



Meeting note

File reference	EN010047
Status	Final
Author	Patrycja Pikniczka
Date	13 May 2015
Meeting with	NuGen
Venue	
Attendees	Ben Olney (NuGen) Fergus McMorrow (NuGen) John Groves (Copeland BC) Denice Gallen (Copeland BC) Mark Wilson (Infrastructure Planning Lead) Patrycja Pikniczka (Case Officer) Helen Lancaster (Senior EIA and Land Adviser)
Meeting objectives	Project update meeting/site visit.
Circulation	All attendees.

Summary of key points discussed and advice given:

NuGen ('the applicant') was advised about the openness policy and that any advice given will be recorded and placed on the PINS website along with meeting notes. PINS explained that any advice given does not constitute legal advice upon which applicants (or others) should rely on.

NuGen advised PINS about safety procedures prior to the site visit.

Update on consultation

NuGen advised that stage 1 consultation under section 47 commences on 16 May and closes on 25 July 2015. It was explained that Stage 1 consultation will be carried out on the Preliminary Environmental Information (PEI) and the five search areas including main site at Moorside and four areas identified for the associated development works (Corkickle, Mirehouse, Egremont and Cleator Moor).

NuGen advised that stage 2 consultation on preferred proposals in accordance with sections 42 to 49 of the Planning Act 2008 will commence in May 2016.

NuGen was advised to be proactive in engaging with local communities and consider carrying out targeted consultation where sensitive receptors have been identified in the close proximity to the draft DCO boundaries.

PINS advised NuGen to ensure that Parish Councils affected by the main development and associated works are identified and involved at the pre-application consultation stage. NuGen has confirmed that the relevant Parish Councils have already been identified and will be included in the consultation.

NuGen was advised to inform s.42 (technical) consultees to copy-in PINS when responding to the applicant's stage 1 consultation, to assist PINS in identifying issues arising from the application at an early stage.

Copeland BC asked PINS about the format of the adequacy of consultation representation. PINS advised the Council to keep a record of the feedback given by officers and members to the pre-application events attended. It may assist the drafting of the adequacy of consultation representation if this feedback can be referred to and appended to the representation.

PINS advised NuGen/Copeland BC that if we are contacted at the pre-application stage by those concerned about the quality of consultation being undertaken by a developer, PINS advises members of the public to contact the developer directly to allow them the opportunity to remedy the issues, or alternatively, to contact the local authority.

Submission of the application & draft documents

PINS advised that there are two tests at acceptance stage that an application has to meet; administrative and satisfactory standard tests.

PINS advised that original responses received to the pre-application consultation under Regulation 5(5) of the Infrastructure Planning (Applications: Forms and Procedures) Regulations 2010 can be requested from the applicant at any time during acceptance. NuGen was advised to plan for this potential request from the outset and to make the responses easily available at short notice for onward transmission to PINS during the acceptance stage.

To allow smooth acceptance, PINS also advised NuGen about including the following documents as appendices to the Consultation Report including:

- original copies of s.48 notices including the front page of newspapers (including the date) used to place the notices, and
- copies of the Statement of Community Consultation (SOCC) advertisement including original date as it appeared in the newspaper and a copy of the original SOCC;
- copies of consultation correspondence and responses from relevant local planning authorities who were consulted and responded with regard to the content of the SOCC (at both non-statutory and statutory consultation stages);
- any press releases and media coverage - original copies;
- copy of the original letter sent to the local authorities in relation to SOCC;
- a copy of any letters sent to s.42 consultees, s.47 persons.
- a copy of the s.46 notification letter along with a copy of the acknowledgement letter issued by the Inspectorate;
- a complete list of consultees identified and consulted under s.42 – this is strongly encouraged;
- copies of materials from exhibition events e.g. posters, photos of display boards etc.;

- copies of extracts from the project website during consultation – these should demonstrate that the site was functioning at the time; and
- copies of consultation feedback forms.

Advice Notes

PINS advised that a number of internal advice notes have been updated including Advice Note 7 on Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping, and Advice Notes 4 and 5 on sections 52 and 53 of the Act.

PINS advised about upcoming Advice Note 16 on material changes to an accepted application, and recently published Advice Note 2 explaining the role of local authorities in the development consent process.

Scoping Report Process

NuGen was advised to submit an updated shapefile including boundaries of associated development approximately 2 weeks in advance prior to submission of a formal notification under Regulation 9.

PINS advised the applicant that there is no need to provide addendum to the scoping report once submitted, should more information be available following submission of the scoping report. PINS explained that opinion is issued on the information as submitted. PINS explained that any changes or updates made following submission of the scoping request and issuing of the opinion should be addressed within the final Environmental Statement.

NuGen was advised that a scoping opinion is issued within 42 days starting from the day of the receipt of the scoping request. NuGen was advised that prescribed consultees are given 28 (+ 1-2 days) to respond to the consultation. PINS explained that 28 days for consultation is included within the 42 days statutory period.

NuGen was advised that carrying out consultation on both, scoping report and PEIR, at the same time may be confusing for prescribed consultees when responding to consultation. NuGen advised that all prescribed consultees and local authorities have been advised of the purpose of each consultation and have a clear understanding of each approach.