



## CONSULTATION REPORT

**APPLICATION TO VARY EXISTING PLANNING PERMISSIONS TO EXTEND UP TO THE  
END OF 2016 THE EXISTING PERMITTED LANDFILLING OF HAZARDOUS WASTE  
AND LOW LEVEL RADIOACTIVE WASTE, SOIL TREATMENT AND OTHER ANCILLARY  
OPERATIONS AT EAST NORTANTS RESOURCE MANAGEMENT FACILITY,  
STAMFORD ROAD, NORTHAMPTONSHIRE**

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**CONTENTS**

<b>1.</b>	<b>Preface</b>	<b>5</b>
<b>2.</b>	<b>Summary</b>	<b>8</b>
<b>3.</b>	<b>Introduction</b>	<b>10</b>
	Legislative requirements	10
	Structure of the report	11
	Consultation phases	12
	Project background	14
	Recent planning history	15
	Section 73 Applications	16
<b>4.</b>	<b>Consultation with statutory bodies under Section 42</b>	<b>18</b>
	Informal consultation on emerging project with statutory consultees	18
	EIA scoping exercise	18
	Consultation with technical specialists	19
	Equivalent Section 42 consultation May 2011 – July 2011	19
	Formal Section 42 Consultation December 2011 – January 2012	20
	Further engagement with statutory consultees	22
<b>5.</b>	<b>Consultation with the local community under Section 47</b>	<b>23</b>
	Principles of consultation	23
	Consultation methods	24
	Development of the SoCC (Section 47 (2))	25
	Publicising the community consultation programme	26
	Feedback	30
	Additional Section 47 consultation December 2011 to January 2012	30
<b>6.</b>	<b>Informal consultation initiatives</b>	<b>31</b>
	Community consultation on emerging project	31
	Public engagement following end of formal consultation	32
	Ongoing informal engagement	33

	Future engagement	36
<b>7.</b>	<b>Publicity for the proposals under Section 48 – Wider publicity</b>	<b>37</b>
<b>8.</b>	<b>Responses to Section 42 and Section 47 consultation</b>	<b>38</b>
<b>9.</b>	<b>Summary of the action that has been taken by Augean in response to consultation and overall conclusions</b>	<b>39</b>
<b>10.</b>	<b>Bibliography</b>	<b>42</b>
<b>11.</b>	<b>Glossary</b>	<b>43</b>

## **TABLES**

Table CR1	Summary of engagement with the MWDF process
Table CR2	The options and the feedback for the design and operation of the proposed development
Table CR3	Frequently raised issues
Table CR4	List of undertakings resulting from consultations

## **APPENDICES**

Appendix CRA	Correspondence with IPC
Appendix CRB	Consultation Diary
Appendix CRC	Scoping Report
Appendix CRD	List of Scoping Consultees
Appendix CRE	Responses to Scoping
Appendix CRF	PEIR and Non-Technical Summary and Consultees (on CD)
Appendix CRG	Equivalent Section 42 Responses and how addressed
Appendix CRH	Section 48 PEIR update documents
Appendix CRI	List of Formal Section 42 Consultees
Appendix CRJ	Letters to Consultees
Appendix CRK	Further informal engagement with Statutory Consultees
Appendix CRL	Informal advice on Statement of Community Consultation
Appendix CRM	Presentations to Kings Cliffe Local Liaison Group
Appendix CRN	Draft Statement of Community Consultation

Appendix CRO	Covering letters for draft Statement of Community Consultation
Appendix CRP	Responses to draft Statement of Community Consultation
Appendix CRQ	Published Section 47 Statement of Community Consultation
Appendix CRR	Circulation of Statement of Community Consultation
Appendix CRS	Public Information Leaflet
Appendix CRT	Consultation Area Map
Appendix CRU	Consultation News Media
Appendix CRV	Consultation Boards and Event Photography
Appendix CRW	Responses to verbally raised matters
Appendix CRX	Open Day Materials
Appendix CRY	Open Day News Media
Appendix CRZ	Workshops
Appendix CRAA	Topic Sheets
Appendix CRAB	Minutes Kings Cliffe Local Liaison Group
Appendix CRAC	Offers of Meetings Correspondence
Appendix CRAD	Engineering Days
Appendix CRAE	Notification of Change to IPC
Appendix CRAF	LLW Transport Routes
Appendix CRAG	Company Newsletters
Appendix CRAH	Minutes Kings Cliffe Parish Council
Appendix CRAI	Published Section 48 Notice
Appendix CRAJ	Issues Analysis and Response to Representations
Appendix CRAK	Copies of comments sheets, letters and emails received
Appendix CRAL	Representations to the Minerals and Waste Development Framework

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This report has been prepared by Jennings Nicholson with all reasonable skill, care and diligence, and taking account of the Services and the Terms agreed between Jennings Nicholson and the Client. This report is confidential to the client and Jennings Nicholson accepts no responsibility whatsoever to third parties to whom this report, or any part thereof, is made known, unless formally agreed by Jennings Nicholson beforehand. Any such party relies upon the report at their own risk.

## 1. Preface

- 1.1 This Consultation report accompanies three planning applications to Northamptonshire County Council for an extension to the consented operating period for the landfill site and soil treatment plant at the East Northants Resource Management Facility. The current planning consents for the site operations specify that operations shall cease and the site shall be restored by 31 August 2013. A separate application for a Development Consent Order has been submitted to the Infrastructure Planning Commission whose role has now been taken over by the Planning Inspectorate, for a full application for the extension of the operations at the site to 2026 and the extension of the landfill void to the west of the currently consented void. The applications which are accompanied by this report are solely for an extension in the operating time for the consented site operations to the end of 2016 to allow for completion of the consented landfill void to the approved restoration contours. A full explanation of the applications and a description of the site operations are presented in the Planning Statement and Environmental Statement that accompany the applications.
- 1.2 The objective of the Consultation Report is to give a complete overview of all consultation activities that have taken place including consultation with statutory bodies as well as consultation with the local community and wider publicity for the proposals. It details the extensive informal consultation initiatives that have been undertaken including the initial engagement with Northamptonshire County Council and the representations made to the Minerals and Waste Development Framework. The responses from the consultation process and actions taken as a result are included in the report.
- 1.3 The Consultation Report demonstrates that the requirements of Section 61W and 61X of the Town and Country Planning Act 1990 ( which will be introduced through Section 122 of the Localism Act 2011) together with paragraphs 188 to 192 of the National Planning Policy Framework have been complied with. Under Section 61W the persons consulted to comply with the requirement to undertake pre-application consultation have been extensive. The requirements of Section 61X to take account of responses to consultation are met under the terms of Section 49 of the Planning Act 2008 which has been complied with. The consultation process has followed the requirement of the NCC Minerals and Waste Development Framework Statement of Community Involvement (June 2006) for significant proposals to “*show how they have engaged the community in their proposals and how it has changed as a consequence*”.
- 1.4 The preparation of the communications strategy including engagement in dialogue with the local community took into consideration advice produced in the core principles detailed in the NCC Statement of Community Involvement (SCI).
- 1.5 Consultation with the local community on these time extension applications together with consultation on the full application for the Development Consent Order was conducted from May to July 2011 in compliance with the SCI and is described in detail in Section 5 of the report. Further consultation took place from December 2011 to January 2012: this is also described in Section 5 of the report. The summary of the actions taken by Augean as a result of the responses received during the consultation process are the subject of Section 9 of the report. These are supported by relevant appendices. The options and feedback for the design and operation of the proposed development are set out in Table CR2 and the issues that have been raised with Augean on a frequent basis during the consultation process and how the

company has responded are set out in Table CR3. This description and evaluation of the consultation process forms the Statement of Local Engagement.

- 1.6** The Consultation Report was prepared in accordance with Section 37 (3) (c) of the Planning Act 2008 to accompany the application to the Infrastructure Planning Commission (now succeeded by the Planning Inspectorate) for a Development Consent Order for the alteration of existing and the construction of new facilities for the recovery and disposal of hazardous waste and the disposal of low level radioactive waste at the East Northants Resource Management Facility, Stamford Road, Northamptonshire. It describes the consultation process that is required by Sections 42, 47, 48 and 49 of the Planning Act 2008. The Consultation Report also comprises the Statement of Local Engagement that accompanies the time extension applications to NCC and demonstrates compliance with Section 61W and 61X of the Town and Country Planning Act 1990 which will be introduced through the Localism Act 2011 together with paragraphs 188 to 192 of the National Planning Policy Framework.
- 1.7** In September 2011 Augean were advised by DEFRA and DCLG that the parts of the Planning Act 2008 pertaining to hazardous waste would be enacted on 1 October 2011 and that it would be necessary for the application to be determined by the Infrastructure Planning Commission. To meet the procedural requirement of the Planning Act 2008 Augean undertook a formal consultation under Section 42 and additional consultation under Section 47 with local communities from December 2011 to January 2012. The comments and representations made during this phase of additional consultation have also been taken into account and incorporated into the summaries presented.
- 1.8** Augean has sought to engage actively, meaningfully and continuously with all the key stakeholders, particularly the local communities, and intends to continue this dialogue in accordance with government and local authority consultation guidance and the Company's Corporate and Social Responsibility policy.

## **2. Summary**

- 2.1** This Consultation Report has been prepared on behalf of Augean PLC to accompany an application to the Infrastructure Planning Commission (IPC) for a Development Consent Order (DCO) for the alteration of existing and the construction of new facilities for the recovery and disposal of hazardous waste and the disposal of low level radioactive waste at the East Northants Resource Management Facility (ENRMF), Stamford Road, Northamptonshire.
- 2.2** The report is prepared in accordance with section 37(3) (c) of the Planning Act 2008 (the Act) and demonstrates compliance with Section 42, Section 47, Section 48 and Section 49 of the Act and the extensive consultation that has been undertaken. The report is structured as follows:
- 2.3** Introduction (Setting out the purpose of the report and the main phases of consultation.
- Background (Providing context to the consultation)
  - Consultation with statutory bodies under Section 42
  - Consultation with the local community under Section 47
  - Informal consultation initiatives
  - Publicity for the proposals under Section 48
  - Responses to Section 42 and Section 47 consultation
  - Summary of the action that has been taken by Augean in response to consultation
  - Conclusions
- 2.4** The evidence of the consultation process is presented in tables and appendices including consultation materials, presentations, letters and e-mails of response and feedback documents. A diary of consultation is presented at **Appendix CRB** setting out in chronological order what has been done.
- 2.5** Augean has undertaken extensive and extended consultation in respect of the proposals which commenced as early as 2006 with presentations to the local Liaison Group and Parish Council and proactive engagement in the Minerals and Waste Local Plan process ultimately resulting establishment of a favourable status of the site for further waste management development.
- 2.6** Technical studies were undertaken from 2007 onwards including ecology, landscape, hydrogeology and archaeology. Statutory consultees were consulted in particular the Environment Agency who confirmed in principle acceptance of the proposals in May 2010. Augean at this point publicised its intention to make an application in 2011.
- 2.7** In July 2009 Augean submitted a planning application for the disposal of an additional waste stream comprising LLW. This application was finally determined by the Secretary of State in May 2011. Prior to and throughout the application and



appeal process Augean conducted consultation which was described as “thorough, comprehensive and indeed prodigious” by the Planning Inspector.

- 2.8** The application the subject of the DCO has been prepared in a period of transition in respect of planning for major infrastructure projects. During the initial preparation of the application, it was anticipated that the application would be determined by the IPC. However in late 2010 it was clear the implementation date for relevant section of the Planning Act was uncertain. As the current permissions expire in August 2013 it was important to minimise delays and to commence the application process hence it was determined that the application would be prepared for submission to Northamptonshire County Council (NCC). It was agreed with NCC that in anticipation of the potential need to transfer the application process to the IPC when the relevant section of the Planning Act was implemented, the consultation would follow the Planning Act requirements and the IPC guidelines. This consultation was conducted from May to July of 2011.
- 2.9** In September 2011 Augean were advised by DEFRA and DCLG that the parts of the Planning Act pertaining to hazardous waste would be enacted on 1 October 2011 and that it would be necessary for the application to be determined by the IPC. To meet the procedural requirements of the Planning Act 2008 Augean undertook a formal consultation under Section 42 and additional consultation under Section 47 in December 2011 and January 2012.
- 2.10** The main purpose of **Section 3** of this report is to explain how in accordance with Section 42 Augean has consulted with local and adjacent administrative authorities, landowners and other consultees prescribed by Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The May to July 2011 consultation referred to as the Equivalent Section 42 consultation and the December 2011 to January 2012 consultation referred to as the Formal Section 42 consultation, are described. The initial engagement with the local authority and representations made to the Minerals and Waste Development Framework are detailed together with the initial EIA Scoping process and outcome.
- 2.11** In **Section 4** the formal consultation with the community the subject of Section 47 is explained. The preparation of, consultation in respect of and publication of a Statement of Community Consultation (SoCC) is described. The delivery of each of the commitments given in the SoCC including 3 public consultation days, a site open day, 4 Topic Workshops is described. Additional consultation conducted in December 2011 to January 2012 included a further opportunity to comment on the proposals and amendments made as a result of the May to July 2011 consultation.
- 2.12** It has been important to Augean not just to comply with legislation but to seek to engage actively, meaningfully and continuously with the local community to enable those most affected by the scheme to view the proposals and visit the site, to record their comments and discuss their concerns with the Company’s professional team involved with the proposed development. Informal initiatives have taken place on a continual basis using a wide range of methods of engaging in dialogue with the local community. These are described in **Section 5**, as are on-going and future communications.
- 2.13** Under Section 48 of the Planning Act 2008, the applicant is required to place notices in local newspapers (for two successive weeks) and in a national newspaper and the London Gazette (for one week). The notice is required to state whether the development is an Environmental Impact Assessment (EIA)



development and must state where members of the public may view documentation relating to the application, and give a deadline for representations to be made. This is set out in **Section 6** of the report and also in **Newspaper Notices** (WS010001/ENRMF/NOTICES).

- 2.14** Under Section 49 an applicant must have regard to any relevant responses received through consultation under Sections 42, 47 and 48 of the Act. The statutory consultees that were consulted under Section 42 and local community consultees that were consulted under Section 47 made comments or raised issues about how the scheme might affect them or how it could be improved. Augean has taken account of all feedback from the different stages of consultation. The representations by the statutory consultees and the responses to them are set out in **Sections 3, 4 and 5** of the report and are summarised in **Section 7**.
- 2.15** The responding consultees have made comments that have been considered and incorporated where possible. In some cases this has not been possible due to legislative requirements, regulator guidance, environmental and safety considerations together with local and government policy which pre-determines many aspects of a waste management facility.
- 2.16** The consultation with the local community in particular has allowed Augean to address concerns that have arisen as a result of the previous application for the disposal of LLW. The consultation for this development consent application has given the Company the opportunity to explain and discuss with the community their concerns which in many instances have arisen from simple misunderstanding, misconceptions or misinterpretations of technical information.
- 2.17** Misleading information circulated locally can itself result in an increase in concerns without there being any factual basis for that concern. The detailed consultation process has allowed Augean to understand the nature and source of those concerns and to allay the concerns based on the facts available or where possible and practicable to implement changes or adaptations to the development proposals.
- 2.18** Augean hopes that the iterative process that is defined by active, meaningful and continuous engagement will reassure the local community. Augean is committed to on-going consultation and engagement with interested parties after the application has been submitted by the IPC. This will continue through to determination of the proposal and throughout the proposed lifetime of the site and its subsequent restoration and management until the surrender of the Environmental Permit.

### **3. Introduction**

#### **Legislative requirements**

- 3.1** This Consultation Report has been prepared on behalf of Augean PLC to accompany an application to the Infrastructure Planning Commission (IPC) for a Development Consent Order (DCO) for the alteration of existing and the construction of new facilities for the recovery and disposal of hazardous waste and disposal of low level radioactive waste at the East Northants Resource Management Facility (ENRMF), Stamford Road, Northamptonshire.
- 3.2** The report is prepared in accordance with section 37(3) (c) of the Planning Act 2008 (the Act) and demonstrates compliance with Section 42, Section 47, Section 48 and Section 49 of the Act.
- 3.3** It was anticipated during the project preparation stage, that at some point during the application process that Section 30 of the Planning Act 2008 would come into force and that the application would need to be determined by the IPC.
- 3.4** In late 2010 it was clear that the National Policy Statement (NPS) on hazardous waste would be subject to delays and that it would be difficult to determine when the relevant section of the Planning Act would be implemented. As it was important to minimise delays and to commence the application process it was determined that the application would be prepared for submission to Northamptonshire County Council (NCC).
- 3.5** It was agreed with NCC that in anticipation of the possible need to transfer the application process to the IPC when the relevant section of the Planning Act was implemented, the consultation and procedural aspects of the IPC process would be followed even though during the early stages of developing the application the formal procedures were for submission to NCC under the Town and Country Planning Act 1990. A letter was written to the IPC on 28 July 2010 to notify them under Section 46 of the Planning Act 2008 of the intention to submit an application. The IPC replied on 9 August 2010 stating that as Section 30 of the Planning Act 2008 had not yet been implemented they could not accept notification of the application and so commence Section 42 consultation. Copies of the relevant correspondence can be found at **Appendix CRA**.
- 3.6** The consultation carried out in the first half of 2011 is therefore referred to as the Equivalent Section 42 Consultation and Section 47 Consultation as the relevant procedures were followed at that time but the IPC had not formally registered the intention notified by Augean to submit an application to the IPC.
- 3.7** In September 2011 Augean were advised by DEFRA and DCLG that Section 30 of the Planning Act 2008 pertaining to hazardous waste Nationally Significant Infrastructure Projects would be brought into force on 1 October 2011 and that it would be necessary for the application to be determined by the IPC. To meet the procedural requirements of the Planning Act 2008 Augean undertook a formal consultation under Section 42 and additional consultation under Section 47 in December 2011 and January 2012.
- 3.8** This report sets out how Augean has followed the statutory framework for consultation and how it therefore has met the legal requirements of the Planning Act 2008.

### Structure of the report

- 3.9** The engagement process in respect of the proposals commenced in 2006 significantly before the introduction of the 2008 Planning Act and the commencement order in respect of hazardous waste facilities in October 2011. This report includes a description of the full engagement process much of which is informal. The report is structured to facilitate understanding of the engagement undertaken specifically with respect to the Planning Act 2008 and the wider and longer term engagement that has taken place.
- 3.10** In **Section 2** of the report the development proposals are summarised and planning background to the site is described for context to the report.
- 3.11** The Section 42 consultations with statutory consultees are described in **Section 3**. Under Section 42 Augean has consulted with the three categories of consultee: Local Authorities within whose administrative area the proposed development is sited, in this case Northamptonshire County Council (NCC) and East Northants District Council (ENDC), and all local authorities which border them: all owners or occupiers of land that may be affected by the proposed application: consultees prescribed by Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The initial EIA Scoping, the Equivalent Section 42 consultation and the Formal Section 42 consultation that took place once an application for a DCO was to be made are described in **Section 3**.
- 3.12** Under Section 47 of the Planning Act 2008 consultation must be carried out with the local community. The form this consultation takes must be discussed in advance with the local authorities to prepare a Statement of Community Consultation (SoCC) before its publication in a local newspaper. The applicant must then carry out the formal consultation as proposed in the SoCC.
- 3.13** The formal consultation with the local community under Section 47 is described in **Section 4**. Augean were mindful in late 2010 of the anticipated change to the determining authority for the proposed development. The company therefore decided to adopt a precautionary approach, with the agreement of NCC, and follow the procedures prescribed by the Planning Act 2008 by consulting on a draft SoCC, publishing the SoCC and carrying out the agreed consultation programme. The process of the Section 47 consultation is described in full in **Section 4** of the report.
- 3.14** Augean has conducted an extensive on-going programme of informal consultation initiatives with the local community. These are described in **Section 5**.
- 3.15** Under Section 48, the applicant is required to place notices in local newspapers (for two successive weeks) and in a national newspaper and the London Gazette (for one week). The notice is required to state whether the development is an Environmental Impact Assessment (EIA) development and must state where members of the public may view documentation relating to the application, and give a deadline for representations to be made. This is set out in **Section 6** of the report and also in **Newspaper Notices** (WS010001/ENRMF/NOTICES).
- 3.16** Under Section 49 an applicant must have regard to any relevant responses received through consultation under Sections 42, 47 and 48 of the Act. A relevant response, of which Augean is obliged to take account, is defined as being:
- From a person consulted under section 42 of the Act

- To consultation under section 47 that is received by the applicant
- To publicity under section 48

**3.17** Augean have regarded all responses received during the consultation period as relevant responses. The actions taken to the responses are explained in **Sections 3, 4 and 5 and summarised in Section 7** of the report.

**3.18** This report describes all consultation and communications activity up to the point of making a DCO application to the IPC. Conclusions are drawn in **Section 7**.

### **Consultation phases**

**3.19** The consultation that has taken place can be broken down into six different phases which are summarised here:

#### **1. *Informal consultation on emerging project 2006-2011***

- Submissions to MWDF
- Extension to area and lifetime of site considered and discussed with Liaison Group and Statutory Bodies
- Intention to make application for extension to time and void confirmed
- Initial notification to IPC
- Company Newsletters
- Review of conduct of LLW consultations
- Discussion with NCC about application submission
- Informal discussions about public consultation

#### **2. *Initial consultation February – March 2011***

- Presentations to Liaison Group
- Request for EIA Scoping Opinion
- Consultation on draft SoCC in compliance with Section 47

#### **3. *Section 47 consultation and equivalent Section 42 consultation May – July 2011***

- Publication of SoCC
- Circulation of PEIR, NTS, SoCC and Public Information Leaflet to Statutory consultees, Liaison Group and other Key Stakeholders
- Wide distribution of Public Information Leaflet
- Community Consultation Days

- Site Open Day
- Workshops
- Feedback

**4. *Continuing consultation July – December 2011***

- Face to Face Meetings
- Publication and circulation of Topic Sheets
- Electronic Newsletters
- Engineering Days
- Update on change to IPC
- Monitoring Data published on website

**5. *Formal Section 42 and further Section 47 Consultation after notification to IPC December 2011 – January 2012***

- Publication of Section 48 advertisements
- Circulation of copies of advertisements
- Consultation under Section 42 to meet requirements of Planning Act 2008
- Invitation to Section 47 consultees to make further comment
- Review of responses and actions taken

**6. *On-going and forthcoming initiatives***

- Kings Cliffe Liaison Committee
- Consultation with NCC, ENDC and other statutory consultees
- Public Information Leaflet published on acceptance of application
- Advertising on acceptance of application
- Company Newsletters
- Electronic Newsletters
- Website and Email
- Telephone Helpline
- News Media Relations

- Personal contact
- Presentations
- Drop In Sessions
- Annual Open Day Summer 2012
- Continued Open Door Policy

**3.20** A full Consultation Diary can be found at **Appendix CRB**.

### **Project background**

#### ***Augean PLC***

**3.21** The East Northants Resource Management Facility is owned and operated by Augean South Ltd a wholly owned company of Augean PLC. The company is a leader in the specialist waste sector and delivers a broad range of services for the recycling, treatment and disposal of difficult to manage wastes.

**3.22** The company operates to a high set of ethical standards which include openness, transparency and commitment to community engagement. The company publishes annually a Corporate Social Responsibility report in which the company's Core Business Values and Business Policy are set out together with a description of the Company performance in respect of health and safety, environment, community and its employees. The document is publically available in hard copy and from the Company web site and widely distributed.

#### ***The proposal***

**3.23** The proposed application will seek a DCO that will include authorisation for the following elements.

- Alteration of the operation of a soil treatment facility with an increase from the currently consented capacity of 100,000tpa to 150,000tpa of contaminated materials comprising predominantly hazardous wastes.
- The soil treatment facility to be consented includes the following activities:
  - Screening
  - Crushing
  - Storage in stockpiles, bunkers and silos
  - Material washing
  - Stabilisation
  - Bioremediation.
- Construction of new landfill void for the disposal of hazardous wastes and low level radioactive waste with an activity of up to 200Bq/g at a direct input rate of up to 150,000tpa.

- The continuation of filling with hazardous waste and low level radioactive waste of the landfill the subject of the planning permissions.
- A maximum input rate to the site for all wastes of 250,000tpa.
- Extraction and stockpiling of clay and other suitable materials for engineering purposes and the exportation of some clay and other suitable materials for use in landfill engineering at the nearby Augean Thornhaugh Landfill Site and for sale.
- The phased restoration of the site to woodland and grassland for ecological benefit and public access following the completion of landfilling.
- Completion of soil treatment and landfilling by the end of 2026.
- The retention of existing ancillary infrastructure for the development period including:
  - Weighbridge
  - Wheel cleaning facilities
  - Landfill gas flare and pumping system
  - Surface water pumping station
  - Laboratory
  - Canteen
  - Offices
  - Cess pit
  - Leachate storage tanks
  - Fuel storage tanks
  - Monitoring boreholes
  - Security cameras
  - Boundary fencing.

### **Recent planning history**

- 3.24** The previous planning application at ENRMF for the disposal of LLW has inevitably informed the conduct and scope of the consultation and communications for the current proposed application so it is appropriate to outline principal events of that application.
- **July 2009** a planning application was submitted to Northamptonshire County Council for the landfill disposal of LLW.



- **March 2010** the application was refused and Augean appealed against the decision.
- **October and November 2010.** A Public Inquiry was held. Kings Cliffe Waste Watchers (a campaign group) were a Rule 6 party.
- **April 2011** Campaigners organised referenda in 12 villages in the locality of the site on a specific question about the LLW application. This was taken into account by the Secretary of State when reaching his decision.
- **May 2011** The Secretary of State for Communities and Local Government upheld the proposed scheme on the recommendation of the Planning Inspector. (APP/K2800/A/10/2126938/NWF). An Environmental Permit was issued by the Environment Agency.
- **July 2011** A legal challenge to the Secretary of State was issued on behalf of local campaigners on a point of environmental impact assessment law.
- **November 2011** High Court dismissed the challenge and upheld Secretary of State's decision. Campaigners not given leave to appeal, but make direct application to Court of Appeal which is initially dismissed again but allowed on further appeal on grounds of need for an Appeal Court ruling.
- **December 2011** Campaigners withdraw an application for an injunction which would have prevented implementation of the planning permission. On advice Augean commence acceptance of LLW at ENRMF.
- **January 2012** The Court of Appeal dismiss the case and refuse leave to appeal to Supreme Court or the European Court of Justice.
- **February 2012** Campaigners apply to Supreme Court to have Court of Appeal ruling reviewed. Application subsequently withdrawn pending publication of Court of Appeal judgement.

**3.25** During the Public Inquiry there was some criticism from members of the public that the consultation that had been conducted in support of the LLW application had not been adequate although the Inspector subsequently described it as '*thorough, comprehensive and indeed prodigious*' (APP/K2800/A/10/2126938/NWF) This can be found as **Appendix PSD** of the Planning Statement.

**3.26** Augean are aware of the sensitivities and potentially contentious nature of their proposals and are supportive of the local community having the opportunity to fully explore the proposals and comment on them. Although consultation guidance states that it should be proportionate to what is proposed, Augean decided to adopt a precautionary approach and widen the scope of its consultation with the community and conduct an extensive programme as is described in **Section 5**. This was influenced by the referenda that were conducted in April 2011 by 12 villages. Augean have sought to engage in a meaningful, active and continuous way with the local community.

### **Section 73 Applications**

**3.27** As the IPC process has taken an additional amount of time that may extend beyond the completion date of the extant permissions, which expire in August 2013, Augean are proposing to take forward a Section 73 Planning Application for an

extension of time to 2016 for the three existing planning permissions; soil treatment, hazardous landfill and Low Level Waste landfill. These applications will be made to Northamptonshire County Council (NCC) shortly after submission of the DCO application to the IPC.

#### 4. Consultation with statutory bodies under Section 42

- 4.1 Under Section 42 of the Planning Act 2008 Augean is required to undertake consultation with a prescribed list of bodies with host and neighbouring authorities and with those who have an interest in the land affected by the application.
- 4.2 Augean own all relevant land covered by the DCO and as such no persons come within one or more of the categories set out in Section 44 of the Planning Act 2008 (Section 42 (d) and Section 44).

#### Informal consultation on emerging project with statutory consultees

##### *Minerals and Waste Development Framework*

- 4.3 Since 2007 Augean have been in active dialogue with NCC and the EA about the need for a time and void extension to ENRMF engaging consistently and constructively with the development of the Minerals and Waste Development Framework (MWDF).
- 4.4 The MWDF process from 2006 to 2011 involved active engagement of Augean with the planning authority and an opportunity for stakeholders to engage with the emerging project. Augean submitted proposals to the planning Authority for the extension of the site. During the period of the development of the MWDF, Augean's engagement with the process and its proposals were discussed at Kings Cliffe Liaison Group meetings on several occasions. Augean gave evidence at the Examinations in Public for the Core Strategy, the Waste Locations document and the Control and Management of Development document. A summary of the company engagement in the MWDF process is presented at **Table CR1** of this report. The outcome of this engagement established in the MWDF the status of the site as favourable for further waste management development. A full analysis of the local development plan status of the site is examined in **Section 5** of the **Planning Statement** (WS010001/ENRMF/PS).

#### EIA scoping exercise

- 4.5 The proposed development falls under Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011<sup>1</sup> and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009<sup>2</sup> which means that an Environmental Impact Assessment (EIA) is mandatory for the proposals. As explained in **Section 2** of this document, when the application first was being prepared the application would have been made to Northamptonshire County Council. Accordingly Northamptonshire County Council was informed of the proposed development in June 2010 and it was confirmed that an Environmental Statement would be submitted with the application.
- 4.6 A scoping opinion can be requested which provides the opinion of the local planning authority or Infrastructure Planning Commission together with the opinions of the statutory consultees regarding the scope of the assessments that should be undertaken as part of the EIA. In accordance with good practice the scope of the assessment was determined by consultation with the local authority, statutory

<sup>1</sup> The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. SI 2011 No. 1824.

<sup>2</sup> The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. SI 2009 No, 2263.

consultees and interested parties. A scoping document was prepared including a brief description of the proposed development and the proposed scope of the EIA.

- 4.7** The scoping document was submitted to Northamptonshire County Council on 16 February 2011 and circulated to a wide range of consultees. As it was known when the scoping opinion was requested that the application may in due course be transferred to the IPC Northamptonshire County Council requested a scoping opinion from the consultees including the appropriate persons prescribed in Schedule 1 to The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 in accordance with Section 42(a) of the Planning Act 2008 and the local authorities listed in Section 43 of the Planning Act 2008 in accordance with Section 42(b) of the Act as well as to local interested parties. The scoping report and a full list of the organisations and other stakeholders to whom it was provided are presented at **Appendices CRC and CRD**. A copy of the scoping report was also made available on the Northamptonshire County Council and the Augean web sites.
- 4.8** The requests for scoping opinions were sent by Northamptonshire County Council to 78 consultees on 25 February 2011 and comments were requested by 18 March 2011. As a number of the responses received, particularly from some Parish Councils and local residents, were in the form of objections to the application rather than comments on the proposed scope of the application and also as it was raised at the Kings Cliffe Liaison Group Meeting on 6 April 2011 that the purpose of the scoping consultation may not have been well understood Northamptonshire County Council wrote again to all the consultees on 27 April 2011 and clarified the purpose of the scoping consultation. Augean agreed to extend the consultation deadline to 13 May 2011. A total of 36 responses were received including two organisations that provided two responses. Copies of the responses received, a table summarising the issues raised in the responses and recording the way in which the issues raised in the responses have been addressed in the EIA are presented at **Appendix CRE** including the formal scoping opinion of Northamptonshire County Council.

### **Consultation with technical specialists**

- 4.9** Close liaison has been maintained between the technical specialists carrying out the Environmental Impact Assessments and their regulatory counterparts during the assessments of the impacts. Where appropriate the scope of the assessments have been agreed, baseline information has been shared and the results of the assessments and mitigation measures have been discussed and agreed including the provision of draft reports for information. Relevant correspondence between the technical specialists and their regulatory counterparts is presented in the technical reports which are appended to the Environmental Statement (WS010001/ENRMF/ES).

### **Equivalent Section 42 consultation May 2011 – July 2011**

- 4.10** The proposed development has been the subject of extensive pre-application consultation with statutory consultees and those living and working in the vicinity of the proposed development including the Kings Cliffe Local Liaison Group and other members of the public. As explained in **Section 2** of this report Equivalent Section 42 Consultation and Section 47 Consultation was carried out from May to July 2011 before the IPC accepted formal notification of the application in accordance with Section 46 of the Planning Act 2008. The Applicant was informed by the IPC that the letter to notify them of the application in accordance with Section 46 in July

2010 could not be accepted as Section 30 of the Planning Act 2008 had not yet been implemented as explained in the Introduction; **Section 2**.

- 4.11** A Preliminary Environmental Information Report (PEIR) was prepared in April 2011 in which was set out the preliminary findings of the environmental impact assessments which were being undertaken in preparation for the submission of the application for the proposed development at East Northants RMF. A description is provided in the PEIR of the ways in which the environmental baseline conditions, legislation and policy together with the physical characteristics of the site influence how the site could be developed. The options available to adjust or alter the design of the development within the identified constraints were described. The PEIR included a description of Augean's preferred option for the development given the constraints identified and after consideration of the options.
- 4.12** The purpose of preparing and circulating the PEIR was to explain the state of the proposals at that point in time and to present the interim findings of the environmental impact assessments and to seek comments on the proposals.
- 4.13** A summary of the PEIR in non-technical language was also prepared and circulated. The consultation information in the PEIR was sent to a wide range of consultees including the appropriate persons prescribed in Schedule 1 to The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 in accordance with Section 42(a) of the Planning Act 2008 and the local authorities listed in Section 43 of the Planning Act 2008 in accordance with Section 42(b) of the Act as well as to local interested parties. The PEIR and non-technical summary and a full list of the organisations and other stakeholders to whom it was provided is presented at **Appendix CRF**. A copy of the PEIR and non-technical summary was also made available on the Augean web site.
- 4.14** Together with the PEIR and non-technical summary a copy of the Statement of Community Consultation and the public information leaflet described in **Section 4** of this report was provided to the consultees. The Statement of Community Consultation and the public information leaflet set out the consultation and public engagement events that were planned and which provided a further opportunity for consultees to find out more about and engage with the development of the proposals.
- 4.15** The information was circulated to a total of 44 consultees on 5 May 2011 with a request for comments by 8 July 2011.
- 4.16** 8 replies to the consultation were received from bodies and individuals. Copies of the responses received, a table summarising the issues raised in the responses and recording the way in which the issues raised in the responses have been addressed are presented at **Appendix CRG**.

#### **Formal Section 42 Consultation December 2011 – January 2012**

- 4.17** Following the implementation of Section 30 of the Planning Act 2008 on 1 October 2011 the IPC were re-notified by Augean on 13 October 2011 in accordance with Section 46 of the Planning Act of their intention to submit an application and they were informed in accordance with Section 6(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 of the intention to submit an Environmental Statement with the application. The relevant correspondence can be found at **Appendix CRA**. On 25 October 2011 the IPC informed Augean of the consultation bodies which the IPC had notified in accordance with Regulation

9(1)(a). The list of bodies provided by the IPC was compared with the list of consultees contacted during the Equivalent Section 42 consultation from May to July 2011 and four categories of consultee were identified:

- Those on the list provided by IPC that had not been contacted previously
- Those on the list provided by IPC that had been contacted previously
- Consultees that were not on the IPC list but who had been contacted previously
- Consultees registered on the stakeholder list (as explained in **Section 4** of this report).

**4.18** Appropriate cover letters were prepared for the different categories of consultees and an explanation was provided of change in the submission route for the application from Northamptonshire County Council to the IPC and the associated need to carry out further consultation with respect to the proposed development. For consultees that had responded previously a copy of their previous response was provided for information. A package of information was prepared for circulation to the consultees comprising a copy of or a link to the PEIR and non-technical summary on the Augean web site, a copy of or a link to a table setting out the main changes which had been made to the proposals since the PEIR was prepared and circulated, links to updated assessment reports on:

- Traffic impacts
- Ecological impacts
- Noise impacts
- Information on the stockpiling proposals including a plan and a photomontage
- A copy of the advertisement placed in accordance with Section 48 of the Planning Act 2008.

Copies of the updated assessments can be found at **Appendix CRH** and a copy of the advertisement at **Appendix CRAI**.

**4.19** A list of the consultees to whom the correspondence and information was sent is provided at **Appendix CRI**. Copies of example letters sent to each of the categories of consultee described above are provided at **Appendix CRJ** to this report.

**4.20** The information was sent to a total of 120 consultees on 16 December 2011 and comments were requested by 29 January 2012. As extensive consultation already had been carried out on the proposals it was considered that a further consultation period of 28 days was reasonable. The 28 days in the period 16 December to 29 January discounted the two week period over Christmas and the New Year. A total of 33 responses were received.

**4.21** Copies of the responses received, a table summarising the issues raised in the responses and recording the way in which the issues raised in the responses have been addressed are presented at **Appendix CRAJ** and summarised in **Sections 7 and 8**.

**Further engagement with statutory consultees**

- 4.22** Augean has maintained an open dialogue with all statutory consultees to ensure that they are frequently updated with the progress of the proposed application and have the opportunity to comment on the proposals.
- **13 September 2011** Notification to NCC that the application would now be determined by the IPC.
  - **5 October 2011** Informal meeting with NCC to discuss the change to IPC.
  - **13 December 2011** Informal discussion with NCC about Section 73 Application.
  - **30 December 2011** Augean send draft DCO to NCC and ENDC for consultation.
  - **4 January 2012** Meeting with NCC to discuss Section 73 applications and submission of application to IPC.
  - **19 January 2012** IPC outreach meeting and ENRMF site visit by council officers and ward councillors from NCC, ENDC, RCC, PCC.
  - **27 January 2012** NCC initial response to draft DCO.
  - **9 February 2012** Meeting with NCC to discuss draft DCO in detail.
  - **20 February 2012** Letter from Augean to confirm accommodation of changes to DCO following agreements made at meeting on 9 February and comments from others.
- 3.23** Correspondence arising from further engagement with statutory consultees can be found at **Appendix CRK**.



## **5. Consultation with the local community under Section 47**

- 5.1** Under Section 47 consultation must be carried out with the local community. The form this consultation takes must be discussed in advance with the local authorities to prepare a Statement of Community Consultation (SoCC) before its publication in a local newspaper. The applicant must then carry out the formal consultation as undertaken in the SoCC.
- 5.2** Augean were mindful in late 2010 of the anticipated change to the determining authority. The company therefore decided, with the agreement of NCC, to follow the procedures prescribed by the Planning Act 2008 by consulting on a draft SoCC, publishing the SoCC and carrying out an agreed consultation programme.
- 5.3** This section describes the measures taken to consult the local community, and all other stakeholders, on Augean PLC's plans for the development at ENRMF and the opportunities that were provided to stakeholders for them to comment on and discuss what is proposed.

### **Principles of consultation**

- 5.4** The preparation and implementation of the public consultation process was informed by the guidelines set out by the IPC in the 'IPC Guidance Note 1 on Pre-application Stages' (March 2010), DCLG 'Guidance on Pre-Application Consultation' (September 2009) HM Government 'Code of Practice on Consultation' (July 2008) Northamptonshire County Council's Statement of Community Involvement (June 2006) and the requirements of the Environment Agency. It also complied with the pre-application consultation requirements set out in Section 110 of the draft Localism Bill (now section 122 of the Localism Act 2011). Advice was taken from UK LLW Strategy Group communications sub-group 'Pointers to Good Practice in Communication and Stakeholder Engagement in the Implementation of Low Level Waste Strategy' (November 2009), the 'Companion guide to PPS10 'Stakeholder Participation and Community Involvement' (June 2006) and the RTP1 'Public Engagement in Development Schemes' ( June 2010).
- 5.5** Augean sought to engage actively, meaningfully and continuously with all the key stakeholders, particularly the local communities, and intends to continue this dialogue in accordance with government and local authority consultation guidance and the Company's Corporate and Social Responsibility policy.
- 5.6** A review and assessment of the issues arising from the previous planning application for the disposal of LLW was undertaken to further influence the communications strategy.
- 5.7** The objectives of the community consultation programme were and are therefore to:
- Conduct a timely and meaningful dialogue on the proposals for the ENRMF with the local community and its elected representatives, building on existing relationships and recent experience.
  - Promote a greater understanding of what was proposed, within the context of the planning applications, through openness and transparency at all stages of the process and through clear and understandable consultation messages and materials.

- Generate understanding and educate the public on both LLW and hazardous waste issues.
- Enable those most affected by the scheme, in particular those villages that had expressed most interest in the site, to view the proposals and visit the site, to record their comments and discuss their concerns with the Company's professional team involved with the proposed development.
- Explore in greater detail aspects of the applications of greatest interest or concern to the local community.
- Take note of comments made, address the issues that arose and report back on the results of the consultation process. To incorporate where practicable and appropriate comments received into the final applications given the engineering and operational constraints of a hazardous landfill site.
- Demonstrate compliance with the communications and consultation guidance.

### **Consultation methods**

**5.8** A range of consultation methods and materials were considered and implemented including:

- Extended period of formal consultation
- Public Exhibitions/Community Consultation Days
- Workshops
- Open Days
- Drop-In Sessions
- Public information Leaflets
- Company Newsletters
- Electronic Newsletters
- Register of Stakeholders
- Application information available on Company Website
- Dedicated consultation email
- Telephone Helpline
- Increased frequency of Liaison Group meetings
- Presentations
- Informal liaison and discussion with all stakeholders
- Media relations

- Open Door Policy at ENRMF
- Feedback

**Development of the SoCC (Section 47 (2))**

- 5.9** Informal advice was sought and given about how best to consult with the local community from NCC, County Councillor Heather Smith and Mrs Clare Langan, a member of Kings Cliffe Waste Watchers. Copies of contemporaneous notes and correspondence can be found at **Appendix CRL**.
- 5.10** At the meeting of the Kings Liaison Group on 2 February 2011 presentations were given to explain and discuss the proposals, the scoping exercise and the development of the SoCC and take advice from the group. Slides from the presentations can be viewed at **Appendix CRM**.
- 5.11** As required by Section 47 (2) a draft SoCC with explanatory cover letter outlining the scope and methods of the consultation that Augean proposed, was circulated on 21 February 2011 to the Local Authorities; NCC and ENDC. See **Appendix CRN**.
- 5.12** The draft SoCC and appropriate cover letters were circulated among members of the Kings Cliffe Local Liaison Group for their further advice and comments. In addition, it was also sent to the clerks of Apethorpe Parish Meeting and Woodnewton Parish Councils, to pass on to their nominated representative on the Liaison Group and to a representative of Kings Cliffe Waste Watchers for their comments. Copies of the letters can be seen at **Appendix CRO**.
- 5.13** Comments on the draft were received from NCC requesting that note should be taken of the sensitivity of the local community following the application for LLW and that while the draft SoCC was acceptable in principle it should be written in a more engaging and less formal style. Comments were received from County Councillor Heather Smith suggesting advertising the event in parish magazines and in the ENDC newspaper Nene Valley News. See **Appendix CRP**.
- 5.14** Although ENDC did not respond at the time they subsequently confirmed that they had were happy with the content of the SoCC. See **Appendix CRP**.
- 5.15** Amendments were made where appropriate to the draft SoCC. The description of the proposed development was simplified. Account was taken of Summer Half Term dates and the Site Open Day was moved to 11 June 2011.
- 5.16** The finalised version of the SoCC was then reproduced as a full-page notice in the local paper, the Stamford Mercury, a newspaper circulating in the vicinity of the development as required by section 47 (6) on 9 May 2011. A copy of the published version of the SoCC is contained in the 'Newspaper Notices' application document (WS010001/ENRMF/NOTICES) and also included as **Appendix CRQ**.
- 5.17** Copies of the SoCC were circulated to elected representatives at every level, including MPs, Northamptonshire County, East Northamptonshire District and Peterborough City Councillors, all 47 of the Parish Councils and Parish Meetings, within a 10 kilometre radius of the site, the Town Councils of Stamford and Oundle, the Kings Cliffe Local Liaison Group members, Kings Cliffe Waste Watchers and other interested groups and individuals. A table of the consultees can be found at **Appendix CRR**.

- 5.18** The formal consultation period commenced on 9 May 2011 and ran until 8 July 2011.

**Publicising the community consultation programme**

- 5.19** The focus of the pre-application consultation were the Community Consultation Days held on three consecutive days in the villages of Kings Cliffe, Collyweston and Woodnewton, in conjunction with a number of other measures to engage with the local communities, elected representatives and others about the applications.

- 5.20** The following materials were used to publicise the proposals:

- A six-sided A5, full-colour Public Information Leaflet was produced. It summarised the proposals for ENRMF to give those unable to attend the Consultation Days a general overview of what was proposed and also acted as the invitation to the events. Details were also given for the ENRMF Site Open Day and the proposed Workshops. The leaflet included a dedicated telephone number and email address for those wishing to contact the company to discuss the proposals. Members of the public expressing an interest in the scheme were invited to join a register of stakeholders to receive further information, feedback or updates by post or email as preferred. A copy of the leaflet can be found at **Appendix CRS**.
- In response to the parish referenda that had taken place in the area, it was decided that the distribution of the Public Information Leaflet should be widened to include all villages that had taken part in the recent polls or petitions. Copies were sent by addressed mail to around 2,600 households and business premises in the villages of Apethorpe, Barrowden, Blatherwycke, Bulwick, Collyweston, Duddington, Easton on the Hill, Fineshade, Fotheringhay, Harringworth, Kings Cliffe, Laxton, Nassington, Tixover, Wakerley, Woodnewton and Yarwell. In this way Augean was confident that all those living close to or with an interest in the site were aware of the proposals.
- Multiple copies of the Public Information Leaflet and a disc of the Preliminary Environmental Information and Non-technical Summary and the SoCC were mailed to elected representatives at every level, including MPs, Northamptonshire County, East Northamptonshire District and Peterborough City Councillors, all 47 of the Parish Councils and Parish Meetings within a 10 kilometre radius of the site, the Town Councils of Stamford and Oundle, the Kings Cliffe Local Liaison Group members, Kings Cliffe Waste Watchers and other interested groups and individuals.
- The scope of the consultation area is shown at **Appendix CRT**.
- Details of consultation events and all documents pertaining to the applications were made available in a dedicated area of the Augean website: [www.augeanplc.com](http://www.augeanplc.com).
- A News Release was submitted to local print and broadcast new media to publicise the Consultation Days. The News Release and articles from the local newspapers can be seen at **Appendix CRU**.
- A short article, outlining the proposed applications and giving the details of the consultation days was sent to Parish Councils, Parish Meetings and Town

Councils within 10 kilometres with a request that details be published on their Parish website or magazine. See **Appendix CRU**.

- A notice based on the SoCC giving details of the community consultation programme was published in Nene Valley News, the East Northamptonshire District Council publication, See **Appendix CRU**.
- A hard copy of the Preliminary Environmental Information and Non-technical Summary was available to view at the site and a copy was also lodged with Oundle Library for public inspection.

### ***Community Consultation Days***

- 5.21** The Community Consultation Days were held in the Kings Cliffe Memorial Hall on Thursday 19 May 2011 from 13:00 to 19:00, Collyweston Village Hall on Friday 20 May from 13:00 to 19:00 and in Woodnewton Village Hall on Saturday 21 May from 10:00 to 15:00.
- 5.22** Representatives from Augean and their professional team were present to explain or discuss the proposals with visitors. It was considered important that the exhibitions were staffed by key members of the project team who could answer questions in detail about the anticipated areas of concern.
- 5.23** Visitors were asked to sign an attendance register on arrival. Of the 110 people who attended the Consultation Days, 80 people signed the register and 30 chose not to do so. It is understood that people were advised not to sign the register by local campaigners. The purpose of this was unclear. Where known, visitors came from the following villages: Kings Cliffe (24), Collyweston (14), Woodnewton (12), Apethorpe (8), Easton on the Hill (5), Yarwell (4), Barrowden (2), Fotheringhay (2), Wansford (2), Deenethorpe (1), Duddington (1) and Fineshade (1). Four others attended in a professional capacity, e.g. council officers and representatives from the Environment Agency.
- 5.24** Those coming to the Consultation Days were also encouraged to join a specially created list of stakeholders by leaving either their email or postal address. This would allow an easy and quick method of directly feeding back information and updates to the local community. Augean made it clear that this was voluntary and that people were able to unsubscribe from this list at any time. As of February 2012 the list has 176 subscribers, including elected representatives, Parish Councils and Meetings, Town Councils and individuals. To date, no-one has unsubscribed from this list. Anyone that has communicated with Augean expressing an interest in the proposals has been added to the list.
- 5.25** The presentation to the public consisted of 23 professionally produced, full colour information boards, including a plan of the site operations, the proposals themselves, the nature of the wastes proposed and the engineering of a hazardous landfill site. These boards and photographic coverage of the events are shown at **Appendix CRV**.
- 5.26** All the consultation documentation was available at each exhibition including full sets of technical reports. Non-technical summaries were available for visitors to take away with them. All of the information is available on the Company web site [www.augeanplc.com](http://www.augeanplc.com).

- 5.27** Additional exhibition materials were on display showing input material to the soil treatment facility and the resulting output materials and common items that contain low levels of radioactivity.
- 5.28** There was also information about Augean as a company; copies of the company's Corporate and Social Responsibility Report and recent company newsletters were available for the public to take with them.
- 5.29** Those wishing to make more detailed comments were invited to fill in a comment sheet at the events or to return it later by post in a pre-paid envelope provided. A total of 25 completed comment sheets were received, 15 of which were anonymous. These raised issues in respect of water quality, transportation, the proximity principle, monitoring of the site/wastes, the need for the applications and the future of the site. The issues raised by the local communities and the response and account that Augean have taken is summarised in **Section 7** of this report. Copies of the responses can be found at **Appendix CRAK**.
- 5.30** Note was taken of issues raised verbally at the consultation days. Issues raised have been incorporated into the summary in **Section 7** and are also shown in **Table CR2**. Responses to other issues discussed can be found at **Appendix CRW**.
- 5.31** There was also a mechanism for people to sign up to attend Workshops planned for mid-June. Augean gave some ideas for the potential topics to be covered, but visitors were invited to submit their suggestions also. See **Appendix CRZ**. As there was little uptake for the Workshops from the Consultation Days they were subsequently re-arranged.
- 5.32** The Community Consultation Days were covered by the news media, both print and broadcast. Augean gave interviews where requested. **Appendix CRU**.

#### ***Site Open Day***

- 5.33** ENRMF was opened to the public on Saturday 11 June 2011 between 11:00 and 15:00. In addition to a tour of the site, soil treatment facility and the laboratory, the information boards and materials used on the Consultation Days were displayed in the site offices, manned by Augean staff and their professional team. Representatives from the Environment Agency, Health Protection Agency and Research Sites Restoration Limited were also available to answer questions.
- 5.34** Prior to the Open Day, 2,000 flyers giving details of the event were hand-delivered to each property in the villages of Apethorpe, Barrowden, Blatherwycke, Bulwick, Collyweston, Duddington, Easton on the Hill, Fineshade, Fotheringhay, Harringworth, Kings Cliffe, Laxton, Nassington, Tixover, Wakerley, Woodnewton and Yarwell. Copies of these flyers and posters were also sent to the Parish Councils, Parish Meetings and Town Councils within 10 kilometres of the site, with a request that the posters be displayed at suitable location. An advertisement was also placed in the Stamford Mercury. See **Appendix CRX**.
- 5.35** In the week before the event a large (4 metre by 1 metre) banner was also displayed at the site entrance advertising the day and a News Release sent to local print and broadcast media. The News Release and coverage before and after the event is shown at **Appendix CRY**.
- 5.36** A total of 87 members of the local community and members of the news media attended the Site Open Day. Augean gave interviews where requested. The



company has an open-door policy and anyone can visit the site by contacting the Site Manager to arrange a mutually convenient time; this was made clear to visitors on the Consultation Days and in previous communications with the local community. Two people who were not able to attend the Site Open Day took the opportunity to visit the site in this way three days beforehand.

- 5.37** Media coverage and photographs of the event can be found at **Appendix CRY**.

### ***Workshops***

- 5.38** It was originally intended that 4 Topic Workshops would take place over two days on 16 and 17 June 2011, depending on the amount of interest in participating. However, there was very little take-up of places, either at the Consultation Days or subsequently. In the feedback received, it was also commented on that a workshop held on a weekend would be preferable. In response to this suggestion, the 4 Workshops were rescheduled to take place on Saturday 23 July 2011 from 9:30 to 16:45 at the Haycock Hotel, Wansford.

- 5.39** The new date and details of the 4 Workshops were circulated. Attendees were able to stay for the whole day or just the topics of most interest to them. A total of 12 members of the local community attended, with most choosing to stay for the entire day. The Workshops were chaired by a professional, independent facilitator, Andrew Baud of Tala, a Public Relations and Communications company.

- 5.40** The Workshops were divided into four separate subjects

- Development Options and Constraints Dr Gene Wilson Augean
- Environmental Impact Assessments Mrs Leslie Heasman MJCA
- Radiation Ms Sharon Ely HPA
- Monitoring Dr Gene Wilson Augean

- 5.41** Copies of the presentations given at the Workshops and a synopsis of the subsequent discussions were circulated among the attendees and posted on the company website. These can be seen at **Appendix CRZ**.

- 5.42** Concerns that were raised at the Workshops have been included as consultation responses and have also been considered in **Sections 7 and 8** of this report.

### ***Further pre-application consultation responses***

- 5.43** In early July, Augean received a package containing 37 consultation responses. These mainly comprised photocopies of the comments sheet that was available at the Consultation Days and in letter form. It is believed these responses were filled out at an event organised by the Kings Cliffe Waste Watchers. Of the 37 responses 19 were anonymous. Copies of the responses can be found at **Appendix CRAK**.

- 5.44** 11 of these responses categorically stated that they did not attend any of the Consultation Days. Therefore, it was uncertain whether any of the responses were informed by the consultation process and at least one person had filled in more than one comments sheet. Notwithstanding this Augean have chosen to include all the responses received. Those requesting to be included in future communications from Augean were added to the list of stakeholders.



- 5.45** The majority of comments made in the 37 responses received related to application for the site to accept Low Level Waste rather than the proposed planning applications. They did, however, raise issues similar to those already received, in particular, water quality, monitoring, transportation and the proximity principle.
- 5.46** An additional 28 emails and letters were received during the consultation period. Copies of these are available at **Appendix CRAK**.

**Feedback**

- 5.47** From the verbal and written comments received from the local community and their representatives, Augean identified the key issues regarding the proposals and the site itself. A series of feedback topic sheets, dealing with each issue individually, were created and distributed at regular intervals to the list of stakeholders. The topics covered were:
- 1. Water Protection
  - 2. Safe Transport of Waste
  - 3. Site Monitoring
  - 4. Land Ownership
  - 5. Waste Hierarchy and the Proximity Principle
  - 6. Site Life and Inputs
  - 7. Ensuring Only Suitable Wastes are Accepted at the Site.
- 5.48** These take also list commitments regarding each topic that Augean is prepared to make as a result of the consultation feedback. A summary of these commitments is shown in **Table CR4**. Copies of the Topic Sheets are shown at **Appendix CRAA**.
- 5.49** All the responses received during the consultation period from May 2011 to July 2011 have been considered and the responses are set out in the tables presented at **Appendices CRAJ and CRAK** and are summarised in **Sections 7 and 8**.

**Additional Section 47 consultation December 2011 to January 2012**

- 5.50** Despite the completion in July 2011 of the formal consultation with the community consultees under Section 47, it was decided to offer stakeholders another opportunity to make comment on the proposed application at the same time as the Formal Section 42 consultation from 19 December 2011 to 29 January 2012. This would enable them to consider the changes made as a result of the May to July consultation as reflected in **Appendix CRAJ**.
- 5.51** This further period of consultation generated 42 additional responses by letter and email. These responses and related correspondence, together with an analysis of the frequently raised issues are included at **Appendix CRAJ**.

## 6. Informal consultation initiatives

### Community consultation on emerging project

#### *Kings Cliffe Liaison Group*

**6.1** The Kings Cliffe Liaison Group was set up in 2003 to facilitate dialogue and give a forum to raise concerns between the local community and the previous owners of the site; Atlantic Waste. The KCLG comprises representatives from Parish Councils and Parish Meetings in the vicinity of the site as well as elected representatives from NCC and ENDC and council officers from the Planning and Environmental Departments of NCC and ENDC.

**6.2** Augean have been active participants in the KCLG since January 2005, shortly after acquiring ENRMF. The purpose and remit of the group is very much in accord with the Company's corporate objective of open, transparent and constructive dialogue with the communities in which it operates, as reflected in Augean's Annual Corporate Social Responsibility Reports. The KCLG has been an important medium for discussing with community representatives plans for the development of ENRMF as well as reporting on operational matters. A timeline of key stages of the emerging project to extend the lifetime and capacity of the site from the group minutes is set out below. Further details can be found in the Communications Diary which can be found at **Appendix CRB**.

- **December 2006** 'Augean keeping their option open for land to the west as a possible extension.
- **June 2007** Presentation regarding proposals for a soil treatment plant and for the extension of the site.
- **September 2007** MWDF preferred options to go out to public consultation. An extension to the hazardous waste site is included for consideration.
- **February 2008** MDWF consultation complete. 26 respondents, 19 objections 5 supportive, 1 supportive on condition 1 raised concern but not objection.
- **January 2009** 'future extensions to be considered later'.
- **May 2009** Pre- exhibition meeting for LLW application 'we will most likely need more time to complete the site and we can't guarantee that there won't be an extension'.
- **July 2010** Intention to make an application to IPC for extension of time and void announced.
- **February 2011** Presentations on Proposed Applications, Draft SoCC and Scoping Exercise.
- **April 2011** Update on scoping and details of the consultation to take place following advice on the draft SoCC.

**6.3** Following criticism about a lack of knowledge about the KCLG and their remit, locally amongst the less politically participative community, Augean and NCC have made the minutes of meetings accessible via their respective websites. These can be found at **Appendix CRAB**.

- 6.4 It was agreed with the KCLG that during the on-going consultation on the time and void extension, meetings would be held on a quarterly basis to allow more frequent dialogue.

***Thornhaugh Liaison Group***

- 6.5 The Thornhaugh Landfill Site and the adjacent mineral reserve known as Cooks Hole are owned by Augean. The sites are approximately 4km from the ENRMF. The Liaison Group is attended by representatives of Peterborough City Council (the planning authority), the Environment Agency and the villages of Thornhaugh and Wansford both of which are in the consultation zone for the ENRMF site. While largely focussed on the activities at Thornhaugh Landfill and Cooks Hole the Group does take an interest in the activities at ENRMF and Augean has found this a useful forum for communication in respect of the ENRMF proposals.

**Public engagement following end of formal consultation**

***Face to face meetings***

- 6.6 In July 2011 Face to Face meetings were offered to four individuals including Waste Watchers with specific and technical areas of concern raised at the open day, who were unable to attend the workshops that formed part of the formal consultation process. This offer was not taken up; one individual felt that his questions had been satisfactorily answered by the professional team at the open day and he subsequently attended one of the Engineering Days. The correspondence can be found at **Appendix CRAC**.

***Engineering days***

- 6.7 At the Consultation Days and Site Open Day in June, it was apparent that local people were unaware of the extent of engineering involved in the containment systems of a landfill site such as ENRMF. As work on the engineering of cell 5A was imminent, it was decided that this presented a valuable opportunity show the public the nature and extent of the engineering of a waste cell and the high degree of environmental protection this provides.
- 6.8 The list of stakeholders was informed that each weekday from Monday 5 September until Friday 16 September, the public could see the engineering in progress between 11:00 am and 16:00 pm and also on Saturday 10 September from 9:00am to 13:00pm. As the site would be operational during most of these times, the visits were to be by appointment.
- 6.9 A News Release was also sent to members of the local news print and broadcast media. The invitation and News Release is also shown at **Appendix CRAD**.
- 6.10 Members of the Community who took the opportunity to visit the site were given a presentation to explain and describe the process before viewing the newly engineered cell. The presentation can be viewed at **Appendix CRAD**.
- 6.11 This initiative generated some very positive feedback which can be seen at **Appendix CRAD**.
- 6.12 A further opportunity was given to the local community on commencement of laying the HDPE liner in the new cell. The engineering was available to view for two

weeks between October 17-21 and 24-28 by appointment Monday to Friday between 10.00am to 4.00 pm. No-one took up this further opportunity.

***Change to IPC***

**6.13** Having intended to submit the planning application to NCC in September 2011 it became apparent that the ENRMF Project would fall under the Section 30 Commencement Order of 1 October 2011 and would be determined by the IPC.

- Notice of this change was sent on 13 September 2011 to the Kings Cliffe Local Liaison Group members. On 16 September notice was given to elected representatives at every level, including MPs, Northamptonshire County, East Northamptonshire District and Peterborough City Councillors, all 47 of the Parish Councils and Parish Meetings, within a 10 kilometre radius of the site, the Town Councils of Stamford and Oundle, Kings Cliffe Waste Watchers and other interested groups and individuals. A copy of this can be seen at **Appendix CRAE**.
- There was only one response to this change. The process and how the public would be consulted and engaged in the process was explained to their satisfaction. See **Appendix CRAE**.
- The IPC process was discussed at the meeting of Kings Cliffe Liaison Group on 5 October 2011. The process was outlined and a brief description of how members of the public could engage with the process was given.
- On 30 November 2011 all stakeholders were reassured that Augean would update them on the IPC process and explain how and when they could engage.
- On 19 December 2011 all stakeholders were notified of a further period of consultation before an application to the IPC inviting further comments by 29 January 2011.

**Ongoing informal engagement**

**6.14** Augean is committed to maintaining a meaningful dialogue with the local community, their elected representatives and others, to promote transparency and understanding of the site and of the company itself. Augean will continue to engage with them through established means, such as the periodic Company Newsletter, the Kings Cliffe Local Liaison Group and company website, and by continuing to develop the list of stakeholders.

***Kings Cliffe Liaison Group***

**6.15** Since the end of the consultation period there have been 2 further meetings with the KCLG. The group are updated regularly on matters that have been the subject of discussion.

- 7 July 2011 KCLG were given an update on the progress of the application and the consultation events and details of the progress of new engineering works at ENRMF. As a result of comments on consultation days Augean had undertaken a survey of the routing of HGVs to the site. Results were made known to the group, who also gave advice on possible routing of vehicles transporting LLW.
- 13 September 2011 KCLG were notified that the proposed application would now be determined by the IPC.

- September 2011 A further appraisal of traffic routes in relation to LLW consignments was undertaken in response to requests at the KCLG meeting and the results made known. See **Appendix CRAF**.
- 5 October 2011 KCLG meeting at which the IPC and how the public would be able to be involved in the process were discussed.

***Company newsletters***

**6.16** The Company newsletter produced normally on a biannual basis has provided the local community as a whole with regular updates about proposed developments at ENRMF amongst other issues. The circulation increased last year from the previous editions which were only circulated to all households in Kings Cliffe, Duddington and Fineshade and multiple copies to Parish Councils and Parish Meetings within a 10km radius of the site to encompass all households in Collyweston, Easton on the Hill, Tixover, Apethorpe, Woodnewton, Fotheringhay, Thornhaugh and Wansford. It has also been made available on the Company website. Matters of relevance to this application have been raised in the editions:

- September 2010 A section was included about the proposed time and void extension.
- October 2011 A section was included about the formal consultation and information about the change to the IPC.

**6.17** Copies of the Newsletter can be seen at **Appendix CRAG**.

**6.18** A further Company Newsletter will be published in Spring 2012.

***Electronic newsletters***

**6.19** An electronic newsletter template was set up to enable efficient feedback, swift response to issues arising, making public announcements and giving regular planning updates with the Register of Stakeholders that emerged from the Community Consultation Days as well as elected representatives, all Parish Councils, Parish Meetings, and Town Councils, members of the Kings Cliffe Liaison Group, and Council Officers.

***Website and e-mail***

**6.20** The Company website: [www.augeanplc.com](http://www.augeanplc.com) not only gives company wide information about all operational sites and services but has also become an important hub for access to documentation relating to planning applications. The information for ENRMF Project includes:

- **Application process**
- **Key policies**
- **Consultation process and supporting materials**
- **Environmental Impact Assessment Documentation**
- **Kings Cliffe Liaison Group minutes**
- **Feedback Topic Sheets**

**6.21** The website: [www.augeanplc.com](http://www.augeanplc.com), has been redesigned and re-launched in January 2012 to reflect changes within the structure of the Company and increase

ease of use for members of the public seeking information. The website is complemented by a dedicated consultation email: [consultation@augeanplc.com](mailto:consultation@augeanplc.com) which allows visitors to the website to submit questions, raise concerns online or sign up to the Register of Stakeholders.

### ***Telephone helpline***

- 6.22** A dedicated helpline number was set up to allow members of the public particularly those without access to the internet to ask questions, request further information on the proposals or raise their concerns verbally. Calls have related to arranging Workshop places, site visits, presentations, general and media inquiries.

### ***News media***

- 6.23** The use of media relations has been important for Augean to provide a response to concerns in the vicinity of the site, and also nationally through the print and broadcast media thereby reaching a large audience. The company policy of openness and transparency and a willingness to respond to requests for interviews or statements as well as distribution of news releases has enabled the company to build good relationships with the media. Copies of news media coverage can be found at **Appendices CRU, CRY and CRAD**.

### ***Human resources***

- 6.24** Augean have actively promoted personal points of contact. The availability and visibility of the Company Directors and site staff is reassuring and important to the confidence of the local community. Members of the community should be reassured that their concerns are listened and responded to as part of the Company commitment to constructive and on-going dialogue.

- Group Technical Director  
Dr Gene Wilson, Augean Group Technical Director, has become a well-known point of contact for many Parish Councils and individual members of the public in the area due, in part, to the number of presentations he gave during the LLW application, as well as participation in exhibitions, surgeries, open days and workshops. He is the principle media spokesman for the Company. His technical and planning expertise enable him to explain and discuss in detail matters that need clarification or to answer points of concern. He is regularly available at the site for informal consultation when required. His position as a Director of Augean gives the community a direct link to the management board of the Company.
- Site Manager  
Simon Moyle, The Site Manager has also become a recognisable point of reference for the local community. He keeps in regular contact with members of the local Parish Councils who have found that he is approachable and helpful when dealing with minor operational issues that may impact on community life. As a member of the Kings Cliffe Environmental Trust who distribute funding from the Landfill Tax Credit scheme he has forged important relationships with members of the local community.

### ***Open door policy***

- 6.25** ENRMF has an open door policy. Augean have and will continue to promote this at every available opportunity. Recent experience has shown that visitors to the site



are reassured by the well conducted operations and professionalism of the site staff. Twelve members of Oundle Probus Club were given a tour of the site in December.

***Presentations***

- 6.26** Both the Group Technical Director and the Site Manager have given presentations most recently to Stamford Rotary Club on January 11 2012. This will be an on-going initiative on request.

***Publication of site monitoring data***

- 6.27** In response to requests from the local community, Augean have undertaken to publically share monitoring results from the site to reassure them that human health and the environment are not being harmed by the presence of the site. The first set of results were published in December 2011. This will be updated on a quarterly basis. This has already received a positive response from Kings Cliffe Parish Council and members of the community. See **Appendix CRAH**.

***Future engagement***

- 6.28** A further Public Information Leaflet will be distributed to local residents and businesses in the local area, and widely elsewhere, to coincide with the acceptance by the IPC of the planning application. It will give feedback and address the questions raised by local residents at the Consultation Days, Site Open Day and Workshop and the latest consultation period, with Augean's explanations and answers and commitments as a result of the consultation feedback. This Public Information Leaflet will give details to local residents about how to become involved in the IPC determination process.

***Drop-in sessions***

- 6.29** It is proposed to hold a number of Drop In sessions in Kings Cliffe so that any concerns can be addressed.

***Open Day in summer 2012***

- 6.30** There will be a formal open day at ENRMF in Summer 2012 which will be advertised widely. The open door policy at the site is regularly promoted as an on-going opportunity. All respondents to the consultation will be invited to come to the site for a visit.

***Further feedback detailed Topic Sheets and Frequently Raised Issues***

- 6.31** It is intended that further topic sheets will be prepared and circulated in the same manner as Topic Sheets 1-7, which allow more detailed explanation of new issues that have been raised during the consultation period from December 2011 to January 2012.



**7. Publicity for the proposals under Section 48 – Wider publicity**

**7.1** In accordance with Section 48 of the Planning Act 2008 a newspaper notice to publicise the formal consultation under Regulation 4 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, was published in the following newspapers on the dates indicated. The consultation would run from 19 December 2011 to 29 January 2012. A copy of the notice can be found in the **Newspaper Notices** section of the application documentation (WS010001/ENRMF/NOTICES) as well as at **Appendix CRAI**.

- 16 December 2011
  - The Times
  - The Stamford Mercury
- 20 December
  - The London Gazette
- 23 December 2011
  - The Stamford Mercury

**7.2** A copy of the notice was sent to all consultees as listed in **Appendix CRI** inviting further comments on the application.

**7.3** Only one response specifically mentioned that it was generated from the Section 48 advertising.

**8. Responses to Section 42 and Section 47 consultation**

- 8.1** Under Section 49 an applicant must have regard to any relevant responses when deciding whether the application should be made in the same terms as the proposed application. An applicant must have regard to any responses received through consultation under Sections 42, 47 and 48 of the Planning Act 2008. A relevant response, of which Augean is obliged to take account, is defined as being:
- From a person consulted under section 42 of the Act
  - To consultation under section 47 that is received by the applicant
  - To publicity under section 48
- 8.2** This section describes the issues that have been raised by members of the local community as a result of the Section 47 consultation that was carried out from May 2011 to July 2011 and the invitation to respond further from December 2011 to January 2012, and Augean's response to those representations and the action it has taken.
- 8.3** A total of 133 responses were received via comments sheets, including those returned in bulk as described in **Section 4**, as matters arising from the Workshops, by letter and email in the Section 47 consultation period from May 2011 to July 2011 and further letters and emails received from December 2011 to January 2012.
- 8.4** The issues raised and Augean's response are presented at **Table CR3**. The analysis of the issues and responses to each representation are presented in a table at **Appendix CRAJ**.
- 8.5** Copies of the questionnaires, letters and emails that were received are available at Appendix CRAK.

**9. Summary of the action that has been taken by Augean in response to consultation and overall conclusions**

**9.1** The options and alternatives that had been considered during the development of the site proposals were explained in Section 4 of the Preliminary Environmental Information Report, available at **Appendix CRF**, as part of the consultation process together with the assessment of the suitability of the site location and the constraints which affect and lead to the choices that were made with respect to the duration of the proposed operations, the containment engineering design, the restoration profile hence the void generated and the operational and management proposals. The design parameters which were fixed were identified as were those which were subject to further refinement and were not fixed.

**9.2** One of the main objectives of the pre-application consultation process has been to explain to the consultees the alternative development and design options that have been considered and rejected and the constraints which affect the development of the proposals and to encourage comments and views particularly on the aspects of the proposals which are not fixed. By the development through the consultation process of improved mutual understanding of the constraints and controls that are inherent in the design of the proposals and the concerns of the local residents and third parties with respect to the risks resulting from the proposed development, optimum solutions have been identified for the proposed development design and the preparation and submission of the application.

**9.3** In previous sections of this report it has been explained how the comments received as part of the Equivalent and Formal Section 42 Consultation and the Section 47 Consultation in May 2011 to July 2011 and December 2011 to January 2012 have been taken into account in framing and finalising the consultation process as well as in finalising the application proposals and documents and providing further information to respondees and the wider community. It has been explained how responses and comments from the community which were received well before the formal commencement of the preparation of this application also have been taken into account in the consultation and application process.

**9.4** The constraints and options for the design and operation of the proposed development were explained during the consultation period and emphasised during the consultation days and topic workshops. A number of specific issues on which responses and views were encouraged was listed on one of the exhibition boards used on the consultations days and was the subject of one of the topic workshops. The options and feedback received on each are summarised in **Table CR2**.

**9.5** In the tables presented at **Appendices CRD, CRG and CRAJ** the responses to each communication received as part of the EIA scoping consultation, the Equivalent Section 42 and the Section 47 Consultation and the Formal Section 42 and the Further Section 47 Consultation are set out.

**9.6** In general terms the responses and comments can be grouped into four categories:

- **Comments on design aspects of the proposal.** There were limited comments on this aspect and those received were primarily from the technical Section 42 consultees. Most of these comments needed only clarification of or further information on certain aspects of the proposals but did not seek changes to the proposal design or further mitigation. Additional mitigation has been included in the proposal in response to the suggestion of a longer

aftercare period following restoration of the site and a commitment has been made for the five yearly review of traffic flow data and traffic impacts.

- ***Comments raising worries and concerns about the effects of the proposals.*** The appropriate response to the majority of these comments was to provide explanation and reassurance that the matters that were resulting in concern already had been considered and were a fundamental part of the design of the proposed development. Examples of the reassurance provided include explanations that the site is designed on the principle of containment, explanation of the detail of the risk assessments that have been carried out and confirmation that the site is monitored routinely with the results provided to the Environment Agency. The explanations and reassurance were disseminated through direct responses, the issue of the Topic Sheets described in **Section 4** and the list of Frequently Raised Issues described in **Table CR3**. A summary of the undertakings provided by Augean that were included in the Topic Sheets is provided in **Table CR4**. Direct actions by Augean in response to these comments include the provision of additional dust monitoring locations at the site, the provision of summaries of monitoring data on the Augean web site, confirmation of the commitment that all LLW received at the site would be in enclosed packaging whether or not the packaging was necessary in accordance with the transportation legislation and agreement to a five yearly review of waste input rates to the landfill to confirm that the end date for completion of the landfill will be realised.
- ***Comments on the amenity impacts of the current site activities.*** These comments related predominantly to the presence of mud on the road and perceptions regarding the effect on road safety as well as perceived problems regarding queuing lorries at the site access. Each individual comment was treated as a complaint in accordance with the current Augean management systems and investigated. A direct reply was provided to each person from whom a complaint had been received. The safety of the road has been investigated by highway engineers as part of the Environmental Impact Assessment and it has been concluded that the safety of the road is acceptable. Augean have committed to the installation of an additional wheelwash at the site and options for improving surface water drainage at the site entrance are being investigated.
- ***Comments questioning the benefits to the community as a result of the proposals.*** In response to these comments information was provided in the Frequently Raised Issues described above and in the socio-economic section of the Environmental Statement. Augean have confirmed their commitment to the continued provision of Landfill Tax Credits to community funding projects, the continued provision of funding associated with the deposition of LLW for community funded projects where the uses of the funding is not restricted in the same way that Landfill Tax funded projects are restricted and the continued provision of a sum to the Highways Authority for road maintenance and/or improvement works.

**9.7** In accordance with best practice the comments received as part of the consultation process have been considered and responses made including adaptation of the application and the commitments made by Augean in an iterative way as the final proposals and application documents were prepared. Where appropriate and relevant the submitted application therefore includes the outcomes from the consultation process embedded in the proposals and documentation.

- 9.8** A detailed programme of consultation has been carried out with all statutory consultees in accordance with Section 42 of the Planning Act 2008 following publicising the proposed application for a development consent order as set out in Section 48 of the Planning Act 2008 and Regulation 4 of The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009. Consultation has been carried out to agree the way in which the community would be consulted under Section 47 (2). The agreed approach was set out in the published Statement of Community Consultation (SoCC) in compliance with Section 47 (6(a)). Pre-application consultation in accordance with Section 47 of the Planning Act 2008 and as set out in the SoCC has been implemented as well as other initiatives in order to allay concerns and to ensure that local residents and other interested third parties are able to fully understand the facts and potential impacts regarding the proposals prior to the finalisation of the proposals and submission of the application for development consent.
- 9.9** The statutory consultees that were consulted under Section 42 and local community consultees that were consulted under Section 47 made comments or raised issues about how the scheme might affect them or how it could be improved. Augean has taken account of all feedback from the different stages of consultation in compliance with Section 49.
- 9.10** The responding consultees have made comments that have been considered and incorporated where possible. In some cases this has not been possible as aspects of the development are fixed as a result of legislative requirements, regulator guidance, environmental and safety considerations together with local and government policy which pre-determine many aspects of a waste management facility.
- 9.11** Misleading information circulated locally can itself result in an increase in concerns without there being any factual basis for that concern. The detailed consultation process has allowed Augean to understand the nature and source of those concerns and to allay the concerns based on the facts available or where possible and practicable to implement changes or adaptations to the development proposals.
- 9.12** Augean hope that the iterative process of active, meaningful and continuous engagement will provide confidence in the cautionary approach which has been taken to the risk assessments and will reassure the local community that they should have no reasons for concern with respect to the impacts of the proposed development on human health or the environment. Augean is committed to on-going consultation and engagement with interested parties after the application has been submitted to the IPC. This will continue through to determination of the proposal and throughout the proposed lifetime of the site and its subsequent restoration and management until the surrender of the Environmental Permit.

## 10. Bibliography

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## 11. Glossary

<b>Abstraction</b>	The removal of water or gas from any source either permanently or temporarily.
<b>Aftercare</b>	The steps necessary to bring land to the specified condition for the afteruse.
<b>Aquifer</b>	A geological stratum that is capable of storing and transmitting water.
<b>Biodegradable</b>	Materials which will be broken down by bacteria or other biological means.
<b>Biodiversity</b>	Range of variation in living organisms including genetic variation and ecosystem variation.
<b>Bioremediation</b>	The use of biological methods to remediate contaminated material, especially the addition of bacteria and other organisms that consume or neutralise contaminants in the soil.
<b>Bq/g</b>	A Becquerel (abbreviated as Bq) is the unit for the activity of radioactive material. A Gram (abbreviated as g) is a unit of mass. A Becquerel per Gram (Bq/g) is therefore a measure of the concentration of radioactivity in a given mass of material.
<b>Bund</b>	A low bank or wall of material used to store soils or to provide a visual or acoustic screen.
<b>Cumulative impact</b>	The combined positive and negative impacts on a specific receptor or medium.
<b>Disposal</b>	Emplacement of waste in an appropriate facility without the intention of retrieval.
<b>DCLG</b>	Department for Communities and Local Government.
<b>DCO</b>	Development Consent Order.
<b>DEFRA</b>	Department for Environment, Food and Rural Affairs.
<b>Dose</b>	General term for a measure of the energy deposited by radiation in a receptor.
<b>ENDC</b>	East Northants District Council.
<b>Environmental Impact Assessment</b>	A process to assess the environmental implications of proposals.
<b>Environmental Statement</b>	The document that reports the findings of an Environmental Impact Assessment.
<b>Exposure</b>	The experience of coming into contact with an environmental condition that has a harmful or beneficial effect. Exposure can be either external exposure to sources outside the body or internal exposure due to sources inside the body.
<b>Flocculation</b>	To cause particles suspended in water to aggregate into clumps or masses that then sink or can be removed by filtering, or aggregate in this way.
<b>Groundwater</b>	Refers to all subsurface water as distinct from surface water. It is considered generally that groundwater is water which is in the



	zone of saturation and contained in porous soil or rock stratum (aquifer).
<b>Hazardous waste</b>	Waste which has properties which may make it harmful to human health or the environment as defined in legislation.
<b>Hydrogeology</b>	The quality, quantity, storage and movement of water in rock and the interaction with geology.
<b>Hydrology</b>	The surface water system and its operation.
<b>Hydraulic gradient</b>	The change in total hydraulic head per unit distance of flow in a given direction.
<b>Inert</b>	Materials that will not dissolve, burn or react physically or chemically or undergo biodegradation.
<b>Irradiation</b>	The act of being exposed to radiation.
<b>KCLG</b>	Kings Cliffe Liaison Group.
<b>Landfill gas</b>	An end product of the degradation of biodegradable wastes in a landfill site.
<b>Leachate</b>	Liquid which seeps through waste in a landfill and becomes contaminated by the deposited waste.
<b>LLW</b>	Low Level Radioactive Waste. With certain specific exceptions LLW is defined as waste which has an activity concentration in the range 0.4 – 4,000 Bq/g for alpha emitters and up to 12,000 Bq/g for beta-gamma emitters.
<b>MDWF</b>	Minerals and Waste Development Framework.
<b>mSv</b>	milli Sieverts. One thousandth of a Sievert.
<b>NCC</b>	Northamptonshire County Council.
<b>NPS</b>	National Policy Statement.
<b>Particulates</b>	Extremely small particles of a substance or substances.
<b>PCC</b>	Peterborough City Council.
<b>PEIR</b>	Preliminary Environmental Information Report.
<b>Permeability</b>	A measure of the rate at which a fluid will pass through a solid medium.
<b>PM<sub>10</sub></b>	Particulates of less than 10 micron in diameter (1 micron = one millionth of a metre or 0.001 mm).
<b>Radiation</b>	Energy in the form of waves or particles propagated through space.
<b>Radioactivity</b>	The phenomenon whereby atoms undergo spontaneous random disintegration, usually accompanied by the emission of radiation.
<b>Radionuclide</b>	A nucleus (of an atom) that possesses properties of spontaneous disintegration (radioactivity).
<b>Sievert</b>	Symbol Sv. The unit of effective dose and equivalent dose.
<b>Surface water</b>	Whole or part of any river, stream, other watercourse natural or artificial, lake, pond, creek, estuary or arm of the sea except for certain sewers and water mains. In effect generally all waters

	that are not groundwater.
<b>Site of Special Scientific Interest (SSSI)</b>	Sites of national importance designated under the Wildlife and Countryside Act 1981. Sites may be designated to protect wildlife, geology or land forms.
<b>SOCC</b>	Statement of Community Consultation. As required by Section 47 (2).
<b>Sustainable Development</b>	Development which meets the need of current generations without compromising the ability of future generations to meet their own needs.
<b>VLLW</b>	Very Low Level Waste. Radioactive waste considered suitable by the regulatory body for authorised disposal, subject to specified conditions, with ordinary waste in facilities not specifically designed or authorised for radioactive waste disposal.

**Table CR1  
Summary of engagement with the MWDF process.**

Relevant correspondence and documents in date order can be found at Appendix CRAL

<b>April 2007</b>	Augean submission to the NCC MWDF process promoting the allocation of the western extension of Kings Cliffe Landfill. This was a much larger proposal than the current application. The submission included an appraisal following the County Site Assessment Methodology, a landscape report and a hydrogeology report.
<b>June 2007</b>	Augean submission of further information comprising cultural heritage assessment, soils and agricultural classification and Phase 1 habitat survey in support of the inclusion of Kings Cliffe extension in the locations document.
<b>September 2007</b>	The proposed allocation of Kings Cliffe as a preferred option in the MWDF was considered at the NCC Cabinet meeting: No objection or comment regarding the allocation of Kings Cliffe is included in the minutes of the meeting.
<b>October 2007</b>	The MWDF Preferred Options document is published including Preferred option WA16: Kings Cliffe Western Extension. An initial and a detailed evaluation of the site is presented in the Technical appendices to the Preferred Options Documents identifying the suitability of the site for extension.
<b>December 2007</b>	Comments were submitted by Augean in respect of the draft Core Strategy and clarification of certain details of the allocation of the Kings Cliffe extension.
<b>December 2007</b>	Responses were received by the County Council from Collyweston, ENC, EA, Peterborough City Council, English Heritage and a number of local residents.
<b>March 2008</b>	Publication of the MWDF Control of Management of Development Discussion Paper.
<b>April 2008</b>	Augean makes representations to the Control of management of Development Discussion Paper.
<b>September 2008</b>	The MDWF Core Strategy Proposed Submission published.
<b>November 2008</b>	Augean made representations in respect of the content of the Core Strategy as part of promoting the extension of the site.
<b>January 2009</b>	Publication of the MWDF Locations for Waste Development Document Proposed Submission.
<b>March 2009</b>	In the Proposed Submission of January 2009 the County determined that no specific allocations would be made for non-inert sites including hazardous wastes. Augean made representations that the approach of not allocating specific sites for hazardous waste is unsound. The current planning permission for this site expires in 2013 and there will be a need for additional capacity during the Plan Period 2016 -2026.
<b>October 2009</b>	Augean gave evidence at the Examination into the MWDF Core Strategy.
<b>March 2010</b>	Publication of the Examination in Public for the Core Strategy Inspectors report <i>"1.12 That said, my overall conclusion is that the CS is sound provided it is changed in the ways I specify. The principal changes which are required are, in summary:  ..."</i>

	<ul style="list-style-type: none"> <li>▪ <i>revision of the approach to hazardous waste provision;</i></li> </ul>
<b>April 2010</b>	Following the submission of preliminary information the EA confirm that there is no objection on groundwater policy grounds to the proposal for further void space subject to risk assessment and providing an appropriate in-situ geological barrier.
<b>May 2010</b>	The MWDF Core Strategy is adopted. As a result of the engagement process paragraph 6.28 the plan identifies the national significance of the site and the need to maintain its specialisms in hazardous waste. Status of the site in respect of the MWDF is discussed in detail in Section 6 of the Planning Statement. (WS010001/ENRMF/PS)
<b>May 2010</b>	The MWDF Control of Management and Development Proposed Submission is published
<b>June 2010</b>	<p>Augean informed NCC at a meeting of its intention to make the application for extension of time and for new void space. The following information was given:</p> <ul style="list-style-type: none"> <li>○ The application will be within the landownership of Augean and the extant planning boundary</li> <li>○ The estimated additional life of the current void is 3 years</li> <li>○ The estimated additional void will be 10 years</li> <li>○ The application will include the soil treatment facility</li> <li>○ The application will be made in mid 2011</li> <li>○ Consideration is being given to inclusion of LLW</li> <li>○ The application will be made under the IPC</li> <li>○ Full EIA will be conducted</li> <li>○ Full public consultation will be conducted in early 2011</li> </ul>
<b>July 2010</b>	Augean made a series of 5 representations in respect of the Control of Management Development Proposed Submission Document. The majority of the representations were drafting points but the representations in respect of paragraph 3.30 and 3.31 and Policy CMD2 related to allocation and the soundness of the plan.
<b>October 2010</b>	Augean presented evidence at the examination in public for the Locations Document in respect of the need to make provision for hazardous waste management with particular reference to the ENRMF site.
<b>January 2011</b>	Augean attends the Examination in Public in respect of the MWDF Control and Management of Development Document Proposed Submission. Comments made are principally to ensure that the CMD supports the Locations Document.
<b>March 2011</b>	<p>Publication of the Inspectors report of the Examination in Public for the Locations Document. In the report it is stated at Paragraph 70:</p> <p><i>At the hearing session it was accepted by the County Council that the present site (ENRMF) would meet the expectations of Policy CS1. The operational area would be large enough to accommodate the envisaged scale and extent of non-inert/hazardous waste management and disposal on this site throughout the plan period (ie up to 2026). The County Council has put forward suggested</i></p>

	<p><i>changes to the DPD to recognise this and to establish a favourable context for continuing operations here during the plan period.</i></p> <p>Following the hearings Augean continued constructive engagement with the County as stated at Paragraph 71 of the Inspector's report:</p> <p><i>"Correspondence between the County Council and the current operator of the ENRMF site after the hearing session explored alternative or revised wording to aspects of the Council's proposed changes both to this DPD and the Control and Management of Development (CMD) DPD".</i></p>
<b>March 2011</b>	<p>Adoption of the Locations for Waste Development Document. In the Document the ENRMF site is identified at Appendix 2 as a commitment. It is stated in the Document at Paragraph 2.19:</p> <p><i>"Proposals for extensions or change in waste-related development on the committed sites (and on other sites on which planning permission for waste use has been subsequently granted) must be in accordance with the MWDF policies. However, it is accepted that being commitments confers a favourable status on these sites for a continuation of a waste use where this meets the intent of the MWDF strategy and policies, and is also in accordance with national planning policy."</i></p>
<b>June 2011</b>	Adoption of the MWDF Control and Management of Development Document.
<b>June 2011</b>	Publication of the consultation draft of the MWDF Development and Implementation Principles Supplementary Planning Document (SPD).
<b>July 2011</b>	Augean submit responses to the SPD consultation principally related to how the appropriateness of the use of catchments for development control in respect of hazardous waste.
<b>September 2011</b>	Adoption of the SPD. The adopted version of the SPD provided a clearer explanation of how catchments would be applied.

**Table CR2**  
**The options and the feedback for the design and operation of the proposed development**

<b>Option/issue</b>	<b>Feedback received</b>	<b>Action taken</b>
Should there be regular reviews of the filling of the site so that completion by 2026 can be reviewed?	The potential for the provision of some degree of certainty regarding the end date for operations at the site was generally regarded as positive.	A commitment has been provided through a Requirement in the draft Development Consent Order for regular reviews of the rate of filling of the space for waste at the site. The Requirement states that in the event that the reviews show that the site will not be completed by the end of 2026 an application will be submitted to vary the scheme of working to meet the specified restoration date.
Should the use of the void space at the site of potentially 1.3Mm <sup>3</sup> be optimised to make the maximum use of the resource?	Little feedback was received on this issue. Based on general responses a more important point to respondents was certainty regarding the end date of site operations rather than the total quantity of waste deposited.	A commitment is provided with respect to the end date as explained above.
Consistent with a more sustainable approach to waste management Augean is proposing a balance of inputs favouring less landfill and more treatment for recycling. Would you support this approach?	Respondees generally were aware of the benefits of reducing the quantity of wastes deposited in landfill sites.	A limit of 150,000tpa has been set for the quantity of waste accepted at the site for direct deposition in the landfill (the consented limit currently is 249,999tpa) and the capacity of the treatment plant has been increased from 100,000tpa to 150,000tpa.
Do you agree that the sequence of working filling the south of the site first is the best option?	Issues associated with the visual impact of the site were not generally raised by respondents as a concern.	The proposed general sequence of filling is confirmed in the application submission.
Which routes do you consider are the most appropriate for lorries to	A number of respondents commented that	Augean have committed through a requirement in the draft Development Consent Order to

Option/issue	Feedback received	Action taken
approach the site?	lorries should not be permitted to drive through local villages.	continue the current lorry routing arrangements whereby all goods vehicles approaching or leaving the site must do so from and to the north and the A47. Augean will contractually oblige all consignors of LLW to transport their wastes to the site using A roads only except for the access to the site from the A47 on Stamford Road.
Augean is intending to increase the security provision at the site. Do you have concerns or views regarding the nature of the security?	Whilst site security was raised as a concern during early consultation, once it was clear that the site was fenced no further significant concerns were raised.	The site security arrangements are described in the application documents and Augean have committed through a requirement in the draft Development Consent Order to maintain the security arrangements as agreed with the Planning Authority.
A comprehensive scheme of monitoring is undertaken and is overseen by the Environment Agency. Is there further monitoring you would like to see? What would you like that monitoring to assure you?	Comments were received that additional dust monitoring should be carried out, that the public should be able to see the monitoring data and that potentially the public should be involved in the monitoring. Health monitoring of local residents was suggested.  The Environment Agency have undertaken to further monitoring of the Willow Brook and Horsewater pond in Kings Cliffe to reassure the local community.	Additional dust monitoring points have been set up at the site. The results of key monitoring data have been summarised and are presented on the Augean web site where they can be reviewed by the public. Those members of the public who have expressed an interest have been invited to be present during monitoring at the site.  Health monitoring of the local population would be intrusive and the outcomes would be meaningless in terms of measurable factors due to the negligible levels of potential exposure. It has been agreed to provide the results from the dosimeters worn by site staff on the Augean web site to confirm the low levels of exposure to staff at the site and provide reassurance that the exposure to radiation of members of the public off site would be even less.



<b>Option/issue</b>	<b>Feedback received</b>	<b>Action taken</b>
What form of after use for the restored site do you think would be of greatest benefit locally?  Once the site is fully restored it will be safe for public access. Do you have a view on what type of access would be beneficial?	Limited feedback or comments were received on this issue. The principle of providing a permissive footpath with the potential for connection to the wider rights of way network was generally received positively.	The proposed restoration principles which were consulted on have been confirmed in the submitted application.

**Table CR3**  
**Frequently raised issues**

<p><b>1.Human health and the environment.</b></p>	<p>The proposals will not be permitted unless they are fully compliant with official guidance and criteria and the risk assessments demonstrate to the satisfaction of all the statutory technical consultees, including the Environment Agency and the Health Protection Agency, that the proposals do not present any unacceptable risks to human health or the environment. The site will continue to be monitored and regulated to confirm that it is operating in compliance with appropriate International, European and national health and safety standards. The primary role of the Environment Agency at the site is to satisfy themselves before the proposals are granted permission and on an on-going basis thereafter that the operations satisfy all legal, policy and regulatory considerations to ensure that people and the environment are properly protected. Copies of the Environmental Permits for the site are provided at <b>Appendix ESC</b> to the Environmental Statement and can also be seen on the Augean website.</p>
<p><b>2. Water protection.</b></p>	<p>The protection of water is one of the most important issues for the development. As with many landfill sites in the UK, the ENRMF site is located over a water table and water must be protected. Before extension of the landfill could be taken forward we needed to demonstrate to the Environment Agency, in principle, that the site could be extended without causing pollution of the groundwater. The preliminary quantified hydrogeological risk assessments for the non-radiological and radiological components of the waste are presented at <b>Appendices ESK and ESL</b> to the Environmental Statement. We received from Environment Agency agreement in principle, subject to detailed risk assessment, in May 2010. Further details regarding water protection are dealt with in Topic Sheet 1.</p> <p>To provide further reassurance to the local community that there is not a threat to local water courses or springs, Augean has agreed with the Environment Agency that additional monitoring will take place at the Willow Brook and Horsewater Spring in King's Cliffe. The results of this monitoring will be made available on the Augean website. The current monitoring data is already shown on the monitoring section of the Augean website.</p>
<p><b>3.Perception of the area and property</b></p>	<p>ENRMF is located around two kilometres from Duddington and Kings Cliffe and is not a particularly visible part of the landscape. The facility is well contained and only parts of it are visible from only a few properties. The presence of the site, to the vast majority, is only evident when passing the site entrance.</p> <p>The property market nationally has been experiencing severe problems since 2007 and the economic downturn. Falling sales and house prices has been experienced on a</p>

	<p>national and international scale. Average property prices in Kings Cliffe remain higher than the national average and that of the average for Northamptonshire. A graph comparing house prices in Kings Cliffe with County and national averages is presented as <b>Figure ES19</b> of the Environmental Statement. As at 20 February 2012, Rightmove, the popular and commonly used property website, lists 9 properties as being for sale in Kings Cliffe. Of these one is under offer and three are sold subject to contract.</p> <p>House builders Charles Church and Persimmon Homes have already started building houses on the Sovereign Grange site in Kings Cliffe. The house types available, pricing and deals would appeal to a broad demographic, from young families to older people. The developers have not expressed any concerns to Augean regarding the viability or saleability of the site. Nonetheless, we have offered to brief Charles Church and Persimmon staff on LLW and the current proposals. Prospective customers will also have the opportunity to take advantage of the open-door policy at the ENRMF and address any concerns to Augean directly.</p> <p>Searches that are undertaken by a solicitor during the sale of a property typically look at information such as any obligations attached to a property, building control issues, old mine workings and planning permissions on adjacent or joining properties, usually no greater than within a one mile radius. It is unlikely that the operations of ENRMF would register on such a search for the vast majority of properties within the local area.</p>
<p><b>4.The Proximity Principle and leaving the waste on originating sites.</b></p>	<p>Due to the specialised nature of hazardous wastes and of LLW, which are produced in relatively small quantities from many sources, and because there are very few facilities where these wastes can be managed, most of these wastes must be transported by road, and commonly for significant distances. It is a requirement of the legislation and often also preferable in economic terms to prevent or manage the waste at the site of origin. Nevertheless, for environmental, practical, or cost reasons, a significant proportion must be removed from the site of origin for treatment or disposal at one of the nearest appropriate facilities. This is the proximity principle. It is a misinterpretation of the proximity principle that waste must be treated or disposed of close to the point of origin. Clearly where there is limited availability of facilities waste may have to travel significant distances for safe treatment or disposal at the nearest appropriate facility.</p> <p>The ENRMF is the only facility accepting the range of hazardous wastes in the South East, East of England, East Midlands and West Midlands and the vast majority of wastes delivered to the site arise from this area. For LLW arisings the site is the only available facility in the south of</p>

	<p>the country. The other facilities are located in the North West. Disposal at ENRMF will reduce transport distances for this waste, and consequently associated carbon emissions.</p> <p>All sites producing the waste will need to demonstrate to the Environment Agency that disposal to ENRMF is the Best Practicable Environmental Option, which will include consideration of the option of disposal on the site where the material is generated.</p> <p>The waste hierarchy and the proximity principle were the subject of Topic Sheet 5.</p>
<b>5. Local opinion and the results of the referendum.</b>	<p>We acknowledge that local residents and other third parties may have concerns regarding the proposals for the extension in the time for the life of the facilities at the site and for the extension in the landfill area. There is no evidence that the day to day activities at the site currently give rise to significant concerns. The concerns that have been raised focus particularly on the proposals for the disposal of LLW.</p> <p>In order to allay the concerns and to ensure that local residents and other interested third parties are able to understand fully the facts and potential impacts regarding the proposals Augean have carried out extensive consultation prior to the finalisation of the proposals and submission of the application for development consent. In many cases, concerns arise from simple misunderstanding, misconceptions or misinterpretations of technical information. Misleading information presented in the media or circulated locally can in itself result in an increase in concerns without there being any factual basis for that concern. The purpose of the detailed consultation process has been to understand the nature and source of the concerns of the public and to allay the concerns based on the facts available or, where possible and practical, to implement changes or adaptations to the development proposals to address the concerns. The commitments made by Augean as a result of the consultation process are set out in the series of feedback topic sheets which have been circulated and are available on the Augean website.</p> <p>The opinion expressed through the referenda was that consent should not be granted for the disposal of LLW at the site. It is understood that there can be a conflict between the wishes of local residents and the regional or national need for facilities and this is particularly the case for Nationally Significant Infrastructure Projects such as this proposed development. It is the purpose of the land use planning system including applications made under the Planning Act 2008 to weigh up the local and national views, issues and policies in order to make a decision on whether the development should be granted consent. This assessment was carried out by the Inspector and the Secretary of State at the Appeal against the refusal to grant</p>

		consent for the deposition of LLW at the current landfill site. The local views were fully considered by the decision makers along with all the other material issues and policies and it was concluded that consent should be granted. An assessment of all the issues and policies, including all views expressed by local residents and third parties, will be carried out by the decision makers who consider this application. All respondents to the application consultation process and the application process can be assured that their views will be considered by the decision makers comprising the IPC (or replacement body) Commissioner or panel and by the Secretary of State.
<b>6.Proximity to population.</b>		The risks at the site boundary are negligible and the risks decrease exponentially with distance from the site therefore the risk at any centres of population including the surrounding villages is much less than those at the site boundary. The site does not present an unacceptable risk at the boundary therefore there is no need for the waste to be deposited in a site located away from centres of population in order to provide adequate protection to residents.
<b>7.Transportation: road safety, accidents and spills.</b>		The transportation of waste including hazardous waste and waste with low levels of radioactivity is strictly regulated by the Department of Transport. It is the responsibility of the carrier of the waste to ensure that the waste is transported in accordance with the relevant transport regulations, which require that wastes must be safe for transport. For materials that are classified as potentially dangerous specially trained drivers must be used. In respect of LLW conservative risk assessments have shown that in the event of an accident, in which the waste was spilt, the risk to health and the environment would still be negligible.
<b>8.Augean's safety record.</b>		<p>Augean has led the hazardous waste sector in modernising hazardous waste management practice by introducing new technologies and raising standards. We have developed a reputation for acquiring and modernising businesses with historic practices.</p> <p>Every accident at an Augean site, even a small cut, is reported. Near misses are also logged to identify potential safety improvements. The HSE heavily promotes recording of near misses and minor accidents as a means of identifying and preventing by corrective action the potential for more serious accidents. Augean operates to the international health and safety standard ISO18001 and is audited regularly by the British Standards Institute. The health and safety management systems of the business have been audited by the external verifiers Achilles for the last two years and on both occasions has scored over 95%.</p>
<b>9.Transportation: traffic generation and queuing on the</b>		The traffic associated with the proposals will access the site along Stamford Road from the A47 in the same way as current waste inputs. Traffic levels on the local road network are running below capacity, and are capable of

road.	<p>accommodating the traffic associated with the proposals. It has been determined by highway engineers that traffic generated by the site is unlikely to affect traffic safety or capacity. While in highway engineering terms the Stamford Road north of the site is considered safe, Augean recognises the road is of concern to the local community. In 2007 Augean installed chevrons at the bend on the road, the ghost island on the A47 junction and continues to provide a £5,000 annual maintenance contribution for the road. We are also aware that the development of the former RAF Wittering storage area will include straightening of the road. A commitment has also been made to a five yearly review of traffic flow data and traffic impact. The impact of transport is presented at Section 17 and <b>Appendix ESJ</b> to the Environmental Statement.</p> <p>We are sensitive to the issue of queuing of lorries on the highway and accordingly advise hauliers not to arrive at the site before 7.00. Notwithstanding this staff attend site at 6.00 in case any lorries arrive early. In these circumstances we let the lorry in and park it up until 7.00 so that it does not block the highway. This is not in breach of the planning permission and makes good sense. All drivers that arrive early are given a warning and the haulage company is contacted to remind them that the site does not open until 7.00. Repeat offenders are banned. Augean endeavour to be good neighbours and are always keen to investigate incidents to resolve issues as they arise and hopefully before they become a problem. If anyone is aware of an issue we should be grateful if they would report it to the site as soon as possible on 01780444900.</p> <p>All drivers are instructed to arrive at and leave to the site from the north. Augean monitors by CCTV camera the direction from which vehicles enter and leave the site. Drivers who do not use the designated route are banned.</p>
<b>10.The interaction between hazardous waste and LLW.</b>	<p>The risk of an adverse reaction between hazardous waste and LLW is negligible. There is no incompatibility between the radioactive wastes and the hazardous wastes that are deposited at the site. The chemical properties of the hazardous wastes and the LLW are tested and known before wastes are accepted for transportation to the site. Chemically highly reactive wastes are not permitted for deposition at the site so for example wastes such as those defined as flammable, strongly oxidising or corrosive cannot be accepted. All waste accepted at the site must meet acceptance criteria which are set out under the Environmental Permit.</p>
<b>11.Young families, children and school numbers.</b>	<p>The assessments required to demonstrate the safety of the proposals take into account all age groups. The risks at the site boundary are negligible and the risks decrease exponentially with distance from the site therefore the risk at any centres of population including the surrounding villages is much less than those at the site boundary. The</p>



		site does not present an unacceptable risk at the boundary therefore there is no need for the waste to be deposited in a site located away from centres of population in order to provide adequate protection to residents.
<b>12.Engineering and construction of the site.</b>		As a working landfill site for hazardous waste, ENRMF is already constructed to the high standards of engineered containment required by law. It is lined with a high density polyethylene liner (a heavy duty chemical resistant synthetic material) and engineered clay. The highly engineered clay liner being geological material does not degrade and provides continued protection. The high engineering quality of clay present at the site, giving around 18 times more protection than a normal landfill site, enables us to provide this high level of protection.
<b>13.Augean ownership intentions.</b>	<b>land and</b>	<p>Responses to the consultation have referred to purported recent land acquisitions in the local area. Augean confirms that we have not bought any more land in this area since the purchase of Atlantic Waste in 2004. Atlantic had three sites; ENRMF which is currently a landfill for hazardous and LLW wastes and a soil treatment facility, Thornhaugh which is a landfill for stable, non-reactive wastes and Cook's Hole, a mineral quarry next to Thornhaugh which will be operated by a company other than Augean.</p> <p>More information is given in Topic Sheet 4 and 6, where Augean gave feedback on the issues of land ownership and site life and inputs, both of which can be viewed on the Augean website.</p>
<b>14.Augean's business interests versus the community.</b>		<p>As a business and an AIM listed company Augean is indeed obliged to run a business that is viable and profitable. We are also obliged to operate responsibly and within the law of the society of which we are a part. We must comply with the health and safety, environmental and employment standards that are set us. Consistent with other leading responsible businesses, every year we publish a Corporate and Social Report (CSR) for the attention of our stakeholders and the wider public, which sets out our strong ethical standards and reports on our performance and responsibilities to the health, protection and development of our business, our employees, the communities in which we operate and the environment. The latest CSR is available on the Augean website or can be ordered in hard copy by telephoning 01904 654989.</p> <p>ENRMF will assist the authorities and businesses by providing an appropriate facility for the treatment of contaminated soil and the disposal of hazardous waste and LLW derived from local, regional and national activities and development including UK business and facilities which are essential to maintain the social fabric such as power stations, hospitals, pharmaceutical development and manufacture.</p>
<b>15.The financial</b>		The whole of the landfill area is the subject of the



<p>ability of Augean now and in the future.</p>	<p>Environmental Permit. The management and engineering controls which are specified in the Environmental Permit will continue at the site following the cessation of waste acceptance and restoration. In accordance with the legislation the Environmental Permit will remain in place until in the opinion of the Environment Agency the site no longer represents a potential risk to the environment or harm to human health. There is no time limit set for this. In accordance with the Environmental Permit the site is the subject of Financial Provision which is a bond provided by the operator for use in the event that the company no longer exists.</p> <p>Environmental radiochemical monitoring will continue to be carried out to provide reassurance that the site is being operated in accordance with the design and the predictive risk assessments and provide early warning in the event that improvements that are necessary well before any unacceptable levels of exposure are reached.</p>
<p><b>16.Monitoring.</b></p>	<p>The purpose of monitoring is to confirm that the site is behaving in the manner predicted in the risk assessments, and that there is no unacceptable environmental impact. The monitoring is designed to identify any unexpected results or trends at an early stage so that remedial action can be taken before problems arise.</p> <p>Monitoring technicians work to agreed programmes and protocols approved by the Environment Agency. We sample the air and water around the site, and gather quantitative environmental data, which is reported to our regulators at agreed periodic intervals. This information is audited by the Agency and they will take confirmatory samples. Augean reports on environmental performance in respect of: landfill gas, air emissions, leachate, surface water, groundwater, dust and noise. The measurements include physical, chemical and radiological parameters.</p> <p>The management and monitoring of the site will continue long after the site has stopped accepting waste, for the duration of the Environmental Permit. The Environmental Permit has no fixed expiry date and can only be surrendered by the operator on application to the Environment Agency, who will have to be completely satisfied that no further active management or monitoring is required, and that the site poses no potential significant risk to the environment. Financial provision must be made in advance to ensure that, in the event that Augean ceases to exist, funds are available to the Environment Agency so that these on-going obligations of monitoring and aftercare are met.</p> <p>Responses received during the consultation indicated a desire for additional monitoring to take place, for instance the water quality of the Horsewater Spring in Kings Cliffe, together with additional dust monitoring points at the site. Augean has agreed this with the Environment Agency to</p>

	<p>provide further reassurance to the local community.</p> <p>Monitoring of the site was addressed as feedback to the community in Topic Sheet 3. As a result of requests made during the consultation period monitoring data has already been made available to the public on the Augean website. Following suggestions in recent consultation responses we are considering ways in which members of the local community can also be involved with the monitoring or to observe it taking place.</p>
<b>17.Storage of tyres at the site a potential fire hazard.</b>	<p>The tyres that were present at the site previously were stored for use on areas outside of the landfill hence in the unlikely event of a fire would not affect the landfilled waste. The majority now have been used as a sustainable alternative for gravel as part of the approved leachate drainage system at the base of the newly engineered Cell 5A at the site. The wastes in the landfill, the cover materials, the hazardous waste including the soils to be treated and LLW have an extremely low combustibility. The current waste acceptance criteria for the landfill excludes material with an organic carbon content greater than 6% and flammable wastes are prohibited. The potential for a fire in the hazardous wastes and LLW at the site is therefore negligible.</p>
<b>18.Appropriateness of the location e.g. in a rural area.</b>	<p>ENRMF is located around two kilometres from Duddington and Kings Cliffe and is not a particularly visible part of the landscape. The facility is well contained and only parts of it are visible from only a few properties. The presence of the site, to the vast majority, is only evident when passing the site entrance. While it is accepted that it may not be part of the idealised concept of the agricultural landscape, landfill is nevertheless, like mineral extraction, an activity that can only practically be undertaken in the countryside.</p>
<b>19.The packaging/storage methods for LLW.</b>	<p>The type of containers that should be used for packaging LLW are specified in legislation. Much of the LLW that could be deposited at ENRMF will have a level of radioactivity that does not need to be packaged in accordance with the legislation as the levels are too low to be of concern. Nevertheless Augean will specify to all our customers that LLW is transported in steel drums or highly engineered, flexible containers of a water-resistant woven fabric. LLW will be disposed of in its container by mechanical handling into the operational cell and will not be tipped. It will be covered immediately with cover material that is stocked on site. Once covered, measurements will be made above the surface of the cover material, to confirm that the activity measured at 1 metre above the surface is less than 2 micro Sieverts per hour.</p>
<b>20.Extent and timing of consultation.</b>	<p>The implementation of the consultation programme has been undertaken and informed by the consideration of all relevant government and planning guidance and by best practice. Promoters of development schemes are required as a statutory obligation to produce a Statement of</p>

	<p>Community Consultation that has been discussed and agreed in advance with the relevant local authorities. In the case of this application it was also subject to comment and input from the Kings Cliffe Local Liaison Group and a member of Waste Watchers.</p> <p>Augean have circulated information widely to 2600 individual households in the immediate area and also to 47 Parish and Town Councils within a 10 kilometre radius of the site. There have been a range of opportunities, listed in full at Section 2 of the Consultation Report, for the local community to take the opportunity to discuss the proposals with the Augean professional team, including weekdays, evenings and weekends, in groups or on an individual basis. Augean operates an open door policy so that the public can visit the site by arrangement with the Site Manager, an opportunity which has been taken up on many occasions.</p> <p>The purpose of the detailed consultation process has been to understand the nature and source of the concerns of the public and to allay those concerns based on the facts available or where possible and practical to implement changes or adaptations to the development proposals. The commitments made already by Augean to the comments made by members of the public during the consultation period are set out in the Feedback Topic Sheets which can be viewed on the Augean website.</p>
<b>21.Mud and debris on the road.</b>	<p>The condition of the road is a sensitive issue. Being a clay based site it is easy for mud to be tracked onto the road, which is why we go to great lengths to ensure that vehicles are properly cleaned before they leave the site. The lorries are passed through a three stage wheel cleaning system. We employ full time a road sweeper which operates mainly within the site but travels onto the highway in the event that any mud is trafficked from the site. The entrance is monitored continuously from the CCTV monitor at the weighbridge and records are kept by the weighbridge operator and the sweeper driver. We are always seeking to improve the performance of the system and accordingly are installing a new wheel wash and additional drainage in the first quarter of this year.</p> <p>The fundamental objective is to ensure that highway safety is not compromised. We do accept that the road will at certain times of year appear stained with clay but it is rare to our knowledge that clods of clay are carried from the site, which in any case would be swept up rapidly. We do not consider that the staining compromises road safety. We have had the road condition and our operations assessed by highway engineers who also reviewed the accident record for the road. They concluded that there was "no evidence that the operations have an adverse effect on the safety of Stamford Road". The report on highway safety is presented at <b>Appendix ESJ</b> to the Environmental</p>

		<p>Statement.</p> <p>We endeavour to be good neighbours and are always keen to investigate incidents to resolve issues as they arise and hopefully before they become a problem. If anyone is aware of an issue, they should report it to the site as soon as possible on 01780444900.</p>
<b>22.Wildlife.</b>		<p>The consideration of the impact on ecology is a key aspect of any significant development proposal. Augean engaged ecological specialists to undertake surveys to identify the habitats, wildlife and flora present and to advise on the potential for impact and to ensure that habitats and species are properly protected. Surveys and assessments have been conducted in consultation with Natural England, the Northamptonshire County Ecologist and Northamptonshire Wildlife Trust. Amphibians, reptiles, bats, water voles, badgers and birds together with significant plant species that are subject to statutory protection have been considered in detail. The ecological impact assessment is presented in section 12 and <b>Appendix ESF</b> of the Environmental Statement.</p> <p>The potential radiological effects of LLW at the site on non-human species has been assessed as part of the risk assessments carried out for the Environmental Permit for the disposal of LLW in the consented landfill. The potential exposure pathways are the same therefore the risk assessment and conclusions would be the same or similar for the proposed extension to the landfill.</p> <p>The principal organisms and wildlife groups are considered along with potential exposure pathways. Experience shows that as the operational areas of the site are active and used by mobile plant and machinery and do not attract animals. LLW wastes are covered immediately following deposition and therefore are not exposed for direct contact with animals that may cross the site at night when no operational plant is present. In addition the deposited LLW will be contained in double lined bags or drums and will be inaccessible. Even taking into account the conservative assumptions used in the assessments, the risk assessments show that the potential exposure to wildlife through a range of potential exposure pathways is well below the criterion at which a more detailed risk assessment is necessary.</p>
<b>23.The economy.</b>	<b>local</b>	<p>The Inspector's report following the Inquiry said that the existing hazardous waste facility had minimal impact on businesses and the local community, and he saw no reason why, after an initial settling period, the same would not apply for the LLW proposal. Similarly, we do not consider that the time and void extension would have such an impact either. On the contrary the continued operation of the site will sustain 22 local jobs, put approximately £500,000 per annum into the economy from use of local services and continue to provide local community funding which to date</p>

	is in excess of £1.3 million and is estimated to provide a further £8 million of funding to 2026, not including the direct funding Augean provides for projects such as the Underground youth club.
<b>24.Experience of Augean.</b>	<p>Augean has an experienced workforce and highly qualified technical team who are used to managing our more difficult to handle waste streams. The team are supported by technical advisors and consultants. Because of the low level of radioactivity in the waste it is not necessary to take additional precautions to those in place already for the management of hazardous waste. In fact several of the waste streams disposed of at the site currently are more difficult to handle than LLW. The rigorous procedures and the experience of the Augean team makes the site particularly suitable to consignors who are seeking the confidence that their waste is managed properly.</p> <p>The site must and will be operated in accordance with the Ionising Radiations Regulations which are regulated by the Health and Safety Executive. Augean has engaged the Health Protection Agency (HPA) to provide direct support and have taken advice from one of the leading consultancies in the UK on LLW disposal. The consignors of radioactive waste are responsible for safe transport to the site and are signatories to a national emergency response scheme to provide support to emergency services. Augean operational staff have been fully trained in the few additional skills that are required to handle the LLW and are independently advised by a professional Radiological Protection Adviser provided by the HPA. Several of the Augean staff are qualified as Radiation Protection Supervisors. Augean conducted several dry runs prior to acceptance of the first load to ensure that all staff were understood the procedural requirements including how to deal with non-conformances and emergencies.</p> <p>Before the Permit for the acceptance of LLW was approved, the Environment Agency was required to satisfy itself that the site has the capability and competency to manage the waste properly. The Environment Agency further undertook a readiness inspection to ensure that the necessary infrastructure, procedures and training were in place before any LLW was booked to the site. Together with the Health Protection Agency the Environment Agency attended and audited the first loads of waste delivered to the site. They identified no non-compliances.</p>
<b>25.Comparison to other sites taking LLW e.g. Dounreay.</b>	There is no site that also accepts similar wastes that is an exact parallel to ENRMF, due to differing purpose, position or underlying geology and hydrogeology. The engineering and design of each landfill is specific to its location and represents the Best Available Technique for the specific wastes including their overall radiological capacity at the specific location.



	<p>Most frequently in the consultation comparisons have been made between Dounreay and ENRMF. Although described as LLW, ENRMF takes waste up to an activity level of only 200 becquerels/gram whereas Dounreay disposes of its own LLW in the vaults created up to an activity level of 4000 becquerels/gram, as well as higher levels of radioactive waste by other methods at the site. Each site is located in different geographical, geological and hydrogeological environments and therefore has different forms of containment and operations appropriate to their location and waste type. Different climatic conditions necessitate different designs for a facility. For example at Dounreay the groundwater is only approximately 4m below the ground level and well above the level of the base of the disposal cells whereas at ENRMF the groundwater is well below the base of the disposal cells. The operations are assessed by the relevant technical specialists and regulatory authorities as representing BAT in their specific circumstances. The low activity level of the LLW accepted at ENRMF means that the engineered containment that has been designed is of an appropriate standard that will provide protection to human health and the environment. Each operational cell is lined not only with a high density polyethylene liner (a heavy duty, chemical resistant, synthetic material) but also a highly engineered clay liner. The clay being geological material does not degrade and provides continued protection over geological time. This has been assessed to be protective of both groundwater and surface water. The comparisons between other sites were examined during the course of the Public Inquiry to the satisfaction of the Planning Inspector, and consequently the Secretary of State, before he gave permission to dispose of LLW, as well as the regulatory authorities.</p>
<b>26.National policy and strategy for LLW.</b>	<p>Government policy that identifies landfill as a suitable means for the disposal of LLW has been in place for 5 years and it was supplemented in 2010 by the publication of a Strategy for the Management of LLW by the Nuclear Decommissioning Authority. These policy documents were subject to full national consultation which included full consideration of the options for the management of LLW. The outcome of these deliberations and debates is that disposal to landfill is an important option for the safe, secure and sustainable management of LLW. These policy documents can be viewed on the Augean website.</p> <p>This will not be the first time that these sorts of wastes have been disposed of in landfill in the UK. Wastes with small amounts of radiation have been disposed of safely in varying amounts for many years in UK landfill sites and similar practice takes place elsewhere in Europe and in the United States. The Government policy has been in place since 2007 and early implementation is promoted.</p> <p>The national Low level Waste Repository (LLWR) does not have the capacity to meet future national LLW needs. In the</p>

		<p>consultation draft of the UK Nuclear Industry LLW Strategy it is stated that it is necessary that the useful lifetime of LLWR is extended by using other disposal routes for waste at the lower end of the LLW activity range. The LLWR is engineered to provide containment of the full activity spectrum of LLW. The decommissioning and clean-up of nuclear sites will create large amounts of lightly contaminated soil and building rubble. Much of this material has small amounts of radioactivity and does not need the level of disposal engineering provided by LLWR. The diversion of VLLW and suitable LLW away from the LLWR is a key principle of the NDA 2010 LLW Strategy and in their overall 2011 Strategy the NDA re-emphasise with respect to LLW that the LLWR should be used in the most effective way in order to defer or avoid the need for a replacement.</p>
<b>27. Augean open transparent.</b>	<b>being and</b>	<p>Since acquiring Atlantic Waste in 2004, Augean has worked very hard to establish a good relationship with the local community and their representatives that did not exist with the previous company. Augean has always been and is committed to maintaining a meaningful dialogue with the local community, their elected representatives and others, to promote transparency and understanding of the site and of the company itself. Augean will continue to engage with the local community through established means, such as the periodic Community Newsletter, the Kings Cliffe Local Liaison Group and company website, by continuing to develop the list of stakeholders and by encouraging people to visit the site on Open Days or by appointment.</p> <p>The purpose of the detailed consultation process has been to understand the nature and source of the concerns of the public and to allay the concerns based on the facts available or, where possible and practical, to implement changes or adaptations to the development proposals to address the concerns.</p> <p>Augean are committed to an on-going engagement with the local community to overcome simple misunderstandings, misconceptions or misinterpretations of technical information.</p>
<b>28. Birth defects, cancer and leukaemia clusters</b>		<p>The incidence of birth defects in and near Corby relates to the management of the remediation programme at the former steel works when substantial quantities of previously deposited waste material were excavated and moved around the site. These works were not carried out under an Environmental Permit. The circumstances do not relate to the proposals at ENRMF in anyway. The proposals at ENRMF will not be permitted unless they are fully compliant with official guidance and criteria and the risk assessments demonstrate to the satisfaction of all the statutory technical consultees, including the Environment Agency and the Health Protection Agency, that the proposals do not present any unacceptable risks to human health or the</p>



	<p>environment.</p> <p>The consideration of incidence of childhood leukaemia around nuclear power plants (NPP) in the UK has been examined in substantial detail by expert committees such as the independent expert advisory Committee on Medical Aspects of Radiation in the Environment (COMARE), who advise the Government and devolved authorities, such as the Environment Agency and Health Protection Agency, on the health effects of natural and man-made radiation. The 14<sup>th</sup> COMARE report published in May 2011 concluded that the risk estimate for childhood leukaemia associated with proximity to a NPP is “extremely small if not zero”.</p> <p>Childhood leukaemia is a rare disease, affecting approximately 500 children every year in the UK. There have been numerous studies and reports on the possible risks of childhood leukaemia in the vicinity of NPPs and other nuclear installations. The aim of the 14<sup>th</sup> COMARE report was to undertake a further review of the incidence of childhood leukaemia specifically in the UK, with particular reference to recent publications as well as studies from other countries and also taking into account the conclusions in the 10<sup>th</sup> and 11<sup>th</sup> COMARE reports (which consider the period 1969-1993). COMARE presented a new geographical data analysis on the incidence of leukaemia in children under 5 years of age, living in the vicinity of 13 NPPs using cancer registration data for the UK for the extended period 1969 to 2004.</p> <p>The report also considered additional factors not addressed in previous COMARE reports, which may account for differences in leukaemia risks in studies from other countries. The report investigated the pathology of childhood leukaemia and non-Hodgkins lymphoma cases in the vicinity of British NPPs. It also described the cancer registries of several European countries, the types of reactors used in those countries, the radioactive discharges associated with reactor types and the consequent assessed radiation doses to the general population. In particular, COMARE considered the results of the German <i>Kinderkrebs in der Umgebung von Kernkraftwerken (KiKK)</i> study and the ‘cluster’ around the Krummel plant. The study found that factors other than radiation must be taken into account when investigating such ‘clusters’.</p> <p>Finally COMARE concluded that there is no current evidence to support the hypothesis that exposures during pregnancy have been underestimated or are associated with increased risk of childhood cancers. You can read the report in full by going to <a href="http://www.comare.org.uk">www.comare.org.uk</a></p>
<b>29. Other areas should share the waste burden.</b>	<p>It is the duty of society to manage its waste in a responsible manner that protects human health and the environment. ENRMF is a nationally important facility providing a safe, secure and well regulated facility for suitable hazardous wastes which require specialist handling. The landfill site is</p>

	<p>one of only eight in England and Wales permitted to accept such a wide range of hazardous wastes.</p> <p>Any further expansion of the site at ENRMF beyond 2026 would be outside the company's current ownership boundary. No company could honestly give an undertaking regarding land development decisions that may be taken many years in the future. Augean do have a need to find other sites for beyond 2026 as the company needs landfill to underpin its treatment, recycling and recovery operations. A new site would not necessarily be in this area.</p>
<b>30.Acceptance procedures.</b>	<p>Unlike waste management facilities accepting non-hazardous wastes, such as domestic waste, no waste is accepted at the ENRMF unless Augean has received and approved analytical details of the waste that will be sent to the site. We operate a rigorous set of waste acceptance criteria and procedures in order to ensure that only permitted wastes are disposed of at ENRMF. These have been developed based on the law, guidance from the Environment Agency and the application of industry best practice. The acceptance of waste is enforced by the Environment Agency through regular inspection. More detail on how Augean controls waste acceptance is available on the Augean website in Topic Sheet 7: Ensuring Only Suitable Wastes are Accepted at the Site and in section 5 of the Environmental Statement.</p>
<b>31.Removal of clay and exposure of underlying limestone.</b>	<p>For the current landfill area and the current Environmental Permit it is specified that the clay at the site will be excavated to the top of the limestone and the clay will be placed over the limestone to an engineering specification. All of the currently consented landfill area has been and will be constructed to this specification. The Environment Agency introduced a new protection policy for the location of some types of developments including landfill sites on major aquifers that is not and was not intended to be retrospective and so does not apply to sites which already have consent. This new policy will apply to the western landfill area if it is granted consent. In the western area a thickness of in-situ clay will be left in place above the top of the limestone and the clay liner will be engineered on top of this. The hydrogeological risk assessments demonstrate that the quality of the groundwater remains suitably protected for the current and the proposed future methods of excavation and construction of the base of the landfill. Further discussion on this issue and the hydrogeological risk assessments are presented at section 13 and Appendices ESK and ESL to the Environmental Statement.</p>
<b>32.Containment of waste and leachate.</b>	<p>The landfill site will continue to be operated on the principle of containment. This means that the site will be lined with an engineered low permeability barrier designed to retain contaminants within the site. The landfill will be operated in a series of cells which are filled, capped and restored</p>

	<p>progressively. To separate the restored surface of the site from the wastes and to minimise the infiltration of rainfall the landfill will be capped with low permeability layers overlain with restoration materials. A base of engineered low permeability clay with a hydraulic conductivity of less than <math>3 \times 10^{-10}</math> m/s will be constructed. The engineered clay will be covered by an artificial sealing liner comprising a 2mm thick high density polyethylene (HDPE) geomembrane with a leachate drainage layer above. The design of the low permeability capping layer at the site will be agreed with the Environment Agency and will comprise the following elements or alternative specification providing equivalent or greater protection: a composite cap consisting of a regulating layer of approximately 0.3m over the top of the waste, a low permeability geosynthetic clay liner, a low density polyethylene geomembrane liner, a 300mm granular drainage layer and 1m to 1.5m of restoration materials. The nature of the site containment including the basal and side wall lining system and the capping layer will be specified in the Environmental Permit. The landfill cells and capping layers in each phase will be constructed in accordance with the Environmental Permit and will be the subject of Construction Quality Assurance (CQA) Plans and protocols to ensure that the agreed specifications have been achieved.</p> <p>Leachate is formed in the landfill site as a result of the release of liquids entrained in deposited wastes and following the infiltration of rainfall through the waste. The majority of leachate results from precipitation on to an open cell. Much less leachate will be generated when the landfill cells are capped with low permeability material. The engineered landfill containment system includes a leachate management system for the collection and extraction of leachate. A leachate drainage blanket and collection sumps will be constructed at the base of the site immediately above the low permeability basal liner. The leachate levels will be controlled by pumping leachate from the leachate collection sumps or other extraction wells drilled as necessary. The level at which the leachate is maintained will be specified in the Environmental Permit. The leachate will continue to be used in the soil treatment facility with any excess leachate removed by tanker for disposal off site at a suitably authorised facility.</p> <p>Hydrogeological risk assessments have been carried out to establish the effects of the landfill on groundwater and surface water quality. The hydrogeological risk assessments for the site are based on highly conservative assumptions and consider the potential impacts of the site in the short, medium and the very long term (thousands of years). They assume that the high density polyethylene liner (a heavy duty chemical resistant synthetic material) degrades over time. The highly engineered clay liner being geological material does not degrade and provides</p>
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	<p>continued protection. The high engineering quality of clay present at the site, giving around 18 times more protection than a normal landfill site, enables us to provide this high level of protection. The clay liner and capping layer are covered with protective material and soil therefore are not exposed to direct sunlight and heat that could result in drying out and cracking of the clay.</p>
<b>33.Need.</b>	<p>ENRMF is a nationally important facility providing a safe, secure and well regulated facility for suitable hazardous wastes which require specialist handling. The landfill site is one of only eight in England and Wales permitted to accept such a wide range of hazardous wastes. It is the only hazardous waste landfill site in the East Midlands and there are no sites accepting a similar range of wastes in the East of England, the South East, London or the West Midlands. The soil treatment facility is one of only two in England and Wales providing an extended range of treatment and recycling opportunities.</p> <p>The Inspector's report and the decision of the Secretary of State based on those findings placed considerable weight on the consideration of need. The Secretary of State said that "there is a need for alternative ways to manage LLW and that there is no indication of any other facility being proposed to serve southern and central England." There is currently only one facility in the UK engineered specifically to accept the full range of low level radioactive waste (LLW) from the nuclear industry which is near Drigg in Cumbria (known as LLWR). There are two landfill sites which accept a limited amount of LLW, one in Cumbria and one in Lancashire. An on-site LLW disposal facility at Dounreay in Scotland is currently under construction. There are no facilities in the south of the UK. The LLWR does not have the capacity to dispose of all the radioactive wastes which will be produced and it is engineered to a level that is unnecessary and unsustainable for the LLW at the lowest end of the activity level, which is the type of waste it is proposed should be accepted at ENRMF. A full assessment of the need for the facility is set out in section 12 of the Planning Statement.</p>
<b>34.Burrowing animals and tree root penetration.</b>	<p>Once waste deposition is completed to final levels an engineered low permeability cap will be constructed. A minimum of 1m of soil will be placed above the cap with deeper areas of soil where trees will be planted consistent with the recommendations of research published by the Department of the Environment, Transport and Regions. Plant roots extend by preference into loose soil and do not penetrate significantly into compacted material. The risks of exposure pathways being introduced as a result of plant growth down through the cap and into the waste are negligible.</p> <p>Given the method and depth of capping and covering of each completed cell it is extremely unlikely that any small</p>

		<p>mammal would reach the fill by burrowing and then penetrate through the packaging into the waste. Mice, voles and shrews use runs or build nests just below the litter layer. Rabbit populations are usually to be found in short horizontal burrows in light soils among bushes or under hedges. New badger setts are only used for a short period and are typically shallow usually no more than 0.5m in depth. The earth dug out in creating burrows or setts remains in the immediate area of the hole. It is considered that in the highly unlikely event that mammals did excavate the covering and capping layers excavated earth would remain adjacent to the burrow and would not be spread. The majority of mammals do not ingest earth and there is no significant organic content present which might make the material attractive as food. It is concluded there is negligible potential for radioactivity to be exposed or spread by burrowing animals.</p>
<b>35. Corby works.</b>	<b>steel</b>	<p>The situation in Corby relates to the management of the remediation programme at the former steel works when substantial quantities of previously deposited waste material were excavated and moved around the site. These works were not carried out under an Environmental Permit. The circumstances do not relate to the proposals at ENRMF in any way. The proposals at ENRMF will not be permitted unless they are fully compliant with official guidance and criteria and the risk assessments demonstrate to the satisfaction of all the statutory technical consultees, including the Environment Agency and the Health Protection Agency, that the proposals do not present any unacceptable risks to human health or the environment.</p>
<b>36. Perceived contradiction of the need for the time extension and void extension.</b>		<p>The need for landfill disposal of hazardous wastes has declined over the past 5 years partly due to recession and partly due to increased application of the waste hierarchy. There is no doubt that the UK will continue to need landfill disposal for hazardous waste and LLW for the foreseeable future although at a lower rate. Hence the current site will not be completed as quickly as originally anticipated and more void space will be needed for the future. A full assessment of the need for the facility is set out in section 12 of the Planning Statement.</p>
<b>37. The perception of harm.</b>		<p>We acknowledge that some local residents and other third parties may have concerns regarding the proposals for the extension in the time for the life of the facilities at the site and for the extension in the landfill area. There is no evidence that the day to day activities at the site currently give rise to significant concerns. The concerns that have been raised focus particularly on the proposals for the disposal of LLW. In order to allay the concerns and to ensure that local residents and other interested third parties are able to understand fully the facts and potential impacts regarding the proposals we have carried out extensive consultation prior to the finalisation of the proposals and</p>



	<p>submission of the planning application. In many cases, concerns arise from simple misunderstanding, misconceptions or misinterpretations of technical information. Misleading information presented in the media or circulated locally can in itself result in an increase in concerns without there being any factual basis for that concern. The purpose of the detailed consultation process has been to understand the nature and source of the concerns of the public and to allay the concerns based on the facts available or, where possible and practical, to implement changes or adaptations to the development proposals to address the concerns. The commitments made by Augean as a result of the consultation process are set out in the series of feedback topic sheets which have been circulated and are available on the Augean web site.</p>
<b>38. Why there are different applications?</b>	<p>At a late stage in preparing the planning application for submission to Northamptonshire County Council (NCC) a change in legislation required Augean to submit the planning application to the Infrastructure Planning Commission (IPC). As the IPC process is taking an additional amount of time that may extend beyond the completion date of the extant permissions, which expire in August 2013, Augean are taking forward a variation application for an extension of time to 2016 for the three existing planning permissions; soil treatment, hazardous landfill and Low Level Waste landfill. These applications will be made to NCC in March 2012.</p>
<b>39. Community sponsorship.</b>	<p>The Landfill Community Fund established in 1996 provides an opportunity for Augean to claim tax credits for the funding of community or environmental projects to benefit people living within 10 miles of our site. Since 2004, we have contributed over £1.5million. Many local facilities have been and will continue to be created or improved.</p>
<b>40. Hours of work.</b>	<p>The hours of working at ENRMF are that, except as may otherwise be agreed in writing by the Waste Planning Authority, all waste disposal, site preparation, leveling and restoration operations and any associated activities are restricted to between the hours of 7.00am and 6.00pm on Mondays and Fridays and 7.00am and 1.00pm on Saturdays, with no such operations being carried out on the site on Sundays or Public Holidays. The prior approval of the Waste Planning Authority needs to be obtained to any variation of this.</p> <p>The site operates strictly in accordance with this condition. We advise hauliers not to arrive at the site before 7.00am. Notwithstanding this staff attend site at 6.00 in case any lorries arrive early. In these circumstances we let the lorry in and park it up until 7.00 so that it does not block the highway. This is not in breach of the planning permission and makes good sense. All drivers that arrive early are given a warning and the haulage company is contacted to remind them that the site does not open until 7.00am.</p>

	<p>Repeat offenders are banned.</p> <p>On a number of occasions, in accordance with the condition, permission has been obtained from the Planning Authority for limited operations on a Bank Holiday. We have also undertaken ecological survey work at night but this is not an activity that is subject to the time restrictions in the condition.</p>
<b>41.Risk assessments.</b>	<p>Risk assessments are the standard tool and approach used for all forms of environmental management. This is not just a series of theoretical mathematical models. Risk assessments are based on well understood processes such as the fate and transport of individual contaminants, groundwater flow, air dispersion and acceptable exposures. Where there is uncertainty, conservative or worst case assumptions are made. Where the effectiveness of a protection measure is not clear, it is assumed that the protection measure is not present. Risk assessment therefore generates a conservative assessment of the maximum impact. The risk assessments are based on international standards and national standards of safety and take into account fatal and non-fatal outcomes, the effect on unborn babies, effects on all age groups (including children and the elderly), the cumulative effect on all organs and effects from external and internal irradiation.</p> <p>The risk assessments are based on assumptions regarding the design and engineering of the site and these aspects of the site design form part of the Environmental Permit. For example, the engineering standards are set out in an Engineering Specification which is specified in the Permit and Construction Quality Assurance is carried out based on a Construction Quality Assurance Plan agreed with the Environment Agency which includes extensive testing to confirm that the containment has been constructed in accordance with the Specification. A verification report is then prepared of all the testing that has been carried out to demonstrate that the constructed containment complies with the Specification. No waste can be accepted in a landfill cell until the Environment Agency have approved the verification report. Monitoring confirms that the site is behaving in the manner predicted in the risk assessments, and that there is no unacceptable environmental impact. The monitoring is designed to identify any unexpected results or trends at an early stage so that remedial action can be taken before problems arise. Monitoring technicians work to agreed programmes and protocols approved by the Environment Agency. We sample the air and water around the site, and gather quantitative environmental data, which is reported to our regulators at agreed periodic intervals. This information is audited by the Agency and they will take confirmatory samples. Augean reports on environmental performance in respect of: landfill gas, air emissions, leachate, surface water, groundwater, dust and noise. The measurements include physical, chemical and radiological</p>



	parameters.
<b>42.Breach of Human Rights.</b>	It is recognised that there are a number of overarching human rights that exist to protect individuals. The Environmental Impact Assessments presented in the Environmental Statement and all the risk assessments demonstrate that there will be no adverse health effects or other environmental effects that will infringe any of these rights.
<b>43.Target for terrorists.</b>	The levels of radiation are of such a low level that it is highly unlikely to be the target of a terrorist attack due to the insignificant danger that the material would pose to human health even if such an event took place.
<b>44.Site security.</b>	The site security has been previously criticised. In response to this criticism Augean has installed a chain-link fence around the perimeter of the site as an addition to the existing security arrangements that include 24 hour CCTV. Due to the low level of radioactivity of the waste, the waste poses a low security risk. It has no intrinsic value or qualities that would result in theft for financial benefit, terrorism or other purposes and it is of negligible risk to trespassers.
<b>45. Surveys or assessment methods used by Augean.</b>	<p>The SNIFFER model, about which Waste Watchers has concerns, is for the land-based disposal of radioactive waste which in its initial form was not suitable for direct use on sites such as ENRMF where the LLW would be accepted with non-radioactive waste as the model was designed for use for sites that accept only radioactive waste. The model was amended for use at the ENRMF to take into account that not all the wastes deposited at the site would be LLW in discussion with and to the satisfaction of the Environment Agency. It has a substantial amount of conservatism built in to allow for uncertainties. The Environment Agency is content with its precautionary pessimistic assumptions.</p> <p>Waste Watchers were also concerned about the use of the Environmental Risk from Ionising Contaminants: Assessments and Management (ERICA) model for wildlife and ecology. Even taking into account the conservative assumptions used in the assessments, the risk assessments show that the potential exposure to wildlife through a range of potential exposure pathways is well below the criterion at which a more detailed risk assessment is necessary. The criterion is set at a conservative, low level to take into account the identified uncertainties in the models. The Environment Agency agrees that the doses would be very low and is content that the ERICA output is suitably protective of wildlife and ecology.</p>
<b>46.Disposal on a Bank Holiday.</b>	There will be no waste disposal in the landfill on a Bank Holiday. The proposed operations on a Bank Holiday would be limited to the delivery of up to a maximum of ten

	<p>tankers of ash, which is the residue from the air pollution controls of waste incinerators. Delivery of the ash to ENRMF allows the continued operation of the incinerator over Bank Holidays and prevents a backlog on the site of the incinerator of ash and/or waste. The incinerators have facilities for the storage of ash over weekends but not where the weekends are extended by Bank Holidays. On delivery the material would be offloaded to silos in the soil treatment plant area and be processed through the soil treatment plant where, as is normal practice, it is stored and analysed before disposal to landfill during normal working hours. No other hazardous waste or LLW would be received on a Bank Holiday.</p>
<p><b>47.Pumping and transport of leachate from the site.</b></p>	<p>No leachate is currently transported off the site. Leachate generated at the site is collected and used in the soil treatment facility to replace mains water in the stabilisation process. Leachate is combined with wastes and cementitious reagents in the soil treatment facility to create a stabilised solid which is then disposed of in the landfill. When the soil treatment facility no longer is operating or if there is no need for the use of leachate in the treatment plant at the site it will be removed from site by tanker for treatment at a suitably authorised waste water treatment plant.</p>

**Table CR4  
List of undertakings resulting from consultations**

<b>Water Protection.</b>	<ul style="list-style-type: none"> <li>• Invite in September 2011 the members of the community to see how the engineering of the site is undertaken.</li> <li>• Publish Quarterly on its company website and other suitable media summary results of groundwater monitoring around the site.</li> <li>• Hold annual site open days to show how we operate.</li> <li>• The Environment Agency will undertake regular testing of the Horsewater spring, as well as regularly testing other water bodies such as the Rivers Wellend and Nene.</li> </ul>
<b>Safe Transport of Waste.</b>	<ul style="list-style-type: none"> <li>• Conduct 5 yearly traffic reviews</li> <li>• Continue to enforce the routing to the site.</li> <li>• Require that all LLW will be delivered to the site by specified routes using A class roads.</li> <li>• Investigate any complaint or concern reported to the company regarding vehicles visiting the site and to feed back promptly to the complainant and the Kings Cliffe Liaison Committee action taken.</li> <li>• Offer to the County Highways Authority to enter an agreement to continue the maintenance contribution for Stamford Road.</li> <li>• Continue to routinely keep the road outside the site swept.</li> </ul>
<b>Site Monitoring.</b>	<ul style="list-style-type: none"> <li>• Make available through media such as the company website monitoring data in a simplified form (by December 2011)</li> <li>• Increase the number of dust monitoring points at the boundary of the site to provide measurements in all directions.</li> <li>• Maintain its open door policy so that members of the public can see how the site is operated and monitored.</li> <li>• The Environment Agency will undertake regular testing of the Horsewater spring, as well as regularly testing other water bodies such as the rivers Wellend and Nene.</li> </ul>
<b>Augean's Landownership.</b>	<ul style="list-style-type: none"> <li>• Continue to advise the community of its long term intentions as and when decisions are made.</li> <li>• Continue to consult with the community on new proposals at its sites.</li> <li>• Continue to support and take active part in site liaison groups.</li> </ul>
<b>Waste Hierarchy and the Proximity Principle.</b>	<ul style="list-style-type: none"> <li>• Only accept LLW where it has been determined it is the best available technique.</li> <li>• Require that the waste hierarchy has been applied to all waste streams accepted at the site in accordance with government guidelines.</li> </ul>

<b>Site Life and Inputs.</b>	<ul style="list-style-type: none"><li>• Commit to a periodic review of waste inputs to the site and site capacity so that in the event the site might not be full by 2026 the design can be altered to reduce the void so that the completion date can be met.</li><li>• Continue to advise the community of its long term intentions as and when decisions are made.</li><li>• Commit to a 10 year aftercare of the site</li></ul>
<b>Ensuring only suitable wastes are accepted at the Site.</b>	<ul style="list-style-type: none"><li>• Continue to work to our independently audited and certified Environmental Management System to ensure only permitted wastes are imported, treated and deposited.</li><li>• Continue to work with the Environment Agency to ensure compliance with the Environmental Permits.</li><li>• Make public data from passive dosimeters worn by workers at the site to reassure the local community that radiation on site is within permitted levels.</li><li>• Publish quarterly on its Company website and other suitable media, summary results of monitoring of the performance of the site</li></ul>