

Meeting Note

File reference	WS010001
Status	Final
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Meeting with	Augean PLC
Meeting date	12 October 2011
Attendees (IPC)	Janet Wilson (JW) (Head of Case Work) Tim Hallam (TH) (Lawyer) Simon Butler (SB) (EIA and Land Rights Manager) Rebecca Pong (RB) (Senior EIA and Land Rights Officer) Nikita Perepelov (NP) (Case Officer) Emré Williams (EW) (Case Officer)
Attendees (non IPC)	Gene Wilson (GW) (Augean PLC) Claire Brook (CB) (Dickinson Dees) Leslie Heasman (LH) (MJCA)
Location	IPC Offices, Temple Quay House, Bristol

Meeting purpose	To discuss the proposed East Northants Resource Management Facility scheme
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Summary of outcomes	<ol style="list-style-type: none"> 1. GW gave a brief presentation regarding the background of Augean and their specialist services in waste management and proceeded to provide information pertaining to the site. 2. The East Northants Resource Management Facility (formerly known as Kings Cliffe Landfill site) lies approximately 1.7km east south east of Duddington and 2.6km north of Kings Cliffe village in the East of Northamptonshire district of Northamptonshire. The site occupies approximately 31ha and is in the ownership of Augean. 3. The site includes a soil treatment facility and a hazardous waste and low level radioactive waste landfill together with ancillary infrastructure. 4. The use of the site for landfill, hazardous waste management and low level radioactive waste disposal is subject to four planning consents/applications. The planning application submitted in 2009 is currently subject of a legal
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challenge with a pending High Court hearing on this in early November 2011. All but one of the planning consents expire in August 2013. It was noted by Augean that under the extant permission the site must cease taking waste and be restored by this time. Augean said that the site was also subject to extant permits from the Environment Agency (EA).

5. Augean held an initial meeting with planning officers of Northamptonshire County Council on the 14/06/2010 to explain the proposal and advised Kings Cliffe local liaison group on the 07/07/2010 of their intentions, which was subsequently followed by extensive consultation with relevant stakeholders.
6. The details of the proposal can be viewed in the presentation provided by Augean attached hereto. In summary the DCO will include the following elements:
 - Consent to alter operation of a soil treatment facility from present capacity 100,000tpa to 150,000tpa of contaminated material;
 - Development of new landfill void for the disposal of hazardous waste and low level waste;
 - A maximum input rate to the site for all wastes of 250,000tpa; and
 - The restoration of the site to woodland and grassland following the completion of land filling in 2026.
7. GW confirmed that the public consultation area on the proposal occurred within a 10km radius of the site, which included 47 parish councils and other consultees. Augean confirmed that they would be carrying out s.42 consultation prior to the application for development consent being submitted to the IPC.
8. The IPC emphasised the importance of consultation prior to submission and the importance of the SoCC and the consultation thereon being in line with the requirements of s.47 of the Planning Act 2008 (PA 2008). For example, developers are required to consult with all 'host' authorities on the content of the draft SoCC, and this may be more than one where there are two administrative tiers over the land. The IPC will compile a list of consultation bodies under Regulation 9 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regs).
9. GW confirmed the intention to submit an application to the IPC in the first week of December 2011

subject to the discussions of the meeting. CB said that since the site is owned by Augean there is no need for compulsory acquisition of any land or any rights over land.

10. Augean said that they had had discussions with the EA regarding environmental permitting matters, and the EA had not raised any significant issues to date.
11. Augean said that they would not be including any Environmental Permit in the application for development consent. The IPC said that if the application is accepted, the Examining authority (ExA) may wish to have regard to any other regulatory permit applications being sought by the applicant outside of the development consent application process. The IPC also said that 'Minded to' statements and/or Statement(s) of Common Ground may be agreed with relevant statutory body(s) to provide clarity/details on areas of agreement, including where relevant and possible the progress of any extant applications for such permits. Augean advised that it would not make the Permit application for the new landfill void until it is needed which is likely to be after the Development Consent Order is issued.
12. The IPC enquired how Augean had interpreted the definition of Hazardous Waste under s.30 of the PA2008 in the light of wording in paragraph 2.2.1 of the Hazardous Waste draft NPS. Augean view the low level radioactive waste element as being associated development with the landfill component.
13. The IPC recommended that this view be explained in the explanatory memorandum, and that Augean should clarify the description of the project in their draft DCO. The IPC also stated that an NSIP does not extend any extant consent. Augean confirmed that they are aware of the existing sites planning permissions and that an application for development consent is a 'stand alone' application rather than one varying any extant permission(s).
14. With regards landscaping and restoration works Augean said they were proposing that these be carried out on a phased basis, and that one 'cohesive' requirement be included in the draft DCO to deal with such works,
15. The IPC said that they couldn't comment at this stage on the acceptability of this proposed approach,

	<p>but recommended to Augean that, to allow sufficient time for any comments to be made, a draft DCO and other draft application documents should be submitted to the IPC at the earliest opportunity, certainly no fewer than six weeks prior to the intended submission date, and preferably well before then.</p> <p>16. The IPC advised Augean that their Consultation Report would need to clearly demonstrate how it had consulted on the scheme and had taken account of the issues identified by consultees. In addition, the IPC advised that on receipt of the application the Commission would write to 'host' and neighbouring Local Authorities to request their views on the adequacy of the consultation undertaken at the pre-application stage. The Commission has 28 days starting from the day after receipt in which to make a decision on whether or not to accept the application for examination.</p> <p>17. It was noted that the IPC do offer outreach events to Local Authorities to assist/advice them on the process under the PA2008.</p>
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Specific decisions/follow up required?	<ol style="list-style-type: none"> 1. Augean to provide a letter of 're-notification' (s46 notification) to the IPC expressing their intention to submit an application for an order granting development consent. 2. Augean to also resubmit formal notification in accordance with Regulation 6(1)(b) of the EIA regs. 3. Upon receipt of the notification under regulation 6, the IPC will provide the identified consultation bodies to be notified under regulation 9 of the EIA Regs. 4. Augean to clarify description of the project, and to provide the IPC with draft Development Consent Order at the earliest opportunity prior to formal application submission.
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Circulation List	Attendees