

Indaver Rivenhall IWMF DCO

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009

REPORTS [PINS Ref: EN0101038] CONSULTATION REPORT

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November 2023
Indaver Rivenhall Ltd

Leading the field in
sustainable waste
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1 Glossary

Abbreviation	Definition
APFP Regulations	Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009
Applicant	Indaver Rivenhall Limited
Application	The application for a DCO to be submitted pursuant to the PA 2008 by the Applicant for the Proposed Development
BDC	Braintree District Council
Consented Scheme	The IWMF as approved by the IWMF TCPA Permission that is currently under construction at the IWMF Site.
DCO	Development Consent Order. A DCO is the form in which the Secretary of State grants consent for development applied for under the Planning Act 2008.
Deposit Locations	Locations where consultation materials were placed for inspection by the local community, being Braintree Library, Silver End Library, Kelvedon Library, Coggeshall Library, and Witham Library.
Draft NPS EN-3	Draft National Policy Statement for Renewable Energy Infrastructure EN-3, which was published in March 2023.
ECC	Essex County Council
EfW	Energy from Waste. Treatment processes and technologies used to generate a useable form of energy and which also reduce the solid volume of residual waste.
EIA	Environmental Impact Assessment. A process for predicting the effects of a proposed development on the environment that informs decision makers in relation to planning permissions, consents, licences and other statutory approvals, as required by Directive 2014/52/EU (the EIA Directive).
Environmental Permit	Environmental Permit (No.: EPR/FP3335YU), as varied by (No. EPR/FP3335/YU/V002, date 03 June 2020), and transferred to the Applicant (No. EPR/CP3906LP).
ES	Environmental Statement. The document reporting the process and outcomes of the EIA. Book 6 of this Application.
Host Authorities	The relevant planning authorities within which the Proposed Development is located, being Braintree District Council and Essex County Council
IWMF	Integrated Waste Management Facility
IWMF TCPA Permission	Planning permission reference ESS/34/15/BTE (as amended and superseded from time to time, including by permissions granted pursuant to sections 73 and 96a of the TCPA 1990),

	dated 26 February 2016, for the development an Integrated Waste Management Facility at the former Rivenhall Airfield
LCC Zone	Local Community Consultation Zone. This being a zone within a 5.5km radius from the Order Limits boundary.
MMO	Marine Management Organisation
MW	Megawatt of electricity
NSIP	Nationally Significant Infrastructure Project. A project that, by reason of its scale and/or Infrastructure Project (NSIP) importance, needs Development Consent before it can be built or operated
NPS	National Policy Statement. Policy statements that set out the government's objectives for the development of nationally significant infrastructure. They undergo a democratic process of public consultation and parliamentary scrutiny before being designated (i.e. published). They provide the primary basis for deciding NSIPs.
PA 2008	Planning Act 2008
PEIR	Preliminary Environmental Information Report
PPA	Planning Performance Agreement. Framework agreed between a local planning authority and a planning applicant for the management of complex development proposals.
Proposed Development	The application for which Development Consent is being sought – the proposed extension to the electrical generating capacity of the EfW component of the Rivenhall IWMF.
Report	This Consultation Report
SLG	Site Liaison Group. The SLG members comprise representatives from the Applicant, ECC, BDC, the Environment Agency, and nearby Parish Councils (these being Rivenhall, Silver End, Bradwell, Coggeshall, Kelvedon and Feering)
SoCC	Statement of Community Consultation
Statutory Consultation	The consultation held between 28 June and 23 August 2023 in accordance with sections 42, 47, and 48 of the PA 2008
TCPA 1990	Town and Country Planning Act 1990

2 Executive Summary

- 2.1 This Consultation Report relates to the proposed extension to the electrical generating capacity of the Energy from Waste ('EfW') component of the Rivenhall Integrated Waste Management Facility ('IWMF') ('the Proposed Development').
- 2.2 Indaver Rivenhall Limited ('the Applicant') has submitted an application to the Planning Inspectorate for a Development Consent Order ('DCO') from the Secretary of State for Energy Security and Net Zero for the Proposed Development ('the Application'). The Proposed Development is a Nationally Significant Infrastructure Project ('NSIP') as defined in the Planning Act 2008 ('the PA 2008').
- 2.3 In accordance with section 37(3)(c) of the PA 2008, the Applicant has submitted this Report as part of the Application. This Report explains how the Applicant has complied with the consultation requirements set out in the PA 2008, summarises the responses received to the consultation and explains the account taken by the Applicant of those responses in finalising the Application. This Report also provides information about the non-statutory consultation and informal engagement undertaken by the Applicant about the Proposed Development.
- 2.4 The Applicant carried out comprehensive pre-application consultation and informal engagement prior to submitting the Application, including 8 weeks of Statutory Consultation, as well as non-statutory engagement. The pre-application statutory consultation accorded with the requirements of the PA 2008, Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('APFP Regulations') and Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations') and had regard to guidance issued under section 50 of the PA 2008.
- 2.5 The Applicant consulted in a variety of ways to maximise consultee participation. 63 consultees provided feedback through the Statutory Consultation and the Applicant is grateful to all those who took the time to engage in the consultation process.

3 Introduction

Purpose of this document

- 3.1 This Consultation Report ('Report') relates to the proposed extension of the electrical generating capacity of the Energy from Waste ('EfW') component of the Rivenhall Integrated Waste Management Facility ('IWMF') ('the Proposed Development').
- 3.2 Indaver Rivenhall Limited ('the Applicant') has submitted an application for the Proposed Development to the Planning Inspectorate for a Development Consent Order ('DCO') from the Secretary of State for Energy Security and Net Zero for the Proposed Development ('the Application'). The Proposed Development is a Nationally Significant Infrastructure Project ('NSIP') as defined in the Planning Act 2008 ('the PA 2008').
- 3.3 In accordance with section 37(3)(c) of the PA 2008, the Applicant has submitted this Report as part of the Application. This Report explains how the Applicant has complied with the consultation requirements set out in the PA 2008, summarises the responses received to the consultation and explains the account taken by the Applicant of those responses in finalising the Application. It also provides information about the non-statutory consultation and informal engagement undertaken by the Applicant relating to the Proposed Development.

The Proposed Development

- 3.4 The Rivenhall IWMF is being constructed to help divert waste from landfill and better manage the waste that is produced. When operational, the IWMF will process and treat waste and residual waste will be incinerated with the energy from the waste converted into electricity to help power homes and businesses in a process known as Energy from Waste ('EfW').
- 3.5 The IWMF is located to the east of Silver End near Braintree in Essex, on the site of the former Rivenhall airfield. The 'host' authorities for the IWMF are Braintree District Council ('BDC') and Essex County Council ('ECC') ('the host authorities').
- 3.6 The planning permission pursuant to which the IWMF is being constructed was issued by ECC under reference ESS/34/15/BTE on 26 February 2016 ('the Consented Scheme'). This planning permission allows for the generation of up to 49.9MW of electricity ('MW') under the Town and Country Planning Act 1990 ('TCPA 1990') which is currently under construction. This Application seeks consent to generate more than 50MW.
- 3.7 This would be achieved by modifying or installing a plant which allows a greater amount of the steam generated through the incineration process to reach the turbine. No increased throughput of waste is necessary to achieve the power uplift. There would be no changes to the external appearance of the Consented Scheme, nor any additional impacts to air quality and noise. The Proposed Development would not lead to a change to the maximum number of heavy goods vehicle movements associated with either the construction or operation of the Consented Scheme.

3.8 Further information on the Proposed Development is set out in the **Environmental Statement ('ES') Volume 1, Chapter 3: Proposed Development and Construction (Doc Ref. 6.1)**.

The Applicant

3.9 The Applicant, Indaver Rivenhall Limited, provides high-quality sustainable waste management solutions to large scale industry, waste collectors, and public authorities. The Applicant is a wholly owned subsidiary of Indaver NV, a European waste management company based in Flanders which is active in the UK and elsewhere in Europe, with facilities and operations in Belgium, Germany, Ireland, the Netherlands, Italy, France, Spain and Portugal.

Consultation and engagement timeline

3.10 Table 1 provides a visual timeline of the Statutory Consultation undertaken between 28 June and 23 August 2023 ('Statutory Consultation') and the non-statutory engagement undertaken as part of the pre-application process.

Table 1 - Summary of the engagement and Consultation undertaken in advance of the Application being submitted

Month	Date and Activity
October 2021	<ul style="list-style-type: none"> 6th – presentation to the Site Liaison Group
November 2021	<ul style="list-style-type: none"> 11th – Inception meeting with PINS
December 2021	<ul style="list-style-type: none"> 15th – presentation to the SLG
December 2022	<ul style="list-style-type: none"> 8th – presentation to the SLG 19th – meeting with the Host Authorities
January 2023	<ul style="list-style-type: none"> 10th - meeting with the host authorities and issuing of first draft of SoCC
February 2023	<ul style="list-style-type: none"> 3rd - meeting with the Environment Agency 7th - meeting with the host authorities 7th - issuing of draft SoCC to the host authorities
March 2023	<ul style="list-style-type: none"> 7th March - meeting with the host authorities 7th March - PINS site visit 16th March - presentation to the SLG 21st March - meeting with the host authorities
April 2023	<ul style="list-style-type: none"> 7th March - meeting with the host authorities 7th March - PINS site visit 16th March - presentation to the SLG 21st March - meeting with the host authorities
May 2023	<ul style="list-style-type: none"> 9th – meeting with the Host Authorities

June 2023	<ul style="list-style-type: none"> ▪ 14th – meeting with the SLG ▪ 28th – commencement of the Statutory Consultation
July 2023	<ul style="list-style-type: none"> ▪ 6th – Public consultation event #1 ▪ 11th – meeting with the Host Authorities ▪ 14th – Public consultation event #2 ▪ 22nd – Public consultation event #3 ▪ 26th – Public consultation event #4 ▪ 31st – Public consultation event #5
August 2023	<ul style="list-style-type: none"> ▪ 1st – meeting with the Host Authorities ▪ 14th – meeting with PINS ▪ 18th – Public consultation event #6 ▪ 23rd – closure of Statutory Consultation
September 2023	<ul style="list-style-type: none"> ▪ 12th – meeting with ECC
October 2023	<ul style="list-style-type: none"> ▪ 5th – meeting with the SLG ▪ 10th – meeting with the Host Authorities ▪ 18th – meeting with the Host Authorities

Structure of the Consultation Report

3.11 This Report contains the following sections:

- **Section 1 - Glossary** sets out the relevant definitions and abbreviations used in this Report;
- **Section 2 - Executive Summary** provides an overarching summary of this Report and activities undertaken;
- **Section 3 – Introduction** provides information on the Proposed Development, Applicant and structure of this Report;
- **Section 4 – Non-Statutory and Informal Engagement** summarises non-statutory engagement undertaken, feedback received and the Applicant’s response to feedback;
- **Section 5 – Consultation under EIA Regulations** provides details of the EIA Scoping process;
- **Section 6 – Approach to Statutory Consultation** provides an overview of the Statement of Community Consultation and explains how the Statutory Consultation undertaken complied with the consultation requirements;
- **Section 7 – Statutory Consultation** sets out the scope, launch, engagement activities, feedback received and the Applicant’s response to feedback to the Statutory Consultation; and
- **Section 8 – Conclusion** provides a summary and an overview of the consultation undertaken.

4 Non-Statutory and Informal Engagement

Overview of non-statutory consultation

4.1 The Applicant recognises the importance of early consultation. The Applicant notified the Planning Inspectorate and Stakeholder Liaison Group (SLG) of its intention to submit an application for development consent in 2021. The Applicant then met with the Planning Inspectorate regularly from 2022 onwards in relation to this Application, up to the point of submission. The Applicant started active engagement with the SLG and the host Local Authorities from late 2022 onwards, which was complementary to the Statutory Consultation.

Site Liaison Group

4.2 In accordance with the planning obligations associated with the IWMF's planning permission, the Applicant hosts an SLG meeting every quarter. The objective of the SLG is to give local representatives and interested parties an opportunity to discuss any matters arising from the construction and operation of the IWMF. The SLG members comprise representatives from the Applicant, ECC, BDC, the Environment Agency, and nearby Parish Councils (these being Rivenhall, Silver End, Bradwell, Coggeshall, Kelvedon and Feering).

4.3 The SLG meets to discuss matters relating directly to the site of the Consented Scheme. It has been used to provide background on why a DCO application is being prepared, how it will affect the Consented Scheme, and discuss potential approaches to carrying out the Statutory Consultation on the Proposed Development.

4.4 The Proposed Development was first discussed with the SLG in October and December 2021. At the December 2021 meeting, the Applicant informed the group that it was drafting the Statement of Community Consultation ('SoCC') and asked for input on the consultation process, in particular any suggestions concerning:

- the most useful venues for making consultation documents available for people to view, in addition to the project's website and the deposit locations; and
- any 'hard-to-reach' groups in the local community who might benefit from particular outreach and who might not see newspaper notices or have access to the project's website.

4.5 Two suggestions were made: using Kelvedon Library as a deposit location for the consultation documents, and placing a consultation notice and documents at Oak Stores (village shop) in Rivenhall. As detailed in Section 6 of this report, Kelvedon Library was included as a deposit location for the consultation documents. The Applicant also explored using the Oak Stores but they advised that they did not have sufficient space (as stated in the SoCC). Instead a notice was displayed in the Witham Tesco to advertise the consultation given high levels of footfall in this location and their ability to display a notice.

- 4.6 The Proposed Development was discussed with the SLG in December 2022 and March 2023. Acknowledging that it had been approximately a year since the Proposed Development was last discussed, background information was provided on how the Proposed Development would alter the operation of the Consented Scheme to increase the electrical output of the EfW component. The legislative background as to why a DCO application is required was explained, plus the approximate timescales for preparing the application.
- 4.7 At these meetings, the approach to consulting the local communities on the Proposed Development was discussed with the SLG. Potential venues for depositing hard copies of the Statutory Consultation materials and holding public events were discussed.
- 4.8 As part of the approach to the Statutory Consultation, the Applicant proposed to establish a Local Community Consultation Zone ('the LCC Zone'), which would be a 5km radius circle from the location of the site of the Proposed Development. The LCC Zone would be the focus of the statutory consultation, with individuals, businesses and other organisations within this Zone receiving a leaflet in the post informing them of the consultation and where they could view the documents, plus the timings and locations of the public events.
- 4.9 The feedback from the SLG was that the radius of the LCC Zone should be increased to 5.5km to take in the village of Feering. This feedback was taken into account and incorporated into the SoCC.

Non-statutory engagement with the host authorities

- 4.10 Representatives of the host authorities take part in the SLG meetings. In addition to this, the Applicant has met regularly with the host authorities to discuss matters relating to the preparation of the Application. These meetings occur approximately once a month (as per Table 1).
- 4.11 The suggested approach to scoping the EIA was discussed, which is that everything is scoped out of the assessment except for Noise, and Climate Change and Greenhouse Gases.
- 4.12 Early drafts of the SoCC were also shared with the host authorities. This ensured that they would have sufficient time to review and provide feedback ahead of the formal consultation on the draft SoCC. A summary of the feedback provided on the early drafts of the SoCC is set out in Table 2.

Table 2 - Summary of informal feedback on the draft Statement of Community Consultation

Consultee	Summary of comment	Regard had by the Applicant
ECC	Additional detail on the non-material amendments that have been made to the IWMF planning permission should be set out.	Details of the non-material amendment applications that had, at the time of writing, been approved or were pending determination were added to the SoCC.

BDC	Note that the uplift in power output could cause significant environmental effects.	Further information on how the Proposed Development would work was provided in the SoCC, making clearer why it is not anticipated that there would be significant environmental effects as a result of the Proposed Development.
BDC	Note that NPS EN-3 was scheduled to be reviewed.	Noted that any published draft of the NPS would be considered through the Planning Statement.
ECC	Further information should be provided on how emissions would be regulated by the Environmental Permit that applies to the IWMF.	Details of the IWMF's Environmental Permit were added to the SoCC.
ECC	Recommendation to explain why an LCC Zone radius of 5.5km was chosen.	Further information on why a 5.5km radius was appropriate was specified in the SoCC (Section 4).
BDC	Greater specificity should be provided in the SoCC on the public events.	The SoCC explains the approach to consultation rather than the precise details of the consultation events to be carried out. The Applicant considered it was appropriate to maintain flexibility within the document on the details for these events and therefore this was not included in the SoCC. This was agreed verbally with BDC at a meeting; and they did not raise it further as part of their formal response to the draft SoCC ahead of its formal publication.
BDC	Recommendation that a webinar be allowed for in the SoCC.	Allowance was made for a webinar to be held should members of the public request one.
BDC	Recommendation that the Information Hub (located at the IWMF site) should be removed as a potential venue for public events, given that it is not accessible by public transport.	The Information Hub was removed as a potential venue for hosting public events.
BDC	Recommendation to clarify in the SoCC how verbal feedback would be taken into account.	Text was provided in the SoCC to clarify that feedback provided only verbally would not be formally considered through the Report.

4.13 The result of informally consulting the host authorities on an early draft of the SoCC was that when it came to formally consulting them on the draft SoCC (pursuant to section

47(2) of the PA 2008), no further comments were returned by the host authorities other than a typographical error in the spelling of a place name identified by BDC.

Planning Performance Agreement

4.14 The Applicant recognises the resources committed by the host authorities to the informal engagement and the benefits of cooperative working between all parties. As such, the Applicant has established a Planning Performance Agreement ('PPA') with each host authority. A PPA is an agreement between the Applicant and a host authority to commit to joint working and standards of service in return for financial compensation for the resources committed by each host authority. It is made clear in each PPA that the agreement does not fetter or restrict the host authority in the exercise of its powers under any enactment, statutory instrument, regulation or such like authority.

5 Consultation under EIA Regulations

Introduction

- 5.1 The Planning Inspectorate's Advice Note Fourteen: Compiling the Consultation Report states:

"Applicants may wish to draw attention to consultation responses received under the EIA process, but any reference to that consultation should be addressed separately from the statutory consultation carried out under the provisions of the PA 2008."

EIA Scoping

- 5.2 The EIA requirement for NSIPs is transposed into law through the EIA Regulations. The EIA Regulations specify which developments are required to undergo EIA and schemes relevant to the NSIP planning process are listed under either 'Schedule 1' or 'Schedule 2'. Those developments listed in Schedule 1 must be subject to EIA, while developments listed in 'Schedule 2' must only be subject to EIA if they are considered *'likely to have significant effects on the environment by virtue of factors such as its nature, size or location'* (Regulation 3(1) of the EIA Regulations). The selection criteria for Schedule 2 development are set out in Schedule 3 of the EIA Regulations.

- 5.3 The Proposed Development is a 'Schedule 2' development under paragraph 13(1) of Schedule 2, which refers to:

"Any change to or extension of development of a description listed in Schedule 1 to these Regulations (other than a change or extension falling within paragraph 21 of that Schedule) or in paragraphs 1 to 12 of this Schedule, where that development is already authorised, executed or in the process of being executed, and the change or extension may have significant adverse effects on the environment".

- 5.4 On 25 April 2023, the Applicant submitted a Scoping Request (see **Appendix B-1**) in support of a request for a Scoping Opinion from the Planning Inspectorate on behalf of the Secretary of State pursuant to Regulation 10 of the EIA Regulations.

- 5.5 A Scoping Opinion (see **Appendix B-2**) was adopted by the Planning Inspectorate on 6 June 2023. Before adopting the Scoping Opinion, the Planning Inspectorate consulted the 'consultation bodies' listed in Appendix 1 of the Scoping Opinion in accordance with Regulation 10(6) of the EIA Regulations. A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2 of the Scoping Opinion. As confirmed in paragraph 1.05 of the Scoping Opinion, those comments were taken into account in the preparation of the Scoping Opinion.

Environmental Statement

- 5.6 In accordance with Regulation 8(1)(b) of the EIA Regulations, the Applicant notified the Secretary of State as part of its Scoping Report submitted on 25 April 2023 that it proposed to provide an ES in respect of the development.
- 5.7 Details of the consultation undertaken by the Applicant through the EIA process are set out in **ES Volume II, Chapter 5: Consultation (Doc Ref. 6.1)**.

6 Approach to Statutory Consultation

Introduction

- 6.1 This section of the Report establishes the legislative requirements for the consultation process. It is a legal requirement for pre-application consultation for DCO applications to be carried out in accordance with the PA 2008. Pre-application consultation must be carried out in advance of submission of the DCO application.
- 6.2 This section of the Report also provides signposting to the various parts of this Report that demonstrate compliance with the legal requirements identified.

Overview of Statutory Consultation

- 6.3 Following detailed consideration of the feedback received through the non-statutory engagement outlined in Section 4 above, together with the results of further technical survey and analysis, the Applicant undertook Statutory Consultation and publicity between 28 June and 23 August 2023 on the Proposed Development in accordance with sections 42, 47, and 48 of the PA 2008 (referred to throughout this Report as ‘the Statutory Consultation’).
- 6.4 The consultation period for the Statutory Consultation was 8 weeks, exceeding the minimum period of 28 days of the consultation required by the PA 2008.

Legislative requirements for statutory pre-application consultation

- 6.5 The Statutory Consultation for the Proposed Development was designed to comply with the statutory requirements in:
- the PA 2008;
 - the APFP Regulations; and
 - the EIA Regulations.
- 6.6 The Applicant's approach to consultation has been structured to accord with the applicable legal framework and to provide a high quality and meaningful process of consultation with the local community, statutory consultees and the general public.
- 6.7 **Appendix H-1** sets out the statutory requirements and the requirements from the relevant guidance on pre-application consultation. It also explains how the Applicant complied with each requirement and identifies where further information can be found within this Report.

Statement of Community Consultation

- 6.8 As required by section 47(1) of the PA 2008, the Applicant prepared a statement setting out how it proposed to consult people living in the vicinity of the land about the proposed application.
- 6.9 Following informal engagement with the host authorities on the content of the draft SoCC (as set out in Section 4 above), the host authorities were formally consulted on the draft SoCC pursuant to s47(2) of PA 2008 commencing on 3rd April 2023, with a deadline to provide responses by Tuesday 2nd May 2023.
- 6.10 The only comment received from BDC through the s47(2) consultation on the draft SoCC was to note a typographical error in the spelling of a place name. ECC confirmed in the meeting held with the host authorities on 11th April that they would have no further comments to make on the draft SoCC.
- 6.11 Prior to the launch of the consultation, after the s47(2) consultation on the draft SoCC, BDC stated that it would not be able to hold hard copies of the SoCC and/or consultation documents. Therefore, it was agreed via email that Braintree Library was sufficient. Therefore, reference to BDC's office as a deposit location was not included in the final published SoCC.
- 6.12 The SoCC described the Proposed Development, the site of the Proposed Development, the need for a DCO, identified the Applicant as Indaver Rivenhall Limited, and provided details of how the local community consultation would be carried out.
- 6.13 The SoCC was made available for public inspection from 28th June until 23rd August 2023 at the locations listed in Table 3 below.

Table 3 - Locations where hard copies of the SoCC were made available

Location	Address
Braintree Library	5 Fairfield Road, Braintree CM7 3YL
Silver End Library	Silver End Library, Silver End Village Hall, Broadway, CM8 3RQ
Kelvedon Library	Aylett's Foundation School, Maldon Road, Kelvedon, CO5 9BA
Coggeshall Library	Friends Meeting House, 29 Stoneham Street, Coggeshall, Colchester, CO6 1UH
Witham Library	18 Newland Street, Witham, CM8 2AQ
Rivenhall IWMF*	Information Hub building, Woodhouse Farm, Woodhouse Lane, Kelvedon, CO5 9DF

*by appointment only, which was stated in the SoCC and included the contact details.

- 6.14 A notice (see **Appendix C-5**) stating where and when the SoCC could be inspected was published in the Braintree and Witham Times on 29th June 2023.

- 6.15 Once the SoCC was finalised and made available for public inspection, the Applicant carried out the Statutory Consultation in accordance with that statement.
- 6.16 A table listing the material requirements of the SoCC and how the Applicant carried out the Statutory Consultation in accordance with each requirement is provided in Table 3 of **Appendix H-1**.

7 Statutory Consultation

Scope of Statutory Consultation

- 7.1 Information on the Proposed Development and preliminary environmental information was published in the following documents (**Appendix E**):
- **Preliminary Environmental Information Report ('PEIR') (Appendix E-1)**, setting out the information compiled by the Applicant to enable consultees to develop an informed view of the likely significant environmental effects of the Proposed Development, and comprising three volumes: Volume 1 (Non-Technical Summary); Volume 2 (Main Text); and Volume 3 (Appendix).
 - **'Have your say' consultation leaflet (Appendix E-3)**, being a leaflet delivered to all addresses within the LCC Zone that briefly described what was being consulted on, where the hard copy deposit locations were, where and when the public events were being held, and how feedback could be provided.
 - **Exhibition Boards (Appendix E-4)**, being the boards used at the public events for the Statutory Consultation to provide information about the Proposed Development and the Statutory Consultation. These were compiled into a brochure for publication online.
- 7.2 Together, these documents described the Proposed Development and the Site, identified the Applicant as Indaver Rivenhall Ltd, explained the consultation process and set out how consultees could respond to the consultation.
- 7.3 These documents, together with the SoCC, consultation leaflets, feedback forms, and the notices published under section 48 of the PA 2008 were available for inspection during the consultation period free of charge at the deposit locations set out in Table 3 of this Report. The deposit locations were contacted and checked every 2-3 weeks throughout the consultation period to ensure that the copies had not been removed and to check for any feedback that had been left on the feedback forms provided.
- 7.4 Electronic copies of the consultation documents were also available to download free of charge during the consultation period on the project website at www.rivenhall-iwmf.co.uk under the 'DCO' tab. Details of the timing and location of all public events were also listed in this location, as well as the deposit locations. Screenshots of the consultation website are provided at **Appendix E-5** and of the online feedback form at Figure 1 below.
- 7.5 The Applicant offered to provide a full set of consultation documents on a USB memory stick upon request free of charge. 1no. USB memory stick was sent to those who requested it. Hard copies were provided without charge, though the Applicant reserved the right to charge for the copying costs should an unreasonable request be made. Whilst some attendees at the public events took copies of the documents, no requests were made via email or phone during the consultation period.

Methods by which consultees could respond

7.6 All consultees were able to respond to the Statutory Consultation in the following ways:

- completing the online feedback form (a screenshot is provided at Appendix E-5) on the project website at <https://www.rivenhall-iwmf.co.uk/feedback/>;
- completing a hard copy feedback form (see **Appendix E-2**) (provided at the public events and deposited with the consultation materials at the deposit locations) and handing it in person to a member of the project team at the public event, depositing it at the deposit location for collection by the project team, or by mailing it to Indaver Rivenhall Limited, Woodhouse Farm, Woodhouse Lane, Kelvedon, Essex, CO5 9DF; and
- submitting comments by:
 - post to Indaver Rivenhall Limited, Woodhouse Farm, Woodhouse Lane, Kelvedon, Essex, CO5 9DF; or
 - email to info@rivenhall-iwmf.co.uk

7.7 As per the SoCC, feedback that was provided verbally, either at the public events or via the telephone, was taken into account though has not been formally considered in this Report.

Part A: Section 42 Consultation

Introduction

7.8 The Applicant carried out Statutory Consultation with statutory consultees pursuant to section 42 of the PA 2008 between 28th June and 23rd August 2023, in parallel with the section 47 consultation and section 48 publicity.

Identifying section 42 consultees

7.9 There are a number of different categories of consultee under section 42 of the PA 2008. The sections below explain how the Applicant identified the consultees in each category. The consultees were identified using the site of the Proposed Development used for the consultation. A full list of the section 42 consultees consulted as part of the Statutory Consultation is provided at **Appendix D-1**.

Section 42(1)(a): such persons as may be prescribed

7.10 The Applicant identified prescribed consultees with careful reference to:

- Schedule 1 of the APFP Regulations; and
- the list of consultation bodies in Appendix 1 of the EIA Scoping Opinion adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of the EIA Regulations dated 6 June 2023.

Section 42(1)(aa): Marine Management Organisation

7.11 The Proposed Development would not affect, or be likely to affect, any of the areas specified in section 42(2) PA 2008. Therefore, the Applicant did not consult the Marine Management Organisation.

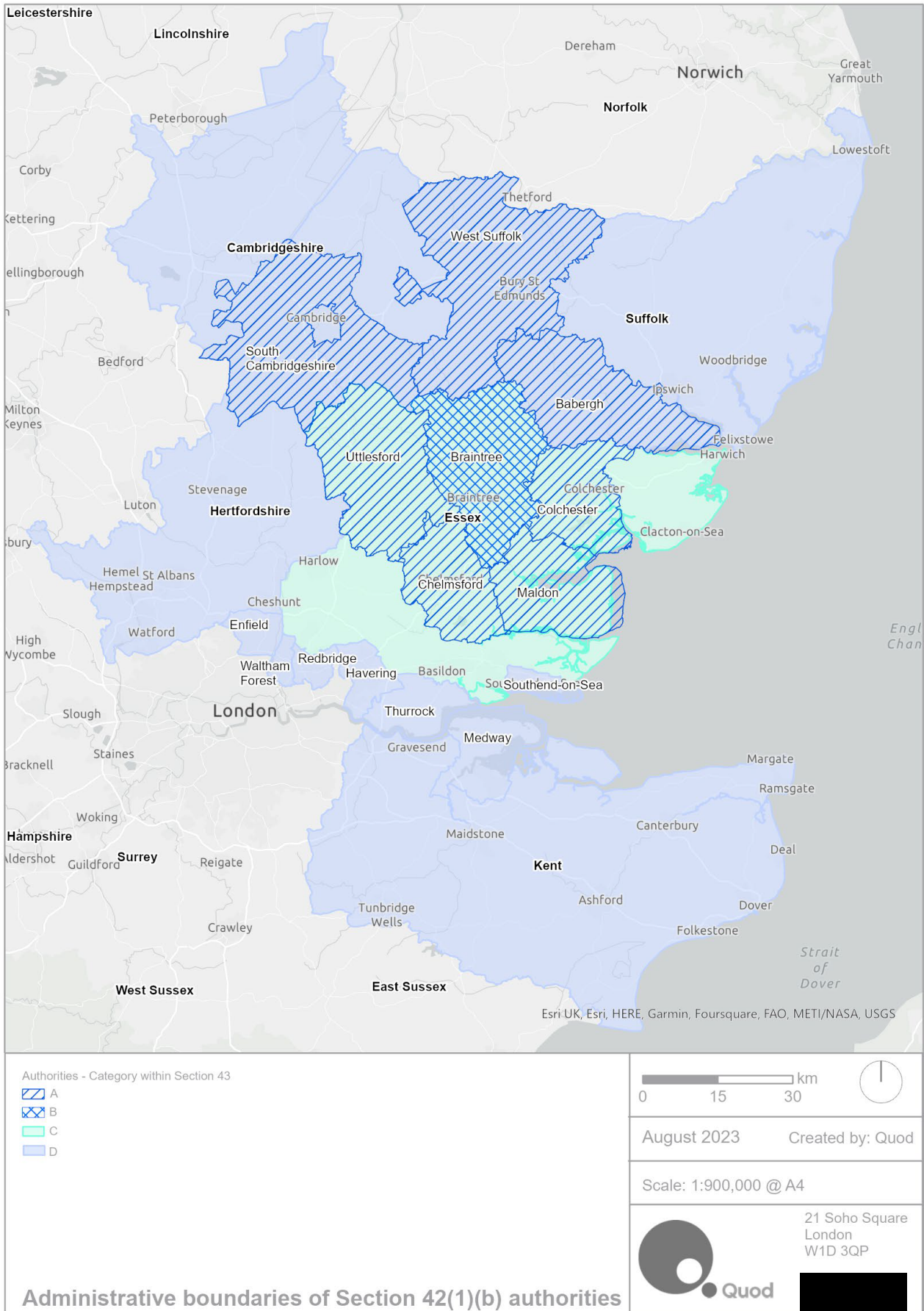
Section 42(1)(b): each local authority that is within section 43

7.12 The local authorities within section 42(1)(b) of the PA 2008 for the purposes of the Project are identified in Table 4. The administrative boundaries of these authorities are shown in Figure 1.

Table 4 - Section 43 Local Authorities

Local Authority Name	Category within Section 43 of the PA 2008
Braintree District Council	B
Essex County Council	C
Colchester Borough Council	A
Maldon District Council	A
Chelmsford District Council	A
Uttlesford District Council	A
South Cambridgeshire District Council	A
West Suffolk Council	A
Babergh District Council	A
Medway Council	D
Kent County Council	D
Suffolk County Council	D
Cambridgeshire County Council	D
Hertfordshire County Council	D
Southend-on-Sea City Council	D
Thurrock Council	D
London Borough of Havering	D
London Borough of Redbridge	D
London Borough of Waltham Forest	D
London Borough of Enfield	D

Figure 1 - Administrative boundaries of Section 42(1)(b) authorities



Section 42(1)(c): Greater London Authority

7.13 As the site of the Proposed Development is not within Greater London, the Applicant did not consult with the Greater London Authority.

Section 42(1)(d): each person who is within one or more of the categories set out in section 44

7.14 Under section 42(1)(d) of the PA 2008, the Applicant must consult each person who is within one or more of the three categories set out in section 44 of the PA 2008. These categories are:

- Category 1: A person is within Category 1 if the Applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.
- Category 2: A person is within Category 2 if the Applicant, after making diligent inquiry, knows that the person is interested in the land, or has power to sell and convey the land or to release the land.
- Category 3: A person is within Category 3 if the Applicant thinks that, if the DCO were made and fully implemented, the person would or might be entitled as a result of (a) the implementing of the DCO, (b) the DCO having been implemented, or (c) use of the land once the DCO has been implemented, to make a 'relevant claim'. There are three types of relevant claim: a claim under section 10 of the Compulsory Purchase Act 1965; a claim under Part 1 of the Land Compensation Act 1973; and a claim under section 152(3) of the PA 2008. A person is within Category 3 only if the person is known to the Applicant after making diligent inquiry.

7.15 Landowners and other interested parties were confirmed through title searches with the Land Registry. There are two Category 1 persons, these being Wren Renewables (Holdings) Limited and the Applicant. Two parties (HSBC UK Bank plc and Wren Renewables (Holdings) Limited) with a potential interest in the land under Category 2 were consulted on 28 June 2023. There are no Category 3 persons associated with the Proposed Development, since it would not require the use of any compulsory purchase powers to implement, nor would there be any claims to compensation from adjacent landowners.

Consultation activities

7.16 The consultation letters were sent to the section 42 consultees by registered post to arrive on 28 June 2023 (see **Appendix D-2** for the sample letter). The letters notified consultees about the launch of the consultation on 28 June 2023, identified where consultees could view the consultation material, explained how consultees could respond to the consultation and confirmed the deadline for the receipt of consultation responses, being 23 August 2023. The letters provided a link to where the consultation documents could be downloaded free of charge, these being:

- The notice of the proposed application which has been publicised in accordance with section 48 of the PA 2008;
- the PEIR (including a location plan) and Non-Technical Summary;

- the SoCC;
- the exhibition boards that will be used at the public events listed below;
- the 'Have your say' consultation leaflet; and
- feedback form.

7.17 Enclosed with the letter were the following documents in hard copy:

- The notice of the proposed application publicised in accordance with section 48 of the PA 2008; and
- a feedback form.

Part B: Section 47 Consultation

Introduction

7.18 The Applicant carried out Statutory Consultation with the local community pursuant to section 47 of the PA 2008 between 28 June and 23 August 2023, in parallel with the section 42 consultation and section 48 publicity.

Identifying the local community

7.19 Following informal consultation with the SLG, an LCC Zone was set by the Applicant to cover a 5.5km radius from the centre of the site of the Proposed Development (see Figure 1 of the SoCC, **Appendix C-4**). The zone includes all or part of every parish that is included in the SLG, as well as taking in parts of the nearby larger settlements of Braintree and Witham. Residents, businesses and organisations within the LCC Zone received the 'Have your say' consultation leaflet directly.

7.20 In recognition that there may be some people outside of the LCC Zone who might be interested in the Proposed Development, and also to give those within the LCC Zone the best chance of being notified about the consultation, the Applicant also publicised the consultation through both printed and digital advertisements in local media outlets (example of the advertisement provided at **Appendix E-3**) and on its social media profiles (example screenshot provided at **Appendix E-3**). These included placing advertisements in the Maldon & Burnham Standard, and the Halstead Gazette, both of which appeared in print on 29th June 2023. Digital advertisements also went live and featured across 32 newspaper websites, which included the Braintree & Witham Times, Chelmsford Weekly News, Halstead Gazette, East Anglian Daily Times, Echo News, and the Dunow Broadcast.

Consultation activities

Public events

7.21 Five public events were held (open to all members of the public) to provide opportunities to view the consultation documents and speak with members of the Applicant's project team. These were held at:

- Kelvedon Village Hall – Thursday 6th July 2023, 4pm to 8pm.

- Rivenhall Village Hall – Friday 14th July 2023, 1pm to 4pm.
- Bradwell Village Hall – Saturday 22nd July 2023, 9am to 12pm.
- Coggeshall Village Hall – Wednesday 26th July 2023, 12pm to 4pm.
- Silver End Village Hall – Monday 31st July 2023, 9am to 12pm.

7.22 The exhibition boards used at these events (see **Appendix E-4**) were available to download on the project website during the consultation period.

7.23 These events were publicised through the notice published under section 48 PA 2008, on the project website and in the consultation leaflet and advert (see below).

7.24 Following a request from Witham Town Council dated 14th July 2023, a sixth public event was held on Friday 18th August 2023 from 1pm to 4pm at the Witham Spring Lodge Community Centre. Efforts were taken to notify the local community about the additional event, which included issuing an updated consultation leaflet (**Appendix E-6**) on 11th August, posting on the Applicant’s social media profiles (see **Appendix E-6**),¹ and posting an advertisement on the Tesco Witham notice board on 31st July (**Appendix E-6**). Emails were sent to the SLG and Witham Town Council to notify them of the time and date of the event, and the event was advertised on multiple social media pages.

7.25 A total of 139 people attend the six public events. 21 people provided written feedback via the feedback forms provided.

Information Hub Open Days

7.26 The Applicant offered site visits to attendees of the public consultation events who voiced that they were keen to visit the site. The Information Hub is located directly adjacent to the site. Therefore, the Applicant decided to host a number of ‘open days’ where members of the public could come and visit to view the site as well as the consultation materials and provide feedback on the Proposed Development. 10 open days were held at the following times in August 2023:

- Wednesday 9th August, 9am – 12pm
- Thursday 10th August, 11am – 2pm
- Friday 11th August, 12pm – 3pm
- Monday 14th August, 2pm – 5pm
- Tuesday 15th August, 11am – 2pm
- Wednesday 16th August, 10am – 1pm
- Thursday 17th August, 2pm – 5pm
- Monday 21st August, 2pm – 5pm
- Tuesday 22nd August, 11am – 2pm

¹ Posts were made on the Applicant’s X, LinkedIn and Facebook profiles on 25 July, 31 July, 1 August, 16 August 2023.

- Wednesday 23rd August, 10am – 1pm

7.27 The open days were advertised on the Applicant's project website (<https://www.rivenhall-iwmf.co.uk/dco-process/>), on its social media profiles, in the revised consultation leaflet and for the additional event in Witham, via a half-page advertisement in the Braintree and Witham Times. 31 people visited the Information Hub across the 10 open days. See Figure 2 for an image from one of the open days.

Figure 2 - Image from one of the Information Hub Open Days, including consultation leaflet



Website

7.28 The project website (www.rivenhall-iwmf.co.uk/dco-process) was kept up to date for the duration of the Statutory Consultation. See Figure 3 for an example of the information the website provided

Figure 3 - Screenshot of consultation website (dated 23rd August 2023)

The screenshot shows a web browser window with the URL rivenhall-iwmf.co.uk/dco-process/. The page is titled "PUBLIC EVENTS & CONSULTATION MATERIALS".

PUBLIC EVENTS & CONSULTATION MATERIALS

The consultation will begin on the 28th June 2023 and last for an 8 week period. Within this time we will be hosting 5 public events to explain our proposal and gather feedback from the public.

If you're unable to attend the public events but would like to know more about the Development Consent Order, we will be displaying consultation materials with information on the project, at the below locations.

- Kelvedon Library
- Braintree Library
- Coggeshall Library
- Silver End Library
- Witham Library

map of library locations that will have consultation materials on display

We will be hosting 5 public events at various locations surrounding Rivenhall, Essex.

We want to hear your feedback on the proposal. Your feedback will be gathered in the Consultation Feedback Report, along with our responses to the points raised. The report will then be submitted to the Secretary of State with the DCO application.

If you would like to attend, please see our timetable for the public events below –

- Kelevedon Hall (The Institute) Thursday 6th July 4pm – 8pm
- Rivenhall Village Hall Friday 14th July 1pm – 4pm
- Bradwell Village Hall Saturday 22nd July 9am-12pm
- Coggeshall Village Hall Wednesday 26th July 12pm – 4pm
- Silver End Village Hall & Community Hub Monday 31st July 9am – 12pm
- Spring Lodge Community Centre, Witham Friday 18th August 1pm – 4pm

map of public event locations

*click the locations to be directed to the address and directions

7.29 The website contained copies of the consultation material, SoCC, online feedback form and contact details for the Applicant. The website continues to host the consultation information after consultation close for reference purposes.

Consultation leaflets

7.30 Over 30,094 'Have your say' consultation leaflets (see **Appendix E-3**) were distributed on 28th June to addresses within the LCC Zone (the consultation leaflet is the same thing as the consultation newsletter that is referred to in the SoCC). This provided details of the Statutory Consultation, including where and when the consultation documents could be accessed and how and by what deadline any responses could be submitted.

7.31 To advertise the additional sixth public event that was held in Witham, an updated consultation leaflet (see **Appendix E-6**) was posted to over 11,000 addresses within Witham and the surrounding area on 13th August 2023.

Consultation Advertisements

7.32 Advertisements (see **Appendix E-3**) were published in print in the Braintree and Witham Times, Maldon & Burnham Standard, and the Halstead Gazette on 29th June 2023. Digital advertisements appeared on 29th July 2023 on the websites of the following publications: Braintree & Witham Times; Chelmsford Weekly News; Halstead Gazette; Essex County Standard; East Anglian Daily Times; Echo Nes; and Dunmow Broadcast.

Direct communication lines

7.33 Consultees were able to contact the Applicant's project team during the consultation period by:

- Email at info@rivenhall-iwmf.co.uk
- Telephone at [REDACTED]
- Post to Indaver Rivenhall Limited, Woodhouse Farm, Woodhouse Lane, Kelvedon, Essex, CO5 9DF

7.34 Consultees could also visit the project website at www.rivenhall-iwmf.co.uk, which included specific pages on the Proposed Development and proposed DCO application.

Social media

7.35 Consultees could follow the project on Twitter @RivenhallIWMF, on LinkedIn at <https://www.linkedin.com/showcase/essex-energy-centre/>, and on Facebook at <https://www.facebook.com/RivenhallIWMF/>.

7.36 Posts about the public events and the Statutory Consultation were shared on each social media profile. These posts were often shared on local Facebook groups, which collectively had a member audience of well over 20,000 people.

Communications outreach

7.37 The exhibition boards (see **Appendix E-4**) were written in an easy to understand, plain English style. They included visual graphics to help explain the process involved in the EfW at the IWMF. A Non-Technical Summary of the PEIR (see **Appendix E-1**) was provided in non-technical language to summarise the findings of the PEIR. The feedback form (see **Appendix E-2**) was designed in an easy to use format that provided structure for consultees whilst ensuring that they had the opportunity to provide any other comments they might have about the Proposed Development.

Part C: Section 48 Publicity

Introduction

7.38 The Applicant publicised the proposed application pursuant to section 48 of the PA 2008, in parallel with the section 42 and section 47 consultation.

Publication of the section 48 notice

7.39 A copy of the notice published as part of the Statutory Consultation in accordance with section 48 of the PA 2008 is provided in **Appendix F-2**. This notice contained the prescribed information required by Regulation 4(3) of the APFP Regulations.

7.40 The Applicant published the section 48 notice in the newspapers on the dates as set out in Table 5, in accordance with Regulation 4(2) of the APFP Regulations.

Table 5 - Summary of date and location of Section 48 notice

Newspaper	Date of advertisement
Braintree & Witham Times	29 June 2023 and 6 July 2023
The Guardian	28 June 2023
The London Gazette	28 June 2023

Consultation bodies

7.41 The Proposed Development is EIA development. Therefore, in accordance with Regulation 13 of the EIA Regulations, the Applicant enclosed a hard copy of the section 48 notice with the letters sent to all section 42 consultees including the consultation bodies to coincide with the start of the Statutory Consultation on 28 June 2023.

Part D: Notifications under section 46

Section 46

7.42 In accordance with section 46 of the PA 2008, the Applicant wrote to the Planning Inspectorate (on behalf of the Secretary of State) to be delivered on the date that the Statutory Consultation started on 28 June 2023. A copy of that letter is in **Appendix F-1**.

7.43 The letter provided details of where the consultation materials could be accessed and enclosed:

- Sample covering letters sent to section 42 consultees;
- Section 48 notice;
- Section 47 notice;
- Feedback form;
- SoCC;
- PEIR;
- Exhibition boards; and
- Consultation leaflet.

Part E: Responses to consultation

Introduction

7.44 This section of the Report explains the level and nature of feedback received by the Applicant in response to the Statutory Consultation.

Number of consultation responses received

7.45 The Applicant has had regard to all written responses received before 23:59 on 23 August 2023. No responses were received after the deadline.

7.46 A total of 63 relevant responses were received to the Applicant’s Statutory Consultation. Table 6 shows the breakdown of response types received during the Statutory Consultation.

Table 6 - Breakdown of response types received during the Statutory Consultation

Method of response submission	Total
Online feedback form	19
Hard copy feedback form	21
Email	22
Letter	1
Total	63

Feedback form

7.47 The feedback form (**Appendix E-2**) was made up of four questions. The questions were:

1. How would you describe your interest in the project? (Please tick as many as are appropriate):
 - a. Local resident
 - b. Local elected representative

- c. Member of interest group (please specify below)
- d. Landowner
- e. Local business owner
- f. Other

2. Where did you hear about the proposal? (Please tick as many as are appropriate)

- a. Local leaflet
- b. Website
- c. Newspaper notice
- d. Other

3. Please provide any thoughts or comments that you have about the proposal.

4. Is there anything specific about the proposal that you would like to see more information on in the future?

7.48 The feedback form also provided for consultees to provide contact details should they wish to receive updates on the Application.

7.49 The number of people who responded to each question is set out below:

- 21 people responded to question 1.
- 21 people responded to question 2.
- 21 people responded to question 3.
- 20 people responded to question 4.

Consideration of responses

7.50 The information contained within the consultation responses was collated into a matrix and categorised by type of response and respondent.

7.51 The Applicant then undertook a careful and thorough review of the consultation responses received in accordance with relevant guidance, with consideration of how regard could be given to the responses.

7.52 **Appendix G-1** includes tables for:

- summarising the responses received by the Applicant;
- explaining how the Applicant had regard to these responses;
- identifying whether changes were made to the Project as a result of the responses.

7.53 Table 7 provides a high-level summary of the key issues raised and the regard had by the Applicant.

Table 7 - Summary of responses and regard had to those responses

Matter raised	Regard had to comment by the Applicant
<p>Confusion over how the Proposed Development would affect the Consented Scheme, namely with regard to issues like the size of the building and the stack/chimney, and the size of the plume.</p>	<p>The Applicant has sought to make it as clear as possible as to how the Proposed Development would and would not affect the Consented Scheme. This information is provided in the ES Volume I (Doc Ref. 6.1) and the Planning Statement (Doc Ref. 7.1) (amongst others).</p> <p>In summary, the Proposed Development would lead to no changes to the external appearance of the Consented Scheme, nor would there be any changes to emissions, as the quantum of waste that the IWWMF processes would not change. This consequently means that there would be no changes to the size of the plume compared to the Consented Scheme.</p>
<p>Concern over air quality impacts.</p>	<p>The Proposed Development involves no changes to the combustion of waste or the treatment of the flue gases. Exactly the same waste would be combusted and the releases to atmosphere and abatement techniques would be unchanged.</p> <p>This means that there would be no change to the impacts on air quality as a result of the Proposed Development. This is as set out in the Applicant’s Scoping Report (Appendix B-1).</p> <p>For the reasons provided, the Planning Inspectorate agreed that air quality could be scoped out of the ES as it is not likely that there would be significant effects to air quality as a result of the Proposed Development.</p>
<p>Request for a public event to be held in Witham during the Statutory Consultation.</p>	<p>The SoCC (Appendix C-4) identified a number of suitable venues for the public events, including one in Rivenhall, which is accessible from Witham town centre via an 11-minute bus journey. Neither the host authorities nor the SLG recommended</p>

	<p>holding a public event in Witham. Nonetheless, an additional public event was held in Witham on Friday 18th August 2023 from 1pm to 4pm.</p>
<p>Concern that by allowing the EfW component of the IWMF to produce additional electricity, this will in turn allow the IWMF to burn more waste each year.</p>	<p>The Proposed Development does not require additional fuel to achieve the uplift in power, which instead can be achieved due to more efficient plant being used than was previously possible.</p> <p>The total amount of waste that can be delivered to and processed by the IWMF is controlled by Condition 29 of the IWMF TCPA Permission (Appendix 2 of the Planning Statement (Doc Ref. 7.1)), which caps it at 853,000 tonnes per annum. The Environmental Permit (Permit Number EPR/FP3335YU; and Variation application number EPR/FP3335YU/V002) that controls the allowable emissions from the stack requires that that annual waste throughput for the energy from waste plant does not exceed 595,000 tonnes per annum.</p> <p>The Proposed Development does not seek to alter either of these controls.</p>
<p>Concern over effects to operational noise.</p>	<p>Potential noise effects arising from the Proposed Development have been assessed in the ES Vol I, Chapter 8: Noise and Vibration (Doc Ref. 6.1).</p> <p>The Consented Scheme has been used as a baseline, though with updates to account for new receptors that have arisen since the grant of planning permission in 2016. Potential noise impacts to receptors have been modelled and the assessment is based on the results of this detailed modelling exercise.</p> <p>The ES finds the Proposed Development would have a negligible impact on operational noise levels compared to the Consented Scheme.</p>
<p>Comments that the Proposed Development constitutes ‘planning creep’ and that the scheme has changed since the first grant of</p>	<p>Planning permission for the IWMF was first granted in 2010. The delivery of the IWMF, which is a large-scale project, was</p>

planning permission for the IWMF, namely to allow it to incinerate more waste.

dependent on the carrying out of minerals extraction works. This means that the programme for delivering the IWMF is necessarily a long one. The TCPA 1990 recognises that planning permissions may need to change to account for altered circumstances, and sets out provisions for doing this, namely at sections 73 and 96a of the TCPA 1990. Any such application is assessed and decided on its merits and in accordance with the TCPA 1990.

The Proposed Development does not allow the EfW to incinerate more waste. The Proposed Development seeks to increase the amount of energy that can be recovered from the residual waste treated by the EfW. This is encouraged by the UK Government, as set out in the 25 Year Environmental Plan (page 94) and the Waste Management Plan for England (page 79). Whilst the UK Government can provide strategies and encouragement, it is ultimately dependent on operators – in this case, the Applicant – to deliver the changes needed to help reach net zero by 2050. This DCO application is a necessary part of that process.

Comments that the Proposed Development is at odds with the sustainable management of waste.

The Proposed Development does not propose to change the total amount of waste that is permitted to be processed and/or incinerated at the IWMF.

Government policy is clear that the treatment of residual waste to recover energy from it (namely through incineration) will continue to have a role to play in the overall waste management system and is not at odds with efforts to reduce the overall amount of residual waste.

Concern over impacts to local highways.

The Proposed Development does not require any additional vehicle movements compared to the Consented Scheme. Condition 3 of the IWMF planning permission (ref: ESS/34/15/BTE) sets out the maximum number of daily heavy goods vehicle movements associated with the operation of the IWMF. Condition 4 does

	<p>the same for the construction of the Consented Scheme. The Proposed Development does not involve or require any changes to these controls.</p> <p>As such, there are anticipated to be no likely effects to the local highways as a result of the Proposed Development. This is as set out in the Applicant's Scoping Report (Appendix B-1).</p> <p>For the reasons provided, the Planning Inspectorate agreed that transport could be scoped out of the ES, as it is not likely that there would be significant effects to travel and transport as a result of the Proposed Development.</p>
<p>Support for the proposals.</p>	<p>The Applicant notes the support for the proposals that would help reduce the UK's reliance on energy derived from fossil fuels and help transition towards a net zero future.</p>
<p>Concern that the grant of a DCO would mean that ECC and BDC lose 'control' over the IWMF as it would constitute an NSIP for the purposes of the PA 2008.</p>	<p>A requirement of the draft DCO is for the operation of the IWMF (following completion of the Proposed Development) to accord with the conditions attached to the IWMF planning permission. This is as set out in Part 2, Paragraph 5 of the Draft DCO (Doc. Ref. 3.1). Should the Applicant wish to amend the terms of the IWMF planning permission, this would require approval from ECC, and the DCO would automatically reflect any such changes. The IWMF planning permission therefore will remain the primary instrument by which the IWMF is controlled.</p> <p>Further information is set out in the Draft DCO (Doc. Ref. 3.1) and the Explanatory Memorandum (Doc. Ref. 3.2).</p>

8 Conclusion

- 8.1 As explained throughout this Report, the Applicant carried out comprehensive pre-application consultation on its proposals prior to submitting the Application, including eight weeks of Statutory Consultation, as well as non-statutory engagement with some stakeholders. The Statutory Consultation accorded with the requirements of the PA 2008, the APFP Regulations and the EIA Regulations and had regard to guidance issued under section 50 of the PA 2008. In addition, the Applicant undertook informal engagement outside of the Statutory Consultation
- 8.2 The Applicant consulted in a variety of ways to maximise consultee participation. Over 60 consultees provided feedback and the Applicant is grateful to all those who took the time to engage in the consultation process.
- 8.3 The Applicant had careful regard to the Statutory Consultation responses received when finalising the Application, as explained in detail in **Appendix G-1**.

9 References

A Green Future: Our 25 Year Plan to Improve the Environment, HM Government, 2018.

Department of Energy and Climate Change, (2011); National Policy Statement for Renewable Energy Infrastructure (EN-1). London: The Stationery Office.

Department of Energy and Climate Change, (2011); National Policy Statement for Renewable Energy Infrastructure (EN-3). London: The Stationery Office.

Draft Overarching National Policy Statement for Energy (EN-1) ('Draft NPS EN-1').

Draft National Policy Statement for Renewable Energy (EN-3) ('Draft NPS EN-3').

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('APFP Regulations').

Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations 2017').

Our Waste, Our Resources: A Strategy for England, HM Government, 2018.

Planning Inspectorate's Advice note fourteen: Compiling the Consultation Report.

