

IPC Infrastructure Planning Commission

Meeting Note

Status	FINAL
Author	Robert Ranger

Meeting with	EDF, Local Authorities, Statutory Consultees
Meeting date	14 September 2011
Attendees (IPC)	Paul Hudson (Pre-Application Commissioner) Janet Wilson (Head of Case Management) Helen Adlard (Director of Legal Services) Sheila Twidle (EIA and Land Rights Manager) David Price (EIA and Land Rights Officer) Rob Ranger (Case Officer)
Attendees (non IPC)	Alyn Jones (Somerset CC(SCC)) (By telephone) Rob Holloway (JMP for the Highways Agency (HA)) Andy Roberts (Highways Agency) Doug Bamsey (Sedgemoor District Council (SDC)) Andrew Goodchild (West Somerset District Council (WSC)) Brian Page (Environment Agency (EA)) Mark Smith (Arup for WSC) Tim Norwood (EDF) Claire Amsley (EDF) Glen Gillespie (Natural England (NE))
Location	IPC Offices, Temple Quay House

Meeting purpose	A tripartite meeting to discuss the forthcoming application at Hinkley Point in Somerset.
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Summary of outcomes	<p>WSC Shared that the Preliminary Works application had been considered at committee in July, and that the council had resolved to approve it. Legal agreements and planning conditions were being finalised. A decision notice was expected to be issued shortly.</p> <p>EDF Expressed pleasure at having received officer and committee approval. A huge effort is being made to finalise conditions and obligations.</p> <p>The consent will be structured to allow works to</p>
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commence before Christmas. The main earthworks will take place next year.

IPC Invited comments on the relationship between that consent and the draft DCO, and any land restoration conditions.

EDF The draft DCO will also include the preliminary works, which is acknowledged to be duplication. EDF has posted a bond to cover the costs of restoration if Hinkley Point C does not go ahead. There are strong restoration conditions built into the preliminary works permission that is expected to be granted, and into the s106 agreement that will accompany it.

IPC Invited comments on the consenting strategy for the temporary jetty.

EDF Additional environmental information was submitted to the MMO, and statements of case have been produced for the local inquiry, which is scheduled for 15 November 2011. EDF feel that they have made good progress in resolving issues with parties to the inquiry, in discussion with the EA and others. Proofs of Evidence from the parties are due mid-October.

IPC Asked if there was an estimated date for a decision.

EDF Anticipate the Inspector's report being complete before Christmas with a decision in spring 2012.

It has been suggested that a Harbour Empowerment Order cannot authorise the removal of the jetty. EDF made clear that they consider the jetty to be temporary and have no use for it after the construction phase. Several approaches to consenting its removal are being considered; the most likely is that a power to remove it will be included in the draft DCO for Hinkley Point C itself.

IPC Invited an update on the drafting of the DCO.

EDF Felt they were making good progress on drafting the DCO. A huge effort was being made to bring the submission material together. A draft of the DCO has been shared with legal officers and with various stakeholders, on a privileged basis.

The Environmental Statement (ES) is also being finalised, including, as advised, a table setting out the mitigation proposed and linking this to the requirements in the DCO.

The submission will be large. A better idea of the size of

the submission will be available at the end of w/c 19 September 2011.

IPC Asked when the submission could be expected.

EDF At the end of September. The team is working at full stretch to achieve this target date.

IPC Invited discussion on the structure of the requirements within the DCO.

EDF Explained that the requirements relate to the whole DCO. They will be informed by the conditions attached to any consent for the jetty and the preliminary works. Obviously, they may be refined during the examination process.

IPC Asked how many works were included in the DCO

EDF Described the DCO as being divided into schedules for the main site and each associated development site, each of which contained several works.

IPC Noted that what EDF described could be a complex order to navigate.

EDF Agreed. Explained that the application documents will include a Navigation Document to help people quickly familiarise themselves with the layout of the application.

IPC Welcomed the inclusion of the Navigation Document.

SDC Asked whether or not the Navigation Document will be comprehensible to local communities. Raised concerns that if the application documents are difficult to navigate for professionals, they would be very hard to navigate for members of the public.

EDF Agreed that the Navigation Document should be accessible for the general public.

IPC Asked EDF to confirm that public consultation at the pre-application stage had come to a close.

EDF Confirmed that it had. Responses had been analysed, and a report of consultation undertaken will accompany the application.

IPC Asked what progress had been made on any obligation to accompany the application.

EDF Explained that work was nearly complete on the s106

obligation that accompanies the preliminary works application. Once signed, a copy of the preliminary works obligation would accompany the submission material. That obligation will form a baseline from which to produce the obligation that will accompany the DCO application. A fully drafted obligation will not therefore be part of the application

WSC The terms of the preliminary works obligation relate to that part of the project; They feel that any discussions will begin from that point, and not from a blank sheet.

IPC Invited discussion of deemed consents.

EDF Confirmed that, contrary to what had been advised, it had been decided to seek any parallel consents separately and no deemed consents would be sought through the DCO application. The information required to support some of those applications, such as Hazardous Substances Consent, was not yet complete, although well advanced.

IPC Invited discussion of the consultation report

EDF Described this as one of their biggest exercises. Approximately 33,000 individual comments had been received, and over 2,000 written responses.

IPC Advised that any consultation report should relate back to the Statement of Community Consultation.

EDF Confirmed that this was the intention. Submitted documents will be redacted to protect personal information.

EDF Radioactive Substances Releases (RSR) and Combustion Activities (CA) applications were made to the EA at the end of July. The “duly made” test has been passed, and the applications are being considered. An Article 37 submission has been made to the EU. A Water Discharge application will be made at the end of the month.

EA RSR and CA applications have a 6 October 2011 consultation deadline. The consultation deadline for the water discharge application will be about 20 days after it has met the “duly made” test. Next spring, once technical assessments and submissions have been considered, there will be a further round of “minded to” consultation.

It looks possible that this “minded to” stage might overlap with the examination of the DCO application

IPC Commented that it was helpful that the applications for environmental permits had been made. In their consideration, will the EA conduct a HRA?

EA Yes, for the cooling water discharges, and possibly for the combustion activities. That HRA will be restricted by comparison with the HRA that will be needed for the DCO application. The data used is likely to be a subset of that supplied with the DCO application, but consistent with it.

EDF The HRA that will accompany the DCO is at an advanced stage of completion, and has been produced in consultation with Natural England, the EA, the Countryside Council for Wales and the Marine Management Organisation. It is likely to be a stand-alone report.

IPC Duplication of supporting material that is already part of the ES is not necessary. If it is decided to duplicate material, version control is vital.

NE/CCW Explained that they cannot endorse the conclusions of the HRA at present. This does not mean that they are in disagreement, but that NE/CCW do not have the information that they feel they need to reach a view.

Particularly, they are awaiting finalised requirements so that they can confirm that they are enforceable. They hope to meet with the applicant before the application is submitted.

IPC Advised that if that issue is not resolved prior to submission, it could be clarified during the examination.

IPC Asked about progress towards Local Impact Reports (LIRs)

WSC The three local authorities are in discussions about their Local Impact Report, in the hope of agreeing a joint approach. They are keenly awaiting confirmation of timescales from the Examining authority, if an application is accepted.

The vast majority of work is planned to be done before Christmas.

The LIR is a public facing document, and officers will need to engage thoroughly with members and parish councils in its production. It will also compliment a Statement of Common Ground.

SCC Explained that they are currently coordinating responses, and trying to explore how the LIR is distinct from other submissions.

IPC Welcomed coordination between local authorities.

WSC Hoped to have a good idea on subject areas when relevant representations were due. Did not expect there to be any surprises in their LIR.

SCC Would welcome more guidance from the IPC on the structure and layout of an LIR.

HA Explained that they were in a similar position to NE with respect to highways issues. They were working hard to reach a position but some information and issues were outstanding. They welcomed the opportunity to explore this in the examination.

IPC Without prejudice to any decision on acceptance, invited discussion on administrative issues, and asked EDF to note the published acceptance checklist.

EDF Confirmed that they were aware of the checklist, and were using it to form their application. They were structuring their application to match the categories on the IPC website.

IPC Explained that it was normal to ask for 3 hard copies and 6 electronic copies of a submission, but since this submission was likely to be large, a more pragmatic view might be appropriate.

EDF Would welcome an opportunity to discuss what documents the IPC would need and when.

IPC staff to arrange conference call to discuss submission requirements (numbers of documents etc) with EDF

IPC Asked EDF whether they had given any thought to deposit locations.

EDF confirmed that they expected to deposit copies with the local authorities at their offices. Holding copies at local libraries raised practical issues due to the size of the submission.

They intended to carry out exhibitions locally once an application was accepted.

IPC Confirmed that the IPC has an outreach programme, and would also be holding events, with due regard to our

	<p>duty of impartiality.</p> <p>SDC Invited the IPC to cooperate on events and share information about their locations and times.</p> <p>IPC Explained that the IPC’s duty of impartiality made it problematic to share events, but that they would keep local authorities informed of any events that they held.</p> <p>IPC Asked if thought had been given to the venue for any preliminary meeting.</p> <p>SDC Explained that they felt strongly that the preliminary meeting should be held in a directly affected community.</p> <p>EDF Confirmed that they were investigating several venues of varying capacity and location.</p> <p>IPC Asked if there was any other business. No other matters were raised.</p>
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Circulation List	Attendees