

Sent: Monday, March 14, 2016 at 9:50 AM

Subject: Re: RE: Decision-making on Veolia's Revised Project Plan for Hertfordshire's Residual Waste

To: The Leader of the Council and the Chief Legal Officer as Monitoring officer

Copied f.y.i. to: The Executive Members of Hertfordshire County Council Elaine Shell and Nicola Cahill, Democratic Services; Simon Aries and Matt King, Officers at Herts. CC; Duncan Jones, HWP Co-ordinator

From: Dr John Webb FRGS, 1 Meadow Way, Letchworth Garden City, Hertfordshire SG6 3JB

On behalf of Herts. WithOut Waste, a community group that promotes a Circular Economy;

a member of the UK Without Incineration Network (UKWIN)

Note: our colleague David Ashton is addressing particular points of (mis)understanding.

Subject: Agenda item 8 for Cabinet Meeting on 14 March 2016: Future Direction of the Residual Waste Treatment Programme referring to Veolia's Revised Project Plan for a Waste Incineraton

Dear Councillor Gordon ...

Thank you for your prompt reply and your diligence in reading the Officers' Report for today's Cabinet meeting. You have clearly stated your determination to go ahead in principle with the Revised Project Plan.

However as we have presented in our submissions, the main points you have made in support of it reflect misinformation that is put about in the waste industry (such as "Energy From Waste" whose evaluation overlooks the energy cost of materials to replace the materials such a plant consumes). We are asking the Cabinet to adopt a wider and longer term frame of reference. The proposal in the RPP is explicitly aimed at fulfilling the Council's Waste Disposal function by diverting its residual, municipal waste from landfilling. In other words it is aimed toward the bottom of the Waste Hierarchy instead of starting (as we urge) at the top by investing to save via separation and sorting of waste at and near to source, to minimise residues.

The proposal contravenes parts of the Council's Constitution (notably Introduction, 1.1, 1.2 and 10.2), framework policies (especially the Waste Core Strategy in the Waste Local Plan) and precedents (as proposed for New Barnfield and other examples we have identified).

By focussing on the Council's WDA function, the proposal would leave a legacy of obsolete technology. That is the key point of our concerns: by

instigating a new incinerator plant in Hertfordshire, the Council would effectively enable Veolia ES to run a partly merchant facility with an operating lifetime from the early-to-mid 2020s to the 2060s and decommissioning thereafter.

... and also Kathryn Pettitt,

The proposal from Veolia is necessarily similar to the failed one for New Barnfield, but with even higher risks arising from its later starting date and longer duration.

We hereby call upon you as the Council's Monitoring Officer to intervene on behalf of the public good at least to defer this discussion pending evaluation of more sustainable alternatives toward the top of the Waste Hierarchy. This intervention would have the effect of rejecting the Revised Project Plan and cancelling the contract.

Kind regards,

John Webb
07960 825668
for HertsWOW

SOME OBSERVATIONS by our advisers at UKWIN, edited by us

Naturally, our starting point (working with colleagues in the Borough and District Councils) continues to be to improve levels of waste reduction, recycling and compositing and the proposed contract does not prevent further progress on these important initiatives.

"does not prevent further progress" is not the same as "helps us move forward further in the direction of waste minimisation, promoting reuse and recycling"

The minimum tonnage commitment assumes that 75% recycling can be achieved during the contract period;

Unless, of course, there is success in reducing quantities of waste arising...

compared with the current level of around 50%.

However, nothing suggests that these efforts can succeed to a point where we are not faced with a substantial quantity of residual waste to be diverted from landfill.

As we know, in climate change terms, incineration can be worse than landfill.

As mentioned, our projections assume improved waste reduction over time but also allow for Hertfordshire's growing population. The resulting calculation is that there will be something of the order of 180,000 tonnes a year to be disposed of (although we would hope it would be significantly less). Using the residual waste as a fuel to generate electricity (enough for 69,000 homes) is an effective

for 'effective' we would say 'inefficient'

means of energy recovery consistent with the waste strategy and national requirements.

Cabinet cannot consider town planning issues (which were understandably of concern to some colleagues at the Cabinet Panel meeting) or other environmental approvals that Veolia will need to secure before the plant could proceed.

Of course the Cabinet can do so (as did their colleagues in Nottinghamshire) - within the context of desirability and risk

I realise that some of these matters (including local traffic issues) will be of concern in the immediate area and, should Cabinet decide to proceed, these issues will all have to be addressed in the planning and licensing processes over the next year or two. Naturally, they will be subject to public consultation as part of that process. We are assured that such a facility poses no risk to public health.

No comment! Risk to public health is a complex and contentious issue.

Tomorrow's decision is more about the financial and contractual aspects of the arrangement with Veolia. For this, officers have compared the projected revenue costs to the Council (in terms of the 'gate fee' payable for each tonne of residual waste taken by the plant) with alternative options. Their expert, considered judgement (informed by known, but confidential financial data) is that a mid-position is that the plant would save local taxpayers Â£210m over the 30-year period. It may be more (or less) but is professionally assessed as being excellent value for money when compared with credible alternatives.

Only when compared with other residual treatments, not with the full range of waste management options. Even then, we (HertsWOW and advisers) do not know the comparators / assumptions - so we are not in a strong position to point out mistakes...

Some people have suggested that we should refuse this alternative plan from Veolia. While there would be some cost arising from the termination of the contract, there would be a much larger cost to taxpayers from having to tender for and negotiate a new contract and in the delay in introducing alternative disposal arrangements.

So, when comparing options did the officers add a 'procurement tax' to all bids not from Veolia?

If the current contract can deliver what we need, that has to be the preferred outcome.

Some have suggested that the Council is funding the construction of the plant at a cost of Â£1.1bn. This is not the case. The capital cost falls to Veolia (and, my understanding is it is far less than Â£1.1bn)

Naturally, there are pre-operational costs falling to the Council, but they are estimated to be substantially less than those incurred on the New Barnfield option (which included moving a school and library)

Costs presumably have already been incurred - despite the protestations of those receiving this e-mail message!

and are wholly appropriate and proportionate to a scheme of this nature, complexity and importance.

Contrary to some comments, the New Barnfield option did not include an MBT (Mechanical Biological Treatment) unit; nor does the Ratty's Lane option. MBT units are costly in terms of their consumption of the electricity generated by the main plant. It is correct that Ratty's Lane is too small to accommodate a MBT unit, but this was never anticipated. What about the pre-sorting facility? (Mechanical Pre-treatment, MPT) Has this been forgotten, or just 're-branded'?

MBT does reduce the volume waste fuel, but does not capture the energy in the biodegradable content it separates.

MBT adds to recycling rates, as would the pre-sorting facility have done...

Sent: Sunday, March 13, 2016 at 9:27 PM
From: "Robert Gordon" <Robert.Gordon@hertfordshire.gov.uk>
To: "John Webb" <john.webb2@gmx.com>
Subject: RE: Decision-making on Veolia's Revised Project Plan for Hertfordshire's Residual Waste

Dear Mr Webb

Many thanks for your two e-mails regarding the Energy Recovery

facility at Ratty's Lane, Hoddesdon, proposed by Veolia under their Revised Project Plan. It seems that several correspondents may have sent identical e-mails to all members of Cabinet; if so, please accept this response as if coming from us all.

Since the meeting of the Cabinet Panel, I have received 13 e-mails and thought it might be helpful to offer a single response, even though it might cover more than the points you raised. I do not go into planning or other issues which are outside the responsibilities of Cabinet.

As you know, Cabinet will consider the recommendation of officers and the Executive Member and I have taken the opportunity of re-reading the report over the weekend, keeping in mind the comments of those who have been in touch. I am sure my Cabinet colleagues will have done likewise, and we will make our collective decision at the meeting tomorrow.

Let me first say that I do understand that finding a long-term solution to the disposal of the county's residual waste is not easy; and not without controversy. Nevertheless, the County Council has to face up to this challenge because we are incurring substantial annual costs of disposal and using landfill which is expensive and environmentally unsound. The intention of the contract entered into with Veolia in 2011 is to identify an approach which is both environmentally appropriate and costs local taxpayers less. Elected members are familiar with the rationale and financial context for the project, although this has had to be reviewed in the light of the revised proposal.

Naturally, our starting point (working with colleagues in the Borough and District Councils) continues to be to improve levels of waste reduction, recycling and compositing and the proposed contract does not prevent further progress on these important initiatives. The minimum tonnage commitment assumes that 75% recycling can be achieved during the contract period; compared with the current level of around 50%.

However, nothing suggests that these efforts can succeed to a point where we are not faced with a substantial quantity of residual waste to be diverted from landfill. As mentioned, our projections

assume improved waste reduction over time but also allow for Hertfordshire's growing population. The resulting calculation is that there will be something of the order of 180,000 tonnes a year to be disposed of (although we would hope it would be significantly less). Using the residual waste as a fuel to generate electricity (enough for 69,000 homes) is an effective means of energy recovery consistent with the waste strategy and national requirements.

Cabinet cannot consider town planning issues (which were understandably of concern to some colleagues at the Cabinet Panel meeting) or other environmental approvals that Veolia will need to secure before the plant could proceed. I realise that some of these matters (including local traffic issues) will be of concern in the immediate area and, should Cabinet decide to proceed, these issues will all have to be addressed in the planning and licensing processes over the next year or two. Naturally, they will be subject to public consultation as part of that process. We are assured that such a facility poses no risk to public health.

Tomorrow's decision is more about the financial and contractual aspects of the arrangement with Veolia. For this, officers have compared the projected revenue costs to the Council (in terms of the 'gate fee' payable for each tonne of residual waste taken by the plant) with alternative options. Their expert, considered judgement (informed by known, but confidential financial data) is that a mid-position is that the plant would save local taxpayers Â£210m over the 30-year period. It may be more (or less) but is professionally assessed as being excellent value for money when compared with credible alternatives.

Some people have suggested that we should refuse this alternative plan from Veolia. While there would be some cost arising from the termination of the contract, there would be a much larger cost to taxpayers from having to tender for and negotiate a new contract and in the delay in introducing alternative disposal arrangements. If the current contract can deliver what we need, that has to be the preferred outcome.

Some have suggested that the Council is funding the construction of the plant at a cost of Â£1.1bn. This is not the case. The capital

cost falls to Veolia (and, my understanding is it is far less than Â£1.1bn)

Naturally, there are pre-operational costs falling to the Council, but they are estimated to be substantially less than those incurred on the New Barnfield option (which included moving a school and library) and are wholly appropriate and proportionate to a scheme of this nature, complexity and importance.

Contrary to some comments, the New Barnfield option did not include an MBT (Mechanical Biological Treatment) unit; nor does the Ratty's Lane option. MBT units are costly in terms of their consumption of the electricity generated by the main plant. It is correct that Ratty's Lane is too small to accommodate a MBT unit, but this was never anticipated. MBT does reduce the volume waste fuel, but does not capture the energy in the biodegradable content it separates.

I hope this helps outline the context in which we will make tomorrow's decisions and the factors and advice which will have a bearing on the decision.

Should we decide to proceed, Veolia will prepare and lodge their planning application which will be subject to technical appraisal and public consultation before being put before the Development Control Committee for decision. I would encourage local residents and other interest parties to engage fully in the consultation process to promote an informed and balanced debate. Currently, I would not expect the application to come before the Committee for decision until the later part of 2017.

Should you have any supplementary points following tomorrow's decision, please do not hesitate to contact my colleague, Richard Thake, the Cabinet Member for Waste Management (richard.thake@hertfordshire.gov.uk) who is best placed to ensure you receive an appropriate response.

Sincerely

Robert Gordon

Robert Gordon, CBE

Leader of the Council

Hertfordshire County Council

To: Leader of the Council and the Executive Members

Copied f.y.i. to:

Elaine Shell and Nicola Cahill, Democratic Services; Kathryn Pettitt, Chief Legal Officer

Simon Aries and Matt King, Officers at Herts. CC ; Duncan Jones, HWP Co-ordinator

From: Dr John Webb FRGS, 1 Meadow Way, Letchworth Garden City, Hertfordshire SG6 3JB

On behalf of Herts. WithOut Waste, a community group that promotes a Circular Economy;
a member of the UK Without Incineration Networ (UKWIN). *This is the definitive version.*

Subject: Agenda item 8 for Cabinet Meeting on 14 Harch 2016:

Future Direction of the Residual Waste Treatment Programme

(referring to Veolia's Revised Project Plan for a Waste Incinerator)

Dear Councillor,

I apologise for the lateness of this message due to the short interval for preparation between meetings.

We have significant concerns regarding the proposal and commitment that are outlined in the Officer's Report to you. The attached briefing paper summarises these concerns.

We urge you to reject the proposal and cancel the contract forthwith.

Kind regards,

John Webb
07960 825668
for HertsWOW