

King's Cliffe Local Liaison Group Meeting

6th April 2011

Present

Phil Watson (PW)
Mark Laurenson (ML)
Eleanor Nicholson (EN)
Gene Wilson (GW)
Tony Slipper (TS)
Kevin Burton (KB)
Heather Smith (HS)
Palden Dorje (PD)

Michael Day (MD)
Hilary Blunt (HB)
Pauline Bradberry (PB)
Felicity Stevenson (FS)
Fiona Cowan (FC)
Simon Moyle (SM)
Phil McCrone (PM)
David Burgess (DB)

Representing

Northamptonshire County Council (NCC)
NCC
Jennings Nicholson Associates (for Augean)
Augean
Tixover Parish Council
Environment Agency (EA)
Councillor (NCC - Prebendal)
East Northamptonshire District Council (ENDC) –
Environmental Protection
King's Cliffe Parish Council
King's Cliffe Parish Council
Councillor (ENDC – Fineshade)
Easton on the Hill Parish Council
Collyweston Parish Council
Augean
Laxton Village Meeting
Woodnewton Parish Council

1. Apologies

Roy Boulton	NCC
Andrew Howard	King's Cliffe Parish Council
Werner Schulze	Collyweston Parish Council

2. Minutes of Previous Meeting (2nd February 2011)

- 2.1 Fiona Cowan (FC) – Pointed out a wrong initial at 4.28 (FS not FC).
- 2.2 Phil McCrone (PM) – Expressed concern that the minutes do not reflect that his concerns regarding the potential for roots to disturb the clay cap were not addressed. Further information supplied by the EA since the last meeting had still not addressed LLW. Tree roots could penetrate the cap, die and subsequently leave open pathways.
- 2.3 Kevin Burton (KB) – Explained that the guidance note sent to PM was advice used by local planning authorities for landfill restoration. KB emphasised that roots would not penetrate the membrane between the clay cap and underlying landfill layers.
- 2.4 Gene Wilson (GW) – Noted that Augean has looked at intrusion and impacts in existing risk assessments and this will be picked up in subsequent risk assessments.
- 2.5 Phil Watson (PW) – Explained that if the evidence supplied by Augean was robust it was difficult for the EA and NCC to take a contrary position.

- 2.6 PM – Stated the cap integrity must be maintained. Augean can't argue that if it gets penetrated it's okay because it's only LLW. If this was the case then it wouldn't be necessary to cap the site.
- 2.7 FC – Asked that PM's concerns about the minutes be noted.
- 2.8 GW – Commented that more information could be provided or that a meeting could be held with PM to discuss further.
- 2.9 PM – Stated that Augean need to assure decision makers this matter has been addressed.
- 2.10 GW – Noted that the inquiry gave the Inspector and Secretary of State the opportunity to analyse the evidence. The impact of intrusion into the cap was discussed at the inquiry.
- 2.11 Tony Slipper (TS) – Asked why a cap is necessary if the material is not dangerous.
- 2.12 KB – Explained that the main reason is to stop rainfall infiltration and minimise leachate.

3. Matters Arising

- 3.1 PW – Asked if any progress had been made further to paragraph 4.8 of the minutes dated 2nd February 2011 relating to the involvement of members of this LLG in meetings regarding the review of the mineral extraction planning conditions at nearby Cooks Hole.
- 3.2 GW – Noted Augean had spoken and written to Peterborough City Council (PCC).
- 3.3 FC – Stated this had not been taken away as an action point but explained that Parish Watch meets approximately once a year. The group was originally formed following a proposal to include industrial incinerators in a PCC plan. The group keeps a watching brief on cross boundary issues.
- 3.4 PW – Queried whether the parishes could write to PCC noting their interest in being involved.
- 3.5 GW – Suggested the parishes write to Christina Nichols, Senior Planning Officer at PCC.
- 3.6 David Burgess (DB) – Noted that it is an invite only group.
- 3.7 FC – Stated that PCC had attended previous Parish Watch meetings and that the group met as and when necessary.
- 3.8 DB – Commented that the meetings are organised by Wansford Parish Council.
- 3.9 FC – Explained that the secretary was the clerk to Wansford Parish Council but that she's now town clerk at Stamford Parish Council.
- 3.10 GW – Mentioned that Richard Clarke attends from Wansford Parish Council.

4. Operators Update

- 4.1 GW – Explained that the review of planning permission at Cooks Hole is progressing and a decision is expected in the next month or so. Thornhaugh landfill is running out of time for completion under the current planning permission. The PCC local plan includes an extended landfill area. It is likely that Augean will apply to extend the permission toward the end of this year or early next year.
- 4.2 GW - Noted that there was no change to the status of the LLW application at King's Cliffe. The decision is expected on or before 24th May 2011.
- 4.3 GW - Explained that Augean will also be sending out proposals for community consultation with a statement of community consultation to be published. The consultation will be more robust and extensive in line with the Infrastructure Planning Commission (IPC) guidelines for consultation.
- 4.4 GW - Provided an update on the scoping consultation. He explained that consultation was undertaken in two parts. One part comprised three applications for the extension of three planning permissions beyond 2013. The second part of consultation was regarding the extension of time to 2026 and the extension of the void. The consultation has now been completed with responses generally supporting the principles of the approach to be taken to assessing the environmental impact of the proposed development in the Environmental Impact Statements. GW noted comments made about the baseline data and that Augean were to adopt the worst case baseline, i.e. the proposals based on a cessation of the existing rather than a continuation of more operations. GW noted several detailed comments regarding ecology and restoration. He explained that the Environment Agency comments related mainly to flood risk and were fairly standard although there were some questions about the relevance of the comments to the site. Responses were also made regarding traffic, especially winder traffic impacts. GW expressed that impacts are generally less as you get further from the site. The A47 and Stamford Road are recognised as particularly important with the A43 also a consideration. In light of the responses re traffic, Augean will look at the scope of the impact but generally impacts are considered likely to be minor due to the numbers of vehicles on the road. Augean were sent a report summarising the main points in the responses but have also been forwarded the individual comments. These will be discussed with individual respondents as necessary.
- 4.5 FC – Commented that if the roads are already at capacity then there will be traffic impacts.
- 4.6 GW – Noted that the information suggests that the roads are not at capacity but Augean do understand local concerns. A full technical assessment is ongoing.
- 4.7 PW – Commented that the parishes generally objected to the principle of the development without addressing the proposed scope of the Environmental Impact Assessment.
- 4.8 FC – Suggested this reflected a lack of understanding by the parishes and that further explanation of the consultation letter would've helped. The letter included too much jargon and did not explain the stage or purpose of the consultation nor what would follow.

- 4.9 PW – Explained that it can be difficult to remove jargon but that NCC take the point. He suggested that NCC could do a further consultation to try to make the purpose of the consultation clearer if Augean would be willing to receive any further comments.
- 4.10 GW – Responded that he was open to receiving any further comments.
- 4.11 TS – Asked if the applications would go ahead if Augean don't get planning permission for the disposal of LLW.
- 4.12 GW – Stated that the applications for extension would go ahead but that it was questionable if LLW would be included. The timescales and void would need to be reviewed but in reality LLW would be a small percentage of waste received.
- 4.13 Heather Smith (HS) – Commented that it doesn't seem totally logical to double the size of the site given Augean can't fill the existing site to schedule.
- 4.14 GW – Explained that the need still exists but that the waste hasn't come forward as quickly as originally anticipated.
- 4.15 DB – Asked if the EA would be involved publicly and transparently, especially with regard to water impacts.
- 4.16 GW – Stated that open discussion with the EA on these matters are ongoing.
- 4.17 DB – Asked if the applications will address stress and perceived harm.
- 4.18 GW – Confirmed that they would in so much as they would draw on evidence of stress/perceived harm in relation to other cases. Noted socio-economic aspects would form an important element of the proposed applications.
- 4.19 PW – Noted that the Secretary of State decision will likely provide some guidance regarding perceived harm and how it should be addressed.
- 4.20 PM – Asked if there is a comparable site against which comparisons can be drawn.
- 4.21 GW – Explained that there are other sites taking LLW as well as sites with similar levels of local opposition.
- 4.22 PW – Commented that perceived harm is a challenging area. Suggested that GW could take account of further comments following the proposed further consultation re EIA scoping.
- 4.23 TS – Asked if Augean would be tempted to increase throughputs if granted planning permission and queried how this would be controlled.
- 4.24 GW – The applications would assess an acceptable level of traffic with conditions likely to restrict vehicle movements and volumes of waste processed.
- 4.25 HS – Asked for confirmation that the site doesn't currently operate near its limit.

- 4.26 GW – The site is limited to 250,000 tonnes per annum but has not operated at this volume since it was run by Atlantic Waste. Including throughput through the soil treatment facility, approximately 150,000-200,000 tonnes of material is current received. Details of proposed volumes would be addressed in any subsequent application.
- 4.27 HS – Noted that a new waste stream would lead to a change in vehicle movements.
- 4.28 KB – Asked if the restrictions would also address movement of engineering materials.
- 4.29 GW – Responded that engineering operations would also be addressed.
- 4.30 Hilary Blunt (HB) – Asked if the number of movements would be comparable to the nearby Howards Transport Limited site.
- 4.31 GW – Responded that movements would be approximately half of those from Howards.
- 4.32 PW – Commented that traffic is always an issue raised, perhaps reflecting a common concern across the country.
- 4.33 DB – Raised the issue of sustainability. Material would be imported across large distances.
- 4.34 GW – Confirmed that the hazardous landfill facility serves a sub-national catchment.
- 4.35 DB – Commented that this would be more apparent with the introduction of LLW.
- 4.36 GW – Agreed that a lack of LLW sites means waste travels greater distances but that the site would provide a degree of increased sustainability as material would not need to go as far as Lancashire, Cumbria etc. GW noted onsite disposal at nuclear facilities is not always an option and that sustainability matters would be addressed in any future applications.
- 4.37 GW - Explained that a series of events would be run in the area relating to the draft community consultation document.
- 4.38 Eleanor Nicholson (EN) – Provided the dates for these meetings – 19 May in King's Cliffe, 20 May in Collyweston and 21 May in Woodnewton – details to follow.
- 4.39 GW – Explained that additional workshop events would be held in July. Details and publicity of the events would start from 26th April. Preliminary environmental information would be made available, including a draft environmental statement with non technical summary. Augean would explain the proposals and direction and discuss where potential flexibility existed. This reflects criticisms that limited options were put forward previously. While options remain limited, for instance legislation and policy limits re design etc, Augean consider options remain re other matters, for instance restoration.
- 4.40 HS – Asked what the timescale was for the extension and if this was flexible.
- 4.41 GW – Responded that the proposals were to 2026 and that this was not flexible.

- 4.42 DB – Asked if this was financially justified.
- 4.43 GW – Responded that it was justified through need for the facility and planning.
- 4.44 PW – Asked if there was flexibility in the volumes of waste.
- 4.45 GW – Responded that this was still being looked at.
- 4.46 PW – Noted that issues regarding volumes were discussed at the inquiry but not resolved. Asked about flexibility re the levels of radiation that would be accepted. For example would Augean consider reducing the levels below 200 becquerels per gram (Bq/g) in respect of LLW.
- 4.47 GW – Commented that the levels recommended were designed to help meet demand as prescribed by the Nuclear Decommissioning Authority and could be safely disposed of onsite without changing basis operating practices. Noted that these issues cut to the heart of the matter re the provision of the facility. If capacity etc is cut away then you stand to fail to meet the need.
- 4.48 HS – Raised the difference between consulting and communicating.
- 4.49 GW – Understand the distinction but there is limited scope for flexibility.
- 4.50 FC - Commented that trust was built up between local residents, the EA and Augean but that this has been very much eroded recently. Augean will not get an easy ride and if there is no flexibility then there is no point in consultation.
- 4.51 GW – Responded that the need for flexibility can lead to applicant's exaggerating initial proposals to provide room for negotiation. Augean are not interested in that approach. Proposals beyond 2026 were investigated as were further increases to the void but these were ruled out.
- 4.52 FC – Commented that those points could have been communicated at the time and used to help manage public perception.
- 4.53 KB – Stated that the permit would limit the volumes and types of waste received.
- 4.54 HS – Noted community scepticism re the EA's role in the process.
- 4.55 KB – Responded that the EA is happy to arrange for further discussions about the limits, dangers, sources of material etc.
- 4.56 FC – Raised the issue of radioactive waste being disposed of at Thornhaugh without public notice.
- 4.57 KB – Stated that radioactive waste was not delivered as the material was classified as exempt under the regulations.
- 4.58 DB – Commented that Augean should be upfront about the reasons for limited flexibility, e.g. financial factors.

- 4.59 GW – Responded that much of what is fixed is reflected in legislation, e.g. cell design.
- 4.60 TS – Expressed concerns about business creep. Initially proposals were to 2013, then 2016, now 2026. Asked if it will soon be by 2036 and whether the levels of LLW would also rise. Noted that this creep contributes to local cynicism.
- 4.61 KB – Commented that a workshop on radioactivity and hazardous waste might be beneficial.
- 4.62 HS – Expressed that she thought the facility would be gone by 2013 but doesn't now believe it will be gone by 2026 - people want to know the end game.
- 4.63 PM – Locals understand this is a business and as such are sceptical of the business people involved. The issue would have been better addressed by national government. Asked if LLW was not in fact disposed at Thornhaugh as reported on BBC Look East.
- 4.64 GW – Explained that waste generated during construction associated with the Olympics was identified as radioactive but non-nuclear. The waste was sorted and some found to be below regulation levels for LLW and as such was treated as non hazardous waste in line with the regulations. GW thought the volume of exempt waste from the Olympic site disposed of at Thornhaugh was in the order of 300 tonnes.
- 4.65 FC – Responded that the EA and Augean need to ensure the community understand the regulations.
- 4.66 KB – PCC were briefed that the material was exempt. Waste of similar nature is disposed of daily at landfills, e.g. smoke alarms, natural isotopes etc.
- 4.67 FC – Responded that lines of communication need to be in place to prevent these issues arising.
- 4.68 KB – PCC were informed and the EA responded to queries.
- 4.69 FC – Commented that this approach was not proactive enough.
- 4.70 HB – Expressed concern that the area falls down a hole as it is located on the edge of various authorities.
- 4.71 EN – Explained that a register of stakeholders has been created. In the future it will be possible for Augean to distribute comments by email to proactively address similar issues.
- 4.72 KB – Noted difficulties in being proactive but encouraged people to contact him directly and make him aware of concerns.
- 4.73 DB – Suggested that statements on websites would help and that the parties involved were not expected to second guess everything.
- 4.74 Palden Dorje (PD) – Commented that the press can be biased and people don't necessarily know where to go for the answers.

- 4.75 FC – Responded that Augean, EA etc need to take the initiative and engage the community.
- 4.76 PD – Commented that ENDC also had to call the EA for information about these events involving the exempt waste at Thornhaugh.
- 4.77 GW – Agreed that Augean should've addressed the issue. Explained that the issue arose from a freedom of information request which was sent to media and residents and caused significant press. GW commented that Augean should've sent around an informative to attendees of the Thornhaugh and King's Cliffe LLGs.
- 4.78 KB – Reiterated his request that people contact him directly with similar queries in the future.
- 4.79 Simon Moyle (SM) – Noted he could also be contacted in his role as manager of both King's Cliffe and Thornhaugh.
- 4.80 GW – Stated that Augean were in the best place to respond and address these issues and that measures are to be implemented for the future.
- 4.81 PW – Noted the importance of public perception. For instance if the information is coming from Augean it will not necessarily be accepted but it's important the mechanisms are in place. Augean need to work hard with the wider community if they are to continue to operate in the area and avoid unnecessary difficulties for all involved.
- 4.82 SM - Explained that phase 5 development at the King's Cliffe hazardous landfill site is likely to go ahead this year. The Construction Quality Assurance document should be available in the next few weeks and will provide fully detailed design of the void construction for the EA prior to construction. Construction must meet the requirements of the landfill regulations.
- 4.83 GW – Independent checks are undertaken, including checks by the EA.
- 4.84 SM – Extensive testing procedures include leak and weld tests.
- 4.85 DB – Asked about sampling of the clay.
- 4.86 GW – Explained that the clay was tested in layers as it was placed.
- 4.87 TS – Asked if landfill technology has progressed significantly in recent years.
- 4.88 SM – Responded that the technology used is proven and established. The clay at King's Cliffe is especially important as it is particularly impermeable. The technology expected is set in the landfill directive. New technology is emerging but is not ready yet.
- 4.89 DB – Commented that clay has been tested but only for its performance over 20 years.
- 4.90 GW – Responded that everything is time limited.

- 4.91 KB – Stated that the EA checks are to the most conservative models.
- 4.92 DB – Asked if the checks consider drilling for groundwater nearby.
- 4.93 GW – Responded that drilling adjacent to the site is considered.
- 4.94 SM – Explained that the Police visited the site 4th April in follow up to reports that material was delivered to the site under police escort 25th March. The Police were shown CCTV footage which proved that no such delivery was made to the site.
- 4.95 GW – Noted that the Police have confirmed they didn't escort anything through the area on the 25th March.
- 4.96 SM – Advised that a small amount of dredging waste was spilt at the site entrance on 4th April when a lorry braked too heavily. SM explained that the traffic was slowed and the site cleaned up within 20 minutes.

5. EA Update

- 5.1 KB – Explained that regular environmental monitoring of boreholes in the area continues. Samples are taken monthly and tested against set limits. A summary is provided quarterly. Data from the last year has been reviewed and the results are satisfactory. Leachate within the site can collect in the cells and is also managed to set heights/limits. Levels are currently around the limits. Augean has an ongoing programme to pump out the leachate and treat it at the adjacent soil treatment facility. The amount of leachate generated is dependent on rainfall. As most of the site is active and therefore not capped leachate generation is significant.
- 5.2 KB - Explained that the soil treatment plant was recently audited. The EA expects continual improvements and works with companies to achieve this. Augean have been amenable and discussions are ongoing.
- 5.3 KB - Explained that landfill operations are continuing with soil and rubble placed in a clay lined cell. Gas monitoring also continues. The nature of the material deposited generates insignificant amounts of gas and there is no evidence of gas migration offsite. Dust monitors are spread around the site and used to measure total particulate matter, asbestos and PM10s (fine dust). The results of monitoring show almost nothing has been collected and are in keeping with background levels. Odour, vermin and wind-blown litter are not significant issues at the site due to the nature of the material deposited.
- 5.4 KB – Confirmed that overall the EA is satisfied Augean are adhering to the permit and necessary standards.
- 5.5 DB – Asked if the leachate levels were set in advance.
- 5.6 KB – Responded that limits were set in the permit for both trigger levels and limits but they were designed more toward post completion levels. During operations pumping is necessary to keep the levels down.
- 5.7 SM – Explained that pumps are moved around sumps within the cells as necessary.

- 5.8 DB – Asked whether the systems are capable of dealing with cloud burst events.
- 5.9 PM – The systems need to be able to cope with heavy and continuous rain. Asked what happens if the waste itself becomes saturated.
- 5.10 SM – Explained that levels never exceed 2 metres and that pumping from sumps at the lowest points keeps the levels below 1 metre. The waste itself and any rainfall is contained within the cell. The systems are designed to cope with worst case scenarios.
- 5.11 GW – Explained that the leachate is not recirculated but rather treated at the soil treatment facility.
- 5.12 SM – Commented that recirculation works well at domestic sites where the waste can absorb liquid and help break down waste and chemicals but is less useful at King's Cliffe.
- 5.13 DB – Asked if leachate would be taken offsite if volumes exceeded the capacity of the treatment facility.
- 5.14 GW – Confirmed this was the case.
- 5.15 TS – Asked if the shrinking of the clay posed an issue.
- 5.16 SM – Commented that this is not typically an issue at the base as the clay is covered and lined.
- 5.17 KB – Explained that desiccation of clay can be a problem at some sites. It can be managed through careful management and strict moisture content limits. Clay used for lining is measured for how it deforms, compacts etc. Cracking is not an issue once the clay is covered.
- 5.18 FC – Read an extract from a report to the European Union (EU) on the potential impact of the proposals at King's Cliffe to other member states.
- 5.19 KB – Explained that the report reflects a requirement for Augean to report on potential impacts to EU member states. Noted that these reports are more relevant when located in close proximity to national borders.
- 5.20 GW – Explained that Augean were required to prepare a very detailed report with no provision for impacts to be defined as de-minimus.
- 5.21 TS – Asked if waste would be imported to the site from the EU outside the UK.
- 5.22 GW – Stated this would not be allowed by the EA or NCC.
- 5.23 KB – Explained that legislation allows waste importation of radioactive waste to the UK for treatment but not disposal.

6. NCC Update

- 6.1 PW – Explained that NCC are awaiting the Secretary of State decision on or before the 24th of May 2011. Noted that there are no updates re planning policy – a report on the examination of the Control and Management of Development document is still expected in May with adoption likely in June 2011.
- 6.2 PW stated NCC would prepare a further consultation letter for non-technical consultees that better explained the nature of the consultation.
- 6.3 DB – Asked about the decision process.
- 6.4 PW – Explained that a letter from the Secretary of State was expected to accompany the Inspector's report. The letter could say it agrees with the report, or disagree with particular points etc. The letter would need to include justification for any changes to the report. The decision could be the subject of a judicial review.
- 6.5 HS – Asked what Augean would do if planning permission for LLW was refused.
- 6.6 GW – Explained that it would depend what was said in the decision. Noted that there are limited grounds under which a judicial review can be requested. Commented that a review was unlikely unless Augean felt the decision was legally wrong.
- 6.7 HS – Asked what local residents could do if it was granted.
- 6.8 PW – Explained that the same system applied as for the applicant. Residents would need to make a short case with good reasons to a judge. If the judge decided the case was sufficient then there would be a judicial review. A request for judicial review must be made within 6 weeks of the Secretary of State's decision.
- 6.9 TS – Asked who would receive copies of the final report.
- 6.10 GW – Everyone who asked at the inquiry along with people who wrote to the Planning Inspectorate. It will also be made available online.
- 6.11 DB – Asked about the Environmental Permit.
- 6.12 KB – Explained that the permitting process is a separate and independent process. A draft has been circulated and the permit is expected to be issued soon.
- 6.13 GW – Explained that Augean wouldn't be able to operate without both the permit and planning permission.
- 6.14 DB – Asked if the permit was available for public inspection.
- 6.15 KB – Confirmed that a draft had been in the public domain since February 2011.

7. Date of Next Meeting

- 7.1 PW – Noted that a decision is expected on or before 24th May.

- 7.2 GW – Mentioned that the decision could however be earlier or later.
- 7.3 PW – Proposed a July meeting.
- 7.4 GW – Confirmed this would fit with Augean's proposal to submit applications towards the end of August.
- 7.5 The next meeting was confirmed for **2pm on Wednesday 20th of July at the King's Cliffe Memorial Hall.**