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Derrick Murphy
Leader of the Council
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18 January 2012

From the Secretary of State
The Rt Hon Caroline Spelman MP

Dear Derrick,

Thank you for the information you and your colleagues have provided in response to my recent requests for supplementary evidence to support your application for waste infrastructure credits, and for your recent letters on the subject. I have now reached my conclusion on whether your application meets my department's criteria for such support.

These criteria cover a range of issues including value for money, the project's contribution to diverting biodegradable municipal waste from landfill, and the authority's approach to wider waste diversion and recycling. In addressing your application I have, as you know, been considering particularly carefully the unusually high level of local public concern about the project and the formal withdrawal of Kings Lynn and West Norfolk Borough Council from your joint waste management strategy.

Local opposition is not, in itself, unusual in major energy from waste projects, and is something which the planning system is well placed to weigh, in reaching its judgement on whether the project should proceed. The relevant criterion for my department's waste infrastructure credits does not therefore require support for the project itself at local level, but rather that there is a broad consensus on a recognised long-term waste management strategy, and that the project is consistent with that strategy. We consider that 'broad consensus' does allow for some dissent and does not in particular require unanimity amongst the interested local authorities.

Having carefully considered your project's case for waste infrastructure credits in the light of all the information available to me, including the additional material you provided in response to my recent letter and evidence of support for the strategy from most of the participating councils, but opposition from King's Lynn and West Norfolk Borough Council, I have concluded that your project does meet my criteria for support.

My officials are accordingly today issuing to your council a promissory note covering the availability of up to £91 million waste infrastructure credits, on standard terms.

You will understand that this decision solely concerns the availability of Defra's waste infrastructure credits should your project eventually proceed, subject to planning and other consents, to construction and operation. Meanwhile I am sure that you share my continuing concern that the project is generating such strong negative feelings locally. While I recognise that King's Lynn and West Norfolk Borough Council may continue to object to the project through the planning process, I hope that if it were to proceed, all local authorities and the contractor will now put fresh effort into working constructively with local interests, to maximise the project's potential benefits for sustainable waste management, local employment and regeneration, and to minimise reasons for local concern.

I am enclosing a copy of my letter today to the Leader of King's Lynn and West Norfolk Borough Council explaining my decision, and sending them a copy of this letter. I am also writing with a copy of both letters to Henry Bellingham MP and Liz Truss MP.

Yours ever,


CAROLINE SPELMAN MP