

00:00:14:12 - 00:00:35:45

Unknown

Good morning, everyone, and welcome. It's now 10:00 and time for me to open this issue. Specific hearing number three into environmental matters, which is being held in connection with an application made by the North Lincolnshire Green Energy Part Ltd for an order for development consent for the construction operation and maintenance of the North Lincolnshire Green Energy Park

00:00:35:45 - 00:01:00:26

Unknown

Project. Development proposed is the construction and operation of a combined heat and power. Enabled energy generating station with an electrical output of up to 95 megawatts. Incorporating carbon capture, associated district heat and private wire networks, hydrogen production, ash treatment and other associated developments.

00:01:01:31 - 00:01:21:17

Unknown

Before I go any further, can I confirm with the case team that teams is working and that I can be heard and seen and that the recording and live streaming of the event has commenced? Thank you. For those people watching the live stream.

00:01:22:11 - 00:01:35:49

Unknown

Let me explain. If the proceedings are adjourned at any point, we will have to stop the live stream in order to give as a clear recording file. When the meetings resumed, you'll need to refresh your browser page to view the restarted live stream.

00:01:36:39 - 00:01:56:30

Unknown

I remind you again of that should we need to adjourn? Now let me introduce myself and my colleagues. My name is Edwin Mond. I'm a chartered town planner and a planning inspector. I've been appointed by the Secretary of State as the lead member of the panel of examining inspectors that together comprise the examining authority for this application

00:01:57:26 - 00:02:19:15

Unknown

. The other member of the panel is Dr. Phil Brewer, and he will now introduce himself to you. Thank you, Edwin. Good morning, everyone. My name is Dr. Phil Brewer. I'm a member of the Institute of Acoustics and a planning inspector and have been employed, been appointed by the secretary of State for leveling up housing and communities as

00:02:19:16 - 00:02:39:22

Unknown

a member of the panel of exciting inspectors to examine this application. And I'll now have back to vote. Thank you. We're also assisted at this hearing by the Planning Inspectorate case team. Today we have the case manager, Sarah Norris here in the room, and we're supported by Caroline Hopewell remotely.

00:02:40:34 - 00:02:56:30

Unknown

If you have any questions or queries about the examination or the technology we're using for these events, they should be your first point of contact and their contact details can be found at the top of any letter you have received from us on the project page of the National Infrastructure Planning website.

00:02:58:30 - 00:03:18:47

Unknown

Before I go into the main part of the hearing, I'll ask Dr. Brewer to highlight a few housekeeping and background matters for today. Thank you. As explained in the examining authorities Vol six letter at Annex E, the issue specific hearings will be livestreamed and recorded.

00:03:20:18 - 00:03:47:01

Unknown

The recordings were published on the project page of the National Infrastructure Planning website as soon as possible after each hearing closes to assist viewers and listeners. Anyone speaking should introduce themselves each time they speak. As the recordings of obtained recordings are obtained and published, they form a public record and can contain personal information to which the General

00:03:47:01 - 00:04:08:19

Unknown

Data Protection Regulation applies. The letter includes a link to the Planning Inspectors Privacy Notice, which provides further information on this topic. If there is a need to refer to information that participants would otherwise wish to be kept private and confidential, it should be in written form which can be redacted before being published.

00:04:09:36 - 00:04:24:49

Unknown

If you prefer not to have your image recorded, you can, of course, which will come of. I will repeat the request made in the arrangements. Sorry, Phil, can I just pause being advised the live stream has gone down.

00:04:26:02 - 00:05:25:27

Unknown

So just again, John, just a pause for a moment, and hopefully we can. Resolve. We're just pausing whilst the A.V. team are looking at hopefully resolving the live streaming issues. So if you can just bear with us. Thank you.

00:05:39:19 - 00:06:05:20

Unknown

So everything back up and running properly. So everyone can see and hear is. Yeah. Okay. Sorry about that. I'll return back to you. Thank you. All. I start from where I left off. Hopefully I will repeat the request made in the Avengers conference there in order to minimize background noise.

00:06:06:00 - 00:06:23:27

Unknown

Please ensure your microphone or telephone is muted and stay muted unless you are speaking. In order to avoid fatigue. It is our intention to take a 15 minute break at about 90, 90 minute intervals and a longer break over the lunchtime period.

00:06:25:36 - 00:06:44:20

Unknown

So I'll just now head back to where we went to to outline the purpose and conduct of this issue. Specific giving. Thank you. This hearing provides an opportunity for the issues raised by interested parties, and in particular the differences between them to be explored further by the examining authority.

00:06:45:48 - 00:07:05:14

Unknown

The purposes set out in Section 91 of the Planning Act 2008 when it is held, if the examining authority decides it is necessary for the examination to hear oral representations to enable adequate examination of an issue, or to ensure that an interested party has a fair chance to put their case.

00:07:06:28 - 00:07:24:11

Unknown

As indicated in the agenda, questioning at the hearing will be led by a member of the panel, supported by other panel members. It is for the examining authority to determine how hearings are to be conducted, including the amount of time to be allowed at the hearing for the making of a person's representations.

00:07:25:33 - 00:07:46:04

Unknown

Our aim is to use our powers of control over the conduct of hearings to ensure that they are carried out as efficiently as possible, whilst remaining fair to all parties and thorough in our examination of the evidence. We've identified the matters to be considered at this issue specific hearing and those on which we require further information.

00:07:46:43 - 00:08:03:39

Unknown

And these are set out in the agenda published in advance of this hearing. Participants should note that written summaries of your oral submissions to this hearing should be provided to the Planning Inspectorate by deadline four, which is the 7th of February 2023.

00:08:04:38 - 00:08:30:46

Unknown

On our pass back to Dr. Brewer. So at this point, I would just like to invite parties to introduce themselves, please, and start to meet the applicant. So. Good morning Mr. Gallup from into my reality representing the applicant.

00:08:34:42 - 00:09:02:01

Unknown

Good morning. My name is Ali Lord from Asia Management Consulting, representing the applicant. Morning, says Dr. Kevin Murphy of Environmental Resources Management and EIA Consultants for the African. Claybrook on behalf of the applicant, we also have people on teams due to speak on the first topic, but I'll let them introduce themselves.

00:09:04:35 - 00:09:33:32

Unknown

And good morning, says Sarah Price from D Day on behalf of the applicant. If we move over to teams now. Thank you, sir. Sir. Simon Ammonia from a me m representing the applicant. Is John Ogilvy from bureau, Apple representing the applicant.

00:09:44:03 - 00:09:59:39

Unknown

It may be simpler if when we come to a specific item, if they introduce themselves at that time. Otherwise, I think we might be pausing and waiting. So if we can do it, if that's okay. Thank you. Thank you for that.

00:09:59:41 - 00:10:27:34

Unknown

Yeah. Yeah. Great. Moving on then. To my left. North Lincolnshire Council. Morning. Says Andrew Lloyd, representing Lincolnshire Council. Come on in, says Annie Wall to Environmental Protection to North Lincs Council. Thank you very much. I think next on my list, I've got the Environment Agency who should be joining teams.

00:10:32:14 - 00:10:49:25

Unknown

Good morning. My name's Annette Hewitson. I'm principal planning advisor for the Environment Agency, and I'm joined today by two colleagues, but I'll let them introduce themselves. Thank you. Good morning. My name is Harvey Speed. Also the Environment Agency.

00:10:49:25 - 00:11:08:35

Unknown

And I'm a flood risk officer in the Partnerships and Strategic Overview Team. Good morning, all. My name is Ben Craig. I'm a senior regulator in shifts for the local area team. So involved with the regulation of process industry.

00:11:11:24 - 00:11:33:02

Unknown

Thank you very much for that. I think we have. You can win virtually, sir, if you'd like to introduce yourselves, please. Yes. Certainly says good morning. I am just going from UK in the United Kingdom without integration network and I am Shlomo Devlin also from UK.

00:11:33:02 - 00:11:59:22

Unknown

We. Thank you very much. And I've also got town. I'd be angry if you'd like to briefly introduce yourselves or introduce your team. This Iowa caucus was even place representing a big agri. And William Glass from a biography.

00:12:01:14 - 00:12:25:27

Unknown

Jeff Marston on global safety and environment manager for Agri. Com hole. Roberts Arcadis Consulting S.A. agree. I think that's it for my career as well as I think now I know that other people in the room who may wish to participate.

00:12:27:14 - 00:12:43:45

Unknown

And when you're as and when you're invited to speak, if you can introduce yourself at the time rather than go through any more introductions at the moment. So I hope you had a chance to read the details agenda for this hearing.

00:12:44:49 - 00:13:01:36

Unknown

During the hearing today, we have questions for the applicant and other invited parties. I'm aware there are a number of interested parties and may wish to speak on some agenda items once I finish my direct question. Question On an agenda item, I would also be interested parties.

00:13:02:35 - 00:13:21:10

Unknown

We'd like to make submissions to that agenda item before moving to my questioning on the next agenda item. I would just remind you all that this is an issue specific hearing submissions made overly should really only to the agenda items we all will be discussing.

00:13:21:44 - 00:13:37:27

Unknown

I want to reassure you that your previous submissions have been met and noted. I understand there may be other issues not on the agenda that parties may wish to raise, but submissions on these matters should be made, inviting a deadline for on the 7th February 2023.

00:13:38:07 - 00:14:08:21

Unknown

So thank you in advance for your cooperation with that. So now I'll move on really to the first issue, first material agenda item number, item three. Hopefully you'll be aware that to aid those taking part, a list of those items likely to be referred to under this agenda item was published with the agenda, which hopefully will mean

00:14:08:21 - 00:14:31:20

Unknown

that we can put up some material, so make sure we're look at the same item. But before we actually get into if I can, just almost as well as like I just sort of set the ball rolling. I remember from last time on the immediately matter issue specific one and we and we toss to waste.

00:14:31:20 - 00:14:45:20

Unknown

I think the applicant informed us fairly early on that the, the RDF supply assessment had been revised and, and I think it's fair to say I expected perhaps some small revisions or some manually minor updates to that report.

00:14:45:44 - 00:15:04:21

Unknown

And when when it came in, it appeared somewhat more fundamental, if I can use that word. And perhaps that meant some of my first written questions perhaps were better aligned individual reports. So so perhaps that that might be something we can think about.

00:15:04:42 - 00:15:23:11

Unknown

So can I just ask the applicant really at this point and I don't want to spend too long on this, why? What changed or why why was it why was it changed to such a degree? Maybe if I respond to that.

00:15:23:12 - 00:15:47:00

Unknown

Ali Lloyd speaking on behalf of the applicant. The short answer is passage of time. The original study was done, I think, in late 2021. I need to check that date and we updated it, taking account of new data that had emerged in the in the next year.

00:15:53:25 - 00:16:15:39

Unknown

Thank you. Thank you. Thank you. Okay. And we might come back to that later on, but but I'll leave it there for now. So basically, I'm on to the 30th item on the agenda, which is this question that we are asking ourselves and we've been asking ourselves and looking at the various information coming in from the various

00:16:15:40 - 00:16:36:02

Unknown

parties as to the likely balance between, on the one hand, the amount of waste available as fuel and on, and on the other hand, the actual capacity of VFW facilities in England until 2035 and possibly up to 2014.

00:16:36:04 - 00:16:53:02

Unknown

But we appreciate, as you go further into the future, forecasting becomes more uncertain. Before I go into inviting you to sort of explore that in more detail, I thought it helpful to remind us all of the policy, what this policy says on this.

00:16:53:22 - 00:17:12:14

Unknown

And I would just read verbatim the relevant or one of the relevant clauses for me, and 1.4.3, which states only waste that cannot be reused or recycled with less environmental impact and would otherwise go to landfill, should be used for energy recovery.

00:17:13:16 - 00:17:39:00

Unknown

That's fairly short and sweet. And that is supported in that NC at 2.5.70. The IPC, which is now the Secretary of state, should be satisfied with reference to relevant waste strategies and plans that the proposed waste combustion generating station is in accordance with the waste hierarchy and the an appropriate type and scale says not so as not

00:17:39:00 - 00:18:06:15

Unknown

to prejudice the achievement of local or national waste management targets in England. And it goes on to say more. But in terms of just setting the context for this first this first section. So. So the objective of this item is to focus on on that position for England.

00:18:07:40 - 00:18:27:42

Unknown

So the question that we ask ourselves is on the supply side. So we start with the supply side, how much waste is available as fuel for the facilities? And if I could make reference to those items, as I mentioned, I have got three, one, three, two, three, four.

00:18:27:43 - 00:18:54:17

Unknown

I don't know if we want to call anything up on the screen. Can we just need to decide? Can I have a one up just to start with? I'll just bring that up for UNICEF. Thank you. It's the it's the that the way statistics.

00:18:56:40 - 00:19:23:11

Unknown

Statistics on waste mines by local authorities. Sorry. Bear with me. My computer's taken this moment to decide to be a little bit slow. It's on its way to. Thank you. So while that's coming up, it's Simon the money on behalf of the applicant here.

00:19:23:32 - 00:19:40:12

Unknown

Would it be okay for me just to explain a little bit about how the applicant's team of advisers is going to address the waste matters on the agenda? Can I just wait and just wait for a moment? Mr. MONIER Well, I'd like to.

00:19:40:13 - 00:19:53:15

Unknown

Of course, I don't want to speak too much. I do. I just want to get that. I'm trying to spend much too much time on things we hopefully will agree on and then and then go onto issues that we might be a little bit more contentious, if you like.

00:19:53:26 - 00:20:11:27

Unknown

But I'm trying to what I aim to do here is to is to is to present to the to the to the hearing how I've tried to, if you like, understand the information we've been given and then compare that with the information we've been provided with by the interested party, one in particular the party.

00:20:11:42 - 00:20:39:49

Unknown

And see whether, see where that leads us. So I would imagine that all the waste people in this room will recognize this this table if we can just go down a little bit. And so what I what I, what I attempted to do, you know, from the perspective of the examining authority, was to try and.

00:20:47:02 - 00:21:04:36

Unknown

Can we make that a bit bigger, please? Can we assume it on that table? That would be. I mean, that's about as big as it's going to get on the screen, I think, isn't it? I think if you struggling to see it, you can come March and might be as well to move full forward.

00:21:05:13 - 00:21:25:46

Unknown

So you can see it? Yeah. No, I won't. I know. Trying to gather lots of numbers at these sessions is quite is quite, quite daunting and quite difficult. But what I, what I, what I found I could do was I could and if can we go then to the, the next items really which are to.

00:21:27:38 - 00:21:48:00

Unknown

These may look even more difficult to read, I'm afraid to say. These are tales from the the report. Okay. If this is going to be very slow to do that, I'm going to a struggle. I think. I think to cut to the chase then shall we cut to the chase if we can?

00:21:48:36 - 00:22:05:30

Unknown

What I what I attempted to do is to to to to chase the figures in the A3 tables to those tables for the year 2020. Okay. And I was okay. I seem to have to do that for the the relevant debate streams.

00:22:07:24 - 00:22:24:19

Unknown

And ultimately, I do have one question for you. So I would just interrupt myself here and say with respect to the C and I waste. So it's I managed to do that for the the local authority collected waste and got sufficient alignment on that.

00:22:25:24 - 00:22:42:26

Unknown

And, and therefore if I combine that with the you'll see it I waste I got to the 22 million tonnes which isn't quite in the before. My, my one question for you at this stage is how did you divide the figure for the for the C CNI waste for 2020.

00:22:46:00 - 00:23:08:15

Unknown

Okay. Ali Lord, on behalf of the Africans. So we we started with. Data from the difference voice data interrogator that is a big spreadsheet that itemized his waist movements and four different categories. We then applied filters to that.

00:23:09:07 - 00:23:35:27

Unknown

So we filtered out hazardous waste. We filtered out inert waste. We filtered out construction and demolition waste. Although arguably some construction and demolition waste would be suitable for. VS residual waste for we have to be we filter out certain waste chapter's sudden waste coats.

00:23:36:27 - 00:24:06:41

Unknown

Mine and quarry waste construction. Demolition waste water. We then filter out side categories. They list certain side categories where we were aiming to capture only those that represent the final disposal treatment of waste. The aim is to avoid double counting a waste shipment where it's being stored or being processed.

00:24:06:41 - 00:24:33:32

Unknown

And then. You know, going on to some of the treatment. So after filtering all those out, that's the total we've got, I think. We then? I mean, it's worth saying for saying I waste. It sort of every study you pick up gives a slightly different answer.



00:24:34:00 - 00:24:54:40

Unknown

So we tried to benchmark against other of the studies that had there, and we concluded that I think it seemed to be. Appropriate, possibly slightly conservative. Think about Cyprus. Okay. Okay. So I just don't want to spend too much time.

00:24:54:47 - 00:25:10:12

Unknown

I mean, I'm trying to. Of course, this is just a baseline position because I look at the interested parties. If I can just talk to UK win. If you're listening, I look at the the graph in your report.

00:25:10:46 - 00:25:22:30

Unknown

I won't ask it to be brought up, frankly, because we're just going to get bogged down, I think, in that. And the main point I think I've gleaned from that was your 2022 figure was around about 25 million.

00:25:23:14 - 00:25:42:02

Unknown

And there are reasons we can speculate on why that might have gone up. But can I just ask you quite though about the UK win? Are you content that we if we wanted to use the 2020 baseline figure, is the waste available, which I think we would probably start calling residual waste?

00:25:42:03 - 00:25:57:36

Unknown

Or if I can come back to terminology even if you like, but are you content to start from 22 million as the figure to start from in 2020? ¥22 million. They can say yes. Yes, the answer is yes, we will.

00:25:58:25 - 00:26:16:11

Unknown

Good, good. So that's where it got off to a good start. Hopefully we get there a bit quicker than that. So the question really is, in my mind, this is probably the more important question is how does that how is it going to change?

00:26:16:37 - 00:26:36:04

Unknown

So I think at this point, I'll simply ask the applicant now to explain how they then started from that figure and then projected forwards over the, you know, a reasonable timescale given the uncertainty, the largest increases. Can I just ask you to explain how you've done that?

00:26:38:38 - 00:27:07:14

Unknown

Sure. Ali Lloyd, on behalf of the applicant. So in. The initial assessment and revision one and two we projected out to 2035. Recognizing that there's a lot of uncertainty about. The future and you know how the situation available will change.

00:27:07:16 - 00:27:28:05

Unknown

We took his base case, if you like, an assumption that government recycling targets are met. And so that's the target to reduce household waste offsite, to increase recycling household waste at 65% by 2035. And we essentially drew a straight line and.

00:27:29:49 - 00:28:01:36

Unknown

But taking into account of. Written representations from UK win in our DEADLINE three submission, which was the response to the written representations. We then extended out to 2042, taking account of the fact that in the government in December the government adopted a new target of reducing the digital waste or digital waste by 50% by 2042.

00:28:03:17 - 00:28:22:15

Unknown

So we built that into our analysis. That's not completely straightforward because in setting that target, the government does use a wider definition of residual waste, includes some inert wastes. But we attempted to essentially apply that target to the to the volumes that we were looking at.

00:28:24:17 - 00:28:45:46

Unknown

Thank you. Can I invite UK women to describe how they did their forecasting or whether they've got any particular comments on what you've just heard or how it compares with what you've done in your forecasting? K Oh, yes, yes, yes.

00:28:46:11 - 00:29:14:22

Unknown

So, I mean, in terms of the forecasting that we did in our submission, we started with historic estimates of municipal waste ratings published by DIFFER with respect to their releases and waste strategy and then applied the downward trend in line with the government intention to halve residual waste by 2042, applying the kind of same levels of or

00:29:14:29 - 00:29:34:42

Unknown

production per year that the the the government's own analysis used. And then we assumed that 90% of that residual waste would be available for incineration, which we considered a quite conservative assessment. This is, of course set out in our methodology document.

00:29:36:39 - 00:29:52:02

Unknown

That is before the inquiry. Okay. Thank you. Thank you. Well, I'm going to turn perhaps to the other side of the other side of the coin now, because you referred to the targets and so on and so forth.

00:29:57:23 - 00:30:24:24

Unknown

It's. Go ahead, Mr. Nicholson. Yeah, but just wait for the microphone. Yeah. Um. The show. Sorry. Simon Nicholson from Rain. This whole harks back to 2021 and the initial hearings about the proposed development in inflicts privilege. When I met at great length with the the applicant and his team.

00:30:25:23 - 00:30:49:20

Unknown

And. After a lot of a great deal of questioning. It was stated categorically that no organic or biomass waste would be incinerated. Has that been taken into account with these figures? I would just ask the applicant to respond to that one.

00:30:50:04 - 00:31:23:17

Unknown

I think. I'm not sure why I'm the best person to respond to that, Simon. I mean, I. I'm not familiar with what that was that. Yeah, I'll, I, I, I can take that. Simon money I on behalf of the applicant, we're moving a little ahead of ourselves to controls sites and waste hierarchy related issues, I think.

00:31:23:17 - 00:31:39:28

Unknown

And the, the way in which the permits will control the waste received at the site. But there will be no source separated materials for either recycling or composting purposes able to be accepted at the site through the restrictions of the permit.

00:31:42:04 - 00:32:18:44

Unknown

So that includes biomass materials and. Thank you. Thank you. So I'll press on, I think. So it's only a demand side, which I think is has been quite interesting. So if we start with again the starting position really which is set out in is in my reference is three eight, which is a which is the table from

00:32:18:44 - 00:32:44:20

Unknown

your old report, table A6 and table A6, page 67. Let me just turn to U.K. win here, because obviously the applicant set out that position. I mean, do you accept agree with that list of facilities and the and the capacity that they represent?

00:32:49:29 - 00:33:08:16

Unknown

Big Josh Devin from UK went here. So that is the list of operational facilities. We don't agree of every single number that they use, but it is broadly accurate in relation to the operational in relation. I don't know if that goes on them.

00:33:08:17 - 00:33:26:05

Unknown

Right. If we just talk about the operational facilities and we're just talking about wait and see the rate is there, that's broadly accurate. What it doesn't include is, for example, capacity relating to cement kiln. We could also take waste as a fuel.

00:33:26:05 - 00:33:42:46

Unknown

So it doesn't it doesn't include all waste as a fuel capacity just to include all municipal waste. It's making capacity. There are some cases where we would use a higher figure than the applicant and indeed a small number where we would use a lower and a small number, we do the lower figure.

00:33:46:03 - 00:34:09:45

Unknown

Thank you for that. I don't know if you want that. The applicant would like to respond on the on the cement kilns point, but please fill. Yes. So in appendix say to RCP three zero 22, which is our response to written representations submitted at deadline three.

00:34:11:20 - 00:34:34:42

Unknown

As I mentioned, we did update the analysis taking account of UK wins point. We did add in an assumption that a certain amount of material goes to cement kilns. We assumed, I think, 375 kilotons per year, and that's based on some historic analysis by topic.

00:34:34:47 - 00:34:53:06

Unknown

And we kept that assumption constant. Okay. Thank you. So I'll move on then. So we seem to be in reasonably good agreement on that. So that's that's encouraging. And this is anybody else wants to comment? I would just give other parties a chance.

00:34:54:28 - 00:35:11:14

Unknown

I'm not seeing anything on that. So then the question, of course, and how, again, a bit like that one is how how is that going to change? And I'm just going to introduce what the what the current policy says about carbon capture or carbon capture.

00:35:11:30 - 00:35:30:17

Unknown

Ian 14.7.10. All applications for new combustion plant which are generating capacity at or over 300 megawatts out of a type covered by the EU's large combustion plant. Directive should demonstrate that the plant is carbon capture ready, ready before consent might be given.

00:35:30:31 - 00:35:48:08

Unknown

And if I do in this instance actually look at the draft and one of 4.8.9 all applications when you combustion plant which offered of generating capacity at over 300 megawatts and of a type covered by the carbon capture button is electricity generating stations.

00:35:48:08 - 00:36:12:01

Unknown

Regulation 2013 should demonstrate that the parties carbon capture ready for consent before consent may be given. So my question means the applicant is given what that says and the size of the plant generally the plants on the list and we'll come back to the ones that are in construction, so and so forth.

00:36:15:46 - 00:36:39:36

Unknown

How how does the applicant think that policy will affect. If be capacity and if it does affect you, at what point in time with that might come into effect? Ashley Lloyd on behalf of the applicants. I think it's.

00:36:44:30 - 00:37:08:40

Unknown

It's quite hard to take a view on what online that policy will change. So I agree with your assessment in the current policy. We've tried to take a view on the direction of policy. We note that the government did issue a call for evidence on removing that 300 megawatt threshold so that smaller combustion plants would be required.

00:37:08:40 - 00:37:37:00

Unknown

to demonstrate its readiness. Which is why we've looked at. As part of our report. And then, you know, we've taken a wider account of the the ambition to decarbonize the electricity grid by 2030. Five. As set out in the energy efficiency strategy.

00:37:39:31 - 00:38:06:18

Unknown

So the energy security strategy. Thank you. I think I should just invite UK Wind to respond to that. What I basically said, do they have a view on how existing or emerging policy in this respect will affect closure of the existing plant or abandonment of plans to build new plants?

00:38:10:29 - 00:38:31:04

Unknown

Just going from UK win. So in terms of exists, our expectation in relation to plants already operational or under construction is that the Government have no plans to shut them down either in relation to carbon capture or in relation to their own status.

00:38:31:31 - 00:38:48:36

Unknown

And we think that that's made clear by the fact that the Government's proposals in relation to the emissions trading scheme says that they want to incentivize carbon capture and it makes no sense why the Government's proposals are all focused on incentivizing carbon capture.

00:38:48:44 - 00:39:02:43

Unknown

If they expect that carbon capture would be something that would be a requirement for all facilities and they would shut down those that do have carbon capture. And the government consultation also included not just energy from waste but also incineration.

00:39:03:11 - 00:39:22:45

Unknown

So clearly it seems like the government isn't planning to shut down all existing incinerators in the foreseeable future, and that doesn't form part of current government policy. And so the assessments should be made on the basis that existing capacity will still exist.

00:39:23:00 - 00:39:48:35

Unknown

I think it's clearly under construction won't be stopped and that carbon capture, new requirements to have carbon capture will be full of new facilities coming forwards, which we could buy. It might be relevant for this facility and the fact that it doesn't have carbon capture but isn't relevant in relation to historically consented capacity.

00:39:49:00 - 00:40:20:20

Unknown

And similarly, the reference that Josh made to energy from waste and incineration, it's clear that the government uses the term incineration to refer to facilities that fall short of the R one threshold. And so again, it's clear that the government has no intention of closing down non-carbon incinerators.

00:40:20:42 - 00:40:48:14

Unknown

So our position in that respect and indeed our methodology focuses on actual government policy as opposed to fantasy government policy. Thank you. Obviously, I'll give the applicant a chance to respond to that. Okay. Ashley Lloyd, on behalf of the applicants on the six point.

00:40:51:02 - 00:41:08:40

Unknown

You know. It further note that just just recently in a movie Net Zero review published last week, he quotes the CDC as saying that the U.S. is a necessity, not an option. I think our view would be that if you are.

00:41:11:14 - 00:41:40:34

Unknown

To meet the net zero target. Then the vast majority of residual waste will need to be being treated in facilities with CCS fitted in 2035 on the non R one points. Our view is that energy recovery is higher up the waste hierarchy than disposal and therefore, you know, an hour long facility should be preferred over a non-album

00:41:40:34 - 00:42:04:20

Unknown

facility. And one of the things I hope you can assist us with is that on one of the previous hearings when we were asking about the extent of carbon capture from your proposed development, it was explained to us that.

00:42:05:37 - 00:42:30:49

Unknown

The current quantity of carbon capture was. Limited to what is proposed, in part because actually undertaking that carbon capture is a cost to the scheme. And so what I'm trying to understand and. Is how you're squaring that circle with.

00:42:33:20 - 00:42:54:12

Unknown

The commercial side and what you're saying to us about the availability and the future pressure on energy for waste plants and such, that your forecast would indicate that sites that don't have carbon capture may close in in due course.

00:42:54:13 - 00:43:16:07

Unknown

I'm trying to understand the the overall relationship. I hope that's a clear question. Yep. Ali Lawyer on behalf of the applicant. It's a good question. What we haven't done is a detailed economic assessment of the economics of carbon capture for a number of reasons.

00:43:16:29 - 00:43:35:07

Unknown

One is that. You know. That, you know, the cost information isn't available. It's still an emerging technology. Nobody quite knows how much it will cost. Nobody quite knows how much it will cost to transport CO2 from coastal locations and inland locations.

00:43:35:39 - 00:44:06:27

Unknown

Via pipe. Via tanker ship. So we haven't looked at that. What we have done is. An admittedly more subjective assessment, but we as laid out in the report, we've we've identified a number of criteria to try and decide whether facilities would have a high, medium or no potential for fitting six based really on a number of criteria

00:44:06:29 - 00:44:32:31

Unknown

. One is, are they close to one of the likely six clusters? I mean, obviously the project is. And those were rated as high potential as medium potential projects. We looked at projects that were. I had coastal locations. And therefore were more likely to be able to transport CO2 by ship, which we assumed to be cheaper than by

00:44:32:31 - 00:44:51:26

Unknown

road. But also in that category we did include facilities where the operator have announced that they're looking at cuts to that and some inland locations as well. Our own view is that, you know, the economics of sites in those locations is going to be more challenging.

00:44:53:35 - 00:45:19:16

Unknown

I mean. Certainly at the moment. I mean, you know, seats isn't economic without a subsidy. That could change. It could change if F.W. is brought into the realm of the ETS scheme. And if prices of the ETS allowances are sufficiently high.

00:45:20:31 - 00:45:37:14

Unknown

So a lot of uncertainties. Maybe haven't answered your question very well. But, you know, we've we've applied we've tried to apply a kind of. View as to which facilities are more likely to be well placed to fit cigars.

00:45:37:36 - 00:45:59:05

Unknown

And the other thing we haven't looked at is for the existing facilities, whether they've actually got space to fit suggest. So we may have included some facilities that actually you can visit fit year. Thank you. You know, I do appreciate that there's lots of uncertainty about that.

00:45:59:05 - 00:46:16:18

Unknown

So if we get back to slightly more certain ground, if we can, if we look at the existing list, which we broadly seem to agree on and the number of facilities and the overall capacity, clearly some of those I mean I mean, you can tell me this better than I myself.

00:46:16:18 - 00:46:36:18

Unknown

You know, some of those will be aging facilities will be coming towards the end of their planned operational life. There may be other reasons or commercial reasons why they are, you know, likely to close. And I think you identified facilities in your in your report, you identified on paper archive as sort of a number to what would

00:46:36:43 - 00:46:55:17

Unknown

be likely to to them to to to to close in sort of, let's say, say eventually, short term, if you like. Could you just. Actually tell us which particular facilities they were on, why or the evidence that supports that view.

00:47:02:00 - 00:47:30:27

Unknown

Ali Lloyd on behalf of the applicant. Bear with me one moment. Support is peak in most facilities we assume a life of. 50 years. So facilities that. You know, so we've applied that unless we've got information that suggests otherwise.

00:47:31:14 - 00:48:13:00

Unknown

So the ones that a close. Bear with me. So at least in the relatively short term, I don't want to. Yeah. Understood. So I'll just run down the list. So these are facilities that are closed by 2030. So Coventry.

00:48:19:06 - 00:48:40:06

Unknown

Our London based Edmondson, although we we have equipment that's closing because it's being replaced by a new facility that we've included in the analysis. Stoke. And that's it, actually. Thank you. I can see you when I've got my hand up.

00:48:40:14 - 00:49:08:18

Unknown

I don't know whether it was relation to the general discussion on carbon capture or this current discussion point. But you can go ahead and make your contribution. Great. Thank you, sir. Shlomo Devin, on behalf of UK win, this is just drawing us back momentarily to the criteria in relation to cost potential that were applied by the applicant

00:49:08:18 - 00:49:35:14

Unknown

has just described. I'm mystified in relation to the proposed Boston Alternative Energy Facility, which we have down is 1.2 million tons of capacity in the East Midlands. The the applicant has it down to 1 million tonnes. They say no CCS potential identified yet this is to be in the port of Boston.

00:49:35:15 - 00:50:00:00

Unknown

All of the waste would be transported by ship and I understand that a seaside location was one of the criteria. So I'm curious to know why, if that was the case, a conclusion was reached that there was no CCS potential for the proposed 1.2 million tonnes of East Midlands capacity for both.

00:50:04:16 - 00:50:20:18



Unknown

Thanks for the question. I think I think I would like to respond. Boston, of course, is still has not yet got it not been decided. But I'll let the applicant respond on the on the specific question on behalf of the applicant.

00:50:21:11 - 00:50:45:13

Unknown

I mean, essentially, that's my response. We've only considered consented projects when we've looked at. Pipeline projects. Was somebody do. Did you have a follow up comment on that at all? Because I wasn't going to labor this point. No, thank you, sir.

00:50:45:13 - 00:51:01:24

Unknown

Actually, we're done for you came in. I don't want to belabor this either, and I'm keen to move on to where I think we're going. But in relation to 3.8. 11, we have the advantage of not only having table eight but also table nine.

00:51:01:47 - 00:51:19:23

Unknown

Table nine is planning applications submitted. And for each and every one of those facilities, there is an assessment about whether or not there is potential. That's where I'm coming from. I didn't just make it up. Now understand that.

00:51:19:23 - 00:51:36:12

Unknown

No, I understand where you've got the information from. It's just that. Yeah. That I think we'll move on. Can I just that when you talk about those ones that you did mention, the ones that you sort of like to close in the relatively short term.

00:51:36:26 - 00:51:54:10

Unknown

I mean, the process I mean, is that apart from your assumptions over operational life and perhaps the timescales don't help with this. Have they given notice of closure of they have a public process of they you know, have they kind of signaled that commercially or certainly regulatory process or is it too soon?

00:51:56:39 - 00:52:19:37

Unknown

Alan Lloyd on behalf of the applicant. Well, Edmondson, I talked about Stoke, I believe has a process has started to tender for a replacement project. Coventry on the top of my head. I'm not quite sure what the status says, but that's okay.

00:52:19:38 - 00:52:39:48

Unknown

I'm just trying to explore how how visible that process will be and how much evidence you could actually provide to support the assertions you're making. I'm just going to. Give if a wish UK with an opportunity to comment on the plant closure situation.

00:52:41:10 - 00:52:53:21

Unknown

You don't have to comment. Your hands are up. So I. Was it somebody else? I can't I can't meet the Mr. Mooney. I saw I saw Mr. Ammonia. You wish to contribute here. Thank you. Thank you, sir. Simon Ammonia.

00:52:53:22 - 00:53:16:09

Unknown

On behalf of the applicant, just coming back to to Mr. Morgan's point really about the commercial attraction, of course, Mr. Lloyd referred to, you know, net zero the government's legal requirement to hit net zero by 2050. Clearly CCU as fitted plant have the opportunity to contribute to waste.

00:53:16:09 - 00:53:41:43

Unknown

Producers need to move towards net zero, whether that's a a local authority or a business. So without a doubt there has to be a better commercial position for a plant fitted with CCS. Use the one that isn't. And again, Mr. Lloyd referred to the variation in the costs and practicability of CCU as across the energy from waste

00:53:41:43 - 00:54:01:37

Unknown

fleet. So it's inevitable that some plants are beginning to become less commercially attractive as this requirement to move towards net zero hits. And it is at a very early stage in terms of the commercial detail, it would be very difficult to forecast precisely what's going to happen.

00:54:01:37 - 00:54:25:49

Unknown

That's going to be a market driven issue, but some plants are much more likely to close as we move forward over time because of their carbon intensity than others somewhat. You know, it's strange that UK would be very interested in the point about the carbon intensity of energy from waste compared with other sources of electricity generation, but

00:54:26:00 - 00:54:48:39

Unknown

isn't prepared to accept the point that some plants are much more likely to cease operations because of that carbon intensity. Thank you. Thank you for that. Yes. I thought you win when? I don't know quite which point you want to respond to, but no doubt you'll you'll tell me if the touchdown from you came in just in

00:54:48:40 - 00:55:02:16

Unknown

relation to a question about the clergy situation. I mean, generally speaking, these are facilities that have permanent planning permission they don't have. Well, there may be a specific like the region of lifetime that they were intended to have.

00:55:02:27 - 00:55:25:34

Unknown

They were given temporary permission. They were given permanent planning permission. And there is every possibility that they would be refurbished. And so we think the central analysis, we think it ought to be assumed that they would be refurbished or their lifetime extended, and it would only be appropriate to consider them closing in respect of sensitivity analysis.

00:55:28:24 - 00:55:53:34

Unknown

Thank you. As is customary, I'll give the applicant a just a chance to comment on that point on behalf of the applicants. Again we haven't. It looked on the site by site basis. What the state some of these old facilities are, whether they can be refurbished, obviously energy from waste boilers operating in a

00:55:53:34 - 00:56:15:04

Unknown

very difficult combustion environment. So. It may not may or may not be economic to refurbish. We haven't looked at that. But I think 50 year life is a reasonable assumption. Okay. So I think we have said enough on that one.

00:56:18:03 - 00:56:47:14

Unknown

Apologies, Mr. Nicholson, microphone. If you can wait for that. Thank you, Simon Nicholson from Raine and the applicant who is talking about a 50 year life cycle. Yet the proposed life cycle of this development is only 25 years and cannot be explained what you based your 25 years on and not 50.

00:56:53:16 - 00:57:17:16

Unknown

If has a brief response, I'll let the applicant just respond on that one. If there's not, I'm happy to take as a written submission. Outbreaks of this bond are delivered on behalf of the applicant. I mean, in any investment, it's quite common to assume an investment life that's shorter than an operating life.

00:57:18:03 - 00:57:38:06

Unknown

I'll leave it at that, I think. Okay. Thank you. Thank you. Can we move on then to facilities under construction that are not operational? And I just really just point out that there was a facility identified in the UK win submission that was I don't think on your list so severely should be quite hopefully quite straightforward.

00:57:38:06 - 00:58:00:11

Unknown

This which is does the applicant accept that is, if you like should have been on the list. And a lawyer on behalf of the applicant. I assume you referred to the Vivian Hall facility? Yes. And in the updated analysis that we submitted in response to questions in deadline three, we included the.

00:58:01:14 - 00:58:36:00

Unknown

Okay, fine. To the UK when wish to make any comments about the the table of plants under construction. I'll take science as a as a as a no. So this. I've missed something. Okay. I'm going to really sort of move forward to.

00:58:37:46 - 00:58:52:01

Unknown

We could we can have the same conversation about those planning consent and not yet under construction and views as to how certain those are. But but I think what I think it's been helpful just to listen to these these arguments and points of view.

00:58:54:00 - 00:59:16:45

Unknown

I'm going to sort of draw this first part to a close, really by saying that you have been asked to prepare a statement of common ground with UK when. I think it would be helpful if the next draft or the first draft of whatever draft is in include a really, you know, a very robust agreed position of

00:59:17:20 - 00:59:32:29

Unknown

of the status of this of this balance. And I'd I'd like to see it really starting in 2020 and then looking at sort of five year sensible sort of five year intervals. So 2025, 2030 out to 2040, if you if you could.

00:59:34:30 - 00:59:53:01

Unknown

And I believe this uncertainty about this course I do. So I think what will be helpful will be a central. O UK when you've got your hand up have you. Yes, we do. Yes. I mean, we're happy for you to finish what you're saying.

00:59:53:01 - 01:00:01:33

Unknown

You just wanted to make clear that before the end of the item, we had some things that we wanted to say in terms of our position on this item that we want to say or equivalent to the next item.

01:00:02:25 - 01:00:11:04

Unknown

I think it would be perhaps better if you if you made those comments now. So I can sort of sum up. So, so, so, so the so that we don't sort of go backwards and forwards too much. Yeah.

01:00:11:34 - 01:00:33:27

Unknown

Thank you. Certainly. Thank you. This is John Stones from UK Win. First you want to make it clear that waste is a fuel. It's also used for purpose other than energy for waste, including fueling co incineration in cement kilns, which we give a figure of around 1 million tonnes potentially by around 2030, according to a study, and

01:00:33:27 - 01:00:52:48

Unknown

possibly more than 2.7 million tonnes of solid aviation fuels, which is projected. And that's the amount of capacity associated with a project awarded government funding in December 2022 because the on the basis the facilities would contribute to the Government's get to zero strategies.

01:00:53:49 - 01:01:18:30

Unknown

So it isn't simply a case of looking at the waste arriving on one side and the capacity on the other is important to consider that there is over or over capacity that wants to use the same material and we'll be making submissions in relation to these aviation fuels in deadline for about five more details than the weight

01:01:19:21 - 01:01:47:34

Unknown

the statement of common ground process in terms of cement kilns. The applicant did not take account of cement killed in that RDF supply assessment from December 20, 2022 I believe it was. We could get pre w for RO, but they did include field in 75 KP of cement kiln capacity in freeze January 2023 response to UK win

01:01:48:02 - 01:02:05:26

Unknown

, which was appended to three documents due to which we think that's a good start. But the applicant's figures neither matches the historic peak in relation to cement kilns, nor anticipate the potential for future increases as the cement sector seeks to decarbonize.

01:02:07:02 - 01:02:32:34

Unknown

In terms of SRF, solid aviation fuel sustainable, strong, sustainable aviation fuels. Well, the applicant includes 500 K TPA of Yorkshire and Humber Sustainable Aviation Fuel Capacity in 3-040. This was lumped together in other consented development that was not under construction and so its role was somewhat downplayed.

01:02:33:02 - 01:02:50:02

Unknown

This means that the applicant fails to adequately assess whether their the applicant's proposed 768 of new capacity in North Lincolnshire is likely to undermine and compete with the delivery of government funded waste as SRF capacity in the region.

01:02:51:38 - 01:03:14:10

Unknown

It appears that every major revision of the applicant RDF feedstock supply assessment has featured a profound reformulation of its central methodology. One could speculate that these shifts in the procurement in order to avoid admitting that based on the previously established methodologies, there would be significant regional and national overcapacity in light of additional capacity entering construction or increased

01:03:14:10 - 01:03:35:17

Unknown

government recycling ambitions. The applicants approach is getting increasingly detached from government policy, instead acting as if the government plans to shut down all incinerators that do not meet the own threshold. When that is not the case, it is perhaps telling you the applicant is not committing to full CCS in their own proposal and yet this.

01:03:35:31 - 01:03:58:31

Unknown

Yet they now assume that all people will be expected to do so. So one of the most egregious flaws in the up Ginsberg is the reliance on the fanciful convection, but the entails applying the

self-serving policy. TOMKINS Regarding the enforced closure of all, if only plants that had not been carbon capture fitted by 2045 and switch policy

01:03:58:31 - 01:04:14:34

Unknown

have not been proposed, nor has the extreme intervention been subject to consultation, for example, as part of the government's carbon capture readiness consultation, which doesn't mention at all the idea of closing down existing plans. That alone has been adopted by the UK government.

01:04:15:08 - 01:04:34:09

Unknown

The applicant simultaneously appears to ignore extant policies that they find inconvenient. In this contrast to UK wind's approach, which is based on aligning predictions with government policy and the applicant's own figures appear to indicate significant regional overcapacity in terms of regional waste vessels.

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

Unknown

Capacity in RET free dash 040. We see the applicant's projected regional waste figures on Figure ten within electronic page 45 arriving. Arriving on the African anticipates the waste will fall from 3.9 million tonnes. Based on 65%, the cycling of £3.8 million, based on 68%, which could presumably then be even lower if we assume that vehicle waste per

01:04:58:01 - 01:05:18:42

Unknown

capita would be halved in line with new government commitments. And then if we focus on the capacity in the same figure ten, we they provide for a R1 capacity of around 3.7 million tonnes in the region. But this does not include the regional capacity, which at that time they had yet to include, but they now acknowledge in

01:05:18:42 - 01:05:40:19

Unknown

a subsequent report but then haven't read on that old figures. So if we include all existing capacity acknowledged by the applicant, excluding non our one capacity, that adds up to 3.7 million tonnes of capacity in the region. And if we add to that the non owned capacity, the not the the no, no one capacity, the not being

01:05:40:19 - 01:06:00:40

Unknown

that 3.94 million tonnes of capacity in the region. And so there's clearly no room for an additional 760 KPA of capacity in the region. And then if we add in the five from the UK, from the Yorkshire and the Humber ECF plant, which is the figure that the African uses, they put in a different category then that

01:06:01:07 - 01:06:28:01

Unknown

they would be safe applicants that six if that 600,000 tonnes in various places bogey if we even if we just say 500 which is what the local captain is saying, then that brings us to 4.4 and TPA of acknowledged capacity, even if it hasn't been fully assessed, which is significantly higher than the anticipated waste arising.

01:06:28:11 - 01:06:45:15

Unknown

And so we just can't see how on any reasonable assessment, they concluded that this capacity would be necessary. Thank you. Thank you. Thank you. I see. Is a hand up, Mr. Ammonia. Would you. Would you. Do you want to speak first?

01:06:46:32 - 01:07:06:31

Unknown

Yes, sir. Thank you. Sorry, Simon. Just before you can bring Claire Brook on behalf of the applicant, recognizing there were a number of points made by UK when that. I think it would be helpful if those points are made in writing, given that they have the opportunity to respond in writing to the information that was provided at

01:07:06:31 - 01:07:21:36

Unknown

deadline three. And, you know, we will seek to continue to reply to all of the points made by UK one in UK when in writing as well. But I'll let Mr. Romany make some initial comments. Thank you, Mr. Ammonia.

01:07:21:49 - 01:07:42:25

Unknown

Your turn. Yes, thank you, sir. And is some of the money on behalf of the applicants echoing what Clare has just said to some extent. I think it's very important, given the extent of the assertions that you've just heard from UK Wind, that we see a full transcript and will provide a set of comments on that.

01:07:43:06 - 01:08:04:02

Unknown

But I also wanted to make again the point that I raised earlier in response to Mr. Mournes question. This is not a question of government closing incinerators. It's a question of the commercial context. The market in which energy from waste plant operates over the period through to 2050.

01:08:04:27 - 01:08:21:03

Unknown

And that is what is going to drive some of them to close. It isn't going to be a government inspector going round and closing them down. But as I said, I think it's important that we see the transcript of what we've just heard and are able to respond to in full thanking.

01:08:23:34 - 01:08:44:00

Unknown

So I'll carry on with my iPhone. Simon, is your hand still up? Thank you. So. Oh, one more. So. One more quick comment. Alleluia, Martha, I have just to say that. And as we've mentioned, you know, we will respond to those points in writing.

01:08:44:00 - 01:08:59:45

Unknown

But I think just from listening to the to that list, I think on all the detail points, I think we've actually covered them all in this discussion. I think that's what I was going to perhaps suggest that that actually there's lots of detail that we can add to this and UK can add to this.

01:09:00:20 - 01:09:14:30

Unknown

And I'll just really repeat what I started to say before, really, which was back in November. I think we simply said, can you reach out to these the UK when and and and try and develop a statement of common ground.

01:09:14:31 - 01:09:34:05

Unknown

Try and find the things you agree on. Try and that would be really helpful. First, as I to said it again, really, if by that, if when we do receive this draft statement of common ground, it could actually agree, I'll call them summary tables for England and regional tables and I'll call it in shorthand this supply capacity

01:09:34:05 - 01:09:51:01

Unknown

match. But I think you know what I mean, that 20, 20, 20, 25 up to 2040. And I'm quite happy for it to be presented as like a central case. But like we had some discussions yesterday, there will be a central case, the most likely case, and there may be degrees of uncertainty.

01:09:51:01 - 01:10:09:24

Unknown

And you can do your most optimistic, pessimistic. And that whether it's pessimistic or optimistic would depend on your perspective. But, you know, some sort of I think you understand what I'm getting at. But in all cases, assume that the residual waste reduction target is progressing towards the government target, the 2022 target.

01:10:12:15 - 01:10:32:14

Unknown

If we receive independent submissions, we will just try and make the best of those that we can. But obviously is much better. If, if, if, if, if there could be some consensus around this. I mean the UK, when people have done a lot of work on this and recognize that you've you've responded to that already, I just

01:10:32:14 - 01:10:55:02

Unknown

encourage you to continue with that. And we can see some common output rather than I'm going to say too much to them throwing ping pong, you know, if we can have some common output. I don't know when you could commit to producing that boy whether that was a deadline for be a bit soon.

01:11:06:40 - 01:11:20:19

Unknown

Claire Brook On behalf of the applicant, I believe we do have an initial meeting set up for tomorrow and so we can certainly use that meeting with UK when to discuss. I mean the purpose of it is to discuss the statement of common ground generally.

01:11:21:01 - 01:11:38:31

Unknown

But it has been helpful in this session to discuss and you know, we have had some level of agreement during the session in terms of some of that baseline data. So we can certainly



construct the statement of common ground and seek to do that around as much as possible of the sort of baseline information that the parties

01:11:38:31 - 01:11:57:25

Unknown

are able to agree. And then to work on those areas of disagreement in terms of how we can hopefully articulate those in a single place. I think that's really what I mean. If those areas of disagreement articulated in the same document as the agreement that they how helpful for us because then we're having a slightly more straightforward

01:11:57:25 - 01:12:16:12

Unknown

for us to see where those differences lie and and if it can be presented in a, you know, central case and different cases, either side, I think that would make it helpful for us. So I think I heard that you your meeting is quite imminent and that should give you time to produce some, some form of draft

01:12:16:12 - 01:12:37:33

Unknown

by. DEADLINE for. I've just been corrected, sir Claybrook, on behalf of the applicant, the initial meeting on these times common ground isn't tomorrow. It's next Friday. So in terms of what we may be able to put forward a deadline for, it may be that some of those initial tables, we can put some information in as a preliminary

01:12:37:34 - 01:12:52:41

Unknown

draft, but we'll do our best. Okay. Some some sort of template or something where you still got to complete some of the information. But this we can. Yeah. And the other point I want to make and I and I could point a bit of a finger to everybody here is, is be very clear on what what official

01:12:52:41 - 01:13:07:08

Unknown

data you are using to, to, to to justify your position and where you've had to use your own judgment and so on. That that's helpful for us in terms of understanding the robustness of the analysis. Yeah, we'll certainly do that.

01:13:07:08 - 01:13:32:15

Unknown

So. I think that completes the theory, which I knew it would take a bit of time. 11:15. I think we'll carry on. So the next. In many respects, some people might say, well, if you can if you can call it a set requirement, why are we having this some long, long debate?

01:13:32:26 - 01:13:53:01

Unknown

But nevertheless, if I just introduced the this item. Whether we can secure consistency with the waste hierarchy through the use of a draft requirement. And I think we've touched on on some of the introduction he already. But the crux of it really is.

01:13:54:43 - 01:14:11:44

Unknown

We don't wish to see inconsistency with the with the policy position. Can this be controlled when the appropriate requirement. The applicant has proposed the waste hierarchy scheme in the draft DCO. The comment 15 electronic page 40 or CB one in my reference list.

01:14:14:06 - 01:14:41:01

Unknown

I'm going to start with the applicant on this one. What evidence can you point to that demonstrates this is a proven way of achieving the policy? Sir. It's Sir Simon and I, on behalf of the applicant, we'll be talking to this point and I think we need to link with requirement 15 in the DCO, the environmental permit

01:14:41:01 - 01:15:00:18

Unknown

that the applicant is required to have for the development. The agency has confirmed that's the case. Pre-Application discussions have already commenced and the permit will restrict the plant categorically to the types of waste that it is able to accept.

01:15:00:37 - 01:15:26:44

Unknown

And those will all be residual waste streams. And so again, going back to Mr. Nicholson's question earlier on, categorically the plant will not accept any waste that has been separated for recycling or composting, and that will be inspections to check consistency with the permit.

01:15:26:45 - 01:15:56:19

Unknown

That will be records kept of the waste received by the plant that will be inspected to ensure that this is the case and requirement 15 is intended to go beyond that, really in making sure that the facility is not required to reject any of the waste received because its suppliers have not adequately met their obligations in terms

01:15:56:19 - 01:16:22:36

Unknown

of the application of the waste hierarchy and have transported waste to the facility, which is not able to accept because of its permit. Thank you so. If I can turn to interested parties and not just UK whimper, my people also certainly invite.

01:16:25:02 - 01:16:43:36

Unknown

Others to contribute on this, whether it's the Environment Agency or the. So before I'll come to you first, then UK when do you. Interested parties consider that that the requirement as drafted would be effective in achieving consistency with policy.

01:16:43:37 - 01:17:06:20

Unknown

And I'll start with UK win and then come to other interested parties. Thank you, sir. Shlomo do in for UK win. Before I hand over to my son and colleague Josh I have a question for Mr.. About a moment ago reference was made to inspection.

01:17:06:39 - 01:17:26:08

Unknown

I just wanted a bit of clarification about who exactly would be inspecting what and what would be the process, what would be the consequences? How would this the information be made public, that sort of thing. So it doesn't have to be.

01:17:26:09 - 01:17:43:05

Unknown

Now, that's obviously up to you, sir, but at some point I would be interested in hearing from Mr. Amobi about the nature of the inspections to which he refers. But now, in response to the substance of your question, I'll hand over to Josh.

01:17:44:39 - 01:18:03:25

Unknown

Thank you. So I'm just from Ukraine. I mean, in the short answer question, do we think that securing consistency is the way to keep the use of the draft requirement is something that would that we can have any kind of confidence in that there is no I mean, we think the issue of impact of likening is relevant

01:18:03:27 - 01:18:26:30

Unknown

to the planning process. And one of the reasons we know this, because we've been involved in many permitting consultations and when people raise concerns about the impact of incineration on recycling as part of the permitting process. Well, the Environment Agency says as part of a standard part of their response is that the the kind of the questions

01:18:26:30 - 01:18:43:33

Unknown

about the impact of the proposal on broader recycling is a planning matter, not a permitting method. So effectively they pass the buck onto the planning system in relation to ensuring that the proposal is consistent with the waste hierarchy in terms of the impact of the increase in capacity.

01:18:44:05 - 01:19:01:45

Unknown

And so the doesn't consider that in great detail because they assume this will be a pending matter of planning. Sorry, this will assume this will be a planning method. And one of the ways historically this has been attempted is through the use of such a requirement.

01:19:02:21 - 01:19:25:33

Unknown

And Riverside Energy Park was granted a DCO in April 2020. And while the details tubes can be been modified, the DCO would be a waste hierarchy requirement which was requirement 16 established the principle of that development. And one can distinguish the North Lincolnshire and obviously that development is yet to be up and running through our work in

01:19:25:33 - 01:19:47:08

Unknown

terms of actual impacts. But even still, one can distinguish the North Lincolnshire proposal from the Riverside Energy Park, for example, because the UK incineration capacity was not as high in April 2020 because at the time draft in three had yet to be introduced and it since taking over capacity avoidance requirements yet to be adopted at all in

01:19:47:09 - 01:20:12:23

Unknown

Parliament and the Environment Act's medical waste reduction targets had yet to be introduced. So a lot of killing since then. And so we can we can kind of take that into account with no spill that subsequent to the Riverside decision, the Willoughby rate there can be no incinerator was refused eco consent in February 2021, with the Secretary

01:20:12:23 - 01:20:32:33

Unknown

State agreeing with examining authority that the project would divert significant waste away from recycling rather than landfill. And that was despite the applicant's claim that the incinerator would only be burn non-recyclable waste. So we think that that the Secretary of State didn't say, don't worry, we can leave it to a condition or don't worry, we can leave

01:20:32:33 - 01:20:55:22

Unknown

it to the permitting facility. They said I would look at the situation and I think that the impact would be inappropriate and therefore I'm refusing permission. And one can distinguish the circumstances as well based on the fact that Riverside decided, without having sight of Cary's waste hierarchy scheme available for scrutiny.

01:20:55:35 - 01:21:18:34

Unknown

So effectively the requirement required the scheme to be produced and and provided and approved. And at the time there was a kind of a potential of what it could have contained. But now we know what such a scheme looks like and it is now available and we and it should be serve as a cautionary tale of not

01:21:18:35 - 01:21:40:09

Unknown

an opportunity for learning. We will submit a copy of it to the inquiry because it's quite an interesting document. We've only just had confirmation from the Council that it is something that they approved. And based on our experience of CO Riverside's Energy Park Waste Scheme, we can expect the draft requirement for North Lincolnshire would amount to merely

01:21:40:09 - 01:22:03:06

Unknown

relying on the existing legal duties such as Regulation 12 and on the goodwill of suppliers. But just with extra steps, there is very little additionality that would actually be required to address the concerns raised by UK win. In our representations of 33 or 2 minutes, it wouldn't actually address our concerns.

01:22:04:06 - 01:22:23:37

Unknown

The draft requirement for North Lincolnshire, which is the proposed requirement 15, does not and as far as we can tell, cannot obviate the harm caused to the waste hierarchy and the government recycling and waste reduction ambitions by the introduction of integration capacity that will result in English increasing capacity exceeding the getting your waste available to bear.

01:22:24:17 - 01:22:47:26

Unknown

And we'd be happily happy to previous to elaborate on why we think that incineration overcapacity inherently is harmful to recycling, whether it's on a regional basis or on a national basis. But that's something we've already set out. But we feel that the lesson to learn from Corrie or even obviously it's not operations because the object in practice

01:22:47:37 - 01:23:09:12

Unknown

in terms of the actual facilities and what is burning. Well we can see how it works in practice in terms of the scheme and that leads us to the conclusion that it is not appropriate as a means of affectively being able to conclude that this proposal would not harm recycling in the waste hierarchy and the government's over

01:23:09:12 - 01:23:33:37

Unknown

waste ambitions. Thank you. Thank you for that contribution. I will have a go. Does that make them want to risk bond? I think I think I think Simon's concerned. Can you just hold on for a minute and I'd like to I'd like to I'd like to invite as other parties have been mentioned, I think, during this discussion

01:23:35:40 - 01:23:58:44

Unknown

. Could could could the enforcement agency respond to some of the points that were some of the relevant points with points relevant to them during that contribution? Hi there. Yep. Quickly vibrates. They say that there was quite a lot point to their devices with the directly what I did with my day to day role so I can't comment

01:23:58:45 - 01:24:15:01

Unknown

on everything in terms of the original point that was made, we would obviously regulate the site in line with environmental permit, which obviously has a series of rules and conditions that reflect industry best practice as set by EU guidance.

01:24:17:12 - 01:24:37:37

Unknown

And yet in terms of a series of inspections, we would audit and inspect the permit at the operator of the site in line with those conditions. But in terms of accountability, there'll be potential scores if there's any breaches or nonperformance is depending on what they were and how they occurred.

01:24:38:33 - 01:24:56:47

Unknown

There may be action from there, you know, whether that's advice and guidance, warning letters, formal legal notices or, you know, prosecutions. You know, we have the capacity, the authority to do those. So I suppose to back up the original point that that was the case.

01:24:57:30 - 01:25:20:38

Unknown

Um, were there any specific questions in the UK with representation that you wanted me to cover? I think it's a helpful start. Well, I, I'd also like to do is invite North Lincolnshire because as, as, as this is currently set up, it is written as a requirement in the DCO and it would require the undertaker to produce

01:25:20:38 - 01:25:38:46

Unknown

something that would be approved by the Local Council for Enforcement by the local council, as I understand it. So could I just ask for some comments from North Lincolnshire on this? Yeah, thank you. So under your law for North and get your council, I think I'd start by saying it's not a condition or a requirement that we've

01:25:38:46 - 01:26:00:25

Unknown

ever sort of come across before. So in terms of commenting on the actual effectiveness of such a requirement, that's not something I'm able to do, unfortunately. I suppose our concern. Would probably be around the relationship between the requirement and the environmental permit and where roles and responsibilities lie.

01:26:01:17 - 01:26:17:24

Unknown

To some degree it would seem to almost be a duplication of controls are already in place through the environmental permit. It's not the sort of requirement that we would normally be used to enforcing and monitoring and and taking action on.

01:26:17:24 - 01:26:29:42

Unknown

So I think if such a requirement were in place, it would need to be clear where the role was lied. In terms of in terms of that, we would have to work closely in association with the Environment Agency.

01:26:29:42 - 01:26:52:44

Unknown

I think in that regard I would just note as well. Thinking about kind of enforcement of requirements and monitoring going forward, I think. There's no sort of specific target or figure for non-recyclable waste. I think it requires operators to remove as much recyclable waste as possible from the IDF.

01:26:53:15 - 01:27:08:03

Unknown

I'm not sure how we would actually enforce that. What would be considered to be as much as is reasonable from from the waste streams. So I'm not sure whether it's specific enough in that regard for us to enforce that.

01:27:08:10 - 01:27:25:05

Unknown

I thank you for that. I guess I'll turn back to the applicant. We feel quite a bit different. People do want to oppose it. Mr. Monet, would you like to respond to. Some of these points. Yes. Thank you, sir.

01:27:25:05 - 01:27:47:10

Unknown

Simon Munir, on behalf of the applicant. And we do agree that there's you know, I wouldn't say a danger, but an almost inevitability of duplication of regimes here, which is perhaps not very

helpful. And Mr. Craig, I think, set out very clearly what the Environment Agency will do to enforce the conditions in the permit.

01:27:47:35 - 01:28:12:37

Unknown

And one would have hoped that that was sufficient to give everybody confidence that the facility would not in any way be compromised the hierarchy. What I didn't say in my initial comments was, of course, the key effect of the facility on the hierarchy will be to take waste that is at the bottom of the hierarchy at the

01:28:12:37 - 01:28:35:20

Unknown

moment because it is going to landfill and move it up the hierarchy to energy recovery. That's that will be its primary effect on the hierarchy. Without a doubt. And you evidence that it is needed includes the increase in waste landfilled in Yorkshire and the Humber from 2020 to 2021.

01:28:35:48 - 01:28:58:05

Unknown

And that's set out in the footprint report. And so there is a need to divert more waste from landfill and we're in danger if we spend much more time on that. In going back to the first item that we covered, which is about the capacity gap, the advantage of Requirement 15 in the draft DCO is that it

01:28:58:05 - 01:29:31:20

Unknown

obliges the applicant to engage in particular with its fuel suppliers to a greater extent than the permits alone would affect. So the permit deals with what the facility accepts. Requirement 15 can ensure that the operator is engaging with its fuel suppliers to try and encourage them further to ensure that the hierarchy is applied in full, which

01:29:31:20 - 01:29:49:37

Unknown

is an obligation that they are under in any case because of the waste England and Wales regulations. But sometimes there is some skepticism as to the degree to which that is applied. So we feel there is a benefit of requirement 15.

01:29:49:38 - 01:30:19:44

Unknown

It provides further confidence that the whole system is ensuring the hierarchy is applied, that the key instrument is the environmental permit. Without a doubt. Just one last point. The development also, of course, includes plastics recycling facility, which is specifically intended to help facilitate the separation for recycling of plastics from waste, in particular by suppliers of fuel to

01:30:19:44 - 01:30:38:45

Unknown

the site. And that contributes to at least the volume of plastics recycling to a higher level in the waste hierarchy. Thank you. I think before I come to UK win again, I think I've got a hand up. Mr. Nicholson's got his hand up in the room.

01:30:38:45 - 01:31:01:17

Unknown

So, Mr. Nicholson. Thank you Simon Nicholson from UK win of sorry from from rain. And a couple of points. I'm. Waste monitoring at source. Is that true? Am I covering ground that some of the money has already covered?

01:31:02:35 - 01:31:24:13

Unknown

And the the other thing was if all recyclable material has been removed. And there's no biomass. Do we know what's left? I think I'll ask them. That second question I think is quite, quite a quite a nice guy that questions the applicant, I think.

01:31:28:32 - 01:32:01:02

Unknown

Thank you, sir. Simon. Simon. Pneumonia. On behalf of UK wear. Oh, so. So just to address those points. There are materials such as waste paper card, plastics in a kitchen, garden, waste in residual waste. That's because they have not been separated out by the waste producer, whether that's a commercial enterprise or a household.

01:32:01:36 - 01:32:30:25

Unknown

And those are not regarded as recyclable or compostable because they have not been so separated and their waste code is mixed municipal waste or whatever the appropriate code might be. And it's that, if you like, sink of materials that government is hoping will provide the opportunity for the higher levels of recycling and composting that it is set

01:32:30:25 - 01:32:57:49

Unknown

out as targets. And Mr. Lloyd is allowed for in his capacity assessment, we often refer to recycling in terms of its technical, environmental and economic practicability. It simply isn't possible to separate everything out from waste that might sort of theoretically or inherently appear to be recoverable.

01:32:57:49 - 01:33:25:43

Unknown

In that sense, if you think of very dirty paper used to wrap cat litter, for example. That is not going to be recyclable. And you can understand why a householder doesn't separate for the recycling. Since the inevitability of the way that householders and commercial enterprises manage their wastes at end of life always has been and always will

01:33:25:43 - 01:33:56:33

Unknown

be. And so the points that Mr. Nicholson raised about waste monitoring at source, I think assuming we're talking about the fuel provider and where they collect waste from the fuel provider to the development will have a fuel specification contract and that will include the requirement that it is only residual wastes that are sent to the facility.

01:33:57:00 - 01:34:18:24

Unknown

They themselves will be sourcing residual waste from their customers again, whether that's municipal customers or commercial customers. Commercial customers have an obligation to



apply the waste hierarchy, as does the local authority in terms of its engagement with the householders within the locality.

01:34:19:46 - 01:34:41:02

Unknown

So the waste monitoring part of this that would be affected by requirement 16 is to ensure that those waste suppliers are taking measures to make sure that they are only collecting residual waste themselves and that measures to apply the hierarchy are taken by their customers as well.

01:34:42:00 - 01:35:03:17

Unknown

And so again, that's why we will have some greater confidence than we would have only through the permit that it was only residual wastes that were being delivered to the facility. Thank you. I can see UK win has got a hand up sort of proposal to take one more contribution from them, allow the applicant to respond and

01:35:03:17 - 01:35:21:34

Unknown

then we'll we'll take a break, I think. Okay. Thank you very much. This is Joy, actually from U.K. win. I want just focus on two different points. One is in relation to the idea that everything can be left to the permanent.

01:35:22:06 - 01:35:39:32

Unknown

So, I mean, generally speaking, the permit ensures compliance with various legal requirements, but it doesn't do anything in terms of what Michael called gold plating to go beyond the legal requirement. Look, the environment agency effectively. How so? He meets the minimum legal requirements for a permit.

01:35:39:44 - 01:35:55:19

Unknown

Then they have to issue that permit even if even if this facility could be even better in other ways or we could even be completely unnecessary. Is kind of is very much okay if it meets the requirements to get the permit.

01:35:55:19 - 01:36:19:31

Unknown

And so when people raised concerns about incineration, harming recycling and we got an example from the permit application for Horsham, which is one of the most recent mine to do decisions from the Environment Agency. So when asked the question concerned that incineration reduces recycling and the answer is the environment agency is wide issues of waste policy outside

01:36:19:32 - 01:36:32:05

Unknown

our remit and they have the they have concerned the information is a circular economy and the reason why the issues of waste policy are outside our remit. And then they have concerned that UK already faced inflation of a capacity.

01:36:32:13 - 01:36:46:33

Unknown

And the answer is why do you use a waste policy outside of our remit? And so if these matters outside the Environment Agency's remit, that means that they can't be controlled through the permitting process, which means they can only be controlled through the planning process.

01:36:47:01 - 01:37:02:40

Unknown

And there's only so much that can be controlled in the planning process through of a requirement. The rest of it has to be controlled with the decision about whether or not to fund mission. As we can see from really great the company nor it, what you can cite is there is no way to adequately address this route

01:37:03:11 - 01:37:16:42

Unknown

through requirements. So I have to refuse and if later down the line it turns out that more capacity is needed, then the current evidence suggests then they can come back with a new application. But that takes us to the real world.

01:37:17:01 - 01:37:40:27

Unknown

The second point we give the real world example from Riverside. So in terms of the idea that it will encourage suppliers to do their very best, etc., we have an example of a scheme that has been approved in relation to such a condition and all it actually requires is that the operator of the incinerator asks the provider

01:37:40:27 - 01:37:52:27

Unknown

of the waste to set their own target for how much cycles to remove. It doesn't say up to any specific target. You have to set your own target for how much it's likely to remove as a supplier.

01:37:52:40 - 01:38:06:24

Unknown

And then you have to if at some point you if the supplier believes that they are missing that target, they have to self-report that limiting the target and whether if they if they decide to self-report, they're limiting the target.

01:38:06:35 - 01:38:19:15

Unknown

They have a meeting with the operator. And what the operator can either can do is agree effectively how long they need to have come into compliance, which we do under the under the terms of the factory, as long as necessary.

01:38:19:35 - 01:38:30:10

Unknown

And so even if you agree on a target, you're not held to it. And there's very little and you can just be allowed to. Okay, you you may have said this within a year, might not five years. Why not ten years?

01:38:30:10 - 01:38:48:11

Unknown

Try and get to that rate? Because there's no requirement for the operator to turn it turn it away. And even for breaches of the of the requirements when they're identified, they think they're allowed up to three breaches before the authority was allowed to even consider taking action.

01:38:48:11 - 01:39:08:11

Unknown

So as far as it goes, it doesn't it does provide a small amount of additionality in terms of affecting the operate despite having to think about the issue. But to some extent, they don't. We need to think about it very hard because the actual what they are quite do isn't very much and that we don't think that

01:39:08:12 - 01:39:29:46

Unknown

it actually would do what it needs to do in order to buy confidence. Thank you. Before I ask for perhaps the final response from the applicant, I mean, I'll just adjust this comment to UK win, but also to the link to North Links, which is, you know, you are of course invited for your written submissions to, to

01:39:29:48 - 01:39:53:13

Unknown

, to really submit things that you think would improve that requirement as drafted and make it more enforceable or more or more effective. That's part of this process. So I think probably I'm thinking of yourselves UK win obviously you've you've been over what's been written in other and what's happened to other projects quite carefully.

01:39:54:16 - 01:40:08:30

Unknown

There's opportunity there to to add to this process you know, make contributions to improve the robustness of what's been offered. I want to invite you to to do that. Mr. Money, I think we call this the sort of final.

01:40:09:10 - 01:40:32:18

Unknown

What do what would you like to go first miss book. Thank you, Claire Brook, on behalf of the applicant. Just a couple of very small points to add which will hopefully assist you. Firstly, in terms of we've seen reference to Corby Riverside and we have indicated that the draft requirement that we've put forward is is taken from

01:40:32:18 - 01:40:57:00

Unknown

that DCO. It is a relatively new approach where we accept that. Just point you to the reference in the Secretary of State's decision letter on the point should you wish to look at Korea Riverside. Paragraph 4.9 of the Secretary of State's decision does confirm that the Secretary of State agrees with the examining authority on that particular project

01:40:57:25 - 01:41:19:07

Unknown

, that the drafting of the requirement put forward there, which asks the same, should ensure that the development will not breach the principles of the waste hierarchy. The Secretary of State was satisfied that it was a worthy requirement to put forward at that point accepting all the points that have been made about gold plating, in particular, the fact

01:41:19:07 - 01:41:43:22

Unknown

that the waste hierarchy is obviously an obligation that ties to everybody in the production chain of waste and the requirement is put forward in. And we accept that the principal obligation is on the suppliers of residual waste to the facility to comply themselves with the waste hierarchy.

01:41:44:14 - 01:42:03:46

Unknown

What this adds is, as I think Mr. Barnier described it, it is more of a belt and braces approach to check that the supplier is complying with the waste hierarchy. That is a legal requirement that the suppliers, all of them, must comply with that in terms of the waste that they do send to the facility.

01:42:05:05 - 01:42:28:43

Unknown

And we also made reference in particular to a typical permit condition. So in addition to the list of wastes that are specified, there is a further condition that is imposed on most permits. And we've looked at the Kemsley wall as an example, and what that stipulates is that waste can only be accepted at the facility, firstly

01:42:28:43 - 01:42:54:31

Unknown

, if it complies with the list of waste specified within the permit. And then secondly, if for any reason there is still segregated materials that become available for the facility that haven't been recycled, they cannot be accepted by virtue of the permit condition at the facility unless it is demonstrated that they are unsuitable for recycling.

01:42:54:32 - 01:43:09:12

Unknown

So if they're contaminated or if there's something, you know, gone awry in terms of that sort of segregation, it's only in those circumstances that that waste can then be taken out of facility. So I just wanted to emphasize those two points, but thank you, sir.

01:43:10:21 - 01:43:31:43

Unknown

Thank you. I don't know if that's kind of what you wanted to say, Mr. Money. Well, got very the sum of money on behalf of the applicant. Very nearly. Just to add to Clare's point that the waste hierarchy is implemented through the Waste England and Wales regulations and the obligation on every waste producer.

01:43:32:02 - 01:43:48:35

Unknown

I don't think this is the forum for examining whether that's an adequate way of doing so. It's been in place for more than a decade and you know, it's been seen as a perfectly adequate set of regulations so far.

01:43:48:47 - 01:44:08:34

Unknown

And the UK, in response just now about Kemsley reminded me to add a point that conceivably might be helpful here, which is, you know, Kemsley is in Kent. Kent has 1.2 or 1.4 million tonnes per year of operating energy from waste capacity.

01:44:08:46 - 01:44:31:46

Unknown

And it was within that local and regional context that the potential for overcapacity and to damage the application of the hierarchy, I think was the judgment was made. And that's very different from the circumstance that we find with the the development in North Lincolnshire.

01:44:35:17 - 01:44:57:21

Unknown

No, thank you. I think we will have a break there. I make it 1144, 15 minutes back at midnight. Fine. Good. Thank you. Just remind those on the live stream. You'll need to refresh your browser page when you rejoin.

01:44:57:22 - 01:44:57:46

Unknown

Thank you.