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To: HBC Development Control Committee

c.c. Local Press

Date: 6th June 2008

Development Control Committee meeting 9th June 2008
Ineos Chlor EfW consultation – Miscellaneous Agenda Item 5

(A) The Committees involvement to date

At the June 2007 committee meeting, members were urged to advise the DBERR that HBC opposed the Ineos application and this would have resulted in the DBERR calling a Statutory Public inquiry. The committee chose, in line with the Planning officers' advice, not to oppose the application as long as 52 conditions put forward by the officers & members were met in full.

Since June 2007 the Council have stated publicly on several occasions that:

- a) They had no power to reject the Ineos application (although not mentioning that their formal opposition would have resulted in a Statutory Public Inquiry) and
- b) That the 52 conditions, all of which would have to be met, would protect the interests of Halton residents

At the January 2008 meeting Officers advised that the DBERR had rejected several important conditions. Subsequently the DBERR were advised, not quite in accordance with the views expressed by members, that the Council wished to hear how the concerns would be '*alternatively controlled*' in the absence of the deleted conditions

The DBERR have now responded and said that most of the deleted conditions would be 'alternatively controlled' by other Government agencies as part of the granting of a PPC (pollution prevention and control) permit. The Officers recommendation for the DCC meeting of 9th June 2008 is that Members should now accept this as a satisfactory resolution of the concerns which prompted their (deleted) conditions.

(B) I offer the following views to the Members of the committee and the public

1. The Incinerator application clearly breaches section MW14 of the adopted Halton Unitary Plan and no overriding reason to ignore this adopted plan has been put forward. This alone enables the Committee to object to the proposal as it could have done in June 2007.
2. The Committee was not advised that some of the conditions it required and relied on in not objecting to the proposal were contrary to planning guidelines and were unlikely to be accepted as they were items regulated by agencies other than planning authorities. This has now happened.
3. Many concerns raised by the members, and others, are not purely planning concerns and include concerns regarding the adequacy of existing regulation, the special health risks for Halton, and the validity of information supplied by Ineos. These concerns could only be considered properly at a public inquiry with local input.
4. The Committee's major condition - that Dioxin emissions be monitored continuously and measured fortnightly (as on the continent) - has been deleted. The Environment agency's existing regime involves spot measurements at 6 monthly intervals. At a regulatory 6 monthly spot measurement at the Eastcroft Incinerator in 2005 it was discovered that Dioxin emissions were **9 times the permitted level**. The plant continued to operate, presumably still exceeding permitted levels , and action taken seems to have been ' The operators, consultants and the Environment agency are working to identify why the breach occurred' – They didn't even know WHY the Dioxin emissions are excessive and this is only one element of the harmful emissions!
5. There are now several proposals for large waste disposal Incinerators in Cheshire. All of these require a large proportion of the waste generated in the North West. It seems against any logic or concept of fairness that Greater Manchester, the largest producer of waste in the North West, has no equivalent Incinerator proposals. In fact Greater Manchester's waste is the proposed main source of fuel for the Ineos Incinerator.
6. It has been stated that forcing a Public Inquiry would cost the Council (i.e. Halton residents) around £1M. This may be true, and is a large sum to any individual, but is less than £10 per resident and concerns a

- matter which will affect Halton for more than 25 years. Few people would object to paying this price for the benefit of themselves and their families for this period of time. Many other Public Inquiries are considered acceptable including that for the new Bridge which (aside from tolling issues) is not a contentious proposal.
7. The exceptionally poor health of Halton Residents in several respects has been highlighted in a number of recent reports. In most cases these deficiencies have been blamed on smoking, drinking and poor lifestyle. It's hardly credible that Halton residents have a unique mix of these attributes and it's obvious that environmental pollution plays a part. Pollution in Halton has decreased over the years but no one can claim the proposed Incinerator will help this process.
 8. The committee can not rely on consultations regarding the PPC permit. Any comments made can be discarded as easily as those made at the Planning consultation stage.
 9. A member of the HBC's executive board and Halton's observer on MWDA immediately, strongly, and publicly opposed the possibility of a proposal for a waste disposal Incinerator in Widnes. Surely Halton's opposition to the Runcorn Incinerator should also be voiced by the Committee.
 10. The Committee are involved in a *consultation* & its objection will NOT deny planning permission to Ineos – It will however allow a full and public consideration of the wide ranging issues and will either reassure Halton residents that they and their offspring will not be harmed or will provide fully considered reasons for denying the proposal.

(C) My recommendation to the Committee

I sympathise with the Committee members' dilemma in the unenviable situation they have been placed – especially those newly appointed. However their decision at this meeting is crucial to the well being of Halton and its residents over the next 25 years. My plea to the Committee is to respond to the DBERR by stating that in the absence of the required conditions, and in the light of any or all of above, they object to the proposal and will only be satisfied that they have served the residents of Halton if all the issues involved are subjected to a Public Inquiry.