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Statements to Overview & Scrutiny Committee 20th March 2018

Statement 1: Introduction to the Westbury Gasification Action Group and the Petition. The requests of the signatories regarding Planning aspects of the ATT Plant in Westbury

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Thank you Chairman and thanks for agreeing we can present the petition to this Committee today.

This petition asks Wiltshire Council to take a coordinated view of the public health, waste management and planning aspects of the Advanced Thermal Treatment plant proposed for Westbury (subject to the regulations on planning). The signatories trust that the new Waste Strategy is being devised in a forward thinking way which would obviate the need to build an ATT plant in a community that, for many reasons, does not want it.

How did the petition come about? A group of people from S.W. Wiltshire put together detailed responses to Wiltshire Council's Waste Strategy consultation, submitting questions to the Environment Select Committee, from last Autumn. During that time, the plan to build the gasification plant came to light – whilst it received planning consent in 2015, communications did not reach most people in the area at that time.

The Waste Contracting Company carried out two presentations in Westbury at the end of last year, and the implications of the development have increasingly been researched and discussed by residents, many of whom have moved to new developments in the town since 2015.

Following a community meeting in January, one person took the initiative to set up a Facebook Group which now has 830 members – the Westbury Gasification Action Group. People called for a petition as one way of expressing their views on the plant.

1,789 people have signed this petition – 128 via the ePetition and most are here on paper. They are overwhelming people in Westbury, so a rough estimate is that the numbers represent more than 8% of the population. Many signatures were collected by one dedicated young man. But everyone who has been involved knows that these are not just names on pieces of paper. These are real conversations with people on their doorsteps or in the town centre. People stopped in freezing weather to talk about this and I can relay that these signatures represent a high level of anger and concern about what is being seen as another imposition on the town.

One member said that we want this to be **Westbury not Wastebury**, and sadly this phrase is really resonating with people.

The group asked to come to this Committee given that aspects of the ATT plant appear to cross portfolios. And I would like to move firstly to Wiltshire Council's role as Planning Authority. Lorrae and Marie will talk about the public health and waste management areas.

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At a large public meeting in Westbury, chaired by Councillor King, the Environment Agency stated that they regard this case as being of high significance and they would therefore hold a public consultation on receipt of an environmental permit application from the developer.

We have confidence that Wiltshire Council's planning team would also consider an application relating to this plant to be significant enough to merit access to any expert resources needed to evaluate it. We clearly lack detailed knowledge of procedures, but we understand high significance can mean such an application would be considered at the Strategic Planning level. Although of course nothing can be pre-empted, in a situation where no application may yet have been received.

The operating company states that once they have appointed an Engineering Procurement and Construction Contractor, and identified a suitable technology, which would differ to that originally chosen for the plant, they would be applying to vary the approved plan via a Section 73 application.

As can be seen in the petition, signatories request careful scrutiny of the decision regarding whether or not amended plans represent 'minor material changes' that may be submitted under Section 73.

Whether variations to the existing plan, or a new planning application be submitted, we call for consideration of significant changes to the environment in which the plant is to be built. Since 2015 consent has been given to build 300 new homes at Westbury Sailing Lake, and an application submitted to build 200 homes near The Ham. That could constitute a further 500 homes within approximately 750 metres of the incinerator, in addition to those already existing or constructed in recent years.

We are also in a changed situation with regard to research on the health impacts of particle emissions, to be referred to shortly.

The National Planning Policy for Waste states that waste planning authorities should consider the **cumulative impact** of existing and proposed waste disposal facilities on the well-being of the local community. Given issues relating to the current waste facility at Northacre, and the impact on local residents, that have been raised but not fully resolved to date, the addition of a gasification plant risks further negative impact on well-being.

There is every confidence in the expertise and experience of all those involved in planning decisions. We just highlight that specialist expertise and a link to public health & well-being considerations may be required to evaluate an application or variation relating to a plant of this nature within a residential town.

Thank you Chairman and Members of the Committee.

Margaret Cavanna

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Statement 2: The requests of the petitioners regarding the Public Health aspects of the proposed ATT Plant in Westbury

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Our petition asks the Council to revisit the environmental and public health impacts of the proposed incinerator. We would like the Overview and Scrutiny Committee to ensure that any impact statements from the waste contracting company or recommendations from the Council's public health and waste management teams are based on sound, up-to-date and impartial scientific evidence. We would like you to seek the advice of Air Quality and Waste Management experts from outside the Council.

We call the Westbury plant an incinerator because according to the Waste Incineration Directive, which is the relevant European legislation, the definition of an incineration plant is any equipment dedicated to the thermal treatment of waste, including processes such as gasification where gases resulting from the treatment are then incinerated.

Whatever it is called, the plant would attract domestic and commercial waste into Westbury by road from all over Wiltshire and beyond. Residual, non-recycled waste including Wiltshire's entire unrecycled domestic food waste would be processed in the existing Mechanical and Biological Treatment plant to produce fuel for the incinerator. Thermal treatment of waste (including some unrecycled plastics) would produce pollutants which would be filtered before release into the atmosphere. These would be monitored under permit from the Environment Agency and would include nitrogen oxides, sulphur dioxide, heavy metals, dioxins, furans, polluted water and particulates.

Particulates are microscopic, inhalable and respirable particles which result from reactions of chemicals such as sulphur dioxide and nitrogen oxides which are emitted from industrial processes and by vehicle engines.

Since the incinerator was given planning permission in 2015 new research has highlighted the adverse effects of these particulates on human health.

Just two weeks ago four parliamentary select committees published a joint Air Quality Report concluding that air pollution is a national health emergency, resulting in tens of thousands of early deaths and costing billions of pounds in health impacts each year. They took evidence from experts including Professor Stephen Holgate, Medical Research Council Clinical Professor of Immunopharmacology at the University of Southampton.

The parliamentary committees say it is unacceptable that successive governments have failed to protect the public from poisonous air and that the health sector needs to play a stronger role in tackling air quality. They say at a local level this should be by local authority Directors of Public Health and through NHS organisations. Better information about air quality is also needed at a local level. *They recommend that air pollution levels should be monitored at key spots within local communities—for example near schools, hospitals and care homes—and the results clearly communicated to local residents and service users to provide the public with the*

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information they need to press their elected representatives for further changes at a local authority level.

The Environment Agency has told us that they cannot include particulate matter smaller than 2.5 microns in size in the permit conditions for the incinerator because these are not covered by the Industrial Emissions Directive. These ultrafine particles are the most dangerous to human health.

Senior Democratic Services have told us that Health Impact Assessments are not a statutory requirement of the planning consultation process in which case it seems neither Wiltshire Council's planning process nor the Environment Agency will be responsible for protecting the public against particulates below 2.5 microns in size.

Air quality in Westbury is already poor because of pollution from heavy traffic but no one seems to be monitoring or assessing the overall impact of poor air quality on the population of Westbury.

National Planning Policy for Waste states that waste planning authorities should consider the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community.

It also says planning authorities should avoid carrying out their own detailed assessment of health studies, so we would like the Overview and Scrutiny Committee to look at who *will* carry out impartial health studies for the proposed plant. Who will reassess and scrutinise the air quality and health impact assessments and environmental statement that the waste contractor's consultants produced with their planning application in 2015 and who will assess any new ones that may arise under a revised planning application?

We would like the Council's Public Health team to look at the levels of cardiovascular and respiratory diseases in Westbury compared with other towns in Wiltshire.

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/environment-food-and-rural-affairs-committee/inquiries/parliament-2017/improving-air-quality-17-19/>

[Lorrae Allford](#)

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Statement 3: Requests of the petitioners regarding Waste Management

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Local people like us ask that Wiltshire Council demonstrate it is responsive to growing public understanding of what works best in terms of managing waste services – our recycling in our environment.

Incineration of waste as an end result is not desirable or necessary to reduce landfill. Wiltshire Council must rethink and act differently - not at the cost of public health, the environment or council taxpayers. Recovering value from waste is a necessary goal and is achievable without pyrolysis, gasification or any other word for incineration. In 2016- 17 Wiltshire Council paid over £3 million pounds in Landfill Tax whilst continuing to pay its contractor more than £26 million pounds to 'deal' with our waste. The draft Waste Strategy allows councillors to review whether the waste hierarchy will be fully applied in actions to safeguard and mitigate against climate change in both the council's in - house and outsourced services.

We ask the Overview and Scrutiny Committee to prioritise the Environment Select Committee decision on March 13th to resource a piece of work on the contribution waste plants and associated logistics make to emissions in Wiltshire. At the same meeting, a councillor highlighted the usefulness of inviting the Environment Agency to brief councillors on which areas it can consider in the permitting process for waste plants. We know, as local campaigners talking with Westbury residents that transportation of waste and highways issues are key concerns as well as those of air quality and monitoring. We call on the Overview & Scrutiny Committee to add value to any decisions made by the Environment Select Committee to resource a visit from the Environment Agency and more importantly, by WRAP or, Waste and Resources Action Programme. WRAP support local authorities in England to assess the business case for implementing collection services. WRAP meets the full revenue cost of providing technical support. We trust that such invitations are not after the horse has bolted.

The forward work plan formulated by the Waste Contracts Task group includes site visits to waste contractors. In order to base decisions on good evidence we ask that the Overview & Scrutiny Committee recommend the Environment Select Committee visit a bio-digester plant and liaise with Swindon Borough Council who support a local business developing and running a plastic to oil enterprise.

As council taxpayers, and voters we want a Council that acknowledges challenge and is open to the circular economy.

Marie Hillcoat