
Meeting: Executive
Date: 9 March 2010
Subject: Proposed Waste to Energy Facility at Rookery Pit
Report of: Cllr Tom Nicols , Portfolio Holder for Sustainable Communities
Summary: The report proposes that authority for responding to consultations for a waste to energy plant at Rookery Pit be delegated to the Director of Sustainable Communities in consultation with the Portfolio Holder for Sustainable Communities.

Advising Officer: Gary Alderson, Director of Sustainable Communities
Contact Officer: Roy Romans, Team Leader – Minerals and Waste
Public/Exempt: Public
Wards Affected: Ampthill, Cranfield, Maulden and Houghton Conquest, Marston,
Function of: Executive
Key Decision Yes
Reason for urgency To meet the short timescales for responses to be sent.

CORPORATE IMPLICATIONS

Council Priorities:

Managing growth effectively. It ensures that the Authority is able to have an input to a major development proposal in the Marston Vale Growth area.

Financial:

No additional funding for this work is provided to the authority. It needs to be met from existing budgets.

Legal:

The Town and Country Planning Act 2008 sets the legal framework for the determination of major infrastructure projects and this requires consultation with the local authorities.

Risk Management:

Failure to reply within the appropriate timescales may result in the response not being considered as part of the process.

Staffing (including Trades Unions):

None.

Equalities/Human Rights:

There are no implications.

Community Safety:

None.

Sustainability:

None.

Summary of Overview and Scrutiny Comments:

- Not reported to Overview and Scrutiny Committee.

RECOMMENDATION(S):

that the Executive delegate the authority for responding to consultations for a waste to energy plant at Rookery Pit to the Director of Sustainable Communities in consultation with the Portfolio Holder for Sustainable Communities.

Reason for Recommendation(s): So that the Authority is able to respond within short consultation periods.

Background

1. There is a proposal for a 585,000 tonne per annum energy from waste and material recovery facility at Rookery Pit, Stewartby. It is proposed that the facility would process residual waste arising from Central Bedfordshire, Bedford, Luton, Buckinghamshire and adjoining authorities.
2. As the proposal is for an onshore power generating station in England having a capacity in excess of 50 MWe it will be necessary to make an application for a Development Consent Order to the Infrastructure Planning Commission (IPC) in order to authorise its construction and operation.
3. The applicant (Covanta) has started the pre-application consultation process. This is in the form of public exhibitions, local press releases and leaflet drops as well as direct consultation with all the main stakeholders. This will form the basis of a report on consultation which Covanta are required to submit with their application. Central Bedfordshire has been consulted as part of this process.

Timescales

4. As this is a completely new process, the Authority's scheme of delegation does not cover this. It has not been clear until very recently whether the authority to respond was a Council or an Executive decision. The relevant legislation and guidance does not mention how local authorities should deal with this issue.
5. Covanta have been efficient in moving through the process and started the pre-application process on 18 February 2010. The deadline for responding is before 5 April 2010. As this date falls over the Easter holiday, the effective date is 1 April 2010.
6. We have consulted all internal stakeholders on the pre-application information and will be drawing these together in a draft response but this will not be ready for the Executive meeting on 9 March and the next meeting on 6 April will be too late. It is likely that subsequent consultations as part of the process will also be subject to similar time constraints. If this is the case, then a process needs to be agreed to enable a formal response to be made within the set timescale.

Member Involvement

7. We have arranged a briefing opportunity for all Members on Monday 22 March 2010. We have invited Covanta to attend this to explain their proposal and for Members to ask questions. Once Covanta have left, officers will brief Members on the comments received from internal stakeholders and give an outline of the suggested response for Members to discuss.

Appendices:

None

Background Papers: (open to public inspection)

Pre-application Consultation Documents

Location of papers: Priory House, Chicksands and Borough Hall, Bedford