

Wiltshire Council

Cabinet

7 January 2020

**Statement from Stephen Eades
Agenda Item 5 – Public Participation**

**To Councillor Toby Sturgis – Cabinet Member for Spatial Planning,
Development Management and Investment**

Statement

The Leader has told me the Council takes its responsibilities very seriously. It has consulted Public Health England; the Environment Agency and no objections have been raised. No one has raised a JR challenge, and to revoke consent would lead to a compensation claim. So, the planning decision stands.

None of this makes sense.

The Council has an overriding legal duty of care, particularly to protect public health and safety under CP42 on incinerators and CP54 and 55 on air quality.

The atmospheric emissions will be highly toxic. They'll contain tiny particles, all toxically contaminated and 16 tonnes will be emitted into Westbury's air annually.

The housing estate on the White Horse escarpment is at the same height as the top of the chimney. When the wind blows from the incinerator residents will be inhaling this poison. Not for one day, but for 25 years.

In 2017 PHE and the EA wrote a report. It said these tiny particles go straight into the lung and the very smallest straight into the bloodstream. New evidence from the USA shows they also go straight into the brain. In 2018 DEFRA said that this risk is more significant than previously thought.

In the planning hearing last year did the Council raise any of this with PHE and the EA? No.

Did the Council ask the EA if it could control this under the Environmental Permit? No.

On the point that there has been no JR challenge - seriously, who can afford to do that?

It is said the Council cannot revoke for fear of a compensation claim. People's health will be badly injured by this planning decision. So, would the consent holder make such a claim? No, it would amount to tainted money.

Councillors, your shame is not in making the wrong decision. Your shame is in denying the evidence behind that wrong decision. It's time to think again. Westbury is waiting.

Response

I am responding as the Cabinet member responsible for development management.

I confirm the Strategic Planning committee had a comprehensive report on this application with responses from the relevant statutory experts. The council has not been advised that any of these bodies has changed their view, no legal challenge has been made nor has central government called -in the decision. In these circumstances there are no grounds to justify revoking the planning permission.