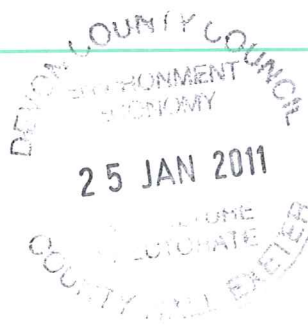


Mrs S Penaluna
Development Control
Environment Directorate
Devon County Council
County Hall
Topsham Road
Exeter
Devon
EX2 4QW



Friday, 21 January 2011

Dear Mrs Penaluna

Planning Application reference DCC/2975/2010 - New England Resource Recovery Centre

I am writing further to your letter of 14th January last relating to the above application.

I note that your letter is prompted by the decision of the South west Devon Waste Partnership (SWDWP) to award preferred bidder status to MVV Umwelt and the subsequent enquiries received by the County Council in respect of Viridor's intentions with respect to the above application.

Before I answer your specific questions, I would make a number of pertinent observations:

- (i) SWDWP and MVV Umwelt have not signed a contract, they are merely further forward in their negotiations. There may be many opportunities whereby such contractual negotiations do not proceed to closure as has been the case with several similar procurements.
- (ii) The status of the SWDWP/MVV Umwelt negotiations are not directly relevant to the planning application that we have submitted
- (iii) The MVV Umwelt proposal is reliant upon a facility that is not yet subject of a planning permission, nor at this time even an application for permission.
- (iv) It is entirely possible that the SWDWP/MVV Umwelt negotiations could reach conclusion and a contract entered into between the parties and then a planning application for the related facility be refused by Plymouth City Council.
- (v) There are in excess of 450,000 tonnes of residual household and commercial/industrial waste that require treatment in the Plymouth and Devon sub-region and at the moment there are no facilities built or under construction that would deal with this waste.

In answer to your specific questions, I would respond as follows:

1. Should the SWDWP residual waste stream end up being dealt with by MVV Umwelt at their proposed facility in Plymouth, Viridor would review the remaining available feedstock from the catchment area considered in the planning application as submitted. As such a position has several hurdles to cross yet (as noted above), Viridor contends that consideration of such a set of circumstances is irrelevant at this time.
2. Given the answer in 1 above and the observations in (i) to (iv) above, the question of what might happen if the residual waste is dealt with at the proposed MVV Umwelt facility is somewhat premature. At this time Viridor stand by the application that has been submitted.
3. Clearly if Viridor intends to deal with waste streams that differ in some way to those described in the current application then an alternative or modified planning application may need to be sought. The authority is requested to consider the application before them in terms of its land use planning merits, rather than consider what other application Viridor may or may not subsequently submit.

I trust that the authority intends to deal with the application in a timely manner and I look forward to discussing your continuing deliberations in this respect.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Howard Ellard', written in a cursive style.

Howard Ellard

Technical Development Manager