



Norfolk County Council

at your service



Derrick Murphy
Leader of the Council
County Hall
Martineau Lane
Norwich
NR1 2DH

NCC general enquiries: 0344 800 8022

Textphone: 0344 800 8011

My Ref : DM/MJL

Tel No : (01603) 222936

Email: derrick.murphy@norfolk.gov.uk

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From the Leader of Norfolk County Council

Dear Secretary of State

This is to acknowledge receipt of your letter dated 7 November 2011.

This is, as you will understand, only an initial response. I am extremely disappointed and surprised to receive it and at this stage, would simply draw your attention to the following points.

Your letter contains a material and very substantial inaccuracy which we are frankly surprised to see. You state that, at present, you are not in a position to confirm the provisional allocation of PFI credits to Norfolk County Council. In fact, your Department has already done so. Indeed, your former Minister of State, Lord Henley confirmed this in his letter to Liz Truss MP in March 2011.

I would draw your attention to the relevant criterion on which you advise us to submit more evidence which is 'proposals should demonstrate that other relevant Authorities, the public, and interested parties have been consulted and that there is a broad consensus supporting a recognised long term waste management strategy which is reflected in the proposed solution.'

It is the view of this authority that we have provided ample evidence already that this criterion has been met.

You reference specifically the withdrawal of support from the Norfolk Waste Strategy by the Borough Council of King's Lynn and West Norfolk.

As you say, moving projects of this nature to closure is a complex business. It is also a very long process and this withdrawal very recent indeed. We submitted this proposal with a strategy that commanded the support of all Norfolk councils. The Borough Council was represented on the project board that approved the contract award recommendation and only confirmed its decision to withdraw from the Waste Strategy in June this year. That is almost three months after the contract had been awarded and some years into the process overall.



You refer to the Borough's suggestion that we look at this stage to other technologies. In response I point out that the technology represented in our proposal is approved by your department. I refer you again to Lord Henley's letter and to the statements made by your Parliamentary Under Secretary of State in a parliamentary debate of February this year. In which he said:

'I must emphasise that all modern waste incinerators are subject to stringent pollution controls. Modern incinerators must comply with the waste incineration directive, which sets strict emission limits for pollutants. The Environment Agency will not grant the permits required for an incinerator to operate if a facility is not compliant with the directive'.

'Studies have failed to establish any convincing link between emissions from incinerators and adverse effects on public health. In 2009, the Health Protection Agency reviewed the existing evidence on public health and incinerators. It concluded, on reviewing the existing evidence, that any effect on people's health from incinerator emissions was likely to be so small as to be undetectable. It affirmed that adverse health effects from modern, well-regulated waste incinerators did not pose a significant threat to public health'.

We note your mention of *the volume* of complaints you have received as being of material consideration to your decision to seek more from us. I am quite sure that others will note this similarly and for my part, am concerned that by taking the approach you have you have changed the parameters within which all authorities have been working.

You end by saying you are anxious to ensure you are applying criteria vigorously and consistently. We are similarly anxious. We note for example the strong opposition lodged against similar proposals elsewhere and a previous decision to confirm PFI credits to Shropshire County Council even though one of its districts, its county town, was not part of the partnership that submitted the proposal and opposed it.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Derrick Murphy', with a long horizontal line extending from the end of the signature.

Derrick Murphy
Leader of the Council

The Rt Hon Caroline Spelman MP
Secretary of State for Environment Food and Rural Affairs
Nobel House
17 Smith Square
London
SW1P 3JR

