

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

12th June 2015

Dear Sir/Madam,

**RE: APPLICATION FOR A DEVELOPMENT CONSENT ORDER FOR THE A14
CAMBRIDGE TO HUNTINGDON IMPROVEMENT SCHEME**

PLANNING INSPECTORATE REFERENCE: TR010018

I write on behalf of Anti-Waste Limited, a wholly owned subsidiary of FCC Environment (UK) Limited. Anti-Waste Limited has freehold interest in land at Milton Landfill site, Butt Lane, Milton, Cambridgeshire, CB24 6DQ which falls within the boundary of the aforementioned Development Consent Order (DCO) application.

The proposed new A14 road layout at Milton Junction requires land take along the southern and eastern boundaries of Milton Landfill. This land falls within the permitted landfill area owned by Anti-Waste Limited which is subject to regulatory control by the Environment Agency under Permit Number BV4584IU. As such there is the potential for the highway works to encroach on landfilled waste; engineered landfill containment systems including side walls and cap; and environmental management and monitoring infrastructure such as gas/leachate extraction systems, pipework and boreholes.

Meetings have been held with FCC Environment, the Environment Agency and Jacobs (consultant acting on behalf of the applicant Highways England) to develop a full understanding of how the landfill may be affected by the proposed highways works and to agree a strategy for mitigating impacts.

To date it has been established and agreed that:

- The new road layout would result in the loss of four monitoring boreholes (BHW1, BH5-BH7) and the potential loss of an additional four (BH12 – BH15);
- Jacobs would undertake a Ground Investigation (GI) to confirm the extent of waste and sidewall liner to inform the suitability of new locations for replacement boreholes to be installed;
- The GI (trial trenching and drilling) was undertaken in January 2015 and a Construction Quality Assurance (CQA) report¹ has been issued by Jacobs; and
- All parties are satisfied that the investigations demonstrate that landfill waste was not encountered in the drilled locations and that there was no penetration of capping layers as evidenced by the CQA report.

¹ Validation Report: Additional Ground Investigation at Milton Landfill

Matters that are yet to be resolved are:

- Whether the drilled locations are suitable for replacement monitoring wells for the landfill, as the drilling was not undertaken to the necessary depth agreed with FCC and the EA; and
- The suitability of the drilled locations for replacement wells is also be subject to soil chemical testing to be undertaken by Jacobs and provided as an addendum to the main CQA report.

Taking the above into consideration it is clear that a solution to mitigate the loss of boreholes at Milton Landfill site is yet to be agreed between the applicant, FCC Environment and the Environment Agency. Whilst GI has been undertaken the results as currently presented are inconclusive in determining whether suitable replacement locations can be found that can be used to monitor compliance under the extant landfill permit.

FCC has further concerns about the impact on the A14 scheme on the landfill management and monitoring systems at Milton in so far as these may affect pollution prevention and control measures and environmental compliance. These concerns are:

- The proposed highways works (and ground investigation works) are to be carried out within a permitted landfilled area and should therefore accord to LFE4 requirements and must be CQA compliant. All CQA personnel involved in designing and supervising the work must hold relevant qualifications and have the required experience in landfill drilling techniques;
- There must be contingency measures in place during construction and future maintenance of the road for landfill gas and odour management in the event waste is penetrated. Similarly, provisions for remedial action should also be made in the event of damage to lining systems or other landfill infrastructure;
- The applicant or their appointed consultants will need to be responsible for ensuring that monitoring data collected from newly constructed wells are consistent with previously collected data from the old wells. If there are significant deviations and data is not deemed to be representative, further ground investigation will need to be carried out by the applicant.
- Consideration must be given to potential interference to the monitoring results from road surface water drainage design and pollution prevention measures must be in place in the long term post completion of construction.

Finally the Applicant has not provided FCC with certainty to date as to how Anti-Waste's property interests will be affected by the DCO and Compulsory Purchase Order (CPO). It is not clear whether the Anti-Waste freehold at Milton Landfill will be acquired on a temporary or permanent basis and/or subject to compulsory purchase. The site carries environmental liability by virtue of the extant Environment Permit and it has not been agreed what will happen to that liability as a result of any transfer of rights over the land – will the liability be retained by FCC, transferred or shared? It is a concern of both FCC (as the registered permit holder of Milton Landfill) and the EA (as the regulator) that the ability of FCC to comply with its Environmental Permit is not impeded or

compromised by the A14 works either during their construction or upon completion in the future.

In summary FCC does not object in principle to the A14 improvement scheme but has concerns as to: i) whether an appropriate mitigation solution can be found for the loss of its environmental monitoring infrastructure; and ii) whether the applicant has given full and proper consideration to the pollution prevention and control obligations attached to the land to be taken at Milton Landfill so as to provide the necessary reassurance that environmental protection and compliance will not be compromised.

Yours sincerely

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