

Notes from the Positive Campaigning Workshop, facilitated by Shlomo Downen,
that followed UKWIN's Annual General Meeting (AGM) held at
The Greenpeace Cafe, Canonbury Villas, London on Saturday 21st April 2012

Thanks to Becky Slater for taking notes during the Workshop

Positive Campaigning

Shlomo explained the nature of the workshop, describing the presentation as “participatory”, designed to facilitate a “guided discussion” / “structured conversation”, and how he hoped the presentation would provide only as much structure as would be helpful, without inhibiting contributions from participants. Shlomo also outlined the Ground Rules for mutual respect, and the notion that participants were not required to agree on all points with one another, and that accepting and learning from each others’ perspectives would be mutually beneficial.

Shlomo proceeded to explain what he understood by the term “positive” in the context of positive campaigning. Positive means not being defeatist, including avoiding defeatist language and defeatist ways of framing situations. Under the heading of “mind your language”, Shlomo made reference to neuro linguistic programming (NLP) and to the importance of campaigners using words like “if” instead of “when” in describing impacts that would arise were an incinerator to be built. He also emphasised the importance of celebrating “the little wins along the way”, explaining that whilst campaign / community leaders cannot guarantee the outcome of the campaign (as this is beyond our control), we can ensure that we “win”, e.g. by learning, befriending, building trust, and creating a community of interest with fellow campaigners.

Another issue that Shlomo raised was the notion that as we are campaigning for a better world, we can expect ourselves to be an expression of the better world we wish to bring about, e.g. through conducting our campaigns in exemplary ways, and by not villainising those with whom we may disagree, e.g. planning officers, waste company representatives, councillors.

Shlomo spoke of the importance for campaigners of not burning out, and of avoiding making one’s self and others ill with worry. Shlomo invited campaigners to avoid what he called “WRATE rage” – situations where campaigners undertake a great deal of research and then expect planning officers to also be developing expertise, when in fact planning officers will rely on the expertise of others and cannot be expected to become technical experts. Campaign groups were urged to form a “legal and research team” that encourages members to raise questions the answers to which are then sought and shared, including providing references so that others can verify the research findings. In this way UKWIN member groups can position themselves as “arbiters of truth”.

Campaigners were also encouraged to share strategies, experiences, insights, doubts, observations, speculations, questions, concerns, etc. One channel for sharing is the Waste Discussion list co-moderated by Friends of the Earth (Becky) and UKWIN (Shlomo).

Some starting points for sharing...

Shlomo briefly introduced several topics that could provide starting points for sharing, including: Early warning signs (Site Allocation Documents & Scoping Opinions); Consultations / objections (Strategic Plans & Planning Applications); Health warning (the notion that health arguments alone are never sufficient to stop an incinerator proposal); How long do campaigns last? And other practical matters.

Early warnings (and other matters arising in discussion)

Advance warning of a potential incinerator proposal can be found through various means, including sites and technologies mentioned in development plan documents, such as the Site Allocation Document produced as part of a local authority's Waste Core Strategy. Shlomo suggested that campaigners develop consultation submission to their Waste Authority with the independent Examination in Public in mind, as part of a strategy to pitch to the next highest level wherever possible. The value of Screening / Scoping Opinions was also discussed, and Shlomo advised that electronic copies of these could be requested under the Environmental Information Regulations, and that these documents and associated consultation submissions, e.g. from conservation groups and internal local authority departments, may be useful for framing questions that could then be put to the applicant by the planning officer under Regulation 22 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Discussion ensued regarding specific experiences, including one group's experience of effectively being excluded from an Examination in Public having been given the impression that only legal points could be raised. Shlomo suggested that the exact wording of the information be scrutinised, and if genuinely misleading then professional legal advice should be sought regarding a possible judicial review if evidence of unlawful behaviour and/or procedural mistakes is identified. As a general point, it was noted that, unlike some campaign groups who rely on a scattergun approach, lawyers tend to focus on the one or two points most likely to succeed in any legal action. It was also reported that Planning Inspectors presiding over Waste Core strategy Examinations in Public often rely on campaigners' arguments to question the local authority, and that Examinations in Public can be positive experiences. Professional support, e.g. consultants producing alternative sets of waste projections and/or traffic assessments, has been successfully used by some groups, while other groups have "gone it alone" also to positive effect.

In relation to seeking professional legal advice, Shlomo sign-posted to the Friends of the Earth Legal Hotline from 6.30 pm - 8.30 pm on the first and third Wednesday of every month on 0808 801 0405 (see: http://www.foe.co.uk/campaigns/fair_future/rights_justice_centre_23310.html) and/or the Environmental Law Foundation, whose lines are open from 9.45 am to 5.15 pm Mondays to Fridays on 020 7404 1030 (see: <http://www.elflaw.org/>). Risks, including costs, of judicial review needed serious consideration before legal action is taken. It was also pointed out that losing a judicial review could be a setback for the whole movement.

Regarding professional legal support, Legal Aid was sometimes available, and mechanisms to cap costs could be sought. The Hull and Holderness Opposing the Incinerator (HOTI) group, for example, issued "HOTI Bonds" that were repayable if costs were less than anticipated, to raise the necessary

£5,000 required to cover potential (capped) costs. Some campaigners have had to pay large sums of money, in one instance even where the campaigner won the case.

Freegle

The AGM was fortunate in attracting the participation of Cat from Freegle. Freegle's tag-line is: "Don't throw it away – give it away on Freegle!" (see: <http://www.ilovefreegle.org/>). Freegle is the UK equivalent of Freecycle, and the organisation is made up of numerous local reuse groups. Freegle groups can measure how much is reused (about 10 tonnes in last 31 days in Hove), and this information is not (yet) utilised by local authorities. Cat offered to provide figures for those areas where the local reuse group keep track. All agreed that such data would be useful for making the reuse argument, e.g. within the context of Waste Core Strategy consultations.

Coventry 2020 Zero Waste Campaigner

Jane Green offered her perspective as a zero waste campaigner, and member of the Board of Trustees of the Zero Waste Alliance UK. She emphasised the importance of per-stream analysis in helping to support the question: "What would be left to burn in an incinerator after each waste stream is dealt with in accordance with the waste hierarchy?" especially in light of the proportion of food waste and the ability to recycle nappies and other "absorbent hygiene waste" (see: <http://www.knowaste.com/>). Jane sign-posted to the WRAP Gate Fee Reports (see: <http://www.wrap.org.uk/content/wrap-annual-gate-fees-report>) noting that these provide evidence that incineration is far more expensive than other forms of waste management. According to Jane, the cost per tonne of anaerobic digestion (AD) for example dropped £13 in just one year, helping campaigners make a powerful anti-incineration argument when talking with their local authority. Jane also said that risk registers, e.g. from Outline Business Cases for Waste PFI, were a goldmine of useful information, and that these could be requested under the Environmental Information Regulations.

A discussion of the shortcomings of Waste PFI then ensued, with campaigners sharing experiences of local authorities taking on risks "on behalf of the waste companies". Shlomo drew attention to the UKWIN website's archive of annual incinerator performance reports, and undertook to add Waste PFI documents, such as Outline Business Case risk registers, to the archive as and when these are made available to him. It was noted that many documents that are technically part of the Environment Agency's (EA's) "public register" are difficult and potentially expensive for members of the public to access, and that improving access to the EA's public register could be the focus of a letter writing campaign. Other issues for ongoing campaigning include the EA's approach to (not) regulating incinerator bottom ash (IBA) toxicity, and the introduction of an incineration tax.

Audit Commission Act

Shlomo noted the opportunity afforded campaigners and rate payers in relation to local authorities' annual audits under the Audit Commission Act. Each year local authorities are legally obliged to open their accounts for public inspection. During this period, usually in July/August, there is an opportunity to ascertain what waste management expenditure has been over the 12 months covered by the accounts. For details, see: <http://www.orchardnews.com/audcomact.htm> One campaigner described used the access to their local authority's accounts to determine that

recycling has cost the Waste Disposal Authority £21/tonne – including recycling credits paid to the Waste Collecting Authorities. He noted that the Council Officer had said that no one had ever previously asked to see the Council's accounts.

Many other topics were raised and discussed

NOTE: These notes do not attempt to reflect all of the wide-ranging discussion that took place.

Much more was said about Waste Core Strategies (which form the basis for planning decision regarding incinerators) and tests of soundness, contained in the National Planning Policy Framework (which form the basis for approving or rejecting Waste Core Strategies); waste contracts; planning objections and the National Planning Policy Framework; media relations and local newspaper coverage.

Callum MacKenzie offered to help groups promote their campaigns to local media, noting the importance of this approach in both the successful Sutton Courtenay (Oxfordshire) campaign and the ongoing campaign in King's Lynn (Norfolk). Tips for writing press releases, give good media interviews, etc. are available from the Friends of the Earth website (see: http://www.foe.co.uk/community/resource/how_to_guides.html).

The discussion touched upon the issues that arise in two-tier authorities and the "invest to save" solution adopted by the Somerset Waste Partnership: because Waste Disposal Authorities (WDAs) stand to benefit from separate collections undertaken by Waste Collecting Authorities (WCAs), with savings (in landfill tax) being enjoyed by the WDAs while the extra cost of separate collections falls to the WCAs, WDAs can "invest", i.e. help pay collection costs, in order "to save" landfill costs (see: http://www.foe.co.uk/resource/event_presentations/somerset.pdf).

It was noted that when it came to stopping an incinerator proposal, there is no silver bullet, i.e. no one argument that will always prevail. Most incineration applications that are refused planning permission are refused for local reasons (rather than e.g. health argument), thus avoiding establishing a precedent that can be replicated nationally. BiofuelWatch campaigner Robert Palgrave offered to help campaigns to assess whether or not heat is likely to be used in circumstances where an incinerator proposal claims to be CHP-ready (see: <http://www.biofuelwatch.org.uk/>).

Drawing on his many years of campaign experience, Ralph Barton of Banwaste advised fellow campaigners to use every opportunity to delay the process at every stage. He also celebrated the fact that waste arisings are falling, pointing out how this gives the chance to get public and press on side. Ralph spoke of the importance of educate councillors, and speak to opposition (and learn what they think their strengths and weaknesses are). He also noted how, over the years, EU laws have improved.

Some key focus points for Waste Core Strategy consultation submission include: Anticipated waste volumes and types; Council's evidence base – adequate, up-to-date, relevant? Prepared in accordance with Duty to Cooperate, legal and procedural requirements? Positively prepared, Justified ("most appropriate strategy"), Effective (deliverable), Consistent with national policy. See some sample submission at: <http://ukwin.org.uk/resources/consultation-submissions/> and other useful campaign resources at: <http://ukwin.org.uk/resources/>

Some key focus points for planning objections include: Holding objections and so-called “late submissions”; material considerations (PPS10, Local Plans); ask questions (e.g. about the WRATE assumptions used), and how these could trigger a Regulation 22 request; ask for proof and use lack of proof to advantage, e.g. recovery/disposal (R1) status; No ‘silver bullet’ – site-specific issues are often most important!

Case histories: MAIN / PAIN

Shlomo briefly ran through the campaign that started in Mansfield, with Mansfield Against Incineration (MAIN) and shifted to the Rainworth-based People Against Incineration (PAIN) campaign. A site for a proposed incinerator was chosen on land at an industrial estate. The land was owned by Mansfield District Council (MDC), and despite a rumoured Memorandum of Understanding to sell the site to the waste company for £1m (so secret that the Mayor’s own cabinet didn’t know about it), MDC Councillors voted to withdraw the land for sale for the purpose of an incinerator, and the campaign was won (two years before MAIN stopped campaigning, due to concerns regarding the prospect of compulsory purchase). Once the PFI contract was announced, and the site for the proposed incinerator had been moved to the former Rufford Colliery in Rainworth, the focus of the campaign shifted, and despite planning permission having been refused by Secretary of State Eric Pickles following a public inquiry, there remains work to be done to prevent a new incinerator application being submitted for a site elsewhere in the county. The point that was made is that while some campaigns can be successful and short-lived, many carry on for years, even decades. It is therefore important for campaigners to be open to welcoming new members, and to apportion tasks to those with enthusiasm and suitable skills, i.e. different areas of expertise and specialism, as well as allowing for times of rest!

Greenpeace, non-violent direct action and the Autumn 2012 GAIA Global Day of Action

Following the discussions summarised above, UKWIN Director and experienced environmental activist Neil Pitcairn delivered a presentation about Greenpeace, non-violent direct action and the forthcoming Autumn 2012 GAIA Global Day of Action.

Greenpeace’s anti- incineration campaign started about 11 years ago in the very building being used for UKWIN’s AGM. Neil spoke of the inspirational work of Mark Strutt, who was described as an excellent campaigner who sadly died a few years ago. Mark pointed out that it is a basic law of physics that matter cannot be created or destroyed. Neil went on to show a video that included footage of Greenpeace’s direct actions at incinerators in Sheffield, Basingstoke, Edmonton and South East London Combined Heat and Power Plant (SELCHPP). Neil explored the notion that Greenpeace’s direct actions were worth doing, as they drew attention to the issue, put the EA, etc. on alert, gave campaigners power, and was linked to the Quaker notion of bearing witness. Lessons learnt include the need for such actions to be part of a more co-ordinated (national / international) campaign. Neil explained that campaign materials were released at same time as the actions, and these are still available on-line, e.g. Greenpeace’s report of historic UK incinerator emission breaches). There is also a more recent Friends of the Earth report on meeting the Landfill Directive without incineration that recommends MBT with landfill of residue (not production of refuse derived fuel), FoE’s preferred residual waste disposal option (see: www.foe.co.uk/waste, and particularly the briefing at http://www.foe.co.uk/resource/briefings/residual_waste.pdf).

As for other anti-incineration / pro-zero waste resources, Robin Murray's books are useful, e.g. *Creating Wealth from Waste* – available free of charge (all 167 pages) at: <http://www.demos.co.uk/files/Creatingwealthfromwaste.pdf>

Neil noted that the Health Protection Agency (HPA) has commissioned a new study on health impacts of incineration, although the HPA failed to consult first with UKWIN and other organisations regarding the study's proposed methodology, and will probably say that there are no significant health impacts.

GAIA is the international anti-incineration organisation (see: <http://www.no-burn.org/>). Each year GAIA stages a Global Day of Anti-incineration Action around end of September. As part of these events, Neil has laid homemade hazel wreath at gates of incinerators to highlight climate impacts. This, or similar actions, can be undertaken by individuals or as a group. It is important to take and share photographs. Neil has produced a model press release for use, and he has put pictures together to form photo gallery. The Action provides an opportunity to invite MPs, Mayors, anyone sympathetic, and the media. Don't be surprised if the police also show up to keep the peace. For more about the Global Day of Anti-incineration Action visit: <http://ukwin.org.uk/2011/09/30/global-day-of-action-against-waste-and-incineration/> and <http://ukwin.org.uk/2011/09/16/global-day-of-action-against-incineration-set-for-friday-30th-september-2011/> and <http://ukwin.org.uk/2010/11/30/ukwin-statement-of-solidarity-for-gaia%E2%80%99s-global-day-of-action/> and <http://www.no-burn.org/about-the-global-day-of-action-on-waste-and-incineration>

You can contact Neil to volunteer to help with the 2012 Global Day of Anti-incineration Action by sending an e-mail to UKWIN Coordinator Shlomo Downen at: shlomo.dowen@gmail.com