

What are we contacting you about?

In our previous briefing note in June 2017, we informed you that we intended to consult the public regarding our proposal to issue an Environmental Permit to Gent Fairhead & Co. Ltd for the proposed Rivenhall Integrated Waste Management Facility (IWMF).

We undertook public consultation on our proposal (our 'minded to issue' decision) from 20 June to 18 July 2017.

We are now in a position to let the public know our final decision on the company's permit application.

The public consultation response

We received over 2000 responses from members of the public to our consultation with the vast majority of these indicating an objection to a permit being issued.

Whilst the level of public response has been significant, it is important to note that under the relevant legislation we can only consider those issues which are relevant to the permitting process. This means that any planning related issues, for example the strategic need for a major waste plant in this location or traffic related impacts, cannot be considered as part of our decision making on the permit application.

Additionally, only those objections raised on materially significant technical grounds had the potential to affect our 'minded to issue' decision. Unlike a planning application, the law does not allow us to take the level of public concern into account when making our decision on a permit application.

However, we would like to thank all those members of the public who took the time to respond to our consultation. This has been an important element for us in ensuring that we make a fully informed and technically sound decision on the permit application.

Our permit decision

We have now completed our scrutiny of each and every consultation response. Annex 4 of our final Decision Document (see link below) explains how we have considered the individual issues raised by the public during the consultation process.

In considering all the relevant technical issues, we believe that in relation to the proposed incinerator design that a stack height of 58 metres (above surrounding ground level) satisfies the legal requirement for Best Available Techniques (BAT) for the Rivenhall IWMF.

Fundamentally, we consider that the applicant's waste plant proposals coupled with appropriate regulatory conditions are such that the principal permitting objectives will be met. These objectives are that permitted activities must not cause any significant pollution of the environment or harm to human health.

We have therefore decided to issue an Environmental Permit to Gent Fairhead & Co. Ltd. The permit is being issued today, 11 September 2017.

Where can I get more information?

The finalised permit and our Decision Document can be found by following the link below:

<https://www.gov.uk/government/publications/co5-9df-gent-fairhead-co-limited-environmental-permit-issued>

For ease of reference, an executive summary of our decision has been attached to this briefing note. Alternatively, should you wish to receive paper copies of these documents or any other Public Register information on the application, please contact our Customers & Engagement Team on 02030 255472 or by e-mail:

enquiries_eastanglia@environment-agency.gov.uk

What about planning issues?

Planning permission must be in place before the proposed IWMF can be built and both planning permission and the Environmental Permit are required before the plant can be operated.

Planning permission for the Rivenhall IWMF was originally issued by the Secretary of State in 2010. This includes a restriction on the incinerator stack height of 35 metres (above surrounding ground levels). We have recently been consulted by Essex County Council in relation to a number of relevant planning applications submitted by Gent Fairhead & Co. Ltd. Further details on the planning applications in question can be found on the County Council's web site:

<https://www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Pages/Default.aspx>

Continued public engagement

In view of the level of public interest concerning the Rivenhall IWMF, we are keen to ensure ongoing face to face engagement and dialogue with local people. This will enable us to fully explain our day to day regulatory role and also how the public can access relevant environmental performance data.

Subject to the current planning process, we understand the proposed IWMF may take around 2-3 years to be built. Our intention is therefore to hold public events in the local area before the plant becomes operational. We expect this would be around 6 months before the start of operations.

The Rivenhall IWMF Liaison Group was established in 2014 as a forum for local representatives to engage with the developer, the County and District Councils and the Environment Agency. The relevant local Parish Councils are represented on the group. This will be an important forum for us to keep local representatives fully informed concerning our regulation of the Rivenhall site.