

## DEVELOPMENT CONTROL COMMITTEE

*At a meeting of the Development Control Committee on Tuesday, 31 July 2007 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), S. Blackmore, Hignett, Leadbetter, Morley, Osborne, Polhill, Rowan and Sly

Apologies for Absence: None

Absence declared on Council business: None

Officers present: P. Watts, M. Simpson, S. Baxter, M. Allen, J. Farmer, A. Plant and J. Tully

Also in attendance: 75 members of the public and 3 members of the press. Representatives from Ineos, from HAGATI, Helsby Parish Councillor Porter and numerous Ward/Borough Councillors.

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

#### DEV26 INEOS CHLOR - CONSULTATION

*Action*

The Committee received a report regarding the consultation in respect of Notification under Section 36 of the Electricity Act 1989 and section 90(2) of the Town and Country Planning Act 1990 to the Secretary of State for Trade and Industry (DTI). It was noted consent was sought to construct and operate an energy from waste combined heat and power generating station with an approximate capacity of 360MW thermal and up to 100MW of electrical power.

The report outlined the procedure of the consultation, who was consulted and a summary of responses received as a result of the consultation. Also detailed in the report was a summary of proposal, justification provided by the applicant in support of the proposal, summary of relevant policies, observations and responses, transport, comments from Merseyside Advisory Services (MEAS), conclusion and recommendation.

Mr Tom Crotty from Ineos Chlor spoke in favour of

the proposal outlining the strict operating regimes, which control such facilities, the business benefits that would result and giving assurances on impacts upon Halton and its residents.

In response to the points made, Members asked a number of questions in respect of emergency shut down, dispersal fumes, health risk assessment, varying prices of gas, air pollution, damage to health, fuel quality and source and transport impacts.

Mr Crotty and colleagues from Ineos provided responses to the questions.

Members heard from representatives of Halton Action Group Against the Incinerator. (HAGATI) who spoke against the proposal and in particular that the technology was unproven, how the proposal was driven solely by commercial reasons, how it would adversely impact upon the health and well being of Halton and its residents, that the application was flawed and failed to address a number of issues, impacts upon local roads and transportation systems (lack of capacity) and that no decisions should be made without a public enquiry.

In response Members asked questions and received responses from one of the speakers.

Helsby Parish Councillor George Porter addressed the Committee and spoke against the proposal.

Councillor Bradshaw spoke against the proposal.

Councillor E. Ratcliffe spoke against the proposal.

Councillor Rowe spoke against the proposal and stated that there was a need for a public enquiry.

The Operational Director Environmental and Regulatory Services and officers then addressed the Committee. Members were advised of information, which had been received following the publication of the agenda item. Reference was made to the earlier appraisal session and the ability of the Council to request a public inquiry.

The Committee was advised that a further five objections had been received since publication of the report – two from members of the public, two from Friends of the Earth and the other from Daresbury Parish Council. In addition a petition containing 250 names had been received.

It was noted that this additional information would be forwarded to the Secretary of State.

It was reported that an independent report into the proposed stack height was commissioned following an issue raised at the Members Briefing and Awareness meeting. The conclusion of the report stated the following:

“The air quality assessment when looked at in conjunction with the additional information (lower building height), indicated that a stack height of 105 metres should be sufficient so as to have an acceptable impact on the surrounding environment. There were no major technical discrepancies to disagree with this outcome and, as such, the modelling undertaken would agree with this conclusion. It was recommended however, that the background concentrations should be investigated in more detail, and that the receptor grid resolution should be refined. This may impact on the worst case meteorological data assessment, so this may also need to be re-assessed. “

It was advised that this report would also be forwarded to the Secretary of State.

Member’s questions raised in relation to the study and the other matters were answered.

Members thanked the Planning Officer for providing such a detailed and complex report. Ineos Chlor and HAGATI were similarly thanked.

Councillors Sly recommended the addition of additional conditions, which were added as outlined in the resolution.

At the conclusion of the debate Councillor Thompson moved a motion (incorporating additional conditions recommended by Councillor Sly) which was seconded by Councillor Osborne. There being no amendments to the motion the matter proceeded to a vote.

The Chairman requested a show of hands from Members of the Committee in favour of voting for the recommended response outlined and requested that this be recorded in the minutes. The following Members voted in favour of the response:

Councillors Thompson, Hignett, Leadbetter, Morley, Osborne, Polhill and Sly.

The following Councillors voted against the response:

Councillor S. Blackmore and Rowan.

Therefore the consultation response was agreed.

RESOLVED: That

Strategic Director,  
Environment

- A. This application raises a number of important and complex issues. The Council and its consultees, including the Primary Care Trust, have given due consideration to these issues and the views of local residents. The Council would wish the Secretary of State to address the issues raised within the attached report and ask that the Secretary of State is fully satisfied that the proposal will not have any adverse impacts upon the health of the Boroughs residents before authorising the proposal. Particular attention is drawn to the observations of the Director of Public Health and the request for further information made therein. Unless **the matters raised** are satisfactorily addressed by the Secretary of State, the Council would wish to object to the granting of permission.
- B. If the Secretary of State is minded to approve the application then he is requested to consider the imposition of conditions as set out in appendix 7 and the need for a Section 106 agreement between the Local Planning Authority and Ineos.
- C. Additional conditions are as follows:
  1. A minimum of 90% (by weight) of the refuse-derived fuel to be burnt in the plant shall be delivered to site by rail or water.
  2. The loading onto vehicles of fly ash and FGT residues from the plant shall take place with an enclosed space subject to negative pressure such that any airborne contaminants released during the loading process shall not escape to the environment;
  3. The fly ash and FGT residues shall be transported to the hazardous waste disposal site in sealed vessels;
  4. Appropriate steps shall be taken to prevent fly ash or FGT residues from becoming airborne during the process of unloading and disposal at the hazardous waste disposal site.

5. The process control system adopted for the plant shall comply to Safety Integrity level 4 (SIL4) in accordance with IEC 61508 & ICE 61511 and shall be designed and constructed so that in the event of any malfunction of the plant or its controls the process may be shut down safely without the release of hazardous material to the environment.
6. The online monitoring equipment used to continuously monitor flue gas quality shall be subject to regular and frequent calibration in accordance with the manufacturers' recommendations and using calibration materials or equipment directly traceable to primary standards. Complete and accurate calibration logs shall be maintained and available for inspection by the Environment Agency, the Halton Borough Council Environmental Health Service, Halton and St. Helens PCT or their successor bodies.
7. The plant shall incorporate apparatus for the minimisation of dioxin and furan emissions by means of catalysis.
8. Monitoring of the flue gases for dioxins and furans shall be carried out according to the best available practices. As a minimum, flue gases shall be sampled continuously via a sidestream and passed through a purpose-built dioxin sampling system. The samples collected by the sampling system shall be analysed for concentration levels of dioxins and furans not less than once per fortnight.

*Meeting ended at 7.50 p.m.*