



PRESS RELEASE

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‘POCKETS NOT DEEP ENOUGH’ FOR JUDICIAL REVIEW OF EDMONTON INCINERATOR

Claimant stands by merits of case, refocuses on carbon capture, government takeover of NLWA, “green bonds”

London, 22 February 2022—Dorothea Hackman, the claimant in the judicial review challenging the North London Waste Authority’s plans to build an energy-from-waste incinerator in Edmonton, has decided to drop the case due to prohibitive financial risk.

Her announcement came after the NLWA stated in legal documents that its decision to contract Spanish company Acciona to build the plant was “not one which engages the Aarhus Convention” cost caps, which would have limited the claimant’s financial exposure.

“I have made this decision with a heavy heart, as I stand by the merits of the case and my right to challenge the execution of the contract on 24 January,” said Dorothea Hackman of Camden, the claimant in the potential case against the NLWA.

“My pockets simply aren’t deep enough for me to take on a public body that relies on taxpayers to cover its legal services,” she said.

Hackman’s case identified numerous ways in which the NLWA had misled its board about the environmental impacts of the new Edmonton incinerator, such as by failing to clarify that the plant:

1. would emit 700,000 tonnes of CO₂ per year, not 28,000 tonnes
2. would not be built “carbon capture and storage ready”
3. would cause 700,000 tonnes of surplus energy-from-waste capacity in London
4. would be built without a pre-sorting facility, which could reduce the burning of plastic recyclables by up to 70%
5. would not provide “low-carbon” heat or power
6. was based on electricity emission calculations that flout government guidelines.

Hackman stated: “The NLWA are trying to wriggle out of this judicial review by counting four weeks from the decision to contract Acciona rather than 30 days from the date the contract was signed. But they know very well there’s a legal precedent for my case.”

Given the high financial risk, however, she said she would “continue to hold the North London Waste Authority to account over the Edmonton incinerator through other legal channels”.

As part of the Stop the Edmonton Incinerator Now coalition – which includes Black Lives Matter, Extinction Rebellion, and a broad range of other groups and individuals – Hackman is now focusing on numerous other strategies, such as:

- Calling on the government body that gave planning permission for the incinerator (BEIS) to modify its permit, known as a development consent order or DCO, to require carbon capture and storage “readiness” and a pre-sorting facility to boost the recycling of plastics.
- Persuading Michael Gove, as head of the Department of Levelling Up, to send in Government commissioners to investigate and take over the NLWA in view of “manifest incompetence, lack of accountability, and failure of [its] scrutiny function”.
- Demanding that the UK Municipal Bonds Agency immediately withdraw the “green bonds” it recently issued to finance the Edmonton plant, given that they are incompatible with the UK’s emerging taxonomy for sustainable finance and expose residents to high financial risk.