

WEALDON WORKS COMMUNITY LIAISON GROUP

MEETING 030 Minutes:

Date: 21st June 2023

Time: 6.30 to 8.00pm

VENUE:

**Roffey Millennium Hall and
Remote by MS Teams**

Attendees:

Chair

Andrew Baldwin – County Councillor for Holbrook (AB)

Qair BCR

Luc Valaize	(LV) – by video link
Gerrard Beelaerts	(GB) – by video link
Michael Rigby	(MR)
Keith Riley – Liaison Officer	(KR)

Residents

Brian Johnson.	(BJ)
Karen Park	(KP)
Kevin Slatter	(KS)
Rob O’Brien	(ROB)
Piers Chapman	(PC)
Donald Mahon	(DM)

Horsham District Council

Thais Covre Delborni	(TCD)
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North Horsham Parish Council

CLlr David Searle	(DS)
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Rusper Parish Council

Richie Gatt	(RG)
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Warnham Parish Council

Tom Bickford	(TB) – by video link
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West Sussex County Council

James Neave - Principal Planning Officer	(JN) – by video link
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The meeting started at 6.30pm

1. Chairman's Opening Remarks

The Chairman welcomed new members: Donald Mahon and Piers Chapman as residents; new representatives from Rusper PC, Richie Gatt and Warnham PC, Tom Bickford; and the Air Quality Project Officer from HDC, Thais Covre Delborni. He then asked all present to introduce themselves.

The Chairman reminded all present that the purpose of the Liaison Group is to provide an open channel of communications between the company, Qair, local residents and other parties with an interest or a role in the operation of the Wealden Works site. He recounted that the meeting gives the opportunity for local residents to raise concerns and issues, to ask questions and discuss things relevant to the site.

A discussion ensued on the Environment Agency attending the meeting. The Chairman stated that he had tried to have someone attend, but without success. It was noted that the Environment Agency was limited on resources and were unlikely to attend the CLG meetings at this stage. It was felt that once the facility was built then they would be expected to attend.

2. Apologies for absence

The following apologies were received – Liz Kitchen, Peter Catchpole, Stuart Mander.

3. Review of Minutes of the previous meeting – number 29 – held on 20th April 2023 and update on actions.

The minutes were agreed to be an accurate record subject to two corrections:

- Page 6, Item 13 Any Other Business – last sentence should be “BJ”, not “BC”;
- Page 7, first sentence “KS” should be “LS”.

Actions arising from the minutes were reviewed as follows:

- (a) Visit to existing EfW plants - SM had proposed that the visit to the EfW plants in Scotland be held on 14 or 28 September, but these dates were not convenient to the four people elected to go. KP commented that a 7.00am flight from Gatwick was very early and wondered if an overnight stay could be included. It was also requested that, if possible, any new member that wanted to go along should be allowed to go.

Action 30/1: SM to be asked to contact BJ, KP, KS, DS with alternative dates.

- (b) Vice Chairman - it was unanimously agreed that David Searle would be the Vice Chairman. David confirmed that this has been cleared with the Clerk to North Horsham Parish Council.
- (c) Waste tonnage - BJ confirmed that he had written to JN on 27 April 2023 regarding the tonnage permitted by the appeal decision that could be treated through the energy recovery plant. JN confirmed that WSCC had considered the matter and taken external legal advice. He stated that there is a limit of 230,000 tons per annum on the maximum volume of waste that can go into the site, but the Planning Inspector did not restrict the

percentages to be recycled or combusted. He stated that the control placed on the site is that stated in the conditions in the Inspector's Report - in this case Condition 20 – and it is only those conditions that apply. WSCC cannot enforce the percentage of waste entering the site to be recycled versus that incinerated. BJ, KP and KS expressed dissatisfaction with the response and BJ asked whether that decision can be appealed. DM questioned why WSCC felt it necessary to seek external advice. In response to a request to have sight of the legal advice, JN responded that legal advice is normally privileged information and not disclosed in public. BJ expressed disappointment at the delay in responding to his e mail. JN apologised for the delay but stated that the legal advice had only been received the previous week. BJ requested to see a copy of the external legal advice and wondered why it was necessary for WSCC to go outside its own legal team. JN agreed to ask his manager if the external legal advice received can be shared with the Liaison group.

In response to a question on the Environmental Permit, KR stated that the permit does not differentiate between recycled or incinerated tonnages. He also pointed out that approximately 22% of the input would result in bottom ash that would legitimately be counted as recycling when it is recovered as an aggregate substitute. ROB commented that this is the first time he had heard about the ash being recycled, not even at the exhibitions etc.

Action 30/2; JN to investigate if external legal advice on tonnages can be released to the CLG.

Post meeting Note:

JN has discussed the matter with senior managers and the decision is that the full content of the advice will not be shared because it is subject to legal privilege. However, please see the following, which summarises the key conclusions of that advice:

- The description of development as set out in the application form and recorded in the decision is a "Recycling, recovery and renewable energy facility and ancillary infrastructure". The description of development would not prevent the operator from operating the facility in such a way that it only involved recovery, not recycling.
- Condition 2 secures various plans, including a Storage and Recycling Area Plan and wider site plans showing where the Storage/Recycling building was to be provided. None of the approved plans under Condition 2, nor other details of the proposal as secured by the other conditions referred to by the Inspector, limit the tonnage of waste that can be burnt (apart from Condition 20 which imposes the 230,000 tpa limit on total waste imported to the site).
- There is nothing in the conditions attached to the planning permission that would allow the Council to enforce against either (i) a change in the quantum of waste to be recycled on site, (ii) the quantum of waste incinerated on site or (iii) the nature of the feedstock being imported (i.e. whether has been through a recycling facility prior to sending to the EfW). Therefore, burning 230,000 tonnes per annum of waste would be within the scope of the planning permission.

- (d) Possible speed reduction on Langhurstwood Road - AB stated that he had written to the WSCC Highways Cabinet Member on 28 April 2023. A site visit was planned during the ensuing 2 weeks.

Action 30/3: Chairman to report back on outcome following site visit.

BJ requested that actions be resolved faster than waiting for the next meeting.

Item 7 was brought forward during the meeting but is reported here in the order of the agenda.

4. Community questions sent to Qair and answers

KS reported that as a group, they had sent a list of 52 questions to Qair to which MR had responded. KS stated that some of the questions were specific, particularly regarding air quality and health, and further clarification is being sought. He said they want clear answers that can be published. KP wanted more members of the Group to be involved. Qair has worked with the group to respond to the questions, but MR stated that it was considering putting selected relevant questions and answers on the website (<https://cher.energy/>) as FAQs, but not all. Following discussion, it was suggested that if Qair do not wish to publish them as FAQs then the No Incinerator 4 Horsham (NI4H) Group could publish them on their website. It was agreed that KS or KP should send any further questions to MR and a decision be made with view to reaching a satisfactory conclusion. As most of the questions have already been answered it was agreed that a physical meeting was not required. KS noted that the process had been overall collaborative.

5. Terms of Reference dated 29 September 2020 – proposed changes circulated 5 June 2023

The Chairman stated that as the planning permission for the CHER facility have been implemented and preliminary work started on preparing the site, the ToR for the CLG issued on the 29 September 2020 are active. It was felt that they are comprehensive. In January 2022 the Group made some suggested changes with which KR agreed on behalf of Britaniacrest Recycling. KS and AB have since reviewed them again, as circulated on 5 June 2023. JN stated that he had reviewed the changes and felt there was no requirement to change the purpose of the Liaison Group. For example, the reference to operational limits set by the Environment Agency go beyond the scope of the planning conditions. AB felt that it was not changing the scope of the Group but just trying to define what was meant by development and operations. KS concurred and felt it was not an issue, the main objective being to have a productive meeting environment.

MR noted that Qair had not formally reviewed the ToR but agreed to do so. The Chairman stated that JN's comments are noted and reminded the Group that at the end of the day, the ToR are subject to a planning condition, which should not be changed unless necessary. It was agreed that formal adoption would await Qair's formal response.

Action 30/4: Qair to review amended ToRs and revert.

6. Feedback following the open day on Saturday 22 April 2023

MR reported that Qair felt it had been a successful day, with 118 people attending. The concerns of people attending had been noted where these had been raised. ROB thanked Qair for organising the event but felt that the location was not ideal. He asked if another drop-in event could be held in September as there were still questions being asked. A discussion followed on the location and possible alternatives.

BJ questioned the communications announcing the event, as he had not seen any publicity about it other than what NI4H had issued. He and KP noted that the announcement of the open day had not mentioned incinerator or energy from waste. There was also concern expressed that newspapers were no longer an effective means of communication and KP commented that there was no posting on social media. MR stated that it had been advertised locally and about 40% of attendees had seen the advertisement in the newspaper.

Following further discussion, the Chairman suggested that a repeat of the exhibition in September 2023 was unnecessary but maybe a smaller event up taking fewer hours could be held sometime in Spring 2024 in Holbrook. The Tythe Barn in Holbrook would be a suitable venue, as it would give more local people an opportunity to attend.

ROB raised a question regarding the quantity of chemicals (e.g. fuel oil, ammonia) stored on the site and whether this was dangerous. KR said the amount of such chemicals that could be stored on site are limited and are set out in the permit application, but thought that urea was being used, not ammonia. TCD commented that HDC Environmental Health would work with the EA once they can contact them. MR stated that he was not aware of any issues arising with such chemicals.

PC said he would like to see more technical information as the drop-in event essentially repeated what was shown at the planning stage exhibitions. There was no information on how the site is going to be developed, what the plans for construction are etc. and that this information should be posted on the website as well as shown at an exhibition. He commented that the more that was known, the less there is to fear. DM concurred and felt there should have been more story boards. He said that he had had an informative conversation with Stuart Mander who clarified matters, but simpler, more explanatory presentations would have helped to “explain the journey”.

KS reported that feedback was that LV was very engaging and convincing, but on the technical side, answers were not forthcoming. He commented that the main concerns remain about air quality and health issues, and these were not fully addressed. It was suggested that Qair should have had an expert present who could address these matters.

In response to a question from KP about activities on site, MR stated that HZI would be putting updates on the website informing people of what is happening during the construction stage. There are no plans to send out newsletters, but local residents would be informed by letter or e-mail of anything that will create a lot of noise - e.g. safety valve tests on boilers. DS suggested that Qair put out newsletters or e mails like Biffa, as they are very well received.

7. Update on the “CHER” development

MR reported that the detailed design is being progressed in close contact with HZI. The ground testing has been completed and the results are being analysed. Qair are discussing minor changes to the building with WSCC, but no changes are proposed to the height of the chimney nor the roof level. The main construction is likely to start the ends of 2023 or early 2024 and take 3 years. MR confirmed that the financial aspects are in the process of being finalised, but there is no deadline for that.

8. Issues regarding the current approved operations

- Public complaints/Enforcement Orders - KR confirmed that there had been no EA or HSE visits and no public complaints or enforcement orders received. TDC confirmed that she was not aware of any issues.
- Vehicle movements and quarterly Tonnage details – YTD figures circulated on 15 June 2023 by KR. There were no comments.
- Vehicle spillage report/roadside litter - grass verges are generally high so hiding litter. ROB said some litter on traffic island and a general tidying up would be needed when the verges were cut.
- WSCC Planning Conditions – JN confirmed that there were no planning issues reported.

9. Fire Risk Assessment

KP stated that some questions had been sent to the Environment Agency but they have not replied. KR confirmed that there is a Fire Protection Plan in the permit application, but as the details develop, the insurers will insist on adequate fire protection and there being sufficient water storage on site. ROB raised the question of there being adequate water available. MR stated that water supplies were being considered at the moment, but the system is enclosed, and water consumption is not large for an industrial process.

10. Any other business

In response to a question from KS, TCD confirmed that HDC will monitor air quality on Langhurswood Road but not on the actual site. KS wanted to know who to approach if more species were wanted to be measured. TCD stated that it would be the Environment Agency. Qair will take on-site measurements and HDC can review them, but KS was concerned about the surrounding area.

BJ asked about the air monitoring carried out by HDC. TCD confirmed there were three air monitoring stations in Horsham, but the main concern was emissions from traffic. Following discussion, KR noted that the air quality baseline was established for the environmental impact assessment (EIA). MR noted that odour was not a concern with energy from waste plants.

Post meeting note: Details of air monitoring carried out by HDC can be found on: <https://www.horsham.gov.uk/environmental-health/air-quality/air-quality-reports-and-assessments>

11. Date of next Meeting

6 September 2023

There being no other business, the meeting closed at 8.00 pm.

Action Summary

Action 30/1: SM to be asked to contact BJ, KP, KS, DS with alternative dates.

Action 30/2; JN to investigate if external legal advice on tonnages can be released to the CLG.

Action 30/3: Chairman to report back on outcome following site visit.