

The Rookery South (Resource Recovery Facility) Order 2011

Petition for Amendment

To the House of Commons.

THE PETITION of MARSTON MORETAINE PARISH COUNCIL

Declares that:

1. Your Petitioner, Marston Moretaine Parish Council, have powers under the provisions of various enactments and their concerns include the protection of the environment. Your petitioner represents the interests of the residents of Marston Moretaine parish ("the Parish"). The Resource Recovery Facility and associated development ("the Facility") proposed to be authorised by the Rookery South (Resource Recovery Facility) Order 2011 ("the Order") is almost entirely located in your petitioner's parish. Your petitioner is one of 25 town and parish councils or meetings who came together to object to the Facility through the Infrastructure Planning Commission ("IPC") examination process.
2. Your petitioner alleges that it and its property, rights and interests in the area of the Parish and the inhabitants of the Parish would be injuriously and prejudicially affected by the provisions of the Order and it accordingly objects to the Order for the reasons, amongst others, appearing in this petition.
3. The Order grants development consent for the Facility, that comprises an energy from waste electricity generating station with a gross electrical output capacity of 65 MWe, together with associated development including a post treatment materials recovery facility at Rookery South Pit in Marston Moretaine in Bedfordshire in close proximity to local houses and the Millennium Country Park.
4. In order to generate this amount of electricity, the Facility is designed to burn 585,000 tonnes of waste per year which is significantly in excess of the waste treatment needs of Central Bedfordshire thus requiring the transportation of waste into the area from a wide but undefined waste catchment area. Although the site is close to two rail lines there are no immediate plans to transport waste to the Facility by rail.
5. Because of the size of the Facility the application for the Order has been considered by the IPC. That harm would be caused to residents by the proposed development was accepted by the IPC in the Statement of Reasons for the decision to grant the Order.
6. The negative effects on the residents of Marston Moretaine would come from noise, the Facility's visual impact, increased traffic, re-industrialisation, emissions and anxiety about safety and the blight associated with living so close to it.
7. Your Petitioner asserts that the Order does not provide sufficient certainty as regards ensuring that the Facility would only be used to burn materials that cannot be recycled and therefore requests that the following amendment be made to the Order—

In Part 2 of Schedule 1 (Authorised development and requirements), under the heading "Interpretation" insert the following definition in the appropriate place—

""residual municipal waste and residual commercial and industrial waste"
means such waste remaining after all practical steps to reuse or recycle it have

been exhausted and that is acceptable as such in accordance with the Residual Waste Acceptance Scheme;"

8. Your Petitioner asserts that the Order should include a definition of the waste catchment area from which waste will be sourced to be burnt at the Facility. This is needed to ensure that the Facility will be operated in a sustainable manner by only burning waste that originates within the waste catchment area, identified by Covanta in its application and considered by the IPC in its examination, to avoid the negative environmental effects of transporting the waste exceeding the benefits derived from energy recovery. Therefore your Petitioner requests that the following amendment be made to the Order—

In Part 2 of Schedule 1 (Authorised development and requirements), under the heading "Interpretation" insert the following definitions in the appropriate place—

““permitted waste” in respect of a waste catchment area, means the type of waste mentioned in respect of that area in the relevant paragraph of the definition of “waste catchment area” below;”;

"a "waste catchment area" means any of the local authority areas set out in paragraphs (a) to (i) below,—

- (a) the districts of Central Bedfordshire, Bedford Borough and Luton (the Bedfordshire and Luton sub region) in respect of residual municipal waste and residual commercial and industrial waste;
- (b) the county of Buckinghamshire, in respect of residual municipal waste and residual commercial and industrial waste;
- (c) the district of Milton Keynes in respect of residual municipal waste and residual commercial and industrial waste;
- (d) the Royal Borough of Windsor and Maidenhead, in respect of residual municipal waste; and
- (e) the county of Cambridgeshire, in respect of residual municipal waste (limited to the solid recovered fuel) and residual commercial and industrial waste.
- (g) the county of Northamptonshire, in respect of residual municipal waste (limited to that arising from the district of South Northamptonshire) and residual commercial and industrial waste;
- (i) the county of Hertfordshire, in respect of residual commercial and industrial waste.”;

In Part 2 of Schedule 1 (Authorised development and requirements), after requirement No. 2, insert—

"Maximum distance from which waste may be transported

(2A) No heavy goods vehicle transporting municipal waste or commercial and industrial waste may enter the authorised development if it is carrying any such waste that originated from any place outside a waste catchment area, or if it is carrying waste that originated from a waste catchment area but the waste is not permitted waste in respect of that waste catchment area."

9. Your petitioners assert that all bottom ash that is produced as part of the incineration process should be stored in enclosed buildings, rather than in the open, as is required by paragraph 2.5.62 on page 22 of the National Policy Statement for Renewable Energy EN-3 that states that “storage and handling of waste and residues should be carried out within defined areas, for example bunkers or silos, within enclosed buildings at EfW generating

stations". Therefore your Petitioner requests that the following amendments be made to the Order—

(a) In Part 1 of Schedule 1(Authorised development and requirements), in the description of Work No. 2, leave out paragraph (a);

(b) In Part 2 of the said Schedule 1, leave out requirement No. 33 and insert—

"33. All by-products produced from the incineration process and that are stored at Work No. 2 must be stored in enclosed buildings that do not exceed 10 metres in height from the surface of the yard comprised in Work No. 2."

10. Your Petitioner asserts that the Order should prohibit the on-site treatment of waste water to eliminate the risk of contamination of the local water supply and pollution of Stewartby Lake which is a popular local water sports and leisure amenity. The decision to include a waste water treatment plant in the facility was a late change to the application due to lack of capacity at the local sewerage works and was not publicized to all interested parties in the same manner as the original application to alert them to the potential risks that were identified by the applicant. Therefore your Petitioner requests that the following amendment be made to the Order—

In Article 3 (Development consent etc. granted by order), after paragraph (1), insert—

"(1A) No waste water treatment facilities shall be provided as part of the authorised development."

11. Your Petitioner asserts that the Order should include a requirement for a financial guarantee (preferably from the applicant's ultimate parent company in America) to ensure the site will be fully restored after the facility is no longer operational. Therefore your Petitioner requests that the following amendment be made to the Order—

In Part 2 of Schedule 1, in requirement No. 29, at the end insert—

"(7) Prior to the commencement of development, details shall be provided to the relevant planning authorities of a performance bond or a provision of a similar nature to be put in place to cover all decommissioning and site restoration costs in the event that it is not intended to maintain the authorised development. No work shall commence on the site until documentary evidence that the proposed performance bond or provision of a similar nature is in place has been provided and written confirmation has been given by the relevant planning authorities that the proposed bond or similar provision is satisfactory. The undertaker, or their agent or successors in title shall ensure that the approved performance bond or similar provision will be subject to a five yearly review from the commencement of the development, to be conducted by a competent independent professional approved in writing by the relevant planning authorities who has relevant experience within the energy sector, and provided to the undertaker, or their agent or successors in title, the landowner(s) and the relevant planning authorities."

12. The petitioner therefore requests that the Order be amended as outlined above.
13. The petitioner therefore requests that, should a joint committee consider this Order, it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition.

And the petitioner remains, etc.

16 December 2011

SUE CLARK, Agent for Marston Moretaine Parish Council

Cranfield Court
Wood End
Cranfield
Bedfordshire
MK43 0EB

01234 752672

IN PARLIAMENT
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SESSION 2010-12

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