



B O S T O N

BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

6 August 2019

Our ref: MS/LS

Boston Alternative Energy Facility
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Dear Sirs

BOSTON BOROUGH COUNCIL CONSULTATION IN RESPECT OF PHASE 3 FOR BOSTON ALTERNATIVE ENERGY FACILITY

We are pleased to set out below our detailed response to the proposals in respect of the above.

We are mindful there are several strands within the Borough Council who will have a professional view and in addition, both the Cabinet and the Environmental and Performance Scrutiny Committee have reviewed the draft proposals and have made comments.

We have set out below a summary of our departmental comments, which include elected member comments, with a concluding paragraph of outstanding questions, in addition to a summary of issues that have been sent directly to elected members. We believe many of the issues we have raised, such as impact of traffic on the wider area, require greater clarification before any application is submitted to the Secretary of State. We welcome ongoing dialogue to enable such issues to have this clarity and suggest that noting the size and scale of the proposed development there is an extension of time to the deadline of the 6 August 2019 consultation period. We propose an extension of up to six weeks to enable round table discussions comprising officers of both Lincolnshire County Council, Boston Borough and members of the BAEF project team. We are willing to host the meetings and propose that a single-issue topic be discussed in detail each week, commencing with highways and traffic impact. We believe this will ensure that we are better able to consider Joint Statements of Common Ground in readiness for any Inquiry.

The Borough Council is keen to work with the applicant to contribute at this early stage to ensure that in the event the Secretary of State determines to approve the application, all aspects have been robustly considered to ensure maximum economic benefit to the wider community whilst protecting the environment from traffic, noise and harm to the ecosystems surrounding the proposed site.

Waste Strategy

The Waste Strategy for Lincolnshire was adopted by the Lincolnshire Waste Partnership (LWP) in January 2019. This followed a period of extensive public consultation during the summer of 2018 and adoption by each *individual partner member of the LWP through their democratic process. The Waste Strategy for Lincolnshire was adopted by Boston Borough Council on 28 November 2018.



LWP is made up of the Lincolnshire County Council, as waste disposal authority and the 7 district/borough councils as waste collection authorities}.

On the basis that the BAEF could process residual household waste from Lincolnshire, this proposal could support delivery of 4 out of 10 strategic objectives in the Waste Strategy for Lincolnshire:

Objective 4: To explore new opportunities of promoting waste minimisation and of using all waste as a resource in accordance with the waste hierarchy.

Objective 7: To seek to reduce our carbon footprint.

Objective 8: To make an objective assessment of what further waste processing/disposal capacity is required and, as necessary, secure appropriate capacity.

Objective 10: To consider appropriate innovative solution to the delivery of our waste management services.

The current disposal facility for residual municipal waste in Lincolnshire, an Energy from Waste (EFW) plant located in North Hykeham, Lincoln, is forecast to reach its operational capacity in the next 5 years. Lincolnshire County Council, who are responsible for the disposal/treatment of the county's municipal waste, have yet to publish a coherent strategy for dealing with the treatment of the county's residual waste once this capacity shortfall is met. Landfill is not an option within the geography of Lincolnshire and no longer presents a financially viable or environmentally acceptable method for disposal of municipal waste in the long term.

Whilst the Waste Strategy for Lincolnshire is driving action across the LWP to mitigate the impact of increasing residual waste volumes, population and household growth in the county, these actions are unlikely to be sufficient in themselves or delivered quickly enough to mitigate the forecast capacity short fall at the EfW in the longer term.

If the proposed BAEF could process residual household waste from the south east of the county (Boston, East Lindsey, South Holland and North Kesteven District Councils), it would offer a new disposal and treatment option for the county and would future proof the capacity of the EfW facility in Lincolnshire for many years to come. By diverting waste in the south of the county away from the EfW, development of additional waste processing infrastructure in the county can be substantially delayed or even eliminated.

BAEF could also meet several other strategic objectives by providing an innovative solution to municipal waste processing and treatment, using waste as a resource by converting it to energy and valuable commodities such as carbon dioxide and aggregate and could substantially reduce the carbon footprint of our current countywide waste management arrangements by eliminating road haulage of waste from the south of the county to Lincoln. There will also be a significant and positive impact on the county's recycling rate as recyclable material will be removed from the residual waste stream by screening, prior to being processed in the gasification facility. The recyclable content of the residual waste stream is forecast to be in the region of 20% hence its removal for recovery prior to processing will provide a significant boost to the countywide recycling objective as well as the national recycling targets contained in the HM Government: Our Waste, Our Resources: Strategy for England published in 2018.

Finally, the location of the Lincolnshire County Council owned and operated waste transfer station, on Nursery Road, Riverside Industrial Estate, Boston, Lincolnshire, PE21 7TN, is ideally situated adjacent to the proposed development site of the BAEF to offer the opportunity for the bulking, baling and direct transfer of municipal waste, collected from households in Boston, East Lindsey and South Holland districts, into the proposed BAEF site for treatment. This will serve to divert waste away from the EfW facility in Lincoln and will substantially reduce residual waste haulage costs and the countywide waste management carbon footprint. With regard to this proposal, please note comments under Traffic Management.

Development Management

The proposed Alternative Energy Facility by processing waste by a gasification process as described above would appear to be an acceptable and appropriate use for the site selected. Whether it is classed as B2 or Sui Generis use would be decision that is made later in the process. However, currently the proposal is considered acceptable in context with the Lincolnshire County Council Minerals and Waste Local Plan.

In terms of the South East Lincolnshire Local Plan a B2 use is appropriate given it is an allocated employment site. A Sui Generis use and the development in the Countryside would need to be justified on the basis “of other material consideration”.

The benefits that could accrue from the gasification process would mean less waste is directed to land fill sites or elsewhere. It does not need to burn coal or gas to help create the energy to produce the electricity. The residue from the combustion process is recycled into products that have an economic value at the end of the process.

The whole process from construction to end use would provide a facility that provided employment opportunities across the whole spectrum, including construction jobs and end user jobs, some of which may be specialised.

There appears to be a case for the need of such a facility and based on the planning history locally around this site this may be a suitable location given the delivery of material to the site would be by water and not by vehicles.

The energy produced would not only be a benefit across Boston but the whole East Midlands Region and nationally, given the electricity produce will be added to the National Grid.

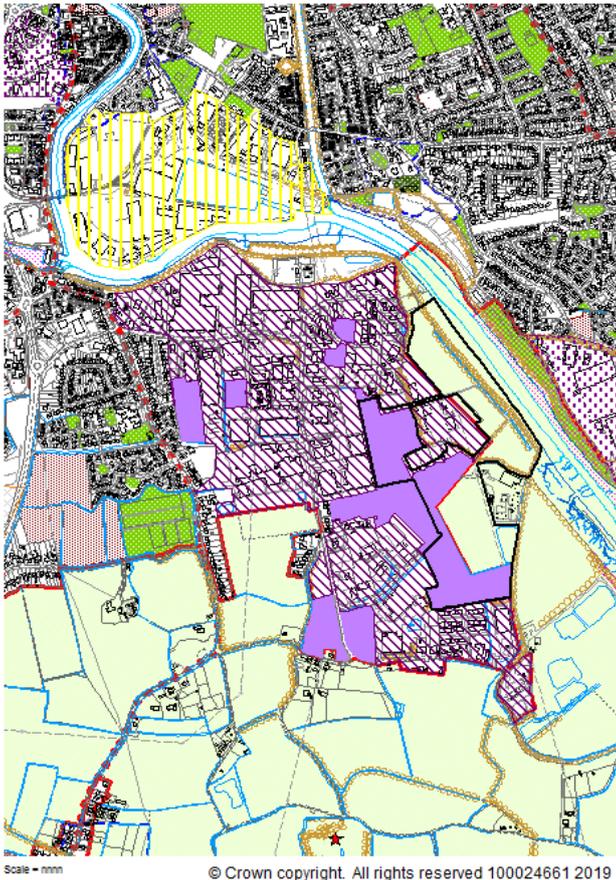
However, given the stage we are currently at, it is not possible to assess the project against the policies of the adopted Local Plan. There are no plans of the proposed structures to view and assess only simple written descriptions.

Planning Policy

Policy 7: “Improving South East Lincolnshire’s Employment Land Portfolio” of the South East Lincolnshire Local Plan allocates the Riverside industrial estate, shown below in purple or crosshatched, as B1, B2 and B8. The Boston Alternative Energy Facility site is shown with a black line and extends over land shown allocated for employment land and countryside.

The policy also allows new employment development outside the allocated employment site provided:

- a. the development does not conflict with neighbouring land uses;
- b. there is no significant adverse impact upon the character and appearance of the area;
- c. the design is responsive to the local context;
- d. there will be no significant adverse impact on the local highway network;
- e. there will be no significant adverse impact upon the viability of delivering any allocated employment site;
- f. proposals maximising opportunities for modal shift away from the private car are demonstrated;
and
- g. there is an identified need for the business location outside of identified employment areas on the Policies Map.



The Lincolnshire Minerals and Waste Local Plan - Core Strategy and Development Management Policies contains Policy W3: “Spatial Strategy for New Waste Facilities”. It supports proposals for new waste facilities in Boston, as well as other settlements in Lincolnshire. Policy W4: “Locational Criteria for New Waste Facilities in and around main urban areas” supports new waste facilities as set out in W3 provided that they would be located on:

- Previously developed and/or contaminated land; or

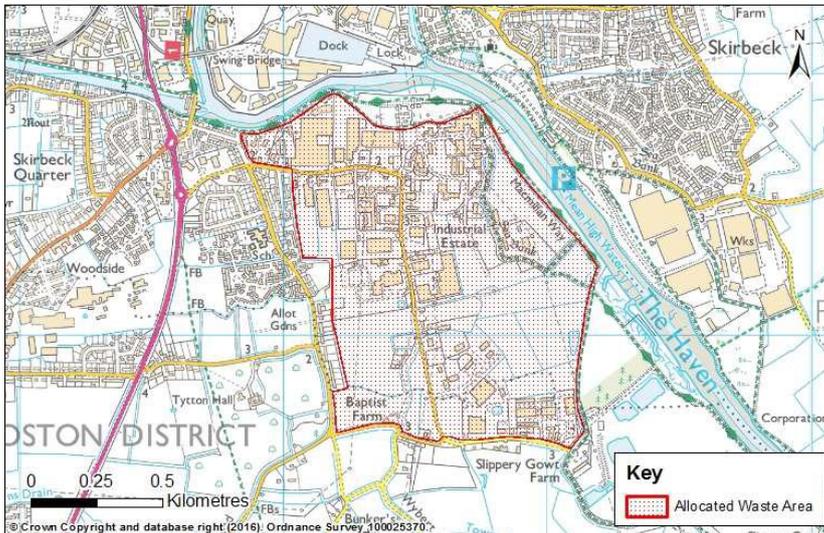
- Existing or planned industrial / employment land and buildings; or
- Land already in waste management use; or
- Sites allocated in the Site Locations Document; or
- In the case of biological treatment the land identified in W5. (This relates to proposals on sites that do not accord with W3)

The Lincolnshire County Council Minerals and Waste Local Plan Site Locations document allocates the Riverside Industrial Estate for:

Resource Recovery Park, Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Metal Recycling / End of Life Vehicles, Re-Use Facility, C&D Recycling and Energy Recovery.

The allocation extends over a larger area than the South East Lincolnshire Local Plan, as it is based on the superseded Boston Borough Local Plan 1999. The proposed plant is located on land within the Minerals and Waste Local Plan Riverside Industrial Estate allocation.

WA22-BO Riverside Industrial Estate



The proposal seeks to transport materials to and from the site by boat. The gasification process produces gas which will be used to generate electricity. The impact of boats and emissions from the process on the Wash will have to be assessed to ensure the Wash, which has International, European and National conservation designations, is not harmed and the characteristics for which it is designated are not undermined.

In summary:

- The uses listed in the South East Lincolnshire Local Plan are B1, B2 and B8. The uses listed in the Lincolnshire County Council Minerals and Waste Local Plan Site Locations document are B2, B8 and Sui Generis.
- The proposal is for an Alternative Energy Facility by processing waste by a gasification process. Energy Recovery in the form of “Gas from biological degradation of waste production, purification or refining place” is B2. A “Power Station” is Sui Generis.

- In the context of the Lincolnshire County Council Minerals and Waste Local Plan Site Locations document the proposed Alternative Energy Facility complies with one of the bullet points in W4, in that the land is allocated in the Site Locations document.
- In terms of the South East Lincolnshire Local plan a B2 use is appropriate on the allocated employment site. However, a Sui Generis use would need to be considered against “any other material Considerations”. Development on the Countryside, would need to be justified on the basis of the 7 criteria, a - g of Policy 7.
- The proposal must not undermine the Wash nature conservation designation.

Economic Development

The Council's economic development function is to develop and drive growth and enterprise across the borough to transform the local economy into a sustainable destination of choice for investing, working, living and visiting.

In this context, the Boston Alternative Energy Facility (BAEF) will have a major strategic impact on the local economy, job creation, business and supply chain growth that influence the socio-economic factors on our local communities.

The impact of this development presents a significant economic opportunity for Boston and the wider economy and is much more than just building a power station. The construction and operation of BAEF will provide significant boost and add value to local businesses through the procurement process.

The size and scale of BAEF will also during the build provide a significant increase in local retail and hospitality spend as well as developing strong relationships with local schools, Boston College and University of Lincoln to deliver wide-ranging employment and skills, apprenticeship and traineeship opportunities in the energy sector and especially in Science, Technology, Engineering and Maths (STEM).

Aligned to the Local Industrial Strategy, the BAEF is a catalyst for wider economic growth supporting opportunities for businesses of all sizes to supply goods and services throughout the construction and operational phases. The development would create a sustainable opportunity to diversify parts of the business base away from 'low skill - low wage' economy to one that could improve productivity through the contribution of inward investment activity for high grade carbon dioxide (CO₂), aggregates for the construction sector and heat extraction.

Environmental Health

Boston is subject to air quality issues and there are two Air Quality Management Areas (AQMA) in place. Concerns have previously been raised about the proposal and how the impact of the proposed site use must not adversely affect the existing areas, with a request for regular monitoring.

The lack of information relating to the traffic management plan both for the construction period and clarity of site operations means that a detailed assessment cannot yet be assessed.

We have requested that all the options for traffic routes for construction traffic and operational service traffic are examined as part of the process. In addition we note the potential on the AQMA of pollution via shipping vehicles.

There is likely to be an impact on neighbouring communities on both sides of the River Haven in respect of potential noise pollution, light pollution, off loading/on loading of ships at night but until the detailed proposals are received, no detailed comment with regard to mitigation may be made.

Traffic Management

The issue of Traffic Management has been referenced above under two other sections, however, such is our concern about the impact of traffic, we feel this is an issue that must be further explored in some depth. We do not believe this application can progress to consideration by an Inspector on the basis that a Construction Management Plan will be produced at a later date, which will contain specific reference to traffic management. We believe our residents and existing businesses who operate in the locality of Marsh Lane require a much more detailed explanation, particularly noting the length of proposed construction.

As noted above, we feel the economic benefits that can be delivered to the wider area of Boston are significant and we will continue to engage with the BAEF project team to consider how these benefits may be exploited.

However, we are also mindful that the impact of negative publicity/reputation could damage later investment in the supply chain by virtue of not wanting to be associated with a “tainted” project.

By way of example:

- Local Residents - if the mitigation of traffic impact is not properly considered, as soon as construction traffic impacts on residential amenity becomes an issue, there is most likely to be a high profile social media commentary on the impact of the development. This is likely to be vocal and negative.
- Local Existing Business - there are existing businesses that could have a positive impact on the supply chain. Equally there are others that have high profile existing clients that visit the Marsh Lane site regularly. A negative impact from traffic over a four year period will have an impact on existing business and potentially create barriers to those businesses engaging with the potential opportunities the BAEF presents.
- Inward Investment - if there is a negative campaign or general negative news coverage, this will impact on the wider reputation of the Borough as a place in which to invest and also the BAEF as an opportunity to explore further.

Therefore, there is a significant commercial reason to ensure that traffic management, both for construction and for operation of the facility is fully understood and how to mitigate the impact of development is fully explored.

In addition, we noted above the potential to explore further waste import from other areas of the county, as a means of reducing the climate footprint of our current waste haulage arrangements (as above under Waste Strategy).

However, we cannot support these ideas unless there is a clear mitigation of that impact on our residents through a different route into the BAEF site to reduce the impact of traffic movements on residential amenity.

Third Party Representations

There have been several members of the public that have raised questions directly with our elected members. We have explained that all such interaction must be directed to the BAEF website.

However, we feel in the interests of transparency, and noting your approach to consultation and the way you have engaged, it is reasonable to include the issues raised in our consultation response. We have not commented on the specific points raised and remain neutral, we simply request that in your consideration, you do have due regard to these issues and their relevancy on the proposed scheme. The full correspondence received will be sent to the BAEF project team.

- Concern about noise, odour and pollution and how this will be monitored, the impact on air quality on crops with regard to the agricultural industry and will “scrubbers” be utilised for pollutants. In addition, what will happen to the type of waste that cannot be recycled, such as batteries. What consideration has been given to pollution of the river.
- A reliance on estimates and assumptions about the way the plant will operate.
- Concerns about impact on fishing, including; width of modern cargo ships meeting fishing boats in the river; cargo ships have a 3ft bow wave that can, and have, lifted a fishing boat then dumped it onto the mud bank, potentially causing a hazard were the boat to overturn; high mud banks each side of the river all the way to the cut end, a specialist dredging boat is required, Navigation of the river due to there being an S bend in the river; cargo boats turning at the knuckle/ getting stuck across the river.
- Concerns about the ability of the company to deliver the project.
- Concerns about the impact of inclement weather in the Wash impacting on viability of BAEF to operate to full capacity.
- Traffic impact, the extent of machinery and equipment to be transported to the site and whether new roads will be required. Will there be a requirement for night working and how will impact on residents and wildlife be mitigated.
- Local jobs for local people - how will the project use local expertise and technical knowledge; is there a proposed arrangement with Boston College to use apprentices; what consideration has been given to accommodation for workers.
- What vermin control has been considered for the site when operational.

Supplementary Questions and Observations Requiring a Response

There are many additional questions that are unclear from the information in the public domain and the Council as a statutory consultee would appreciate the response to these questions in order to be able to consider what level of support we may provide at a Public Inquiry.

- (i) The construction process is proposed to take up to four years, generate up to 300 construction jobs and give rise to construction work six days a week. However, there is no information as to how this traffic management will impact on local residents and business, in addition to the wider road network impact.

We believe there should be detailed consideration of an access road for the purpose of construction traffic to mitigate the impact of such heavy construction traffic on the community.

We believe that this provides an opportunity to work with our colleagues at the County Council in terms of how this might be upgraded to provide a permanent road to reduce ongoing impact of the use of the site once fully operational.

- (ii) We are mindful that Boston has two AQMAs in operation and we are concerned not to have received the detail in relation to traffic movements for both construction and operation that would enable the Council to fully assess the potential impact, including shipping traffic and how this may be mitigated. We require detailed traffic assessment information before the project progresses further to the next stage.
- (iii) We note the high level of advanced technology proposed within the site, which will likely give rise to noise and pollution impacts on local residents and businesses. However, without detailed proposals, we are unable to fully assess such impact and suggest areas of mitigation. We require further detail to enable such consideration.
- (iv) We are unable to fully assess the project against the policies of the adopted Local Plan as there are no plans of the proposed structures to view and assess only simple written descriptions. At this stage in the consultation process, we are disappointed we cannot provide more clarity and would like to delay the next stage of the process until such time as detailed plans are available for more detailed assessment.
- (v) We note one of the by-products will be aggregate. To lower the carbon footprint, by reducing haulage of this product, and provide additional employment opportunities and to further support the local economy, we suggest provision, at the design stage, to enable local distribution of aggregate products direct to local markets via road.
- (vi) We believe provision of facilities/proposals at the design stage, for the efficient and direct transference of baled waste from the Boston Waste Transfer Station, direct to the RDF receiving facility is worthy of consideration.
- (vii) We note the anticipated by-products and believe that the direct export of Heat / CO₂ / Electricity to encourage local business and residential development is an opportunity. In addition, by encouraging further employment opportunities, this will offset the deficit in the labour allocation designated for the area as falling within BAEF development footprint – by way of example the labour allocation for this area is approximately 800 jobs, but the proposed site will generate only approximately 100 jobs (after the initial construction).
- (viii) We would like to see the materials that are removed from the feedstock during the process as unsuitable for gasification, and recycled; are recorded and contribute to the county and national recycling targets.

- (ix) How will the material (approximately 20%) from bales that is not suitable for gasification, be separated and what impact will this have on noise and pollution.
- (x) We note that ferrous and non-ferrous metals will be removed, collected in separate skips and sent for processing off-site - what traffic movements are these expected to generate and what end use might these have.
- (xi) We note that the existing flood defences are to be replaced - does the new Quay improve existing flood defences and if so, how.
- (xii) What dialogue has there been with the Port as we are interested in the feasibility of boats turning at the knuckle noting the increased traffic proposed to transport the bales to the site and also at this stage, to take away aggregate.
- (xiii) We note the reference to the aggregate leaving by ship and a dedicated berth – how often will this ship leave and arrive in addition to bale shipping movements.
- (xiv) We have not seen sufficient detailed plans within the proposals to be able to fully assess whether there would be an impact on the ecology of the Haven and ecosystem around the application site, however we note you will be completing an Environmental Impact Assessment.
- (xv) We are mindful that renewable energy projects often provide a community fund to provide legacy projects within the community that mitigates the impact of the application site. We believe it would be helpful to the community to see this articulated in the documentation produced by the applicant to support the application.

Conclusion

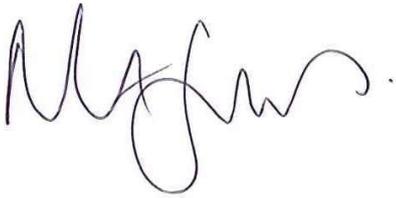
There are many positive benefits the scheme as proposed will bring to the Borough of Boston and the Council wishes to work closely with the applicant to ensure all issues are fully considered before the final plans are submitted to the Secretary of State to ensure the design of the site can fully capitalise on these options to further enhance job creation and supply chain opportunities.

However, the wider economic benefits must be balanced with the impact on the community, both residents and business together with the impact on wildlife and the River Haven ecology. Until such time as the detail surrounding plans and traffic, by way of two examples, are supplied, we cannot comment in any detail.

We would respectfully request that the 6 August 2019 deadline is extended to enable all statutory partners to fully engage and have regard to potential Statements of Common Ground in readiness for the Planning Inquiry. We feel it will cause delay later in the process if the plans are submitted without the applicant having had the opportunity to fully consider detailed observations which will most likely result in amendments to design and enhance the final proposal.

We look forward to hearing from you further with the points we have raised.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michelle Sacks". The signature is fluid and cursive, with a large loop at the end.

Michelle Sacks
Deputy Chief Executive