



## Meeting note

<b>File reference</b>	EN010047 and EN020007
<b>Status</b>	<b>Final</b>
<b>Author</b>	Jenny Colfer
<b>Date</b>	14 April 2016
<b>Meeting with</b>	National Grid and NuGen
<b>Venue</b>	Rivergate Building, Bristol
<b>Attendees (PINS)</b>	Kath Dunne – Infrastructure Planning Lead Helen Lancaster – Senior EIA and Land Rights Advisor Richard Hunt – Senior EIA and Land Rights Advisor Jenny Colfer - EIA and Land Rights Advisor
<b>Attendees (NuGen and National Grid)</b>	Gideon Amos - NuGen Fergus McMorrow – NuGen Richard Gwilliam – National Grid – via telephone
<b>Meeting objectives</b>	A joint meeting with National Grid and NuGen to discuss the North West Coast Connections Project and the Moorside Nuclear Power Station proposals.
<b>Circulation</b>	All attendees

### **Summary of key points discussed and advice given:**

National Grid and NuGen were familiar with the Planning Inspectorate's (PIN's) statutory duty, under section 51 of the Planning Act 2008 as amended (PA 2008), to record the advice that is given in relation to an application or a potential application and to make this publicly available. National Grid and NuGen were also aware that any advice given by PINS does not constitute legal advice upon which applicants (or others) can rely.

### **1. Introductions**

The meeting aimed to establish the progress of each proposal and the indicative timescales for both pre-application consultations and the submission of the applications.

PINS indicated that NuGen and National Grid should take into consideration the resourcing concerns of certain consultees, should the Moorside and North West Coast Connections Project applications be submitted at the same time. Though different Examining Authorities would be assigned to each of these projects, and whilst PINS would aim to hold similar hearings for each project on different days; written

submission deadlines for both projects would no doubt overlap during the examinations if the applications were submitted at the same time.

## **2. NuGen's pre-application consultation**

NuGen explained their consultation carried out to date, and that planned for the future. The stage 2 consultation (Section 42, 47 and 48) is to last for 11 weeks and is to commence on 14 May 2016. The Statement of Community Consultation (SoCC) has been advertised. Consultation activities will include public exhibition events in numerous locations in the area surrounding the proposed power station site. Information will be available on a website; and the developer has established a manned information venue in Whitehaven. A mail shot will be sent out including information on the consultation, a non-technical summary of the PEIR and a feedback form. There will also be a press campaign and media with interviews. Information on the proposal will also be provided at sessions organised specifically for young people

Outside of the formal consultation, regular meetings are held with Copeland, Cumbria and Allerdale local authorities. This includes a series of Executive meetings, management meetings and a number of sub group meetings. Under the framework of NuGen's Moorside Technical Group (MTG) there is a hierarchy of sub group meetings covering topics such as transport, sites, environment and skills and economy. These feedback into the wider group of technical stakeholders at the MTG meetings. Topic chapter meetings have also been held for the PEIR.

Cumbria Association of Local Councils which is a representative body of the 250 plus Cumbrian Parish Councils also takes part in the MTG meetings.

The MTG meeting is held once every two months where 70-80 consultees participate.

## **3. National Grid's pre-application consultation**

National Grid's pre-application consultation on section 42, 47 and 48 will start on 2 June 2016 and will last for 10 weeks. 28 exhibitions are planned. They are in the process of producing as much draft application material as possible for the consultation, including draft work plans and a draft Development Consent Order for the consultation.

NuGen and National Grid are both to have someone from the other organisation at each of their events to raise awareness of both consultations, notifying participants that all cross project information will be passed on to the other developer unless an objection to this is clearly stressed.

National Grid's SoCC will be finalised on 24 May 2016.

## **4. Moorside Generation Capacity**

NuGen stated that following the evolution of the design of the power station it was now clear that it would be capable of generating up to 3.8 gigawatts (GW) nominal gross electrical capacity. This figure is subject to turbine technology choices which NuGen is currently considering and as a result, the generating capacity that is ultimately in the DCO application may be lower than this figure. NuGen has a secured Connection Agreement with National Grid to export up to 3.4GW of electricity to the

grid and any increase in this figure would be subject to future agreement with National Grid. The total nominal capacity is what is required for inclusion on the face of the DCO and would to an extent future proof the development.

NuGen informed that their Environmental Statement will cover the impacts of the maximum output, although they indicated that this additional capacity would be unlikely to result in any additional environmental impact.

## **5. Submission Dates**

NuGen indicated a submission date for the DCO application of Quarter 2 2017; any decision to alter this would need to be taken at the NuGen board level. If a major and significant change to the Project following the pre-application consultation became necessary then NuGen would consider how to accommodate changes and/or may have to reconsider their timeline, though there is currently no intention to do so.

National Grid is planning to submit its DCO application by end of March 2017. They acknowledged that they have a challenging schedule that has been driven by the contracted connection date. The Morecambe Bay tunnel element of the scheme has a long lead in time (construction period) and National Grid are likely to need workers on the ground in January 2019 to meet the contracted connection date.

National Grid is aware that any significant design changes to the proposal following consultation could lead to a delay to the submission, but that it has an agreed connection date which they need to work to. National Grid noted that early works submissions under the Town and Country Planning Act were being considered.

Both developers stated that they have included some flexibility in their design.

## **6. Consultation with persons with an interest in the land**

The Planning Inspectorate provided the following advice regarding consultation with persons with an interest in the land/affected persons:

Developers are advised to ensure they undertake thorough and detailed pre-application consultation with affected persons, where they are proposing to acquire land. Developers should ensure they take the time to meet affected persons face to face, and to explain thoroughly the acquisition process and the proposed land-take or rights required.

Seeking land by voluntary agreement in the first instance is advised, acquiring land compulsorily should only be sought if voluntary negotiations fail. However, it is also recognised that for longer linear schemes, reaching agreement for every plot may not be possible, although attempts should be made to seek agreement where possible.

We note that negotiations may continue once an application has been submitted, however developers should aim to reach agreement prior to submission of the application where possible.

During the examination of the NSIP, the Examining Authority may ask for the following evidence from the developer:

- that each affected person has been contacted,
- whether the affected person has responded or engaged in consultation, and if they have met face-to-face,

- how progressed any agreements are and if the affected person has been provided with heads of terms for such agreements.

Regular updates throughout the examination will be required on the status of the agreements, therefore providing this information within the application will assist the Examining Authority.

[Post meeting note of further advice:

If there is land over which it is not possible to identify all potential interests by name or contact details (grazing rights for example) then efforts should be made to advertise around the site and local enquiries made to assist. Any land where rights are untitled or uncertain should be clearly identified in the Book of Reference so that the Examining Authority can consider the interests of potentially affected persons even if they have not been specifically identified as individuals or businesses.

Developers must only compulsorily acquire land which is required and necessary for the development. If the order limits within the submitted application are widely drawn, with the intention to be reduced at a later stage, the developer will be required to provide evidence as to how they have met the tests in the Planning Act 2008, specifically whether the land required is no more than reasonably required for the purposes of the development.

Further information is contained within the DLCCG Guidance related to procedures for the compulsory acquisition on land, specifically pages 5 – 10.]

## **7. Draft Documents**

NuGen intend to produce their draft documents by the End of December 2016, for comment by PINS.

National Grid intend to drip feed their draft documents at the end of the year (2016).

The Planning Inspectorate asked that a programme for submission of draft documents is agreed, to ensure adequate resource is allocated to reviewing them.

The Planning Inspectorate agreed to provide a list of what draft documents it would be willing/able to provide comments upon and/or how many drafts of each.

## **8. Any other business**

All parties agreed that there might be further joint meetings between NuGen and National Grid, KD asked that PINS be invited where appropriate.