

# Halton Action Group Against The Incinerator

Ineos Chlor—Increase in HGV Movements  
Application: 11/00186/COND

Additional Information Request  
HAGATI Response  
DCC Meeting of 15 August 2011



## EXECUTIVE COMMITTEE

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## 1. INTRODUCTION

This Report has been prepared by Halton Action Group Against the Incinerator (HAGATI) for Halton Borough Council's (HBC) Development Control Committee (DCC) to represent the views of residents opposed to INEOS CHLOR's request to increase HGV deliveries to their Incinerator from 85,000 tonnes per annum as currently permitted to 480,000 tonnes per annum.

We apologise for the length of this document but with our address to the Committee limited to five minutes and the fact that Ineos have submitted a 'Question and Answer' document that we have had to respond to, it was inevitable that, in order to cover all the issues and concerns it would be impossible to do this in a shorter document.

However if there is need to compress our concerns it can be seen in the index to this document, at each section we identify the failure of Ineos to produce documentation to support or justify their application to vary Condition 57 and thereby considerably increasing the amount of HGV traffic, the limitation of which was one of the specific aims of Condition 57.

We are aware that it is unusual for objectors to become involved with Planning Officers and we are extremely grateful to have had an opportunity to try to ensure that all aspects of concerns are dealt with. However, we have been disappointed with the manner in which we had hoped that HAGATI could be involved in the preparation of the Information Pack to Members. **Appendix F** - (E-mails to Mick Noone explains our concerns).

Officers confirmed that they had not been in any discussion with Network Rail, Merseyside Transport or 'Freight on Rail' (a consortium of the largest freight contractors and Network Rail, all of whom would be classed as interested parties).

One of our main arguments is that both Halton Borough Council Officers and Ineos have failed to consider the use of the Halton Curve - **despite HBC's 'Local Transport Plan' stating that increased use of Halton Curve would be supportive of 'sustainable' transport.** We have, in the Appendices pointed out that we are aware that this solution is not without its problems. These issues each have a practical solution and Members should not be swayed by any arguments that the time delay in implementing the full bi-directional working of the Halton Curve would be an impediment to Ineos.

Any proper forward planning by Ineos should have considered the use of the Halton Curve. The fact that the original Planning Application came before the DCC Committee in 2007 indicates that there has been sufficient time in which to commence the necessary reinstatement of the set of points and to update the two sets of signals which are identified as the only requirements necessary in order to allow two way usage.

The projected 'phased' start-up of the Incinerator would also alleviate any delay that could be seen to be caused by the time required to carry out the necessary work on the Halton Curve. Greater Manchester will initially be supplying (by rail) sufficient RDF for the first two of the four installed lines of the Incinerator. In addition, within the original planning permission, Ineos have permission to bring in a further 85,000 tonnes of RDF by road.

The HAGATI Report is recommending the use of the Halton Curve. This is consistent with the ambitions of Halton Council, Merseyside Travel, Network Rail and adjoining Authorities. We understand that the use of the Halton Curve is not the panacea to all the problems and we have identified in our Report the challenges which need to be overcome.

This solution has no insurmountable difficulties, would eliminate the need for any extra HGV traffic and offers long term sustainability with only cost being the slight extra difference between rail and road transport.

Together with other facts contained within our Report, we therefore recommend that Ineos and the Council work towards this solution and that their Application to vary Condition 57 is refused.

## 2. FAILURE TO CONSIDER THE USE OF THE HALTON CURVE

### 1. INEOS transport report considers four transport scenarios. Are other delivery scenarios available to inform this application?

Ineos have failed to consider all the possibilities and used only four transport scenarios. They state *"it is important to consider the probability and the practicality of those scenarios coming to fruition in real life"*, yet they have used flawed information within the scenarios and have omitted others.

The Planning Officer's Report to the DCC on the 4 July also fails to identify additional or alternative transport delivery scenarios.

The Council sought and obtained comments on the Application and its supporting materials from the Merseyside Environmental Assessment Service (MEAS) which does not identify any additional or alternative transport delivery scenarios beyond those referenced by Ineos even though these do exist.

- 2.1 The railway map used by RPS in their report on behalf of INEOS does not show the Halton Curve. This important omission could be the reason that RPS/Ineos have neglected to include the Halton Curve as one of their scenarios.
- 2.2 Given the many studies and discussions which have taken place over the last few years and even recently between Halton Borough Council, neighbouring authorities, commercial organisations and the public plus the publication of **'The Third Local Transport Plan for Halton'**, it is surprising and we feel, neglectful, that the omission of the Halton Curve in discussions and scenarios has not been pointed out by HBC Officers. Allowing the variation to Condition 57 and hence more HGV traffic also runs counter the Council Policy stated in the **'HBC Core Strategy'** published in November 2010 which is the Proposed Submission Document setting out the ambitions of the Council. Under the heading of 'Sustainable Transport Network' third in the list of policies designed to support sustainable transport is 'Increased use of the Halton Curve'.

Throughout, the document **'The Third Local Transport Plan for Halton'**, continually recommends a policy that the reinstatement of the Halton Curve would hold real benefits for Halton and surrounding areas. Some of these are shown below:-

➤ Page 53

*"The implementation of the Halton Curve to link Chester -Helsby-Frodsham-Runcorn-Liverpool.*

*Strong support to develop the borough's rail network was shown. Working in partnership to develop some of these initiatives in the long term is key to maintaining Halton's rail infrastructure."*

➤ Page 65

*"Pursue the proposal to allow bi-directional working on the Halton Curve in order to facilitate a regular passenger service to link North Wales, Chester, Halton, LJLA via Liverpool South Parkway, Liverpool Lime Street."*

➤ Page 97

*"Although not essential for the development of 3MG and Mersey Gateway Port, it would be an advantage to have bi-directional working on the Halton Curve. The freight only line from Runcorn Station serves industrial sites at Runcorn and Mersey Gateway Port that adjoin the Manchester Ship Canal. There is approval for redevelopment the Mersey Gateway Port and this freight line could serve the site."*

➤ Page 141

***"Halton Goals - Enhance cross Mersey linkages** - "The provision of the Mersey Gateway and the Halton Curve scheme will enhance access for all."*

➤ Page 197

***"Halton Curve** - "This scheme is supported by Halton Borough Council as it will benefit the community and provide a rail alternative to the SJB and Mersey Gateway. Whilst the scheme is within Halton, the main benefits of the scheme will be gained in Merseyside and therefore the scheme is being promoted by Merseytravel."*

2.3 HAGATI would like to put forward that the potential of the Halton Curve would not only have a positive effect on the Borough, it would remove a large amount of traffic from local roads, but would also **have a positive affect all the scenarios offered by Ineos**. These particularly should be noted:-

1. The distance from Warrington via rail would be cut from the RPS/Ineos claim of over 150 km to less than 20km
2. The distance by rail from Shotton would be cut by more than 50%.
3. The trip from Garston would not entail the lengthy detour to Crewe to effect a turn round of the train.

2.4 Given all the positive advantages that are envisaged, plus the fact that using the Halton Curve for access via rail negates the need for their Application to vary Condition 57 and thereby removes the need for extra HGV movements.

HAGATI would recommend this be the solution that Ineos and HBC should be working towards. The reduction in carbon emissions alone would more than offset the financial outlay required to bring the Halton Curve back into full usage.

### 3. FAILURE TO SUBSTANTIATE TRANSPORT BY WATER

#### 2. What relevance (if any) has water transport to this application?

Ineos state in their Additional Information Request, "*INEOS has provided an undertaking to exercise all reasonable endeavours to maximise the movement of materials, including RDF, into and out of its Runcorn site by sustainable transport arrangements*".

- 3.1 To offer Manchester as a source of 'potential for transport by water' is completely misleading when the original planning permission was granted on the basis that Manchester would deliver by rail, and Manchester's facilities have now been located accordingly. (although it is likely that transport by canal would have been more sustainable if facilities were located appropriately )
- 3.2 Councillors specifically questioned the transport of RDF by water from Warrington. The areas of Dallam and Latchford both have available sites with direct access to the Manchester Ship Canal and as the location of the facilities that will process the raw waste into Refused Derived Fuel has still not been decided sites with access to water transport have a potential to allow transport by barge that is over twenty times less polluting in carbon emissions than HGV's.

#### Appendix 1 What waste sources exist and why is this application being made now?

- 3.3 Ineos claim it is essential to act now to secure these contracts, which require clarification on volumes permissible by road, this is based purely on commercial factors. As the Ineos Application was made over four years ago it seems ludicrous now to see that they are under considerable strain to secure contracts under the original planning application conditions. Ineos have taken a gamble on the building of the facility and appear to be well on with the works. This is neither the fault nor the concern of the community and it is imperative that residents are not put at risk in order for Ineos to secure contracts to alleviate their commercial concerns.
- 3.4 Ineos also claim that they would prefer to utilise large parcels of RDF derived from local authority MSW contracts. With the change in local authority procurement plans and the economy, the remaining sources they claim are too small or not easily served by rail or water transport. Ineos mention Warrington in particular. There is no evidence to substantiate Ineos' claims. Independent evidence has not been provided to demonstrate that all avenues have been pursued and that there are in fact, no suitable processing facilities that could be built by either railway sidings or water routes within the UK which they have full planning permission to access.
- 3.5 Figure 2 which accompanies the Ineos report provides more details of regional MSW contracts whose locations do not lend themselves to using existing or new rail infrastructure. Why then, was Ineos so convinced that in their original application, RDF would reach the EfW mainly by either rail or water?

**The argument may be that the EfW facility is oversized for the region or has been built in the wrong place.**



## **4. FAILURE TO OBTAIN MERSEYSIDE CONTRACT**

- 4.1 The failure to obtain the contract for Merseyside waste has obvious implications for Ineos but the consequences in terms of changes in transport methods should not override the controls and limits of Condition 57.

## **5. FAILURE TO SOURCE FUEL OUTSIDE THE NORTH WEST REGION OTHER THAN NORTH WEST WALES**

- 5.1 Via the West Coast Mainline, canal and sea, Ineos have access to large parts of the UK where there would be sustainable and economic benefits. Compare the Merseyside situation, where RDF (including Halton's) is likely to be sent by rail to North Yorkshire but still complies with sustainability principals. Ineos could access RDF from Birmingham and beyond and still retain the sustainability of transport.

## **6. FAILURE TO IDENTIFY SOURCES PREPARED TO SET UP FACILITIES CLOSE TO RAIL OR WATER TRANSPORT**

- 6.1 As most of the facilities that process raw waste into RDF have yet to be constructed and, as noted by the CWAC objection, that they have built their facility with direct rail access, there is no evidence to support the Ineos view that others CANNOT be constructed with rail or water access.
- 6.2 The Ineos choice of Mold in their assessment may be purely coincidental with the fact that Mold has no rail connection. This however should not be a factor as throughout North Wales there are two main lines that serve the whole area. The coast line progresses through Flint and on through Llandudno Junction and on to Holyhead. The central line passes through Buckley, which is less than four miles from Mold, on to Wrexham and via Shrewsbury direct to Birmingham.
- 6.3 If North Wales have decided to process their waste in Mold and do not wish to transport RDF to Runcorn by rail this must mean that Runcorn is not their planned destination.

## **7. FAILURE TO EXPLAIN WHO ASKED THE QUESTIONS OR CLARIFY WHERE THEY CAME FROM**

- 7.1 HAGATI is concerned where the questions in the INEOS '*Questions and Answers*' Document originated from. Who wrote these questions? HAGATI has confirmed with HBC Officers that they did not consult with Councillors on the DCC, or Ward Councillors. Neither have they asked residents about their issues and concerns. The questions are not those which HAGATI would have posed.
- 7.2 The Document appears to be a self generated by Ineos, allowing the formation of leading questions to which they can give the most flattering answers whilst ignoring the real questions and concerns expressed by the Councillors, HAGATI and the public.
- 7.3 However or wherever these questions came from, we have set out our response on the following pages.

**QUESTION 1 - Why did INEOS not appeal the original planning consent?**

INEOS Answer					HAGATI Response					
<p>The original planning permission was not appealed because at the time of the Secretary of State’s grant of planning permission, as now, <b>INEOS supports the requirement to use sustainable modes of RDF transport to the EfW facility. Concerted efforts have been made by INEOS to comply with Planning Condition 57 and these efforts have resulted in almost half of the EfW’s fuel requirement is expected to be transported by rail. Compared to other EfW facilities in the UK, this is an excellent position.</b></p> <p>Recent changes in the economy have impacted local authority procurement plans and waste arisings. Nevertheless, millions of tonnes of RDF are available within the North West, but remaining contracts are smaller and are scattered across a wide area. The combination of modest volumes and scattered sources <b>does not support the practicable use of existing) (or new) rail infrastructure at a competitive cost.</b></p> <p>Accordingly, those concerned with contracting RDF currently plan to move it by road. This, together with current economic conditions, renders near-term investment in new railheads unlikely. Without the flexibility to transport more RDF by road, <b>INEOS would need to double-handle movements</b> to and from existing railheads and transport RDF over longer distances, <b>which is contrary to European and National legal and policy requirements in respect of regional self sufficiency and the proximity principle.</b></p> <p><b>It would also undermine the purpose of the original EfW consent and would have a negative overall impact on CO<sub>2</sub> and the environment.</b></p>					<p>Their effort to increase deliveries by road are purely for commercial reasons.</p> <p>Not when compared to the 90% agreed at planning stage. Ineos have not exhausted the potential of accessing RDF by rail to its limits. HAGATI also comments that many RDF facilities have yet to be built and so could have access to rail.</p> <p>The Secretary of State's permission clearly quotes the sourcing of fuel is a commercial decision for the Company. These commercial considerations should not be allowed to override the issue of sustainability and the concerns of residents. Furthermore, the Cheshire West and Cheshire objection maintains the facts do not support this statement.</p> <p>If the RDF facilities were constructed adjacent to railheads this would obviate the need to double handle it.</p> <p>Under these policy requirements, GMWDA should deal with all waste arising within their area.</p> <p>The condition was imposed to <b>minimise traffic movements</b> and ensure sustainable transport. HAGATI calculations prove the use of HGVs has a greater negative overall affect on CO<sub>2</sub> emissions – and that the overall impact of the Incinerator emissions on the environment is <b>784,000</b> tpa of Co2 .</p>					
For use of HBC Officers and Members										
Strength of INEOS argument					Strength of HAGATI argument					
Disagree					Disagree					
Agree					Agree					
1	2	3	4	5	0	1	2	3	4	5

**QUESTION 2 - What waste sources exist and why is this application being made now?**

INEOS Answer	HAGATI Response
<p>This application is being made now because some waste contracts have been confirmed and others are up or coming up for tender, which means that if the EfW Facility is to be appropriately used to manage NW municipal and C&amp;I waste arisings it is essential for INEOS to act now to seek the Council's agreement to the increase in road delivery volumes prior to responding to tender requests.</p> <p>INEOS' application is based on its requirement for flexibility to source commercially viable RDF from within the North West, to fill remaining capacity and sustain the future and economic viability of the Runcorn EfW facility. Additional information on RDF sources accompanies this Q&amp;A.</p>	<p>The temporary and initial arrangements to allow tendering of waste suppliers was the purpose of the 'tailpiece' added to Condition 57 (3 years ago) at the request of Ineos and was specifically designed to accommodate this period.</p>

For use of HBC Officers and Members										
Strength of INEOS argument					Discussed in Officers report	Strength of HAGATI argument				
Disagree		Agree			0	Disagree		Agree		
1	2	3	4	5		1	2	3	4	5

**QUESTION 3 - If this change is agreed would INEOS needs to vary its EPR permit?**

<b>INEOS Answer</b>					<b>HAGATI Response</b>							
INEOS does not believe it would be necessary to vary the EfW Facility's Environmental Permit (EP), granted by the Environment Agency pursuant to the Environmental Permitting Regulations 2010, Regulation 13. The application before the Council does not seek to vary or amend the operation of the EfW Facility beyond that permitted by the EP. By virtue of Regulation 20 of the EP Regulations the Environment Agency, on application or on its own initiative, may vary the EP.					No Comment as the Environmental Permit is subject to legal challenge.							
For use of HBC Officers and Members												
Strength of INEOS argument					Discussed in Officers report			Strength of HAGATI argument				
Disagree		Agree			0			Disagree		Agree		
1	2	3	4	5				1	2	3	4	5

**QUESTION 4 - What contribution would INEOS getting this permission make to CO<sub>2</sub> reductions in Halton?**

INEOS Answer	HAGATI Response
<p>This change would have a positive impact on CO<sub>2</sub> levels in Halton. The addendum to the RPS Transport Carbon Assessment demonstrates that the transport of RDF from the north west region by road would lead to Greenhouse Gas emissions reductions of approximately 30% less than when compared to the currently permitted rail delivery.</p> <p>INEOS does not have current figures for total CO<sub>2</sub> emissions arising from all activities in Halton. However, data collected in 2007/8 shows emissions from Halton’s public buildings, fleet transport, street lighting and the Council’s own transport and waste alone to be 21,485 tonnes of CO<sub>2</sub>. Approximately 70% of this is attributed to public buildings and schools. Against these figures and using the scenario outlined in the original RPS Transport Carbon Assessment, INEOS road transport proposal represents a saving of approximately 9%.</p>	<p>Cheshire West and Cheshire and HAGATI have both pointed out that the Transport Carbon Assessment is fatally flawed. It does not compare 'like for like' and greatly exaggerates the distances specified for rail in order to achieve the skewed results.</p> <p><b>Appendix E</b> clearly indicates that the transportation of RDF by trains requires less than 50% of the fuel used by HGVs transporting the same amount over the same distance.</p> <p>It is ridiculous to rely on a flawed claim of a 9% Co<sub>2</sub> saving of an optimistic MAXIMUM of 2,000 tpa Co<sub>2</sub> when the Incinerator will produce 784,000 tpa of Co<sub>2</sub> and the requested 480,000 tpa of RDF by road will produce 442,000 tpa of Co<sub>2</sub>.</p> <p>Both are very significant detrimental environmental impacts which, using the same basis as Ineos, represents a detrimental increase of around 3,600%.</p>

For use of HBC Officers and Members										
Strength of INEOS argument					Discussed in Officers report	Strength of HAGATI argument				
Disagree		Agree			0	Disagree		Agree		
1	2	3	4	5		1	2	3	4	5



**QUESTION 5 - CO<sub>2</sub> per tonne carried is 90% less for rail transport than it is for road transport. Rail transport uses 80% less energy than road transport.**

INEOS Answer					HAGATI Response									
<p>This is incorrect. The 2008 report "Delivering a Sustainable Transport System: The Logistics Perspective" published by the Department of Transport, notes that rail transport produces around one third of the CO<sub>2</sub> per tonne km when compared to road transport. The same report states that emissions of local pollutants from new HGVs have more than halved in the last decade.</p> <p>The standard findings for rail transport are based on dense (heavy) cargo transported in long trains over long distances. RDF is not dense and in INEOS' case, it will not be transported over long distances so this assumption needs to be adjusted to take account of lighter trains and short distances, which will reduce the CO<sub>2</sub> benefit of rail transport over road transport.</p> <p>In addition North West RDF sources are geographically fragmented and are not located near railheads. They therefore cannot be loaded at nearby railheads for direct transport to Runcorn to provide the optimum CO<sub>2</sub> solution. Practical consolidation of sources would require road transport from the source to a central hub, and then (because of a lack of railheads) from the hub to a railhead. This would result in increased road traffic and longer rail journeys, which would result in increased road traffic, which would negate the intended CO<sub>2</sub> benefit.</p> <p>The Transport Carbon Assessment provided by RPS in support of INEOS application explains that road transport is more sustainable because it offers a more direct, shorter route, which avoids the cost of double handling and reduces greenhouse gas (GHG) emissions by limiting distance and making the most efficient use of available transport modes.</p>					<p>The DfT paper states that rail transport uses 70% CO<sub>2</sub> less than road, backed up by separate findings which state that a gallon of diesel fuel can move one ton of goods 88 miles by road as opposed to 246 miles by rail. The length of trains is restricted by Ineos' claimed (and self imposed) inadequacy of their sites railway sidings.</p> <p>Given the proximity of Cheshire and Cheshire West sites and the fact that future sites are not yet built it would seem over-pessimistic to state that rail distances would amount to at least 3 times that of road. and even that would only 'break even' on account of increased CO<sub>2</sub> pollution and would fail to take into account other environmental factors such as road damage, road safety and noise pollution.</p> <p>The other sources are not yet built so they could be constructed on sites with rail access as per GMWDA and CWAC. The distances for transport of material to processing sites is a matter for the waste authorities and is not relevant, nor has it been taken into account by the RPS 'Transport Carbon Assessment'.</p> <p>All the GMWDA sites are located near railheads, as are the Cheshire West and Cheshire facilities.</p>									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 6 - Why can't INEOS apply for permission as fuel sources become clear?**

INEOS Answer					HAGATI Response						
INEOS is making this request now because the flexibility to offer transport by road, where this is the most sustainable option, is required before contract discussions for future waste contracts can begin. Many of these contracts cannot be serviced under the existing transport restriction.					HAGATI has illustrated that under none of the scenarios offered is it demonstrable that road transport is more sustainable than rail traffic.						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree			Agree		0		Disagree			Agree	
1	2	3	4	5			1	2	3	4	5

**QUESTION 7 - INEOS' request is simply too much. Why can't they apply for less?**

INEOS Answer	HAGATI Response
<p>INEOS could apply for less at this stage, but the extensive investigations already undertaken for the Company demonstrate that if it did this, it is certain it would have to apply for further increases in future. This would require further use of local authority resources and would not provide the clarity that local community stakeholders are seeking.</p> <p>Remaining municipal contracts within the region are small and the combination of modest volumes and scattered locations do not easily support the practicable use of existing or new rail infrastructure at a competitive cost. Accordingly those concerned with contracting RDF currently plan to move it by road something that in addition to current economic conditions, which render near-term investment in new railheads unlikely. Without the flexibility to transport more RDF by road RDF would need to double handled and, in some circumstances, transported over longer distances.</p> <p>INEOS still expects RDF from GMWDA and Cheshire (if successful) to be delivered by rail and would still hope to source other RDF by rail if it proves to be economically feasible. To this extent and in line with the conditions imposed in the existing consent, INEOS has provided an undertaking to exercise all reasonable endeavours to maximise the movement of materials, including RDF, into and out of its Runcorn site by sustainable transport arrangements including road.</p>	<p>Ineos could have raised this issue on sight of the planning condition but didn't. Their subsequent failure to obtain suitable contracts could have resulted in a change of plans, eg to proceed with Phase 1 of the Plant only. There is no requirement to build a full 850,000 capacity Plant and the fact that the plan was in 2 phases indicates building only Phase1 was recognised as a possible necessity.</p> <p>Again Ineos use the quote 'at competitive cost', so again HAGATI will use the quote from the Secretary of State's letter granting Planning Permission, <b>"The sourcing of fuel for the facility is a commercial concern for the Company."</b></p> <p>We would stress again that these costs should not be allowed to override the sustainability requirements and residents' interests.</p>

For use of HBC Officers and Members										
Strength of INEOS argument					Discussed in Officers report	Strength of HAGATI argument				
Disagree		Agree			0	Disagree		Agree		
1	2	3	4	5		1	2	3	4	5

**QUESTION 8 - Why does the RDF have to come from the NW and why by road?**

INEOS Answer					HAGATI Response									
The intent has always been to develop a regional EfW facility at Runcorn but the restriction on road transport that currently applies to the Runcorn EfW, severely limits INEOS' ability to bid for fuel sources in and around the North West region. <b>Consistent with various EU and National waste and energy policies</b> , the most sustainable solution for INEOS and for the region is to maximize the proportion of regionally derived RDF used by the Runcorn EfW and transport this as sustainably as possible, which at the present time is by road.					This does not square with the ability of rail to transport RDF from further afield. Halton, as part of Merseyside, is sending its waste to North Yorkshire, by train.									
The possibility exists therefore that the West Coast Main Line could allow RDF from as far afield as south of Birmingham to achieve the same sustainability figures as Merseyside. The intent has always been to provide steam and electricity to the Runcorn Site and <u>not</u> to provide a regional waste facility.														
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 9 - INEOS has permission to burn biomass or other non RDF material so why don't they do that?**

INEOS Answer					HAGATI Response									
The purpose of the Runcorn EfW facility is to service the North West region's residual waste and the local economy in line with policy requirements for Regional Self Sufficiency and Proximity, to support sustainability and have a minimum impact on the environment. <b>The facility is not economically viable on the basis of majority biomass use.</b> Even if this were the case, sources of biomass are small and fragmented, which would necessitate movement by road.					If it doesn't appear to be financially viable to use biomass if sources are small and fragmented, why are they being considered?									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 10 - How can INEOS explain the need for it to (a) have another 480,000tonnes RDF transported by road and (b) why has INEOS not argued its case based on economics?**

INEOS Answer	HAGATI Response
<p>(a) INEOS is not asking for additional volumes of RDF to be delivered to the facility. The 480,000 tonnes by road was the basis of the original planning application, and was subsequently limited to 85,000 tonnes by road by planning condition.. What INEOS is requesting is consent, as allowed under Condition 57, for the limit on road volumes to be increased. Waste volumes and composition are the key determinants of RDF volume and changes in economics and consumer behaviour affecting the Manchester and Cheshire contracts, means the total RDF available by rail could be as low as 370,000 tonnes. As no other large parcels of waste suitable for rail transport are available, INEOS needs flexibility to bring the balance, i.e. 480,000 tonnes, by road as originally requested.</p> <p>(b) It is clear, as stated, that recent developments in waste contracts currently being procured mean rail transport is unaffordable and uncompetitive at this time. The definition of Sustainability used by Government requires that sustainable transport be affordable, operate fairly and efficiently, offer a choice of transport mode and supports a competitive economy, as well as balanced regional development. It is also required to limit emissions and waste. INEOS is requesting flexibility in its choice of transport for RDF on the clear basis that it is likely for the remaining contracts available at this time road transport is more sustainable than rail transport for the movement of RDF from within the region. INEOS believes its request for transport flexibility offers the best sustainability option.</p>	<p>It was limited and accepted by Ineos for the reasons of sustainability and minimization of traffic. <b>Nothing has changed.</b></p> <p>Other waste incinerators in the UK are already charging Councils for tonnages not delivered as recycling efforts reduce the amount of wastes available.</p> <p>The Ineos definition of uncompetitive and unaffordable was supplied by Mr Tane at the DCC meeting on 4<sup>th</sup> July. <b>‘It is cheaper to bring the waste in by HGV than by train’.</b></p> <p>The amount of profit and distributions to shareholders of Ineos are a matter for Ineos’ Directors and should not be the determining factor.</p>

For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 11 - What would stop INEOS from getting this permission and then bringing material in from long distances (e.g. Scotland) by road?**

INEOS Answer					HAGATI Response									
For reasons already outlined, most waste contracts will be placed on the basis of regional proximity and affordability, making it more likely that waste arisings will not be transported over significant distances, i.e. across regions. Should this be the case, INEOS has provided an undertaking to <b>exercise all reasonable endeavours</b> to maximise the movement of materials, including RDF, into and out of its facility by sustainable transport arrangements including road for the duration of the operation of the EfW facility.					Ineos also stated that they would be making ' <i>all reasonable endeavours</i> ' to only bring in 10% of the waste by road. But before the incinerator is even operational they are asking to change this ratio to 60%. What reliance can we have in ' <i>reasonable endeavours</i> ' if this is the product?									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 12 - How would INEOS enforce the Unilateral Undertaking and demonstrate it had made 'reasonable endeavours' as mentioned in its transport undertaking?**

INEOS Answer					HAGATI Response									
If this variation under condition were approved, <b>INEOS would become bound in law to fulfil its obligations</b> under the Unilateral Undertaking. Implementation could include providing reports to the Council or communication to contractors and /or suppliers of steps to be taken, or indeed the use of contractual provisions, as may be appropriate.					What confidence can we have in any restrictions? Ineos should be limited by the Planning Permission but they are, before the incinerator is even running, seeking to degrade the protection of residents. It is obvious that whenever any restrictions are inconvenient Ineos will simply expect HBC to vary them.									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 13 - INEOS transport report considers four transport scenarios. Are other delivery scenarios available to inform their application?**

INEOS Answer	HAGATI Response
<p>When selecting scenarios, it is important to consider the probability and the practicality of those scenarios coming to fruition in real life. <b>The scenarios presented by INEOS are considered as having a reasonable chance of fruition.</b></p> <p>Regional self-sufficiency, the proximity principle and other policy requirements for sustainability promote waste management policies that favor local treatment solutions. Indeed prior to the recent economic recession many authorities (even small ones) demonstrated a preference for bespoke treatment solutions. More recently this has changed and the preference is now for larger treatment facilities, albeit still based locally or regionally. <b>Authorities rarely decide to move material over long distances because it is generally more expensive and less sustainable to do so.</b></p> <p>The INEOS Transport Carbon Assessment assesses seven RDF transport scenarios, <b>including five different rail scenarios</b>, one of which is the RDF currently permitted for rail delivery and which is not proposed for transport by road. The four remaining rail scenarios relate to RDF tonnage that is proposed for consideration for transport by road and these represent the best view of North West RDF and transport options available to INEOS when the study was drafted.</p> <p><b>RPS have prepared an addendum to the Transport Carbon Assessment to address the questions raised by Halton Borough Council's advisors (MEAS).</b></p>	<p>As all the scenarios presented would be dramatically improved by use of the Halton Curve, why was this option not considered?</p> <p>Merseyside, which includes Halton, could be sending their waste, via rail, to North Yorkshire. This must comply with the requirements of sustainability in order to be one of the two final options to be decided.</p> <p>Why did the study not take into account the reduced mileage afforded by the proposed reinstatement of bi-directional working over the Halton Curve?</p> <p>All the scenarios offered are flawed because, as noted by CWAC and HAGATI the distances by rail are greatly exaggerated to give the appearance of greater GHG emission by trains.</p>

For use of HBC Officers and Members										
Strength of INEOS argument					Discussed in Officers report	Strength of HAGATI argument				
Disagree		Agree			0	Disagree		Agree		
1	2	3	4	5		1	2	3	4	5

**QUESTION 14 - How many vehicles (movements) in total would this consent for additional RDF transport by road permit?**

INEOS Answer					HAGATI Response							
<b>Transport by road</b>		<b>HGV Vehicle Movements per day</b>		<b>Number of HGVs per day</b>	<p>These figures are based on the assumption that the capacity of road containers will be achieved despite the low density of RDF. <b>It is important to note that these figures have not been verified.</b></p> <p>It is essential to further note that GMWA have installed compactor equipment in order that the containers can carry 18.5 tonnes.</p> <p>If other sites do not have this facility, the low density of RDF could required considerably more HGVs if their capacity is less than 18.5 tonnes.</p>							
<i>Permitted RDF (85,000tes)</i>		36		18								
Other (By products , Ash		178		89								
<b>Total currently permitted</b>		<b>214</b>		<b>107</b>								
<i>RDF - this application (395,000 tes)</i>		170		85								
<i>RDF Total ( 480,000tes) if permitted</i>		206		103								
<b>Final Total if permitted</b>		<b>384</b>		<b>192</b>								
<p>The requested change to the road transport limitation set by Planning Condition 57 would result in an additional 170 HGV deliveries (85 HGVs) to the site each day. Taking into account the current consent for 85,000 tonnes of RDF transport and the movements associated with the removal of operational by-products, the total number of HGV movements each day would be 384 (192 HGVs). This is the same number of vehicle movements considered in the original Section 36 application and the accompanying Environmental Statement.</p>					<p>The existing and future theoretical spare capacity on Halton's roads was known when Condition 57 was implemented. One of the limitations of Condition 57 is to <b>'Minimise road traffic'</b>. The Application to increase numbers of HGV's runs counter to the intention of the DCC which is to offer protection to residents by limiting traffic.</p>							
<b>For use of HBC Officers and Members</b>												
Strength of INEOS argument					Discussed in Officers report			Strength of HAGATI argument				
Disagree			Agree		0			Disagree			Agree	
1	2	3	4	5				1	2	3	4	5



**QUESTION 15 - How many additional vehicles is this over and above the existing permission and how would this affect traffic flows consented by the current permission?**

INEOS Answer					HAGATI Response						
<p>The existing permission allows 214 HGV movements (107 HGVs) each day. If granted, this new permission would increase this by 170 HGV movements (85HGVs) each day and bring the total to 384 HGV movements (192 HGVs) per day.</p> <p>It is worth noting that in order to comply with the existing permission, ie use of rail over road, it is likely that RDF would be driven through Halton Borough en route to a railhead located outside the Borough for transport back to the facility in Runcorn. Increased traffic movements within the Borough would therefore occur and could be even greater in number than if this permission were granted. This is an absurd position, which is in clear conflict with policy objectives.</p>					<p>It is difficult to foresee a route that would involve transporting RDF from Cheshire (south of Runcorn) to a transfer station also in Cheshire that would pass through Halton. This sounds like a fabricated fact designed to support a very feeble argument.</p> <p>There is no illustration of this scenario.</p>						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree		Agree		
1	2	3	4	5			1	2	3	4	5

**QUESTION 16 - How many vehicles is this each minute?**

INEOS Answer					HAGATI Response						
<p>This increase would equate to a maximum of 2 vehicles per <u>working hour</u> (calculated on the assumption of a 60 hour working week for deliveries, based on Mon-Fri 7am –7pm). As the EfW will also accept deliveries on Saturdays the working week is longer than this and the actual total of vehicles each minute is expected to be less than this.</p>					<p>But the total is still 384 per day and over a 10 hour day, this would be around a vehicle movement every <b>90 seconds</b>.</p>						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree			Agree	
1	2	3	4	5			1	2	3	4	5

**QUESTION 17 - Won't all these extra lorries just cause even more traffic problems especially on the Silver Jubilee Bridge and the M56 junction?**

INEOS Answer					HAGATI Response				
<p>The Transport Assessment, which accompanies INEOS' Application, clearly demonstrates that <b>there are no existing deficiencies in the local highway network</b> and that the additional road traffic proposed would not give rise to a significant impact. This reaffirmed the assessment performed as part of the original Section 36 application. <b>These findings were supported by the planning officer's reports on both occasions.</b> Furthermore the RDF would be transported from a range of locations, <b>which would dilute the total traffic flow and avoid concentrated movement via any single route such as the Silver Jubilee Bridge.</b> If this request were successful INEOS would commit to use all reasonable endeavours to minimize the amount of RDF transported by road.</p>					<p>Condition 57 is not dependent on the capacity of the roads, it is a limitation on the amount of HGV's bringing RDF into the site to <b>minimize road traffic.</b> If the access road to the site was a six lane motorway standard highway, Condition 57 would still apply. The limitations of Condition 57 are for the protection for residents. Road capacities are irrelevant. The Planning Officer's Report does not take into account the opinion of the DCC Councillors.</p> <p>The argument that traffic flows would be diluted by originating from many sources falls down as soon as the RDF reaches the Borough. From the North it would cross the Silver Jubilee Bridge. From the Chester side it would enter Runcorn via the M56 at junction 12 and from Northwich via Whitehouse and the Central Expressway. If it didn't use these direct routes it would be adding unnecessary mileage and therefore more CO2. So, 384 HGV movements per day have only 3 entry points into the Borough all converging on the same junction on the Weston Expressway. The existing traffic exiting the Expressway for their convenience to travel down South Parade to the nuisance of and danger to residents will be greatly increased.</p> <p>In addition HGV's are 3 times more likely to be involved in fatal RTA's than other vehicles, police statistics state that 9% of fatal RTA's involve HGV's despite the fact that they constitute only 3% of all traffic. One HGV can account for wear to a road surface up to 160,000 times greater than that for a car. The line '<i>no existing deficiencies in the local highway network</i>' is misleading as 'existing' is in the present and does not include an extra 384 movements daily.</p>				
For use of HBC Officers and Members									
Strength of INEOS argument					Discussed in Officers report				
Disagree			Agree						
1	2	3	4	5	0				
					Strength of HAGATI argument				
Disagree			Agree						
1	2	3	4	5	1	2	3	4	5

**QUESTION 18 - What other measures could the Highways Department employ to prevent traffic on residential roads close to the facility?**

INEOS Answer					HAGATI Response						
This is a matter for the Council, but from the Transport Impact Assessment it is clear no mitigation measures are necessary or required. The Unilateral Undertaking's routing obligation will protect and improve the amenity of nearby residents.					The request has triggered a massive response against this Application. Residents are well aware of the problems being caused by existing traffic. How can adding a further increase in HGV's be seen as improving this already unacceptable situation? The Council cannot forbid the use of South Parade or Sandy Lane by HGV's .						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree		Agree		
1	2	3	4	5			1	2	3	4	5

**QUESTION 19 - Why can't INEOS help fund a short extension to the new road to reach the Docks?**

INEOS Answer					HAGATI Response						
Operational traffic arising from other non Energy from Waste activities is not within scope of this application. An extension to Barlow Way is a possibility, but would not be funded by INEOS as it is not required for its operational needs. The case for an extension would need to be made by the operators of the Docks facility and is not material to this application.					Planning permission was granted to Westlink in Jan 2008 for a service road (now Barlow's Way) with a bridge onto the docks. This was totally unopposed locally as it would remove most HGV traffic from South Parade and Sandy Lane and was one of the few positive aspects of the Incinerator proposal. There was obviously a business case for this access to the docks as an extension to Barlow Way. The bridge part has not been built apparently because of a dispute over how the costs of the road and the bridge should be shared. Once again the commercial demands of Ineos are involved.						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree		Agree		
1	2	3	4	5			1	2	3	4	5

**QUESTION 20 - Has Network rail been consulted about rail network capacity?**

INEOS Answer					HAGATI Response						
<p><b>This is a matter for the Council</b>, however it is important to recognise that network capacity is not the factor limiting INEOS' ability to transport RDF by rail. The key factors are the proximity of the RDF supply source to a railhead and the volume of material to be transported.</p> <p>That said, the Network Rail West Coast Main Line Route Utilisation Strategy <sup>1</sup> states that: "Analysis suggests that there is reasonable capacity for growth on this route section (the Weaver Junction to Allerton West Junction branch). There are no specific constraints on this section"</p> <p>It is however, important to note that the Folly Lane sidings that serve the Runcorn EfW facility are only accessible to northbound trains. RDF arising in <b>Merseyside would have to be transported to the Garston and Widnes 3MG railheads by road</b>, then trains from these railheads could only access the EfW if they first travelled south to Crewe, and then north again. <b>The total transport distance would therefore be longer</b> and the cost and emissions would be higher, than if the material were transported directly to Runcorn by road.</p>					<p>The Council has already recognised the value of restoring the Halton Curve it should therefore have insisted that Ineos seek to use it as it would mean that the volume of rail traffic already permitted (five trains per day) is more than capable of supplying the site at full load.</p> <p>Utilising the Halton Curve eliminates the need for the grossly exaggerated mileages quoted in the scenarios.</p>						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree			Agree	
1	2	3	4	5			1	2	3	4	5

**QUESTION 21 - Network Rail previously said that slight modifications were required to signalling at the Runcorn site. Have these been done or is this work outstanding and limiting INEOS ability to handle more rail traffic?**

INEOS Answer					HAGATI Response									
These modifications are complete and are not relevant to this application.					If the modifications were not relevant why was there a need for them to be carried out.									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 22 - INEOS claims that the EfW will provide 15-20% of its energy requirement but they now intend to sell the extra electricity produced by EfW to the grid. Why has their position changed?**

INEOS Answer					HAGATI Response									
<p>INEOS' position has <u>not</u> changed. The Runcorn EfW will provide INEOS with approximately 20% of its total energy requirement (as both electricity and steam). This application for a variation under condition does not affect the total capacity of the facility. <b>This source of carbon free electricity is critical to the future sustainability of INEOS manufacturing operations at Runcorn.</b></p> <p>INEOS does not take speculative 'trade' positions on power markets. However, on occasion, operating conditions may reduce the overall load at the site, e.g. routine major plant overhauls and could result in power being bought or sold to better match the sites energy requirement. In such instances the EfW Facility would still provide energy to INEOS operations.</p>					<p>Burning 850,000 tpa of RDF will produce 784,000 tpa of Co2 (according to Ineos' own figures). <b>There is no truth in stating that this is carbon free.</b></p> <p>Also, properly prepared RDF, if sent to landfill, would produce a fraction of the green house gas emissions that are produced either by the Incinerator or equivalent volume of landfilled raw waste.</p>									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 23 - INEOS always says that the EfW is important in supporting jobs. How many jobs are affected by this?**

INEOS Answer	HAGATI Response
<p>The energy generated by the Energy from Waste facility will be critical to helping sustain INEOS manufacturing operations at Runcorn and maintaining viability of the <b>130,000 direct and indirect jobs it supports.</b></p>	<p><b>The figure of 130,000 is nonsense</b> - it exceeds the entire population of Runcorn. Perhaps Ineos have added a couple of zeros to the figure they state in their recently filed statutory accounts of 1,300. Even with the 6,000 indirect jobs previously claimed by Ineos this is far short of 130,000.</p> <p>The total of jobs at the site when construction is complete is minimal. They will almost certainly be drawn from the main Ineos site. That the main site will continue regardless of how much energy is supplied from the incinerator and as the plant has now been built it would be most unlikely to shut it down so no jobs are under threat.</p> <p>The requirement to bring in no more than 85,000 tpa by HGV would not in any way hinder power generation and therefore could have no direct bearing on local employment.</p>

For use of HBC Officers and Members										
Strength of INEOS argument					Discussed in Officers report	Strength of HAGATI argument				
Disagree		Agree			0	Disagree		Agree		
1	2	3	4	5		1	2	3	4	5

**QUESTION 24 - Why should waste be sourced locally and not from further away in the UK?**

<b>INEOS Answer</b>					<b>HAGATI Response</b>						
<p>Consistent with various EU and National waste and energy policies, the intent has always been to develop a regional EfW facility at Runcorn. The most sustainable solution for INEOS and for the region is to maximize the proportion of regionally derived RDF used by the EfW and transport this as sustainably as possible, which at the present time is by road.</p>					<p>Ineos' stated intent has always been to produce electricity and steam for the Runcorn site at a reduced cost - not to develop a regional facility for producers of RDF. It is unlikely Merseyside (including Halton) would have shortlisted an RDF disposal site in North Yorkshire if this would breach any EU or National policies.</p>						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree		Agree		
1	2	3	4	5			1	2	3	4	5



**QUESTION 25 - Why does INEOS summary of RDF available from municipal waste contracts, not include Lancashire or Blackburn and Darwen and when will the Cheshire contract be confirmed?**

INEOS Answer					HAGATI Response						
<ul style="list-style-type: none"> <li>Lancashire's contract is already let to Global Renewables and the technology being used is a non-thermal process producing biogas fuel and compost.</li> <li>Blackburn and Darwen decided it was too expensive to send its waste to be dealt with by the facilities being developed under the Greater Manchester or Lancashire PFI deals and began to procure its own arrangements in 2010. Transport of RDF by rail to Runcorn EfW was discounted from consideration at an early stage of the procurement process.</li> <li>A legal decision in respect of the Cheshire PFI funding withdrawal is expected imminently.</li> </ul>					<p>These authorities obviously consider that Ineos' proposal was not viable and/or not cost effective - indicating that Ineos have been optimistic in building such a large facility in Runcorn.</p> <p>Cheshire strongly opposed the Peel Incinerator at Ince marshes. It was always certain that they would not use this facility. After four years Ineos are still claiming Cheshire as a major source of RDF by rail.</p> <p><b>Cheshire Councils fail in legal challenge to PFI cut</b> Cheshire's two unitary authorities have failed in their Judicial Review against the decision by the Department for Environment, Food and Rural Affairs to withdraw over £100million of PFI support for a scheme to treat the county's household waste.</p>						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree			Agree	
1	2	3	4	5			1	2	3	4	5

**QUESTION 26 - Can INEOS provide evidence that the restriction would threaten financial viability of the EFW facility?**

INEOS Answer					HAGATI Response						
INEOS application demonstrates that there is no valid planning reason why its request should not be granted.					Ineos' response does not answer the question but response to their response is:- The request does not need ' <i>valid planning reasons</i> ' It is a request in writing to the Council. The Council retain the right to refuse the application if they feel that it contravenes their intention in applying Condition 57.  If for example they feel that this would increase the road traffic or affect the sustainability aspects these are valid reasons for refusal.						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree		Agree		
1	2	3	4	5			1	2	3	4	5

**QUESTION 27 - The Secretary of State imposed the original condition to protect the local community so why is INEOS seeking to change this?**

INEOS Answer	HAGATI Response
<p><b>This is not correct.</b> The condition itself was originally requested by a Halton Council Member and was subsequently applied by the Secretary of State to permit future consideration of sustainability to:</p> <p><i>"ensure that the most sustainable modes of transportation are considered for the delivery of refuse derived fuel and there is proper control of noise for the delivery of refuse derived fuel by rail".</i></p> <p>The change is requested by INEOS is to allow Runcorn EfW to secure North West waste contracts and is fully in line with the requirement that consideration be given to sustainability.</p>	<p><b>Yes it is.</b> Ineos are disingenuous to claim otherwise. Restriction of road traffic was a prime concern of Councillors when the decision was taken to include Condition 57 and nothing has changed that would suggest that removing the condition would improve the situation for residents.</p> <p>Ineos, by only partially quoting the condition deliberately miss out vitally important elements. To quote from the letter from the DEBRR in explanation of the evolution of Condition 57;</p> <p>The section 36 consent documentation issued on 16 September 2008:</p> <p>“(57) Unless agreed in writing with the Council, the quantity of refuse derived fuel imported for use in the operation of the development shall not exceed 85,000 tonnes in any twelve month period and the Company shall record the date and volume of waste delivered to the Site and where requested by the Council shall copy records to the Council within five working days.</p> <p>Reason: <b>To minimise road traffic movements in the locality</b> and ensure that the most sustainable modes of transportation are considered for the delivery of refuse derived fuel.</p>

For use of HBC Officers and Members										
Strength of INEOS argument					Discussed in Officers report	Strength of HAGATI argument				
Disagree			Agree		0	Disagree			Agree	
1	2	3	4	5		1	2	3	4	5

**QUESTION 28 - What relevance (if any) has water transport to this application?**

INEOS Answer					HAGATI Response									
<p>The Runcorn EfW facility is close to the Manchester Ship Canal, which links Eastham Docks in the west to Salford Quays in the east. The project gave consideration to water transport in its original assessment as RDF could enter from the east <b>if it were double handled</b> and transferred from road to barge in the Manchester area, however environmental benefits would be limited as they would only affect the final 30 miles of the journey.</p> <p><b>Peel reviewed the transportation of RDF from Greater Manchester by water in 2010</b>, but they were unable to present an economically viable proposal compared to the rail benchmark. There are currently no known sources of RDF to the west of the country that could feasibly be imported via Eastham Docks.</p>					<p>The so called 'double handling' is no different whether water or rail is used - efficient handling for either depends on the location of the RDF facility - either adjacent to rail facilities or adjacent to canal.</p> <p>Councillors on the DCC wanted to investigate the possibility of transporting Warrington's' RDF via the Manchester Ship Canal and the opportunity of using the Canal to transport the fly ash to Randle Island on the return journey.</p>									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 29 - Peel Holdings findings suggest that Runcorn EfW could use water transport so why has this not been considered?**

INEOS Answer					HAGATI Response									
<p>Peel reviewed the <b>transportation of RDF from Greater Manchester by water in 2010</b>, but they themselves were unable to present an <b>economically viable proposal compared to the rail benchmark</b>. There are currently no known sources of RDF to the west of the country that could feasibly be imported via Eastham Docks.</p>					<p>Why did Ineos not consider Warrington's RDF? The cost of transport, although a factor should not be the determining factor when weighed against protection of residents and the sustainability of the transport system.</p>									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 30 - INEOS' arguments against water transport are flawed as water transport is suitable for large volumes and the limited network is not relevant as Runcorn EfW is adjacent to the canal.**

INEOS Answer					HAGATI Response						
The feasibility of transporting RDF by water has been considered (see Q&A 28). <b>The volumes of waste arising on a daily basis are not large in the context of water transport</b> as considered in the 'Freight Modal Choice' report performed by AECOM for the Department of Transport in 2010, that the extract was from.					But on a weekly basis they are. Instead of around three hundred lorries a day each week, six barges a week would have the same load carrying capacity.						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree			Agree		0		Disagree			Agree	
1	2	3	4	5			1	2	3	4	5

**QUESTION 31 - Why are the transshipment costs and risks mentioned in INEOS response letter of 20<sup>th</sup> June 2011, relevant to low cost cargo such as RDF?**

INEOS Answer					HAGATI Response						
RDF is a low density and low cost cargo. In instances where these costs and risks apply, they represent a higher overall proportion of the cargo value, <b>which makes water transport a less affordable option.</b>					This was not confirmed by the original application, though ' <i>less affordable</i> ' transport of the RDF by water is a far better environmental option and considerably reduces the environmental cost.						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree			Agree		0		Disagree			Agree	
1	2	3	4	5			1	2	3	4	5

**QUESTION 32 - If INEOS gets this request approved it will open the flood-gates for a range of other change requests.**

INEOS Answer	HAGATI Response
<p>This is <u>not</u> the case. The Runcorn EfW facility is controlled by an extensive set of planning conditions and INEOS is already working in accordance with the Council to comply with those that currently apply. Condition number 57 permits an application for a variation under condition approved by the written permission of the local planning authority.</p>	<p>We do not believe Ineos. No matter what the condition, for example Ineos stated that they would not run trains at night but they are already scheduling two trains every night. HAGATI have established it is certain that night time trains will exceed planning condition noise limits so Ineos will then be asking HBC to relax these limits.</p> <p>At the DCC meeting of 31 July 2007, Ineos submitted documents stating “We will only be building this plant if we have secured contracts with local authorities to provide us with fuel” and “we will build the plant if we have sufficient contracts in place for the provision of the fuel”. Now as anyone who has passed through Weston will note, this has obviously not been the case.</p> <p>Ineos have also stated that any shortfall of capacity would be made up by RDF from a Southern RDF facility operated by their partners which somewhat negates their currently claimed aspiration to be creating a ‘NW regional facility’.</p>

For use of HBC Officers and Members										
Strength of INEOS argument					Discussed in Officers report	Strength of HAGATI argument				
Disagree		Agree			0	Disagree		Agree		
1	2	3	4	5		1	2	3	4	5

**QUESTION 33 - Have objectors had an opportunity to reply to INEOS response?**

INEOS Answer					HAGATI Response						
INEOS outline its response in its letter dated 20 <sup>th</sup> June 2011. Halton Borough Council subsequently published this letter, prior to the Development Control Committee, on 4 <sup>th</sup> July. This afforded objectors a fair and reasonable opportunity to respond to INEOS response, as borne out by additional submissions by objectors during the weekend immediately prior to the Development Control Committee meeting.					HAGATI committee members work on a voluntary basis to seek to gain the views of residents and to put them forward in a way in which is both professional and accurate. All members have other responsibilities and do not look on this as a hobby. We are not experts and often have to rely on gaining the expertise of others to ensure accuracy and this therefore takes time.						
					The response as borne out by additional submissions by objectors shows the commitment and strong feelings of local objectors not the 'fair and reasonable' opportunity afforded them.						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree		Agree		
1	2	3	4	5			1	2	3	4	5

**QUESTION 34 - Have Halton Members had legal advice on tailpiece argument raised by GVA /Covanta?**

INEOS Answer					HAGATI Response				
<p>This is a matter for the Council but at the 4<sup>th</sup> July Development Control Committee the Council’s legal advisors stated their agreement with the response to this outlined in INEOS letter of 20<sup>th</sup> June 2011, which makes clear that the tailpiece argument presented by GVA/Covanta is not a relevant objection with respect to INEOS application. This is because INEOS application under condition seeks permission within an existing condition and does not seek to change the scope of the existing planning consent.</p>					<p>The Ineos application does indeed seek to change the scope of the existing planning consent. The limit applied by Condition 57 is 85,000 tpa a change to allow 480,000 tpa is a massive change.</p>				
For use of HBC Officers and Members									
Strength of INEOS argument					Strength of HAGATI argument				
Disagree		Agree			Discussed in Officers report				
1	2	3	4	5	0				
Disagree		Agree			Disagree	Agree			
1	2	3	4	5	1	2	3	4	5



**QUESTION 35 - The tailpiece in Planning Condition 57 was for small and temporary changes only, which is not the case here so why is this application being considered?**

INEOS Answer					HAGATI Response						
<p>The tailpiece in Planning Condition 57 was originally requested by a Halton Council Member and was applied by the Secretary of State to permit future consideration of sustainability to.</p> <p><i>'ensure that the most sustainable modes of transportation are considered for the delivery of refuse derived fuel and there is proper control of noise for the delivery of refuse derived fuel,'</i></p> <p>Consideration of this request is fully in line with the Secretary of States requirement to reassess sustainability. (See Q&amp;A 34 for additional information)</p>					<p>The DCC originally requested a condition that <i>'no more than 10% of fuel to be delivered by road'</i>. This was subsequently amended by DBERR to a more precise <i>'no more than 85,000 tpa of fuel (i.e. 10% x 850,000 capacity)'</i>. Ineos objected to this Condition but subsequently suggested prefixing it with <i>'unless agreed in writing by the Council'</i> which was final form of Condition 57</p> <p>Ineos have not correctly quoted Condition 57 which does not mention noise and they have omitted the conditions requirement to minimise traffic in the locality.</p> <p>That it was specifically to allow for temporary conditions that may apply at start up is made clear in the letter from the DEBRR.</p> <p><i>'it would also have operational advantages for the Company during the start up phase where, for example, all contracts may not be in place and waste sourced nearby would not be viable to bring to the Site by rail or waterway'</i>.</p>						
For use of HBC Officers and Members											
Strength of INEOS argument					Discussed in Officers report		Strength of HAGATI argument				
Disagree		Agree			0		Disagree			Agree	
1	2	3	4	5			1	2	3	4	5

<b>QUESTION 36 - Why is the Derby case is not relevant when considering this application?</b>														
<b>INEOS Answer</b>					<b>HAGATI Response</b>									
Halton Borough Council has stated that the area around Runcorn EfW is not an Air Quality Monitoring Area (AQMA), whereas in the Derby case the area under consideration had already been certified as AQMA.					Runcorn Hill is a Local Nature Reserve. Monitoring has proved that the level of NOx pollution due to existing traffic on the Expressway is already in excess of National Standards. Any additional HGV traffic <i>'can only make a bad situation worse'</i> .									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

<b>QUESTION 37 - Why is this application not EIA development, it looks like EIA development to me?</b>														
<b>INEOS Answer</b>					<b>HAGATI Response</b>									
This is a matter for the planning authority whose response is outlined in Halton Borough Councils screening opinion letter, dated 27 <sup>th</sup> June 2011.					No Comment.									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 38 - Surely the increase in traffic will increase NOx deposition, which would be harmful to heathland at Runcorn Hill. Why is INEOS ignoring Cheshire Wildlife Trusts objection in this regard?**

INEOS Answer					HAGATI Response									
<p>INEOS recognises that heathlands are internationally important habitat for seral communities but it does not accept this concern. This is addressed in INEOS letter of 1<sup>st</sup> July 2011 to Halton Borough Council. The environmental impact assessment undertaken as part of the production of the Environmental Statement for the original Section 36 application, was based on an application to bring up to 480,000 tonnes per annum of RDF to the Application site by road and shows the effects on Runcorn Hill to be negligible or neutral. Cheshire Wildlife Trust was consulted on this. In addition this objection has since been withdrawn.</p>					<p>As the limits for NOx pollution on the heathland at Runcorn Hill, is above National Limits, how can Ineos not accept this concern?</p> <p>Cheshire Wildlife Trust were not consulted. They were contacted by HAGATI, put in a valid objection which was withdrawn on the flimsy and unproven assertion by HBC Officers that the new Mersey Gateway would reduce traffic on the Weston Expressway to the extent that the pollution would fall below the limits now being exceeded. HBC offered no timescale or scientific proof that this is realistic. They did however promise the Trust that part of the 'environmental fund' provided by Ineos to HBC would be recommended for monitoring damage to Runcorn Hill. This would not stop the irreversible damage to this rare heathland.</p>									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 39 - What relevance is the proximity principle if Halton's waste is going elsewhere?**

INEOS Answer					HAGATI Response									
<p>The Runcorn EfW has capacity to handle Halton waste, however the decision on where and how Halton's waste is treated is a matter for its Waste Development Authority. Consideration of INEOS transport request is a planning matter.</p>					<p>Halton's RDF, as part of Merseyside's waste plan, is likely to be transported to North Yorkshire.</p>									
For use of HBC Officers and Members														
Strength of INEOS argument					Discussed in Officers report					Strength of HAGATI argument				
Disagree		Agree			0					Disagree		Agree		
1	2	3	4	5						1	2	3	4	5

**QUESTION 40 - Doesn't the disclaimer in INEOS/RPS Transport Carbon Assessment report render their report invalid and unreliable?**

INEOS Answer					HAGATI Response							
This disclaimer is a legal matter, which has no impact on the technical validity of the findings of RPS Transport Carbon Assessment. It is normal practice for any consultant to use a range of reference material in their assessments. The RPS report is no exception, as it uses published data from a range of well-recognised and renowned expert sources such as DEFRA. Although these sources are generally accepted as expert opinions offering robust findings for RPS consideration, it cannot legally warrant them, as it was not responsible for the study to which they refer.					No Comment.							
For use of HBC Officers and Members												
Strength of INEOS argument					Discussed in Officers report			Strength of HAGATI argument				
Disagree		Agree			0			Disagree		Agree		
1	2	3	4	5				1	2	3	4	5

## APPENDIX A CONSIDERATIONS FOR THE USE OF THE HALTON CURVE

### PATHS, PUNCTUALITY AND PENALTIES

Whilst is not in the position of prescribing what methodology Ineos use in managing the rail freight on the incinerator site HAGATI feel it important to identify that everyone is fully aware of the constraints as well as the advantages of using the Halton Curve as we have described below.

As Ineos have constructed a six track sidings for marshalling and shunting of the rail wagons they must envisage a rail management system to allow for the unloading and returning the containers of RDF. We offer two scenarios to illustrate that the use of the Halton Curve is feasible and as detailed in our Report, a much more sustainable method of transporting the RDF.

### PATHS

A path isn't just simply the route that a train takes to get from A to B. It also sets out the exact times that the train will pass points B, C and D along the route and is paid for by a Train Operating Company (TOC) to Network Rail in the form of a track access charge, usually x pence per mile. A busy route such as the West Coast Main Line only has capacity for a finite number of paths in any 24 hour period dictated by train speed, station stop pattern, signalling distances etc. A simplified path may look like this:-

Virgin Pendolino, departing Liverpool Lime St to Crewe, 09.05.

Lime street	09.00
Ditton Jnc	09.12
Runcorn	09.19
Weaver Jnc	09.25
Hartford	09.31
Crewe	09.39

The exact times are not important but what matters is that Virgin will have paid Network Rail to run their train at those times and that behind our fictional Pendolino would be something else, maybe a London Midland service to Birmingham New St. So this brings us to.....

### PUNCTUALITY

Let's say the Pendolino is delayed leaving Runcorn by 4 minutes because a trainload of RDF is late clearing Halton Junction. The passing time for Weaver Jnc was 09.25 and the Pendolino was supposed to run in front of a stopping service calling at Acton Bridge, Hartford and Winsford. However, the stopping service operator has also paid for track access and the signaller controlling the junction is obliged to let this train go. Therefore the Pendolino arrives at Weaver Junction at 09.29 and has a slow crawl to Crewe, by which time it could be 8 minutes late, and then onwards to London it will miss every passing point time at congestion points such as Norton Bridge, Colwich, Rugby, Watford, each time finding itself behind traffic it was supposed to be ahead of and could arrive at Euston 20 minutes or more late. So when this happens it incurs....

## **PENALTIES**

All passenger trains run to a 'charter time'. Suburban trains (class 2) run to a 5 minute charter and long distance expresses (class 1) to 10 minutes. It's called charter time because the government have pledged to passengers that this is the latest that they can expect their train to arrive and it is set out in a document called the Passengers Charter. Now, our Pendolino was 20 minutes late arriving into Euston and Virgin will be charged, anything from £100 to £300 PER MINUTE for this delay payable to Network Rail. So of course the first thing Virgin do is to try to pass this cost on to somebody else. If it's down to signalling failures for example then Network Rail would be responsible and drop the charge, a train defect would be passed on to Alstom (train maintenance) but delays caused by other trains are picked up by that trains' operator. Who was responsible for the 4 minute delay at Runcorn? The RDF train of course, slow to clear the junction and the operator would receive a bill for between £2000-£6000 just for this one event. Remember the London Midland service that was behind the Pendolino at least as far as Stafford (where he would divert to Birmingham)? Well that train would also be late arriving and they too would claim off the RDF operator.

## **METHOD OF ACCESSING FOLLY LANE FROM HALTON CURVE**

Given that the sidings at Folly Lane appear to have no run-round facility, then one of two means must be employed to release the main line loco which brought the train load of RDF in, as this loco would be trapped against the stop blocks by its own wagons.

### **Shunt Engine**

A shunt engine (typically a 350hp diesel electric capable of little more than 15mph) would couple to the back of the empty train, draw the wagons but not the engine out of that siding then propel them down a different one. This would be quite a slow process because:-

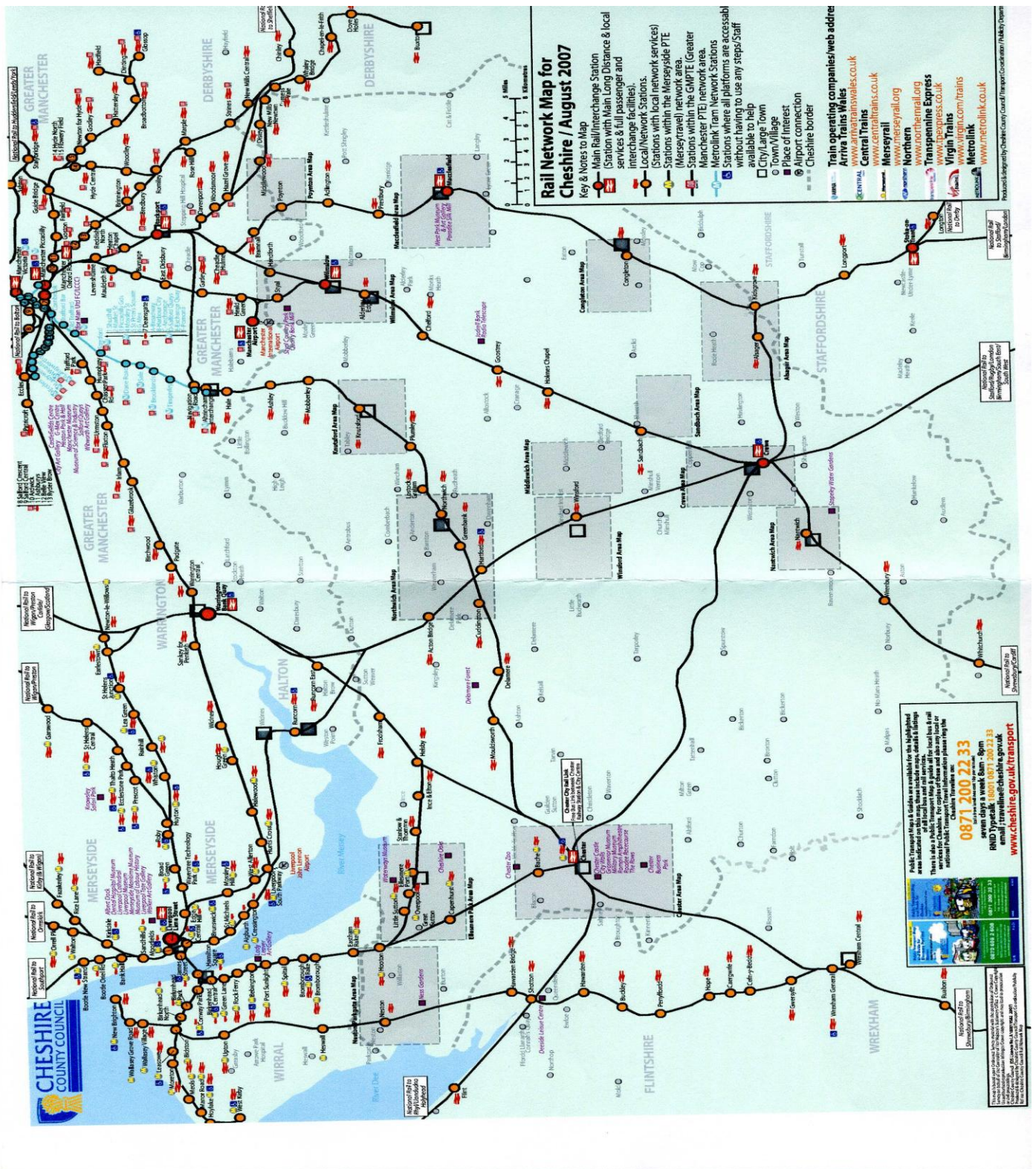
- The shunt loco may take several minutes to generate the air pressure required to release the brakes on the wagons (shunt locos have small compressors).
- The movement back into the siding would be a propelling (pushing) move and would need to be led from the lead vehicle by a shunter walking ahead and communicating with the driver via radio. This movement would normally run at 4mph.
- Since the access line to Folly Lane is single track the second propelling movement is essential in order to allow the main line loco access back to Runcorn Station. Use of another main line loco to remove the empty stock eliminates the need for this second movement as this would simply involve driving up to the exit signal.

### **Main line locomotive**

So we can see that the use of a main line engine to remove empty wagons and release the inbound loco is advantageous in simplified yard operation, faster brake release and does not require an empty siding to be available. In addition it offers cost saving in train crew, diesel, maintenance and hiring-in cost all associated with shunt engines. In the event of a train of loaded RDF coming over the Mersey from Garston then the train could stop behind the junction signal at the start of the Halton Curve and have another main line loco attached to the rear.

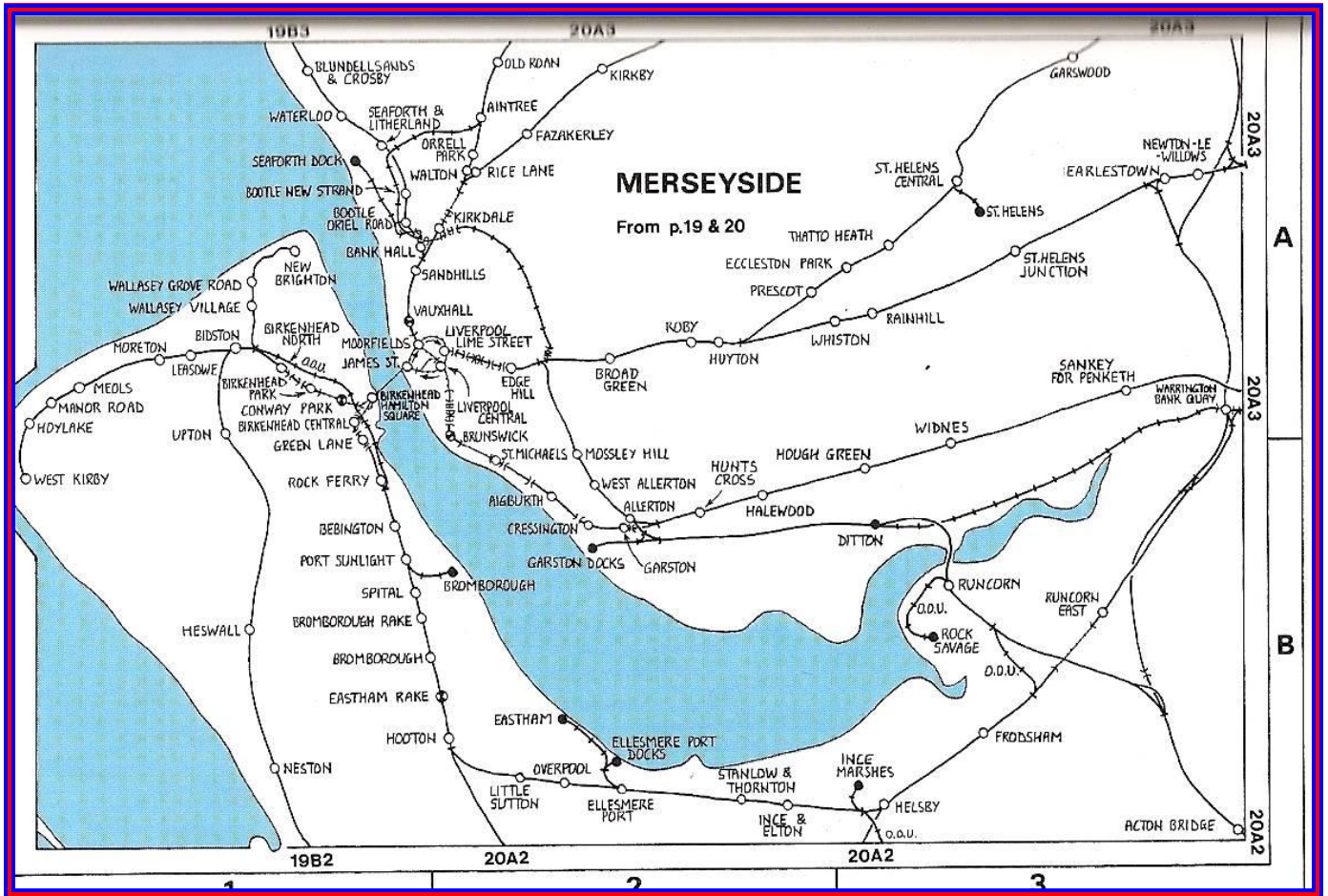
Once a brake test had been completed (required within the rulebook, but would take little time with two freight locos), the whole train could be drawn into Folly Lane where the trailing loco could then be used to remove empties. The supply of light (solo) locomotives should not be a problem due to the proximity of Crewe and the Stobart container yard in Widnes, both of which offer diagramming flexibility to a freight operator. The only other condition would be a pathing allowance long enough to permit the turn-back move at the head of the Halton Curve, although with only two passenger trains per hour this is unlikely to present a problem.

# APPENDIX B INEOS SUPPLIED MAP SHOWING ACTIVE PASSENGER SERVICE ONLY



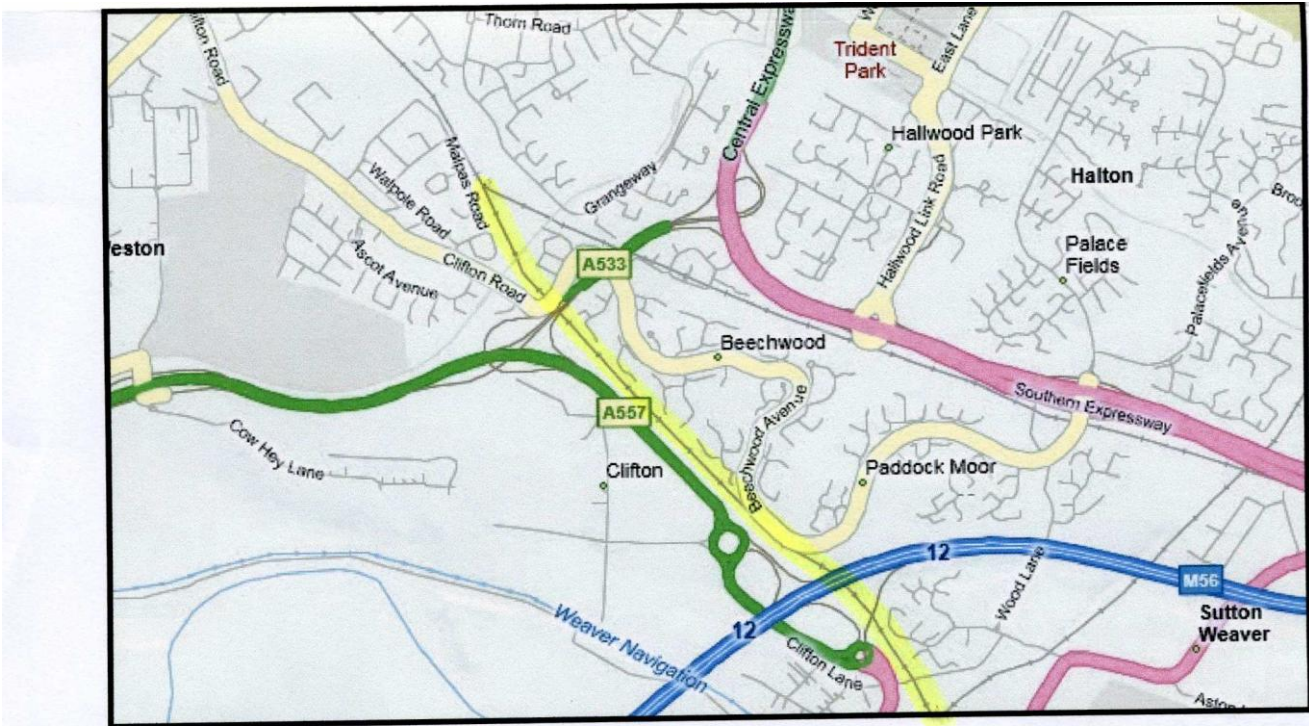


**APPENDIX C MAP OF FREIGHT RAIL STRUCTURE (British Railways Atlas)**



## APPENDIX D MAP OF HALTON LOOP

(Halton Loop is highlighted in yellow)



## APPENDIX E FUEL CONSUMPTION COMPARISON ROAD VERSUS RAIL

In a direct, real-world comparison of RDF haulage between two sample points of origin and the Incinerator Plant at Runcorn, it can be demonstrated that rail haulage offers fuel consumption savings of up to, or even above 50% that of road haulage.

Taking Warrington and Wrexham as examples, we will see that the road haulage option consumes over twice the diesel fuel of rail with a resultant increase in CO<sub>2</sub> emissions:-

### Example 1

#### Warrington to Runcorn - 15km or 9.32 miles

##### Rail

26 containers over 9.32 miles @ 2 gallons per mile  
**=18.64 gallons/consumed diesel**

##### Road

26 vehicle movements of 9.32 miles = total distance covered of 242.32 miles  
Average fuel consumption of 6 mpg  
**=40.38 gallons/consumed diesel**

### Example 2

#### Wrexham to Runcorn - 47km or 29.2 miles

##### Rail

26 containers over 29.2 miles @ 2 gallons per mile  
**=58.4 gallons/diesel consumed**

##### Road

26 vehicle movements of 29.2 miles = total distance covered of 759.2 miles  
Average fuel consumption of 6 mpg  
**=126 gallons/consumed diesel**

## Conclusion

It can be seen that the fuel consumption of road haulage to the Runcorn site is more than double that of rail for equal tonnages moved over equal distances. Although the ratio will remain constant, the volumetric difference will increase in proportion to the increase in distance, or to put it more succinctly, the further the distance, the greater the saving (in both fuel cost and CO<sub>2</sub> emissions) that rail has to offer over road.

## APPENDIX F HAGATI INVOLVEMENT IN THE PREPARATION OF INFORMATION PACK FOR MEMBERS

**Email From Jeff Meehan**  
**To Mick Noone**

**04.08.11 08.35**

*Hi Mick*

*Read your report and proposals of limits to be applied sent to Mr Rowland and others, we wait to see how it turns out in actuality.*

*Disappointed that the manner in which we had hoped that HAGATI could be involved in the preparation of the Information Pack to Members before the next DCC meeting has not been achieved, Andrew Plant writing an accompanying note is not what we would class as 'Involvement'.*

*However, we will have our report in its final form by tomorrow (Friday) lunchtime and I am writing to ask what you suggest as the way in which it can be sent to Councillors. We will, despite the cost and time, if necessary print the required number of reports but if it is possible to provide the report in electronic form so that Andrew can arrange for our and the Ineos information to be printed as one document this would at least be a way of assuring residents that their concerns have been 'officially' recognised.*

*'Cheers' Jeff*

**Email From Mick Noone**  
**To Jeff Meehan**

**04.08.11 08.57**

*Morning Jeff*

*I'm not sure what HAGATI could have done to be more involved. Andrew is, as far as I am aware, simply collating all the necessary papers, including yours when it arrives, for circulation. I don't see any purposeful attempt to exclude you from anything but if you feel this is happening or you would like further clarification on what we propose to do, then please explain and I'll get Andrew to speak with you.*

*We look forward to your final report and, as I say above, Andrew intends pulling together all appropriate papers and responses and sending them out as one pack. I don't see the point of you going to unnecessary expense in duplicating what we will be doing but it is your decision if you want to send your document to the Councillors separately. If you can send us your report electronically then it will be sent out with the others.*

*Regards Mick*

**Email From Jeff Meehan**  
**To Mick Noone**

**04.08.11 09.21**

*Hi Mick*

*Many thanks for that I will bring an electronic copy plus a hard copy up to you tomorrow. Our disappointment is not based on a feeling of exclusion it was more that we envisaged that the duties of Planning Officers was to apply due diligence to both sides of the argument so that they would be providing Members with an unbiased, professional view on the information provided by Ineos and HAGATI.*

*As this is such a complicated and technically complex situation we know how much reliance Members have to place on Officer opinion and there is a perception that anything inputted by Ineos must be 'correct' simply because of their size and reputation. Conversely anything submitted by HAGATI is seen as being compiled by amateurs or anoraks.*

*Whilst this may be a generalisation I still think it too onerous for members to be placed in a position where Ineos as the Applicants can lay claim to performances that without proper assessment are taken as guaranteed. We dispute many of the statements contained in the Questions and Answers Section provided by Ineos but who are the Members supposed to be able to believe has the correct view when these matters are so outside their experience and technical knowledge?*

*For that reason we did ask to meet with the Planning Department earlier this week so that they could see the contents of our Report. Now it will have to be sent to Members with no analysis just to meet the deadline of getting the Information Pack to Members in the correct timescale.*

*I feel that our disappointment is therefore justified.*

*Regards Jeff*

**Email From Jeff Meehan**  
**To Paul Nolan**

**04.08.11 09.41**

*Hi Paul*

*Please find below, in chronological order, the latest e-mail exchanges which should provided you with and update of the current position.*

*As you will see, although we are very grateful for the limited involvement so far and the offer by Mick to have our Report printed, we still feel that our involvement has been minimal. Whilst we accept that this may be beyond the control that Mick has in these matters it appears that our and many residents, perception of the role of the Planning Department appears to be unrealistic.*

*Again we have to accept that this is not a situation that can be easily changed but in an issue as large and contentious as the Ineos incinerator, which will have an effect on the whole of the Borough for at least the next twenty -five years, I personally think that it should have been made possible for Members of the DCC to be in a position of being fully informed before they make decisions.*

*On a separate point, at the next DCC meeting would it be possible for the HAGTI representative to speak after the Ineos delegate?*

*Regards Jeff*