



## Meeting Note

<b>File reference</b>	<b>EN010027</b>
<b>Status</b>	<b>Final</b>
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<b>Meeting with</b>	<b>DONG Energy</b>
<b>Meeting date</b>	<b>30 October 2012</b>
<b>Attendees (Planning Inspectorate)</b>	<b>Kathryn Powell – Senior Case Manager Patrycja Pikniczka- Assistant Case Officer David Price - EIA Manager Jessica Potter - Principal Case Manager</b>
<b>Attendees (non Planning Inspectorate)</b>	<b>Trine Hoffmann Sørensen - Consent Manager (DONG Energy) Cliff Pullen – Project Manager (DONG Energy) Jodie Hall (DONG Energy)</b>
<b>Location</b>	<b>The Planning Inspectorate, Temple Quay House, Bristol</b>

<b>Meeting purpose</b>	Meeting to provide the Planning Inspectorate with an update on the proposal.
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<b>Summary of key points discussed and advice given</b>	<p>The Planning Inspectorate advised that a note of the meeting would be taken and published and that applicants should seek their own legal advice upon which they can rely.</p> <p>DONG Energy gave a PowerPoint presentation which can be accessed <a href="#">here</a>.</p> <p><u>HRA Screening Report</u></p> <p>The Planning Inspectorate advised DONG Energy to make efforts to agree matters with stakeholders at the pre-application stage in relation to preparation of the Habitats Regulations Assessment (HRA) document through statements of common ground (SOCG). The Planning Inspectorate explained how failure to do this will likely lead to increased questioning by the Examining authority during examination. Furthermore, DONG Energy has been advised to be clear with the information included within the report. Ideally the report will be clear in detailing matters that have been agreed or matters where agreement has not been reached and the reasons why.</p> <p>The Planning Inspectorate advised DONG Energy to view DEFRA Guidance on evidence plans for NSIPs, the Planning</p>
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Inspectorate's Advice Note 11 Working with public bodies in the infrastructure planning process and the Planning Inspectorate's Advice Note 10 Habitat Regulations Assessment relevant to nationally significant infrastructure projects (recently updated).

#### Consultations

##### *Sections 42 & 44*

DONG Energy is currently undertaking a second round of s42 consultation and is still in the process of identifying landowners under s44 (for example where persons with an interest in the land only live in the location for 11 months per year). The Planning Inspectorate advised that s44 persons must be consulted in accordance with s42 and provided with the information which is also submitted to the Planning Inspectorate in accordance with s46. DONG Energy should explain their approach thoroughly within the consultation report. DONG Energy confirmed that all s44 consultees will be provided with 28 days to respond to the consultation.

DONG Energy asked whether further consultation would be required in accordance with s42 if a change to the scheme is proposed at the pre-application stage. The Planning Inspectorate advised that it is the responsibility of the applicant to justify whether any change made to the proposal would require further statutory consultation with prescribed consultees. The Planning Inspectorate discussed whether consultation with selected consultees on a change could be appropriate. The Planning Inspectorate advised that any changes should be justified and included within the ES and the consultation approach should be explained within the consultation report.

##### Section 52 & section 53

The Planning Inspectorate has been advised by DONG Energy that there are currently no s52 & s53 requests to be considered at this stage. The applicant however is aware of these powers. The Planning Inspectorate advised that where a s52 and/or s53 request is pursued, it must be the applicant's last resort at trying to gain information or access the land.

##### Any other business

DONG Energy requested a further meeting to be held before Christmas to discuss the draft application documents including Development Consent Order, Explanatory Memorandum, Consultation Report, Habitats Regulations Assessment (HRA) and the Trans boundary Screening Report that DONG Energy will provide to the Planning Inspectorate in late November. DONG Energy has been advised that the Planning Inspectorate can only make general comments in relation to those documents.

DONG Energy asked questions in relation to draft documents

	<p>to be submitted for review by the Planning Inspectorate. DONG Energy has been advised:</p> <ul style="list-style-type: none"> <li>• to include Deemed Marine Licence and all requirements within the draft DCO prior to submission;</li> <li>• to include the mitigation issues that they are currently looking at within their Environmental Statement;</li> <li>• to request letters from stakeholders who are stating that matters can be resolved once the decision has been reached as evidence;</li> <li>• that Statements of Common Ground can be used for the purpose of such an agreements;</li> <li>• to view the available section 55 checklists on the Planning Inspectorate's website for information.</li> </ul>
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<b>Specific decisions/ follow up required?</b>	The Planning Inspectorate agreed to contact DONG Energy to arrange the next meeting in December and in relation to a query raised by DONG Energy regarding PURDAH, following submission of the application.
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<b>Circulation List</b>	All attendees.
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