

Braintree District Council

Written summary of oral submissions made at Issue Specific Hearing 1

Application by Indaver Rivenhall Ltd for an Order Granting Development Consent for the proposed extension of generating capacity of the Rivenhall Integrated Waste Management Facility.

Hearing 4th June 2024

Deadline 3

This document sets out Braintree District Council's (BDC) written summary of oral submissions made at Specific Hearing 1 on the 4th June 2024

During the hearing Braintree district agreed to provide further comments in writing in relation to the applicant's comments (Item 2). Given ongoing discussions and consideration it is proposed that these will be provided in Deadline 4.

1	<p>The inspector asked for Council views on the IEEMA guidance in terms of the study area and asked Braintree District if it had anything to add to the discussion.</p> <p>Braintree responded, seeking to reinforce the Essex County Council argument, added that in 2021, central government in their guidance towards the climate, specified that Local Authorities have a role to play, to have strategies in place. Councils attempt to monitor the districts emissions and this was in the role of Local Government in delivering net zero.</p> <p>We have no idea from this climate impact how this will affect local carbon emissions and would like more transparency in this respect.</p>
2	<p>The Inspector set out a lengthy context to his next question. He referenced Braintree District Council concerns about the methodology particularly the relevance of DEFRA 2014 in energy recovery from residual waste, a carbon based modelling approach to the assessment.</p> <p>Second, that the use of this to argue the displacement by combined cycle gas turbines whether that's appropriate or not and in relation to the zero point 31 CO2 equivalent per MW hour displacement figure -whether that's been correctly used. And the assessment - that's made an assumption that all the carbon dioxide can be offset by taking the footnote comparator out of context</p> <p>He mentioned the applicant's response in Deadline 2 and then Braintree Districts response to the applicant.</p> <p>The Inspector went to say that the applicant did reply to these points at deadline 2 by stating that the DEFRA 2014 document is a guidance note designed to consider climate change impact of energy from waste plants and it is accepted that not all of the document is relevant by the applicant as the baseline is not land fill but the consented</p>

development. But the sections in the 2014 guidance related to displacement of electricity are directly relevant. The applicant also noted that the key footnote in the 2014 guidance which has been confirmed to be the correct approach in a number of recent Secretary of State Decisions and lastly the applicant sets out that it was not assumed that all of the carbon dioxide can be offset . It is assumed that all of the additional electricity can displace other sources of electricity. The footnote has not been taken out of context. The footnote confirms that the marginal source of electricity would be displaced and this is CCGT in the opening year. However with the lifetime benefits have been evaluated on the assumption that that the marginal source would be decarbonised

The inspector sought Braintree District Council views on the applicant's response, firstly on the relevance of the DEFRA 2014 document.

Braintree District views this as an old document. In the 2020 EUNOMIA review of the documentation its quite out of date. Whilst it is accepted that it is standard and has been used, there are other ways it could have been done in terms of the methodology.

A good starting point of what could have been done would have been using a range from the Environment Pollution Inventory for tonnage, and then this could have been applied as a range rather than a specific figure.

In terms of the methodology, - , it defines tonnages without evidence within the statement and if we are going to take this approach, we need the evidence in the methodology. As regards the tonnage throughput (and it is acknowledged that this relates to permitted development), we don't have effectively an anticipated carbon emission per tonne of waste to determine the output within the document. The Environment Agency states a range of 0.7 to 1.7. We could have this in the evidence - an accepted end point for Invada and then a range in terms of actual displacement rather than just a quoted figure. It feels very specific without evidence

The inspector asked if there was any guidance which could be used instead of the 2014 DEFRA report which is more up to date.

Braintree District responded that there were other options that could have been used for assessing the methodology.

The Environment Agency have records of incinerator output which could be used. These are produced as an inventory and potentially have a calculation for global warming potential.

There's also a calculation for inventory pollution. That could be a starting point and displacement could be expressed in terms of a range.

Braintree District accepts that the applicant's methodology is used elsewhere but in terms of this particular statement of climate impact there were other more transparent methodologies that could have potentially been used.

The Inspector sought Braintree District Council's views on the applicant's view that CCGT, that 2014 had stayed fairly stable in terms of its use.

	<p>The Braintree District Council representative requested come back with this question in writing as it required further consideration, and the Inspector accepted this request. Braintree District, before leaving the question, expressed that they thought that Indaver accepted that the outputs will vary depending on the composition and therefore it was difficult how a single figure could be used for expressing displacement rather than a range, however Braintree District would come back on this point. This point will be addressed further in Deadline 4.</p>
3	<p>The inspector later discussed with Essex County Council the difference in carbon emissions between the consented scheme and the proposed development and asked if scope 1 and scope 3 emissions will be unaffected and later addressed this question to Braintree District. Braintree District expressed that they have a similar view to the County Council and stated that it is difficult to make a decision without clarity of information on the two facility types and their operations.</p>
4	<p>The Inspector mentioned that Braintree District council referred to the EA's pollution inventory and the applicant has replied to one of my written questions setting out that ultimately it is required to make an annual submission to the inventory which includes an estimate of CO2 emissions. He asked if this went any way in addressing the concerns of the Council's in terms of availability of estimates of CO2 emissions?</p> <p>Braintree District responded that if an annual submission is to be made to the Environment Agency then why could it not be included as an anticipated annual emission value within this climate impact, for the permitted development then the displacement factor so that the District have a picture of what it looks like at as a district wide emission. The District has a strategy which we monitor as part of a performance indicator and we can't determine effectively from this statement what this will mean for us as a District. It should be possible to include this within the statement.</p>
5	<p>The Inspector asked in terms of Council obligations relating of net zero and future targets if that information provide enough for you in terms of your local and I guess even regional potential effects?</p> <p>Braintree – We need to determine what we will need to do to work with Indaver as a climate partner to mitigate the effect locally – and we would ideally like to have that within the Statement. On reading that impact we can't determine the full effect beforehand which is required to consider at any form of mitigation.</p>