



Meeting note

File reference	EN010047
Status	Final
Author	Siân Evans
Date	17/12/14
Meeting with	NuGeneration Limited (NuGen)
Venue	Temple Quay House, Bristol
Attendees	Ben Olney (NuGen) Ian Shrubsall (NuGen) Giles Bishop (AMEC) Paula Madill (NuGen) Mark Wilson (Planning Inspectorate) Sheila Twidle (Planning Inspectorate) Siân Evans (Planning Inspectorate)
Meeting objectives	Update on NuGen's Moorside project in West Cumbria
Circulation	All attendees

Summary of key points discussed and advice given:

NuGeneration Limited (NuGen) advised that the email address for NuGen (planning@nugeneration.com) on the Planning Inspectorate's website is correct and active.

The Planning Inspectorate advised NuGen that a new Advice Note 2, for local authorities taking part in the NSIP process, is likely to be published in early 2015. This may set out advice on statements of common ground and how they could be developed iteratively before and during the examination process.

The Planning Inspectorate advised that a new Advice Note will be published next year concerning post-submission changes. Also, the Advice Note 8 series (for members of the public) is currently being reviewed and will be re-published early 2015.

Advice Note 7 will be re-published early next year. This includes advice on preliminary environmental information. Advice notes 4 and 5 (concerning interests in land and rights of entry) are also being updated. The Planning Inspectorate advised that it can take around 3 months to determine a section 52 or 53 application and it is important for applicants to clearly document any communications with landowners.

Advice Note 10 (concerning the Habitat Regulations Assessment) is also being updated and will be published early 2015.

In 2015 there will also be a new Advice Note 15 concerning drafting of Development Consent Orders.

The Planning Inspectorate raised the issue of transboundary consultation. The Planning Inspectorate is likely to be consulting other EU governments and NuGen may wish to communicate with particular governments at an early stage. Concerns may relate to the issue of nuclear safety.

NuGen advised the Planning Inspectorate that they have Planning Performance Agreements in place with Copeland Borough Council, Cumbria County Council, the Office of Nuclear Regulation, the Environment Agency, Natural England and the Marine Management Organisation.

NuGen outlined their timetable for preparation and submission of their application. They stated that they will publish their Statement of Community Consultation (SOCC) by mid April 2015. In May 2015 they will start their first round of consultation. They will request a scoping opinion in June 2015. The Planning Inspectorate advised that they need the shape file to be submitted approximately 2 weeks before a scoping request is submitted. The Planning Inspectorate also advised against undertaking their consultation at the same time as requesting a scoping opinion.

In May 2016 they will start their second round of consultation. In April 2017 they intend to submit their development consent order application to the Planning Inspectorate.

The Planning Inspectorate queried whether there was likely to be a need for any closed hearings (s95A of the Planning Act 2008) due to the proximity of the proposed application site to the Sellafield complex. NuGen were advised that any issues in this regard should be resolved as soon as possible to avoid any disruption to the examination.

NuGen put forward the idea of quarterly meetings between themselves, the Planning Inspectorate and the host local authorities (Copeland Borough Council and Cumbria County Council) and suggested that the venue could alternate between Bristol and Cumbria. The Planning Inspectorate were agreeable to this.

NuGen outlined their proposals to produce one consultation document for the stage 1 consultation phase that would cover both s42 and s47 consultation. The Planning Inspectorate advised that NuGen should make clear in the document that it is not an application but its purpose is to outline the issues and options and more detail will follow at stage 2 and in the DCO application itself.

NuGen advised that they are not intending to produce a separate Preliminary Environmental Information Report but Preliminary Environmental Information will be included within the consultation document and as an appendix to the consultation. The same documents will be used to request the scoping opinion but with a different front cover. The Planning Inspectorate expressed concerns about this approach, which had been used by other applicants in the past and led to confusion in terms of the timing, purpose and recipient of the responses received. NuGen explained that they have received support for this approach from the main consultee bodies. NuGen are also aware that they have a responsibility to brief consultation bodies properly on the approach to avoid any of the previous issues and are committed to getting this right.

The Planning Inspectorate advised that as NuGen's Regulation 6 notification under The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 was made before 6 April 2013, they will need to identify consultees under the rules of the APFP Regs applicable at that time. NuGen were advised to seek their own legal advice as to whether they can re-notify the Secretary of State of the proposed application under s46 so that consultation can be undertaken using the Infrastructure Planning (Applications: Prescribed Forms and Procedures)(Amendment) Regulations 2014.

The Planning Inspectorate advised NuGen that the SOCC process should make clear the level of detail that will be presented in the consultation documents. The Planning Inspectorate can provide comments on the draft SOCC if they are given approximately 2 weeks' notice. NuGen stated they are likely to send the SOCC to the Planning Inspectorate mid February 2015, before sending it to the local authorities. In relation to environmental documents, the Planning Inspectorate are willing to comment on the draft Habitat Regulations Assessment if there is capacity, but do not have the capacity to look at draft environmental statements.

NuGen advised that they are proposing to hold a stakeholder meeting in February 2015 and invited the Planning Inspectorate to this where they could do a presentation on the NSIP/DCO process.