mr..

00:45:27:19 - 00:45:48:21

Mr.. Briggs Apologies for interrupting you. And I can't hear you very clearly and I note that your microphone is on mute, so perhaps your sound, if you are in the same room as Mr. Andrew Fraser, might be coming from his computer. So can I just ask you to liaise and try and turn on your mic, please?

00:45:49:05 - 00:45:51:21

Okay. Do you mind muting yourself, Mr..

00:45:53:17 - 00:45:56:29

Thank you. Thank you, sir. We'll do that.

00:46:01:06 - 00:46:02:14

Can you hear me okay now, sir?

00:46:02:28 - 00:46:09:27

Perfectly well now. Thank you very much. That's much better. Apologies, Mr. Bass. If you would like to then continue, please.

00:46:10:12 - 00:46:42:18

So, um, so the third point was that we wish to ensure that. Oh, please. My apologies. So some technical issues At this end, we wish to ensure that you have a clear understanding of the implications of permitting the 625,000 capacity facility, particularly on the distance that the waste will need to travel and the likelihood that it will prevent smaller and more localised facilities being brought forward within Cambridgeshire and adjoining plan areas and affect the deliverability of those local plans.

00:46:42:20 - 00:47:24:04

At this time I think it's almost it's may also be relevant to bring in a comment we made in response to your second questions, um, which I'll come to at the end, which it may be of benefit for the examination to hear in terms of um, in relation to whether there'll be sufficient waste in the future and how the facility may deal with that. So on the topic of the waste hierarchy, the Council has made representations throughout the examination. It is the view that it is very important that the future operator not only seeks to prevent waste that could not be treated from being accepted at the facility facility, but also being seen to do so.

00:47:24:06 - 00:47:39:24

And in relation to this topic, we are happy to confirm that we have reached agreement with the application applicant on wording for additional criteria as set out in the applicant's recently submitted draft development consent order text. And we strongly support the inclusion of these additional criteria in the text.

00:47:41:10 - 00:48:12:09

On the topic of proximity principle, the Council and the applicant have reached agreement on the text of additional requirement 29 as set out in the draft development order text as submitted by the applicant. This, in our view, is designed to prevent the worst potential excesses of waste travelling extreme distances. And it's the view of the Council that this requirement is essential to provide a backstop to ensure the proximity principle is observed, even if it minimally at worst. And the Council again strongly supports the inclusion of the text in the requirement, the requirement of the text and the DCO.

00:48:12:22 - 00:48:53:12

I note I may have missed heard Ms. Brown earlier. Just to clarify that the subsection B of requirement 29 requires at least 80% to come from waste area to may have misheard Ms. Brown speak thought she said at most. But and there has been in discussions with the applicant a what is referred to in the draft text as waste area two plan and note in the text. It's to be confirmed. Um, I would like to ask at this opportunity if you would be able to ask the applicant to confirm that they will be submitting the draft plan that they have kindly shared with us will continue and allow you to come back to that.

00:48:53:18 - 00:49:11:13

The last point which I think this is a and this the our third topic is something which fundamentally we're not able to resolve with the applicant is that as a this is a spatial distribution of waste and the implications of locating the facility in this location,

00:49:12:29 - 00:49:44:06

We are not aware of any potential mitigation that we can think of for this, given it is a regional facility with a capacity of 625,000 tonnes and will need to source waste on a regional basis. This is a large facility and is disproportionately large for the local need and the community being asked to host it. The development in this facility will result in waste traveling further distances than if it was located closer to the main concentrations of waste and more localised facilities as envisaged in the relevant waste.

00:49:44:08 - 00:50:07:00

Local plans in the region would not have the same scale of negative effects as this facility. Okay. As we covered last time, the pattern of waste will change over time and more likely over time, waste will have to come from further and further afield. And we would ask you to give significant weight to the benefits that this brings with it in your consideration.

00:50:09:08 - 00:50:40:07

Lastly, just to re-emphasize, the county is a very rural county, and again, this will result in greater distances of travel for waste compared with other areas such as further southwest as Essex were. So granted, they are rural in places but have a much more large concentration of towns and cities. Just turning to the point. My final point was in our submission to your second questions, you raised the question of whether or not there was sufficient fuel for the facility.

00:50:40:09 - 00:51:18:25

We've kind of we covered this in issue specific three in our position in terms of on the waste fuel needs assessment has not changed. But I would like to pose this as a response, as a question which you may wish to pose the applicant. What would happen if there was insufficient fuel if this facility was built in 20 years time? Uh, the amount of fuel available stopped being as abundant. Is this an all or nothing facility? So they need to fuel it all in one go, or would they scale back and how would that operate? That's the question which we posed in the in response to your questions.

00:51:19:08 - 00:51:20:28

And I'll leave that my comments there, sir.

00:51:21:22 - 00:51:38:18

Thank you. Mr. Briggs Just to clarify, in terms of your last point, I believe that response that you are referring to, it's to it's to the exact .2.1, which is rep 5045. I believe that that is the answer to the question that you are referring to.

00:51:39:23 - 00:51:41:12

I will need to check that, sir.

00:51:46:12 - 00:51:53:01

Thank you, Mr. Andrew Frederico. Any else? Anything else that you would like to forgive me?

00:51:53:09 - 00:51:58:28

At the moment, we can't hear you because the only person that can hear is Mr. Breeze. Because he's on headphones.

00:51:59:20 - 00:52:12:26

Yes. Mr. Andrew Fraser, I noticed that you have just turned on your camera. Just wondering if you want to add anything else or if I could actually ask the applicant to respond to the points that Mr. Green has made.

00:52:13:12 - 00:52:37:03

I did just want to make one point, which is to emphasize that whilst we have agreed a proposed requirement dealing with the proximity principle, this is very much, as it were, a long stop against the worst possible outcome and that all of our submissions about the

00:52:38:25 - 00:53:09:02

difficulties in adhering to the proximity principle with a facility of this nature remain. It's simply that we have put in place or proposed to put in place through through that requirement a way of presenting, of preventing the very worst possible outcome. But we still say that the violation of the

proximity principle is a significant potential benefit to which the examining authority should have regard. Hope that's clear, sir.

00:53:09:21 - 00:53:17:08

Thank you. Can I ask now the applicant to respond to the points that Mr. Briggs has put forward and also Mr. Andrew Fraser to please?

00:53:19:29 - 00:53:38:06

Claire Brown for the applicants. A couple of points from me in terms of the catchment requirements. Yes, I can confirm that I, I did get that wrong and it is not less than 80% of waste processed,

00:53:39:22 - 00:54:16:00

which relates to the waste area waste area too. So it wasn't a minimum of 80%. It's not less than 80%. The second point is that yes, there is a draft plan to accompany the draft requirements and that is something that we can provide. At deadline six. Thank you. If it's acceptable to you, sir, I'd just like to refer revert to my colleague Mike Turner to come back on the point relating to sufficient fuel and the operation of the plant itself.

00:54:17:09 - 00:54:17:28

Thank you.

00:54:19:06 - 00:54:58:16

Thank you, sir. Mike Turner, for the applicant. With regard to the question, is this an all or nothing facility? The answer is that we do have the ability to lower the number of hours that it runs. And we also have the ability to run on a partial load to also reduce the amount that the facility takes through over a given period of time. So it isn't an all or nothing facility. But I would also highlight the fact that very clearly in the waste fuel availability assessment, we do not envisage in the short, medium or long term that a shortage of fuel will occur.

00:55:01:20 - 00:55:02:07

Thank you.

00:55:11:17 - 00:55:12:02

Because

00:55:13:20 - 00:55:31:22

if I could just interject again, Sir Mike Turner for the applicant in in doing so in the short and medium and long term, we will comply with the requirements that we've discussed with Cambridgeshire County Council and also anything else which we've put into the DCO and the Waste fuel availability assessment.

00:55:32:12 - 00:55:41:21

Thank you. Um, would the applicant like to make any further comments in terms of the issues raised by Mr. Briggs in terms of special distribution of waste, or you believe that you have cover that?

00:55:43:00 - 00:55:44:07

I believe that's covered.

00:55:45:08 - 00:55:46:11

Thank you very much.

00:55:48:27 - 00:55:57:18

Mr. Breeze I would I would actually refer to the County Council if there is anything that they would like to add on this specific point now.

00:56:04:03 - 00:56:05:25

Mr. President. Mr. Andrew Frederico.

00:56:07:05 - 00:56:10:02

Nothing more for now. We'll come back on a later point.

00:56:11:23 - 00:56:29:18

So, did you hear that? Okay. Yes. Yes, I heard that. Thank you very much. I would now like to invite Wisbech Town Council to also comment on this specific issue, perhaps in line with their response to the two questions as well.

00:56:30:29 - 00:56:35:28

Thank you, sir. Emma Barnett on behalf of Wisbech Town Council. Um.

00:56:37:23 - 00:57:09:29

There's there's a lot to actually unpick from what she's been said. So if just focus now on on proximity principle, if I may, and then pick up other issues throughout the day if that's okay. Yeah. So obviously I've seen the the draft requirement and it is concerning to say the least, because as I interpret it, this is requirement 29. Um. Waste Area two, which isn't defined, which really should have been included in this in in at deadline five if it has been agreed with Cambridgeshire County Council.

00:57:10:01 - 00:57:27:21

So we still don't quite know where Waste Area two is. But as I understand it, it is it is only 80% that doesn't have to originate in waste area two, it has to be it could come from anywhere else, but then arrive at Waste Area two and then be processed at the site. So basically you could come from anywhere in the country.

00:57:28:19 - 00:57:29:04

Um.

00:57:29:26 - 00:57:48:18

In that that's different from Waste Area one, which is a 17.5% where it must originate within 75km. Um, so just wanted to understand, is 75km, is that the two hour boundary or is that is that something entirely different? If I could just get the applicant's response on that.

00:57:49:16 - 00:57:54:23

Yes, I can ask the applicant if the applicant would like to respond to Ms.. Burnett's question, please.

00:57:56:28 - 00:58:14:26

Mike Turner for the applicant would really address that question to Mr. Breeze. The 75km was put forward by Cambridgeshire and we've responded as per the latest version of the Waste fuel availability assessment.

00:58:18:02 - 00:58:18:17

Thank you.

00:58:21:17 - 00:58:37:22

A bit. But just to clarify on that point, if I'm with the applicant, I believe that the 75km was in relation to Waste Area one. I believe that the question that Mr. Biden has just asked is in relation to Waste Area two.

00:58:40:01 - 00:59:13:18

Mike Turner for the applicant waist area to is the area that we originally used in the waste fuel availability assessment and again was proposed by Cambridgeshire as the extent of the second area. We do have a map which will be provided which clearly shows the radius and the second area which we'll provide to everybody. Um, but again, this was put forward by Cambridgeshire and we've responded in the latest version of the Waste Fuel Availability assessment.

00:59:16:02 - 00:59:35:27

I'm going to share the document, which I believe reflects the map that the applicant is now referring to. If I could just get the applicant to please confirm if this is the map that they are referring to. I am looking at the lightest version of the fuel availability assessment. Is this the correct figure?

00:59:37:02 - 01:00:08:28

Clare Project. The applicant. Yes, that's the correct figure. And then the schedule of changes, um, that was submitted at deadline five. We did confirm that the waste area too was the study area referred to in the waste fuel availability assessment is just that a standalone plan wasn't available in time to be submitted for deadline five, and that's why there's not a reference number for a standalone plan in the draft. But the schedule of changes does confirm that Waste Area two is the study area set out in the waste fuel availability assessment.

01:00:09:00 - 01:00:09:18

Thank you.

01:00:09:21 - 01:00:21:05

Thank you very much for that confirmation. So if could then revert back to Ms.. Barnett now that we have defined the situation. If you would like to then ask your questions and your points, please. Yes.

01:00:21:07 - 01:00:55:22

Yes. So mean. The main point I have is that it makes it very clear that the 80% can be come from anywhere as long as it's a there's a loading point in waste area two. So waste area two is extensive and is way beyond two hour drive time in most cases. Um, it has been manipulated by the applicant to get the figures that they want. I mean they couldn't, they couldn't make it stack up with a two hour drive time. So you have to then include the East of England region. You still can't get it to stack up. So you have to include other parts of the East Midlands region just to get it to to give you a credible base to to argue there is a need.

01:00:56:06 - 01:01:26:23

Um, so I mean, I echo Cambridgeshire County Council's comment. This is this, this facility is far too large for this rural location which is away from major centres of population. Um, again, I have major issues with the study area as before. Think it's been applied inconsistently. I understand that Milton Keynes is now being taken out because it was neither in the two hours or the East East Midlands, but would query why West Northamptonshire is still in the study area because that same would apply.

01:01:26:25 - 01:01:39:19

It's neither in, um. The east of England region or within the two hour catchment. Um, and it just seems that it's been manipulated to, to get to the answer that the applicant wants.

01:01:41:18 - 01:01:45:27

Thank you. Can I ask the applicant to reply, please?

01:01:46:13 - 01:02:10:17

Mike Turner for the applicant. With regard to waste areas and material coming from outside of Waste Area two. We the two hour drive time is an indicator that we've used in order to establish the area that ultimately has become waste area to from which the facility will derive its waste supply. Um.

01:02:12:09 - 01:02:46:03

Economics. Commercial economics will inevitably mean that waste from outside of waste Area two and further away from the facility is only viable if the cost of transport can be overcome. So commercial factors will dictate what comes from further away. And we are comfortable that the current waste fuel availability assessment with the commitments on Waste Area one and Waste Area two is a reasonable and proportionate response to where the facility will draw waste from.

01:02:48:13 - 01:02:58:27

And we would seek to comply with it now in the medium and in the longer term. With regard to Milton Keynes and Northamptonshire. I'll pass over to my colleague.

01:03:01:02 - 01:03:39:16

Claire Brown for the applicant. Milton Keynes has been taken out from the study area as part of the kind of dialogue that we've had going with interested parties and statutory bodies on the study area. We comments were fed back that the the Milton Keynes area, the two hour indicative drive time, just sort of skirted the edge of Milton Keynes. But importantly, Milton Keynes also falls within the former South east planning region.

01:03:40:07 - 01:04:11:28

And it was the only authority that did fall within the former south east planning region. So it made sense to clean up the area. So we're we're only looking at the whole of the former East of England planning region. Um, and, and also relevant erm East Midlands areas that fall within our indicative two hour drive time.

01:04:12:00 - 01:04:49:06

And the importance of the former planning regions mean we're recognising that they are former planning regions, but from a data analysis point of view, a lot of industrial and commercial waste data is presented at that level at a regional level. So it it made the assessment more robust in terms of data analysis to have a nice clean, sort of full east of England and then the East Midlands planning area.

01:04:49:08 - 01:04:57:25

That's why Milton Keynes was was taken out and also at the request of of interested parties to. Okay.

01:04:59:25 - 01:05:35:01

Um, right. Mr. Barnett, I note that you have raised your hand, but I believe that we are now actually moving towards discussions that are linked with the study area and the different ways towards which I actually do have a couple of questions on as well. Um, Ms.. Barnett, if you could confirm that you are happy for me to actually ask a couple of specific questions on this and then if there is something that I have not covered, then I would invite you to actually contribute again, if that is okay.

01:05:35:10 - 01:05:36:03

That's absolutely fine.

01:05:36:05 - 01:05:44:29

Thank you. Thank you very much. Just in the interest of saving time and. Mrs.. I believe that you have raised your hand as well.

01:05:46:06 - 01:05:56:11

Yes. I'm sorry to interrupt, but could I possibly see that area two map again, please? That would be possible.

01:05:57:11 - 01:06:12:07

Uh, Mr. McRae, to facilitate the process. We'll try and share that again. Believe that I was the one that actually shared that map. I'm happy to try and share that with you again. If you could just confirm that you can view it, that would be very helpful. Thank you.

01:06:13:15 - 01:06:15:11

Yes, that's lovely. Thank you.

01:06:17:08 - 01:06:26:11

Is there any specific question that you would like to ask on this point or you just want to have, again, sight of the map?

01:06:27:15 - 01:06:30:09

No, Just wanted sight of the map, please.

01:06:30:24 - 01:06:41:20

Thank you. Thank you very much. I'm afraid I'm going to have to stop sharing now. But. But hopefully you have had another opportunity to actually look at this specific image. Thank you.

01:06:45:14 - 01:06:51:01

Uh, Mr. Perriman, I believe that you have authorized your question on this. Your hand on this point.

01:06:54:15 - 01:06:55:25

Yes. Have Inspector.

01:06:57:20 - 01:07:32:19

In regard to the um the landfill figures on need. Um, the authorities in the east of England take London's household industrial and commercial waste. And this source of waste would be out of scope for the proposed development. So it's important to know how much of the landfill figures are as a result of taking waste from London. And what account the applicant has made of this in their landfill figures. You know, just as a as an example, the in 2020, the east of England total was just over 5 million tonnes.

01:07:35:16 - 01:07:40:17

Thank you. If I could ask the applicant to reply to Ms.. Perryman.

01:07:45:29 - 01:08:19:18

Claire Brown for the applicant. The the data set out the data set out in the waste fuel availability assessment is based upon, um, waste planning authorities. So how much each planning authority disposed of to landfill in a given year? Now, yes, waste does move across boundaries, and some of that waste will come from other parts of the country.

01:08:19:20 - 01:08:47:12

However, what we're looking at is how much material is presently landfilled in the planning authorities that sit within the study area and therefore, how much of that waste that is currently managed at the bottom of the waste hierarchy could be moved up by it being redirected to a facility such as the proposed development at. I hope that answers the question.

01:08:48:19 - 01:09:23:08

Thank you very much. Right. If I could then actually move us on to the scope of the waste fuel availability, assessment or study area. I would like to revisit some of these issues. I know that we have covered partially this issue as well before in previous waste hearing, but I would just like to revisit again the in scope assumptions behind waste fuel.

01:09:23:20 - 01:09:24:23

And so.

01:09:26:17 - 01:09:47:16

Essex County Council, according to the information that you have submitted, will contribute with nearly 50% of the overall in scope waste fuel. Considering the size of the Essex contribution and the fact that the vast majority of county council lies outside study Area one or study area two and how does this approach comply with the proximity principle?

01:09:53:07 - 01:10:28:02

Claire Brown for the applicant um the updated waste fuel availability assessment so rep 5019 for the track version and 020 for the clean version includes some additional graphics and particularly graphic for on page 44 of the documents which looks at in scope residual waste in the study area, and where that in scope residual waste will will come from.

01:10:28:16 - 01:10:36:09

Um, potentially will come from. And this is waste that is currently sent to, to landfill. Oh, thank you, sir.

01:10:37:25 - 01:11:09:09

Um, and whilst this demonstrates that quite clearly, that large kind of slice of gold there is Essex at 27%, 27. So 20%, 7% of residual waste in the study area, um, could potentially come from Essex. It also demonstrates that we've got a further seven, I think it is authorities that have all got fairly sizable chunks.

01:11:09:12 - 01:11:52:08

Lincolnshire at 11%, Northamptonshire at 10%, Hertfordshire at 10%, Cambridgeshire at 9%. Norfolk at 9%. Leicestershire at 8%. Suffolk at 7%. So that shows that across those one, two, three, four, five, six, seven. Um, we've got almost 70% of residual material being derived from authorities that aren't Essex. So in that respect, Essex Essex does fall within the study area and it falls within the study area because our indicative two hour drive time crosses through into Essex.

01:11:52:10 - 01:12:11:25

However, the proposed development would not be overreliant upon Essex because of the amount of residual waste that is currently being sent to landfill. Across all of the authorities that sit within the in the study area. Does that? Is that. Yes. That does.

01:12:12:06 - 01:13:08:03

That does answer that question. But I'm going to now drill down on a little bit more detail, particularly in relation to waist Area one and Waist 32. So as we have as we have mentioned before and believe that this is covered in paragraph 2.3.5 of the waist fuel availability assessment that is rep 5 or 19 rep 5 or 20. The applicant states that to guarantee the applicant's commitment to compliance with proximity principle, which you have mentioned again as well today, the applicant has included a draft requirement that states that not less than 17.5 of the waist processed at authorized development per operational year must originate within waist area one, which is, as we have also covered, the waist area that is closest in terms of proximity to the location of the proposed development.

01:13:08:15 - 01:13:19:17

And I would just like to query and understand a little bit better the suitability of the 17.5% and how you have arrived to that number.

01:13:22:29 - 01:13:57:01

Mike Turner for the applicant. Thank you, sir. Um, the number was arrived at as a result of a suggestion put forward by Cambridgeshire County Council. We think that the percentage is a reasonable and proportionate percentage to use for that 75 kilometre radius area. Considering that, we just don't know ultimately what the detail of the waste applied will be until we are hopefully successful with the application and engage with the market.

01:13:57:18 - 01:14:33:18

We need to be able to make sure inevitably, as I've said before, commercials will dictate that the closest waste supply will normally get the best deal because the haulage cost is lower. But we also need to be able to cope with any future situations which may arise, which affect where material is available from, and other factors which unfortunately we're all used to becoming used to experiencing that we've experienced over the last 3 or 4 years, such as Covid and the Ukraine war, which can influence an impact on waste supply and where it comes from.

01:14:33:20 - 01:14:52:00

We think after having considered what Cambridgeshire put forward, it is a reasonable and proportionate radius to use. And we're confident that in all scenarios, most scenarios looking forward short, medium and long term, we will be able to comply with it.

01:14:53:21 - 01:15:25:25

Thank you. I will ask shortly. It can be county council to actually comment on 17.5%. But if I may press as well, you know, obviously the implications of setting the 17.5% from Waste Area one means that other waste that is outside of the 17.5% may come, which is the vast majority of it may come from areas that are not in close proximity to the location of proposed development.

01:15:25:27 - 01:15:30:24

So how does that match the proximity principle?

01:15:42:25 - 01:16:13:09

Claire Brown for the applicant. So our position and something I set out at the outset of this this this issue specific hearing today. And it's also maintained in the in the fuel availability assessment is that the study area. So the waste area two is an area that does fully comply with the proximity principle. Um, and, and that actually the waste area one sits within that.

01:16:13:11 - 01:16:28:21

So waste area two does comply with the proximity principle. Um. And it's a proportionate study area based upon parameters that that we've discussed and are set out in the fuel availability assessment.

01:16:31:18 - 01:17:04:16

Uh, so if I may interrogate this point a little bit more. So you mentioned that in terms of the requirement for zone two is no more than 80%. Uh, so does that mean that in terms in relationship, in relation to the proximity principle, the applicant, uh, considers that zone two and waste that comes from zone two and is not is, is no more than 80% is then in full compliance with the proximity principle.

01:17:05:29 - 01:17:18:02

Claire Brown for the applicant. Just to clarify, the requirement states not less than 80%. Not, not less. Not okay, not less than 8%.

01:17:18:04 - 01:17:23:05

So thank you. So my question still still maintains yes.

01:17:23:24 - 01:17:32:13

Yeah. Claire Brown for the applicant yes we we are of the view that that waste area to fully complies with the proximity principle.

01:17:33:22 - 01:17:44:24

So the applicant's interpretation of the proximity principle in the context of facilities being located as close as reasonably possible to where the waste is generated, that means zone two.

01:17:48:23 - 01:17:50:09

Yes, it is. Yes.

01:17:50:16 - 01:17:51:01

Right.

01:17:55:00 - 01:18:06:02

Uh, I note that I have some, uh, uh, hands raised here. Um, Mr. Shlomo Dogan, I believe that you have raised your hand.

01:18:07:00 - 01:18:40:07

Thank you, sir. Yes, indeed. Let me put my hand down now before anything else. Right. Thank you very much, sir. Shlomo going for UK win. So UK win has about half a dozen sets of questions for the applicant. For your consideration, sir. We will avoid duplication and will, although inevitably there'll be some overlap, but we'll take them one at a time. So the first question relates to the local level assessment carried out by the applicant or indeed not carried out by the applicant.

01:18:40:21 - 01:19:11:00

The applicant claims and has repeated this today that they have demonstrated compliance with the requirements of the emerging revised M3 with respect to the prohibition on over capacity at a local level. But amongst the various issues that we have with the applicants, Wafa, there are two matters that mean that the applicant has not even left the starting gate when it comes to being in a position to make such a claim.

01:19:11:06 - 01:19:51:29

Firstly, the applicant's supposedly local assessment goes well beyond their purple two hour drive time boundary, which the applicant describes as a reasonable commercial limit. Now, whatever the case is in terms of the applicant's commercial requirements, what we are looking at here is not whether or not the applicant can source the waste, but we're looking at what constitutes local within the context of N3. And while we are well aware of waste travelling greater distances than two hours, that's what the national assessment is for, not the local assessment.

01:19:52:09 - 01:20:17:05

Secondly, the applicant does not include meeting the residual waste reduction targets at a local level as part of their assessment, as they only attempt to assess meeting the 2027 and 2042 targets at a national level. So I've raised these issues with it in mind that the applicant may wish to comment.

01:20:18:09 - 01:20:19:29

Yes. Thank you very much.

01:20:21:15 - 01:20:25:05

If I could ask the applicant to respond to Mr. Dhawan.

01:20:47:22 - 01:20:53:00

At the applicant and just deciding who's best to answer those questions. Bear with us one moment. Thank you.

01:20:53:02 - 01:20:53:29

Thank you. Thank you.

01:21:07:21 - 01:21:41:26

Claire Brown for the applicant. I think the two the two comments that we would make are that Ian three doesn't define what a local assessment is and our definition. We have nailed out colors to the master and our assessment set out in the offer is what we consider to be a localised assessment. The second point in terms of the targets, the examiner, the the environmental improvement plan targets and the fact that Mr.

01:21:41:28 - 01:21:53:24

Darwin's suggesting that there's been no, no local assessment. The point I'd like to make is that the environmental improvement targets are national targets and therefore national assessments being carried out.

01:21:56:19 - 01:21:59:01

And that's all I'd like to say. Thank you.

01:21:59:07 - 01:21:59:28

Thank you.

01:22:01:23 - 01:22:06:09

Mr. Darwin, since you turn on your camera, I assume that you would like to intervene again.

01:22:07:08 - 01:22:48:24

Thank you very much. So Shlomo doing for win. That was a useful response to our first question. Next, we wanted to raise an issue relating to the combust ability of national feedstock. The applicant limits itself to certain waste types for its local analysis in recognition of the fact that some household industrial and commercial or HIC material quote, will not be suitable for use as a fuel source at the proposed development, for example, rubble and soils unquote, and to quote, avoid an overestimation of available fuel, unquote.

01:22:48:29 - 01:23:18:00

It appears, however, that the applicant has failed to apply this local logic to the national analysis with respect to the impact of meeting the residual waste reduction targets. Is this the case and if so, why? And just to be clear, when we were talking earlier about the 3.5 million tonnes, et cetera, that related to always not to waste that was suitable for use as fuel.

01:23:19:12 - 01:23:23:09

Thank you, Mr. Dhawan. If I could ask the applicant to respond, please.

01:23:26:11 - 01:23:53:29

Claire Brown for the applicant. Um, two points, actually. First of all, would like to go away and check that, if I may. But secondly, I am aware that the data set out in the Environmental Improvement Plan does exclude non-combustible waste such as mineral waste and rubble. But I would welcome the opportunity to go back and double check that and come back with a more robust answer if that's okay.

01:23:54:09 - 01:24:02:27

Definitely. So if I could get an action for the applicant to carry out that check and then come back to the examination panel on that, please. Thank you.

01:24:05:07 - 01:24:12:20

Mr. Shlomo Cohen, you've turned on your camera again. Is there a further question that you would like to ask?

01:24:13:07 - 01:24:53:21

Yes, sir. There are four further questions that I'd like to ask, but I'll group them by topic. The next topic relates to anticipated facility closures. So and we have two questions about this topic. We know from Edmonton, the incinerator in North London that incinerators can operate for more than 50 years. The D5 Wafa assumes that all facilities will close after 40 years of operation, regardless of any refurbishments or any dependence by a district heating scheme, connection, etcetera.

01:24:54:05 - 01:25:25:11

So my question is what efforts has the applicant made to verify their assumptions with regard to the 40 year closure limit? For example, has the applicant asked Veolia if they intend to shut down their south east London facility, which the applicant assumes will be shut down, despite the fact that Veolia is currently investing heavily as in tens of millions of pounds, in connecting that facility to a district heating scheme.

01:25:25:13 - 01:25:47:15

And similarly, has the applicant asked about their plans to close the East Croft facility in Nottingham, which again the applicant relies on for closure for their figures when the East Croft facility is also connected to an extensive network and is subject to periodic refurbishment.

01:25:49:21 - 01:25:51:24

And ask the applicant to respond, please.

01:26:03:09 - 01:26:26:26

The pull carry for the applicant, sir. There's no single answer to this question. Some facilities last longer than others in our experience, which includes running incinerators since the mid 60s in Germany. The life is typically 40 to 45 years. Much depends on how well you look after the facility

01:26:29:03 - 01:26:33:15

in question. I don't intend to get into a long debate about this.

01:26:33:17 - 01:26:34:15

Apologies. Apologies.

01:26:35:10 - 01:26:36:08

Maintain contact.

01:26:36:10 - 01:26:38:11

Just one moment, please. Just one moment, please.

01:26:38:18 - 01:26:41:10

Companies. But we do not go around asking them directly.

01:26:41:15 - 01:26:42:14

One moment, please.

01:26:43:00 - 01:26:50:04

We are going to close the facilities and wouldn't disclose that information if I knew it anyway. Thank you.

01:26:50:25 - 01:26:53:06

Mr. Kerry. Can you hear me now?

01:26:55:15 - 01:27:06:12

And I could not hear your response because we had feedback from other people dialing in. So I'm going to have to ask you to please repeat your response.

01:27:09:07 - 01:27:11:07

Okay. Can you hear me now, please?

01:27:11:24 - 01:27:13:22

Can I? Yes.

01:27:14:13 - 01:27:18:00

Thank you. So poor Carrie for the applicant again. Um.

01:27:19:25 - 01:27:50:08

What I said was there's no single answer to this question. Some facilities last longer. Some facilities last less time. In our experience, which is based on running energy from waste plants in Germany since the mid 60s and the mid 1960s, that is, you will have a you can have a longer period or a shorter period depending on how well the facility is looked after and whether its technology remains suitable for the regulations of the day.

01:27:51:05 - 01:28:16:27

Um, we of course do speak to other participants in the energy from waste business, but we don't ask them specifically about their plans for closing down facilities that might still have another 20 years to run. And even if I did have such discussions, I wouldn't disclose commercially confidential information such as that anyway. So it's not really something we can engage in on debates in this matter. Thank you.

01:28:20:09 - 01:28:21:12

Mr. Shlomo Cohen.

01:28:22:25 - 01:29:10:17

Thank you, sir. And Shlomo doing for win. It was useful to hear Mr. Kerry referring to 45 years. I know that that was disrupted by the feedback, but obviously that was useful to hear as well as the statement that some facilities may last longer. A related question As part of the applicant's assessment of the balance between future residual waste arising, if the 2027 and 2042 targets are met against estimates for future available capacity based on facilities currently operational and under construction, which is about 88% of the permitted capacity.

01:29:10:19 - 01:29:57:27

In other words, when Toll lists the capacity, they list the headline capacity and then they list 88% of that capacity. The applicant then tries to net off this figure for future capacity against the facilities that they anticipate would close by 2042. This is where the applicant gets their 3.5 million tonne figure referred to earlier, which is before the 3.5 million figure is before we consider coincidence and non capacity such as Saff, but as part of netting off the this process of netting off of capacity, the applicant claims is likely to be lost by 2042.

01:29:57:29 - 01:30:39:13

The D5 Wafa suggests, as we heard earlier, that the ten oldest facilities will be more than 40 years old and that that would result in 3.2 million tonnes of existing capacity being lost. Setting aside the question of whether these facilities would in fact close, the 3.2 million tonne figure is problematic for two reasons. Firstly, the applicant is netting off against the available capacity figures, yet they are doing so by using the full permitted capacity rather than the 88% of that capacity.

01:30:39:15 - 01:31:09:15

So it starts off at 88%, but then they take off more than that. Secondly, their approach subtracts around half a million tonnes of capacity for the Edmonton incinerator in north London, but already did this netting off process by leaving a blank cell for the new capacity in their data. So to remove Edmonton a second time would be a form of double counting.

01:31:09:17 - 01:31:43:17

So my question for the applicant, sir, is does the applicant agree that the actual impact of removing these plants based on excluding Edmonton's capacity from a second removal and using 88% availability rate to calculate the impact of removing the remaining nine plants in 2042 would only reduce forecast capacity total for England by 2.39 million tonnes.

01:31:47:10 - 01:31:49:16

If I could ask the applicant to reply.

01:31:51:27 - 01:32:22:15

Claire Brown for the applicant, though, clearly a lot of numbers being thrown around there that I was finding it quite difficult to keep up with. Um, I think there's a couple of sort of overarching points and I certainly would welcome the opportunity to spend a bit of time analysing that data and looking at how Mr. Downs, what the detail of the points, but don't really propose to do any sort of mathematic gymnastics today if that's okay.

01:32:22:26 - 01:33:03:20

But certainly, um, a couple of points I'd like to make. We, we certainly haven't assumed that any plants over 40 years old would automatically close. We're simply illustrating the point that we are talking about so far in the future here. I mean, 20 years ago from today, the capacity position was very different to how it is now. 20 years ahead is likely to be the same. So we haven't assumed that facilities when they reach 40 years old are going to close. We're simply trying to illustrate the point that in 40 years time we're going to have some fairly aging infrastructure and that aging infrastructure equates to over three 3 million tonnes of capacity.

01:33:03:28 - 01:33:54:18

And Mr. Darwin also mentioned that the toll Vic data has two figures, talks about two different types of capacity figure talks about the permitted capacity, what a plant has the permission to deal with, but then an operational capacity, which is the reality of what it does deal with. And the difference is, is that you've got a permitted capacity and the operational capacity tends to be about 88% of that ultimate, um, headline, um, figure that's available mean without wanting to get into the detail of numbers, you know, nationally, we are saying that there's going to be a 3.5 million tonne shortfall come 2028 and the targets 2028, not 2027.

01:33:55:00 - 01:34:19:10

Um, there's going to be a 3.5 million tonne shortfall. And even if you apply 80% to that, it's still a significant shortfall, which is well in excess of the capacity that's being offered by the proposed development. But as I say, don't really want to get involved in very detailed mathematics but would very much welcome the opportunity to look at Mr. Darwin's data and comment in detail. Hope that was helpful.

01:34:19:24 - 01:34:51:02

Yes, that was helpful. But can I just clarify on one point? We are obviously talking about the Lookahead targets of 2042. And um, in your response to .2.8, um, you do mention, um, you do reiterate the point that you have just made into in terms of the need to consider the status and functionality and suitability of facilities that are in place.

01:34:51:14 - 01:35:12:25

Uh, however you report to SpaC, um, to see paragraphs 5.2. 24 to 5 .2. 26 of the updated warfare. Unfortunately, I couldn't actually confirm that. Can you just confirm to me where I can find those specific paragraphs and if there are in fact in the offer?

01:35:19:03 - 01:35:24:04

Apologists say, What? Which specific paragraphs are you looking to find?

01:35:24:29 - 01:35:30:03

5.2. 24 and 5.2. 25 of the warfare.

01:35:31:04 - 01:35:32:26

Um which on.

01:35:35:27 - 01:35:42:08

Which think page is it? Page 95. Can you just confirm of the 138?

01:35:42:15 - 01:35:43:00

Yeah.

01:35:43:02 - 01:35:56:14

Apologies to Claire Brown for the applicant. Yes. 5.2. 24 starts at the bottom of page 94 of the fuel availability assessment. The clean version of the fuel availability assessment.

01:35:58:13 - 01:35:58:28

Right.

01:35:59:00 - 01:36:32:28

So you have just mentioned that you have not assumed that those facilities facilities were closed. But further down on that specific section of the report. You do mention, um, capacity and you have confirmed that today in terms of. Residual waste within England. So if you have not assumed that facilities will close. Can you just confirm to me how you have arrived to to that number or did you not detract the number of any of the facilities that you have mentioned before that might be closing?

01:36:42:10 - 01:37:04:21

Claire Brown for the applicants. I can just confirm that the 17.9 million tonne capacity figure that's set out in that part of the woofer that we were just talking about includes all available capacity. It doesn't take anything away, doesn't assume that any facilities will come off stream.

01:37:04:26 - 01:37:08:17

Including the ones that may be aging or have been decommissioned.

01:37:08:25 - 01:37:09:15

Absolutely.

01:37:09:17 - 01:37:13:15

Includes all of those facilities that are over 40 years old.

01:37:14:09 - 01:37:23:14

Thank you very much. Um, thank you for that clarification. Uh, Ms.. Um, Mrs.. Barnett believe that she would like to intervene now?

01:37:25:05 - 01:37:44:06

Oh, apologies, Mr., uh, Dhawan. Um. You had lowered your hand, so I assumed that we had answered all your questions that you had on the specific points that we have covered so far. Are there any outstanding questions on what we have covered so far?

01:37:45:15 - 01:38:28:27

Thank you, sir. Shlomo doing for Wynn. And apologies to Mrs. Barnet. There are two more quick questions that. The first relates to the intervening years. Um, looking at the D5 Wafa, that's rec five hyphen 020. We were unable to find the applicants promised inclusion of the intervening years covering the period after 2027 and before 2042 to show the situation where waste risings will be expected to have fallen well below the 2027 levels on the trajectory towards achieving the 2042 target.

01:38:28:29 - 01:38:58:05

But prior to the level of closures of older facilities. So in the previous issue specific hearing, we were promised that the Wafa would contain intervening years. We've not been able to find them. So the question is a very straightforward one. Can the applicant confirm that despite their promise, they haven't actually provided any data for the intervening years?

01:38:58:27 - 01:39:03:03

Thank you. Can I ask the applicant to respond to Mr. Dhawan.

01:39:04:29 - 01:39:30:21

For the applicant? The inclusion of the 2028 figure is the intervening year. Um, simply because that's what that's the date we have a target for. So we have a target for 2028. We have a target of 2042. In both cases, we are reporting a shortfall. So you can only extrapolate from that that between 2028 and 2042, there will continue to be a shortfall.

01:39:31:12 - 01:39:34:27

So deemed defining target is target to.

01:39:36:25 - 01:39:37:10

So the.

01:39:37:12 - 01:39:43:15

The sorry Claire Brown for the applicant the environmental improvement plan only has two targets.

01:39:43:17 - 01:39:44:02

In.

01:39:44:11 - 01:40:02:05

Target two which is the 2028 target, and then the ultimate target that doesn't have a number, which is the 2042 targets to halve residual waste. And so to demonstrate compliance with that extant policy, that's what we've reflected in the fuel availability assessment.

01:40:02:09 - 01:40:07:16

That's clear. Thank you very much, Mrs. Brown. Uh, Mr. Dawson, you still have your hand up.

01:40:08:27 - 01:40:42:24

Thank you, sir. A final question for this round, though. I do confess that it is frustrating that the applicant has reneged on its promise to provide the intervening years. And I also note that the 2028 target is a target for what was hatched in 2027. But I wanted to ask a question about the reduced hours. Earlier, we heard Mr. Kerry believe referred to the notion that, oh, no, it was a colleague of Mr.

01:40:42:26 - 01:41:19:00

Kerry's apologies that if there was a shortfall in waste, which is currently not anticipated by the applicant, then they could reduce their operational hours. We've seen we've never seen this happen. We have seen from the Sheffield facility, for example, how the operator, Veolia, increased their feedstock catchment area on several occasions on the basis that their CHP scheme would suffer if they were to operate with reduced waste.

01:41:19:06 - 01:41:57:12

And we have seen numerous other examples where waste catchment planning conditions were loosened when the waste was not available. Obviously there are issues to do not only with the ability to maintain the heat for a heat network but also odours. Where has the applicant assessed the impact of operating at reduced hours? That is the impact on the operation of the CHP network and of any issues such as odours that might arise from temporary closure of the facility.

01:41:57:14 - 01:42:29:15

We know that if waste is stored for long periods of time, that gives rise to odour. It has the potential to give rise to vermin, certainly to flies at certain times of year. What confidence can we have that the operator would in fact reduce their hours if waste was less available rather than seek to secure waste from further afield forfeiting gate fees in exchange for energy generation payments and so forth.

01:42:30:13 - 01:42:42:07

Especially in light of the point that was made so well that the waste could originate from further away, but then find its way to a transfer station within their zone, etcetera.

01:42:44:20 - 01:42:46:13

I could ask the applicant to reply.

01:43:07:25 - 01:43:14:26

A pull carry for the applicant. Um, the answer that my colleague Mike Turner gave earlier remains.

01:43:16:12 - 01:43:31:11

Reduced hours is one option. Partial load is another option. Um, at all times we would comply with the waste catchment area agreement. Should we get consent? Um.

01:43:33:17 - 01:44:04:02

And to answer the technical question about what happens if we have reduced hours, it would be just the same as if we had an outage, which we will have anyway throughout the life of this project. And we will manage odours. As we have stated in the application documents, I don't need to repeat those here. And so there is no single answer to any of these points. But we would always comply with the waste catchment area obligations. Thank you. Thank you.

01:44:06:29 - 01:44:11:27

Uh, can I now ask Mrs. Barnett if you would like to intervene on this point as well, please?

01:44:13:05 - 01:44:43:25

Yes. Thank you, sir. Apologies. It's kind of going back a bit to the discussion that we're having earlier, but if I may still, that would be appreciated. It's kind of picking up some of the comments that Mr.

Dhawan raised in terms of the environmental improvement targets and the applicant's response, that it's only at a national level and suggestion that they are not relevant at the local level. Well, I mean, I would I would fundamentally disagree with that. Um, but I do know that this seems to be kind of prevalent in the way the applicant manipulates the data.

01:44:43:27 - 01:45:14:24

So there are national targets, but then the applicant is quite content to break it down into England only. So on that basis, why can't you break it down into the study area? Only you could equally do that. And this is the same way they've done the study area as well. They set their standards the two hours, then they say east of England, because that's that's where the data is, because that's the former planning region. I mean, it's a long time ago. It was a form of planning region. But then they can they're quite happy to add a few extra authorities in which in in the East Midlands then they take Milton Keynes out.

01:45:14:26 - 01:45:44:20

And I understand why they take Milton Keynes out because that was showing 193,000 tonnes of surplus. So that didn't see it their overall requirements in their waste local plan, future supply figure. So it was actually quite beneficial to them to take it out. But they leave West Northamptonshire in, which is also out of the two hour and not in the East Midlands. So basically the point I'm making is that the, the, the applicant seem to manipulate the data and they set the parameters and then just break them as and when just to make it fit their argument. And so really just looking for a response to those points, if I may.

01:45:45:11 - 01:45:49:25

Yes, certainly. If I could ask the applicant to respond to Mrs. Barnett, please.

01:45:59:00 - 01:46:29:08

Clap around for the applicants. We certainly consider that the approach that we've adopted in the waste fuel availability assessment is fully transparent, fully auditable. In terms of the study area that we've selected, why we've selected it, why certain areas have been taken out as a as a consequence of this sort of dialogue that we've been having on the fuel availability assessment.

01:46:29:20 - 01:47:05:24

And in terms of the environmental improvement targets not being relevant at the local level. Um, I think the, the point I'll just refer back to is these environmental improvement targets are very new targets only brought out earlier this year. They are national targets. We have adopted them at a national level. Ultimately, they will filter through the requirements to be set out in the waste local plant evidence basis and as as have the recycling targets and adherence to the recycling targets.

01:47:06:03 - 01:48:05:18

But the assessment is we feel a robust one at the national level and even at the national level with these environmental improvement targets in place, we're still reporting a very significant shortfall in in capacity. And I would just say that in terms of locally as well and environmental improvement targets aside, we are looking to bring waste up the waste hierarchy. The east of England sends three times more waste than any other region in in England to landfill, and that is residual waste that can be brought up the waste hierarchy and dealt with in a manner where we can recover heat and power from that material so that that's our position and that we feel has been robustly set out in the fuel availability assessment.

01:48:07:14 - 01:48:18:12

Up. Thank you, Mrs. Barnard. Can I ask you if you would like to come back on that specific point, or are you content with that answer for time being?

01:48:19:26 - 01:48:26:16

Yeah, but don't think we'll get anywhere by coming back. Mean I disagree with the position, but we'll just go around in circles, so that's fine. Thank you.

01:48:27:08 - 01:48:46:21

Right. Um. I'm mindful of the time, but I would like us to close this this specific topic so I can so that we can go through other questions. But I would like to invite Ms.. Perryman to intervene. I notice that you have also raised your hand.

01:48:55:13 - 01:49:11:02

Yes. Thank. Thank you, sir. Um, in relation to what the applicant just said, there were where they were committed to moving waste up the waste hierarchy. Um, could you just explain. Could someone just explain how, um.

01:49:13:21 - 01:49:20:02

Because they're clearly targeting Norfolk Waste. They've said in issue specific hearing three that the.

01:49:21:21 - 01:49:58:08

That Norfolk Waste is going to currently going to Rookery Farm Energy and Waste facility in Bedford, and that if it went to the proposed facility, then it would conform to the proximity principle. How is that? Driving waste up the waste hierarchy. But for starters the same applies to Essex Waist when again in issue specific three they were saying about tendering for Essex waste that could go to River Hall or could come to this proposed development.

01:49:59:00 - 01:50:38:19

A How is that driving waist up the waist hierarchy when it's exactly. Well, it's actually further down because Riven Hall have got more technology to to deal with recycling and that. But how is that how are these examples and the other um, statements of interest that they provided to you for other tender people in the likes of Hartford and that how is taking waste away from another energy from waste incinerator that's currently being burnt there? How is that driving waste up the innocent up the waste hierarchy? And it's not producing any new energy.

01:50:38:21 - 01:51:01:06

It's replacing energy that was being produced somewhere else. And the onus then falls on to remove Norfolk's waste from Rookery farm. The onus now goes on to Bedford. They have to source more waste, maybe from further afield from what their allowances are in order to to to fill those gaps.

01:51:02:02 - 01:51:08:12

Thank you. Thank you very much. Miss Perryman. If I could ask the applicant to respond to Ms.. Perryman, please.

01:51:10:07 - 01:51:41:17

The problem for the applicants. Just to be clear, the proposed development is not Seek and certainly the basis of the assessment, the fuel availability assessment does not rely upon diverting waste from any other energy from waste facility. The fundamental basis of the fuel availability assessment is on how much waste those planning authorities in our study area currently dispose of to landfill.

01:51:41:19 - 01:52:07:15

And this is waste that is suitable for diversion through an energy from waste facility. So in that respect, that's what that's why we talk about this facility hooking it up, the waste management hierarchy, because we are we have only looked at the availability of material that currently gets put in a hole in the ground. I don't know. Would my colleague Mike like to add anything to that?

01:52:10:00 - 01:52:43:03

And Mike Turner for the applicant. Thank you, sir. Just to add to that, with regard to Norfolk Waste, that is entirely a matter for Norfolk. They will send their waste to rookery for the duration of their contract. And I'm sure at some point they will procure services again and they will decide what, how much and when that procurement would involve in terms of waste. So to reiterate, we are not not dependent on that. We are looking in terms of the waste fuel availability assessment at suitable residual waste in landfill, of which there is a significant surplus.

01:52:43:05 - 01:53:11:27

With regard to the question of the material moving from Norfolk to rookery. I would suggest proximity would apply if it were to come to the facility if the application were successful. So that would be a case of proximity rather than waste hierarchy move. But to reiterate what my colleague just said, the waste fuel availability assessment relies upon suitable residual waste in landfill, of which we feel we've clearly demonstrated that there is a significant surplus.

01:53:12:22 - 01:53:14:02

Okay. Thank you very much.

01:53:16:19 - 01:53:21:06

Mr. Perriman, I noticed your hand is still up. Would you like to ask another question?

01:53:21:20 - 01:53:53:25

Well, in relation to the to the response mean, the the the applicant is making a planning application to suit. The needs of the planning application. What their intention is is very different. And the intentions. You can see all the way through the planning application papers. The keep on and on and on about Norfolk's waste. That's why they chose that site.

01:53:54:14 - 01:54:24:15

It's as simple as that. Keep on about Norfolk's waste. Keep on about Essex waste. This. And if if taking Norfolk's waste is to do with the proximity principle, what the other part of my question was then how is trying to take. Source waste from Bedford. How does that confirm to the proximity principle? It works two ways. Is that clear? Mr..

01:54:25:10 - 01:54:29:09

From, from my perspective, it's clear. Mr. Chairman, thank you very much.

01:54:29:12 - 01:54:30:22

My question back.

01:54:31:09 - 01:54:38:13

To the applicant. Yes. Can can the applicant please reply to to Ms.. Spearman's Point?

01:54:40:11 - 01:54:45:13

Mike Turner for the applicant. Believe we've answered the question would refer to my previous comments.

01:54:46:19 - 01:54:48:28

Thank you. Um.

01:54:50:21 - 01:54:51:18

Mr. Macrae.

01:54:54:27 - 01:55:10:01

Miss McRae at interested party. I understand the applicant is saying that Norfolk Waste, if it's been already being dealt with. Why is it being included in the area study?

01:55:15:22 - 01:55:18:29

Uh, can I ask the applicant to reply to Mrs. McRae?

01:55:19:18 - 01:55:26:20

Mike Turner for the applicant with the greatest of respect. I believe we've answered that with the previous response. Okay.

01:55:30:09 - 01:56:01:06

Uh, right. I don't see any further hands. But before I conclude this point, I would just like to go very quickly. And before I break, I am mindful that we did say that would have a break at 11:30. But I just want to ask a quick question so that we can move on to another topic. Uh, after um, we mentioned earlier and we heard earlier from the applicant that um, the 17.5%, um, within waste area.

01:56:01:08 - 01:56:11:08

One target was, uh, was suggested by Kemper County Council. I would just like to give County Council an opportunity to actually comment on that before we move on.

01:56:13:03 - 01:56:13:18

Cheeseman.

01:56:22:10 - 01:56:23:15

Can you hear me clearly, sir?

01:56:24:21 - 01:56:26:00

Yes, I can. Thank you.

01:56:26:25 - 01:56:40:29

Think it would help this conversation if you were able to put up a page 93 of the local impact report, which is rep 1-074 under the screen, which has a map on it.

01:56:43:00 - 01:56:47:06

Uh, you mentioned trip one. Sorry. Could you say that again, please?

01:56:47:17 - 01:56:51:13

Our local impact report rep 1074.

01:56:57:00 - 01:56:58:20

And page, please.

01:56:59:29 - 01:57:03:20

93. And it's called figure three.

01:57:08:24 - 01:57:23:12

Okay, I have that now. I will try and share this. Uh, Mr. Briggs, if you could please confirm if you can actually see it and if this is the correct figure.

01:57:28:07 - 01:57:29:27

Yes, that is good, right? To figure.

01:57:32:23 - 01:57:34:01

If you'd like to continue.

01:57:34:09 - 01:58:09:04

Thank you. In our original proposal to the applicant we proposed for Waste Area one, the 75km, a percentage of 20%. That's two 0%. And for waste, Area two was proposed as 90%. You'll note that was in one of our previous submissions to you. So the applicant responded with a proposal of 17.5% and 80% to those. And in the spirit of compromise, we agreed with the applicants proposals on the on those two numbers.

01:58:09:09 - 01:58:44:26

The 17.5% compared with the 20%, is a change of 125,000 tonnes to 109.109 at 375,000 tons. So we don't do not see this being a significant change in the tonnage required for subsection one. The original 20%. Was. It came about by looking at the 75 kilometer radius, which if you would just draw an imaginary line in your mind, it reaches the southern tip of Cambridgeshire moving round to the west.

01:58:44:28 - 01:59:03:29

It includes Bedford, but excludes Northampton. It does not include Leicestershire and does touches the southern border of Lincoln and to the east. It includes parts of Norwich and includes Bury St Edmunds, but does not get as far as Ipswich or Colchester.

01:59:05:15 - 01:59:38:06

So if you've got that image in your mind and you can see the figures in front of you. So these are the figures from table 4.4 of one of the earlier versions of the Waste Fuel assessment documents. This is the 2018 waste data Interrogator. So the applicant has updated these figures, but they're broadly representative. You'll note that in this area there is sufficient fuel to fuel the facility, but there's a lot of it will be in urban areas.

01:59:38:08 - 02:00:05:03

And that our estimation was that 20% was a realistic minimum that the applicant could achieve. Considering the as a merchant facility, they will need to secure contracts and some of this waste will be under existing contracts presently and it will take them time to compete with other facilities. That is where we started with the 20%. Their counter-proposal was 17.5%, which we deemed acceptable.

02:00:06:21 - 02:00:09:21

Will leave that there. Do you wish me to expand further?

02:00:12:14 - 02:00:27:21

Uh, I, I, I'm clear on what the topic of the question is. So I would, if you, if you are happy. Mr. Briggs, I would ask the applicant to reply. If the applicant is also happy to reply, please.

02:00:31:18 - 02:00:39:25

Mike Turner for the applicant can confirm what Mr. Rees just said and we are comfortable with the position that's been established on that.

02:00:43:28 - 02:00:56:15

Um. Is the applicant able to provide some further information? Why do your original offer from County Council? So the 2,090% was then deemed not acceptable by the applicant?

02:00:58:02 - 02:01:18:22

Mike Turner For the applicant, we discussed recent events over the last 3 or 4 years and the fact that we're all unable to forecast what will happen over the life of the facility and that flexibility and

unforeseen circumstances dictated that we would be more comfortable with the percentage that we arrived at and agreed with Cambridgeshire.

02:01:19:25 - 02:01:26:21

Okay. Thank you very much. If I could go back to Cambridgeshire County Council, if they would like to add anything else on this specific point.

02:01:28:10 - 02:01:29:15

Nothing further at this time.

02:01:29:17 - 02:01:31:21

So thank you very much.

02:01:34:12 - 02:01:45:23

Ms.. Perriman, I noticed that your hand is still up. Don't know if that was left from your last intervention or if you would like to briefly come back again with another point. Before we break.

02:01:46:04 - 02:01:49:18

If I may come back, before you before you move on to

02:01:51:14 - 02:01:52:20

other issues.

02:01:53:04 - 02:02:07:20

And we are going to continue with with waste matters is just we are going to probably be closing the issues that we have covered so far in West matters, but not the topic as a whole. I don't know if that helps.

02:02:07:22 - 02:02:14:28

You know, this this is in relation to things that have just been that were discussed earlier. Sorry, please.

02:02:15:17 - 02:02:19:13

That's that's absolutely fine. If you would like to please pose your question then.

02:02:20:02 - 02:02:35:23

Okay. Um, I appreciate that Cambridge County Council have made it quite clear about their, um, the requirements that they have accepted at the very worst case scenario, um, in the draft. Um.

02:02:38:08 - 02:02:59:18

In relation to the the waste codes 19 and 20. The applicant said, um, these are wastes that remain after source separation of recyclables or processing to recover any such viable recyclable material, and that compliance with the waste hierarchy is guaranteed by requirement 14 in the draft eco.

02:03:01:21 - 02:03:09:13

But they haven't given any details on how the applicant plans to apply these requirements until after the DCO is given.

02:03:11:23 - 02:03:43:18

And they will all only be applied once the waste arrives at the proposed development. It's simply closing the door after the horse has bolted. The applicant must make these known now, while this is being considered in order to fully understand what exactly would be a result involved and how they would work in practice and how effective and robust the measure would be. I mean, I'm not going to

go through the the absurd requirements that they that they've said, but in the in the applicants comments.

02:03:44:06 - 02:04:17:16

Um. To UK wins representation. The applicant says the proposed development is designed to accept residual waste from Covid 19 and 20. These are wastes that remain after source separation of recyclables or processing to recover any such viable recycled materials at the applicant's other energy for waste. Combined heat and power facilities. The use of codes 19 and 20 prevents the delivery of sole segregated or preselected recyclers.

02:04:17:19 - 02:04:53:22

The target feedstock is residual waste that is currently being landfilled. As such, the landfill. As such, the facility will move the waste up the waste hierarchy from disposal to recovery. But this isn't true from an article in the Plymouth Herald, dated October 8th, 2017, entitled Inside the Incinerator. Watch what really happens to your rubbish. The reporter writes from the bowels of Plymouth Barn's Barton Base Incinerator, it's possible to survey a cavernous hangar filled with refuse just four days worth from across the southwest.

02:04:53:24 - 02:05:24:15

Prams, mattresses, carrier bags, old clothes and the rest of the city's unwanted detritus. Society's Throwaways. Managing director of Mbes Environmental Services Limited, Paul Carey, says staring out over the 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. Disappointing in many ways.

02:05:27:14 - 02:05:42:00

This goes against their claims, their own facility, their own managing director making comments that show that this facility is no different with no front end recycling.

02:05:43:27 - 02:05:46:00

This facility will be burning.

02:05:47:29 - 02:05:59:08

I items that could be easily recycled. Further up the waste hierarchy. And Defra confirms that 3030 odd percent.

02:06:02:26 - 02:06:17:05

Could be easily recyclable. So using Defra's own figures, the proposed development could burn over 330,000 tonnes per year of readily recyclable waste, which goes directly against the waste hierarchy.

02:06:18:03 - 02:06:24:03

Thank you. Thank you. Thank you, Mr. Chairman. If I could ask the applicant to reply.

02:06:30:14 - 02:07:01:27

A poor carry for the applicant. Um, well, I'm not going to deny what was said in those quotes, but that's not the point. The the environmental permit that we will also have to get will dictate the waste codes that we are allowed to take. It might well be unfortunate that some people throw things away that they should not have done, but that is not something we can do anything about. We will take the waste that we are permitted to take and the waste hierarchy requirements will be respected at all times.

02:07:01:29 - 02:07:10:00

We will only be taking residual waste that is waste that is leftover after people have attempted their recycling. Thank you.

02:07:12:03 - 02:07:12:20

Thank you.

02:07:17:00 - 02:07:26:12

Mr.. It's it's it's not what's possible and what happens. It's the claims, the outrageous.

02:07:28:02 - 02:07:28:17

And.

02:07:31:16 - 02:07:36:27

Manipulated claims that the applicant is making that are not true.

02:07:38:19 - 02:07:39:07

Thank you.

02:07:43:24 - 02:07:58:05

Uh, right. I'm mindful of the time now, and we did say that we would have a break at 11 at 11:30, which has now passed. So maybe I would suggest that we take a break now. Uh.

02:07:59:25 - 02:08:05:05

But before. Do you have to raised your hand? Would you like to intervene before we break? Oh, yes.

02:08:05:07 - 02:08:06:24

Just actually, on the matter of the timing.

02:08:06:26 - 02:08:39:24

Of the breaks, you'll appreciate the point I made yesterday about the request. A little bit of flexibility in this, given that we're. By. Well, what, two thirds of the way through the waste material? Don't know. Might that might there be a case for having either a sort of 45 minute lunch break now, followed by a shorter break when we move from waste to cumulative impact or the other way around. A shorter break now and then a lunch break. Um, you know, once we finished waste.

02:08:39:26 - 02:08:53:22

So I'm just concerned if we take half an hour now and then an hour later, then, um, the commitment that I have, I have absolutely no chance of making, uh, and just ask for a little bit of flexibility on that basis.

02:08:54:01 - 02:08:59:02

Uh, will your witnesses be available later this afternoon?

02:08:59:18 - 02:09:12:03

Oh, yes. Everyone's available, and I'm not going anywhere till we finish. I mean, this is my professional commitment, but I'm just asking for a little bit of flexibility to see if it's possible to enable me to meet my private commitment as well.

02:09:12:23 - 02:09:30:04

Uh, I was going to suggest that we actually take a short break of 20 minutes. Uh, can can I ask if the applicant is comfortable with that as well or if any other IP's have any comments in terms of taking a break of 20 minutes now slightly shorter than we have announced.

02:09:33:29 - 02:09:41:21

And the applicant. We're happy to take a short break. Now, that's perfectly acceptable to us or we're happy to break for lunch. We were flexible either way.

02:09:42:24 - 02:10:06:27

I would suggest that we take a shorter break now and perhaps maybe also then consider if we can take a slightly shorter break for lunch later on. But I would suggest that we take a break now. So it's now 12:10, and I would ask to resume this meeting at 12:30. Thank you very much.