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To interested parties, statutory parties
and other persons invited to the
Preliminary Meeting

Your Ref:

Our Ref: EN010048

Date: 29 April 2015

Dear Sir/Madam

Planning Act 2008 (as amended) – Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 (as amended)

Application by Capture Power Limited for and Order Granting Development Consent for the White Rose Carbon Capture and Storage Project

Examination timetable and procedure

I write to tell you about the procedural decisions I made as the Examining Authority (ExA) for this application following the Preliminary Meeting held on **Wednesday 22 April 2015** at the **Lowther Hotel, Aire Street, Goole, East Yorkshire DN14 5QW**. This letter also provides you with the examination timetable, a link to the initial questions that I am asking in the examination and other matters.

Anyone wishing to view documents in relation to the examination of this project, including a note of the Preliminary Meeting, can do so using this link:

<http://infrastructure.planningportal.gov.uk/projects/Yorkshire%20and%20the%20Humber/White-Rose-Carbon-Capture-and-Storage-Project/>

Documents can be viewed electronically at the venues listed in **Annex A**. An audio recording of the Preliminary Meeting has now been published on our website and can be accessed via the link above.

Procedural decision and examination timetable

I have made my procedural decisions about the way in which the application is to be examined. The examination timetable is attached as **Annex B**. This examination timetable replaces the draft examination timetable that was included with the Rule 6 letter dated **30 March 2015**. Procedural decisions and changes to the draft examination timetable made after the Preliminary Meeting are explained in **Annex C**. The examination timetable has sought to accommodate requests made at the Preliminary Meeting.

At the Preliminary Meeting the Applicant confirmed their intent to consult on the non-material change of application documents submitted on 13 April 2015. These documents were discussed at the Preliminary Meeting and I confirmed that a

procedural decision was taken to accept these updated documents. The Applicant does not regard the post-submission documentation as constituting a change to the application.

The oral representation made on behalf of the Applicant at the Preliminary Meeting in connection with this matter can be heard in full on the audio recording which is available on the National Infrastructure pages of the Planning Portal website. The ExA recognises that not all interested parties, or indeed, members of the wider public were present at the Preliminary Meeting. This means that different people could potentially be affected in different ways, including those who had not originally chosen to register as an interested party.

To enable anyone who might potentially be affected by the post-submission changes to have a fair opportunity to make their views known and properly taken into account, the examination timetable will include opportunities for comments to be made on these post-submission changes. The Applicant is requested at the earliest practicable opportunity to advertise the details of the non-material changes to the application documents in newspapers, on a non-statutory basis. This shall include wider publicity through public notice to ensure that people in the local area have an opportunity to make representations. The Applicant is required to compile any responses to the newspaper notification about the non-material application document changes and provide this report to the ExA on or before **Friday 19 June 2015**.

If I consider it necessary to vary the timetable (set out in **Annex B**), full notification will be sent to all interested parties and published on the National Infrastructure pages of the Planning Portal website. I will also do this if the date, time and place of any hearing is changed, except in the event of an adjournment¹.

At the Preliminary Meeting I heard representations about the need to change topics in the list of Principal Issues identified in the Rule 6 letter dated 30 March 2015. I have fully considered the points made in the representations. The Applicant wished the sub-issue on fisheries to be deleted from the list. However, although this matter would be covered under the general topic of biodiversity, the impacts on fisheries, if not effectively controlled, can be important. Therefore, I have decided to keep that sub-issue in the list. North Yorkshire County Council requested that minerals be added to the list under the socio-economic heading. I consider that this is an issue which should be added to the list as a separate topic. It should be borne in mind that the list of Principal Issues is only a guide to the topics for examination, the importance or otherwise of which will evolve over the course of the examination. An amended list of Principal Issues is attached at **Annex D**.

Examining Authority's First Round of Written Questions

I have decided to ask a number of written questions. These questions are now published on the National Infrastructure pages of the Planning Portal website and can be accessed through the following link:

<http://infrastructure.planningportal.gov.uk/document/3154852>

¹ [Rule 14\(8\) of the Infrastructure Planning \(Examination Procedure\) Rules 2010](#)

Responses to these questions must be received on or before **Wednesday 20 May 2015**.

Statements of Common Ground (SoCG) and Local Impact Reports (LIRs)

I invite submission of completed SoCGs, and any draft SoCGs, by **Wednesday 20 May 2015**.

Local authorities defined in s56A of the PA 2008 are invited to submit LIRs by **Wednesday 20 May 2015**.

SoCG and LIRs are to be sent to the Planning Inspectorate using the email or postal address at the top of this letter, quoting reference EN010048 and your unique reference number, if one is quoted on this letter.

Guidance for the submission of written representations

I invite all interested parties to submit written representations, comments on relevant representations already submitted and comments on submissions received from the Applicant dated 13 April 2015, regarding non-material changes to application documents. All representations in writing must be sent on or before **Wednesday 20 May 2015** to the Planning Inspectorate using the email or postal address at the top of this letter, quoting reference EN010048 and your unique reference number, if one is quoted on this letter.

Any written representation and comments on relevant representations and additional submissions received from the Applicant that exceed 1500 words should also be accompanied by a summary. This summary should not exceed 10% of the original text. The summary should set out the key facts of the written representation and must be representative of the submission made.

To assist in timely processing, written representations and comments on relevant representations and additional submissions received from the Applicant must be sent by the deadline specified. The deadlines are 11:59pm on the date stated. The Planning Inspectorate request that interested parties send, where practicable, electronic copies of their submissions as email attachments, to whiteroseccs@pins.gsi.gov.uk on or before the applicable deadline.

Electronic attachments should be clearly labelled with subject title and not exceed 12MB for each email. Should electronic submissions include documents of 300 pages or more, interested parties are advised to send to the Planning Inspectorate two additional full paper copies of their submission by post. Timely submissions in advance of the deadlines set in the timetable are encouraged.

There is no prescribed form for written representations. Written representations can deal with any relevant matter. They are not restricted to the matters set out in my Initial Assessment of Principal Issues which was discussed at the Preliminary Meeting, nor restricted to the questions I have asked. Please note that under Rule 10(4) of the Examination Procedure Rules any person, other than the Applicant, who submits a written representation must identify in their written representation those parts of the application with which they agree and those parts with which they do not agree, and must state the reasons for such disagreement.

Furthermore, in accordance with DCLG 'Planning Act 2008: Guidance for the examination of applications for development consent for nationally significant infrastructure projects (April 2013)'², participants should normally provide with their written statements, '*any data, methodology and assumptions used to support their submissions*'.

Notification of a wish to attend a hearing

I now request notifications from –

- (a) any interested party who wishes to be heard at the **Issue Specific Hearing** to be held on **Wednesday 1 July 2015**;
- (b) any interested party who wishes to be heard at an **Open Floor Hearing** to be held the evening of **Wednesday 1 July 2015**;
- (c) any affected person who wishes to be heard at the **Compulsory Acquisition Hearing** to be held the morning of **Thursday 2 July 2015**;
and
- (d) any interested party who wishes to be heard at the **Issue Specific Hearing** to be held the afternoon of **Thursday 2 July 2015**;

These notifications must be received on or before **Wednesday 20 May 2015**.

If an interested party wishes to make an oral representation at an open floor or issue-specific hearing they should indicate which topics from their relevant or written representation they wish to address at the hearing. Similarly, any affected person wishing to make an oral representation at a compulsory acquisition hearing should clearly identify the affected plots of land which they wish to speak about.

Should I determine that an open floor hearing and compulsory acquisition hearing is required I have set a deadline of **Wednesday 3 June 2015** to issue notification of confirmed time and place for the open floor hearing and compulsory acquisition hearing.

Procedure at hearings and notification of wish to speak at hearings

The procedure to be followed at hearings is set out in Rule 14 of the Examination Procedure Rules³. I shall be responsible for the oral questioning of a person giving evidence but your attention is drawn to Rule 14(5) of the Rules and the circumstances that apply to cross-questioning between parties.

My examination will be principally a written process, and I will decide whether a hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important I consider an issue or topic to be.

Site inspections

I will consider, as set out in the examination timetable, any requests to inspect other sites. Nominations of additional locations to be inspected must be received by the

² <https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>

³ <http://www.legislation.gov.uk/ukxi/2010/103/contents/made>

deadline of **20 May 2015**. You must indicate the reason for the nomination and whether I can proceed with the inspection unaccompanied (and if not, why not). Please be aware that I cannot carry out unaccompanied inspections on private land or where special measures with regards to safety must be followed.

I intend to undertake an accompanied site inspection (ASI) on **Friday 3 July 2015**. To assist with arrangements, groups are encouraged to send a single representative and to inform the Case Manager, Emré Williams, by **Wednesday 20 May 2015**, with reasons for your wish to attend. The information provided will help us with travel arrangements on the day reserved for the site inspection.

An itinerary will be made available no later than **Friday 26 June 2015**, following a review of requests and nominations received. Please note that the site inspection is not an opportunity to make any oral representations on the application. However, I may invite participants to indicate specific features or sites of interest.

Deadlines for receipt of documents and requests for hearings

It is important to note that if you do not submit the information by the dates specified in the timetable, I may disregard them.

If no written requests are received by the deadline of **20 May 2015** for open floor hearings or compulsory acquisition hearings, I am not required to hold any such hearings, but may choose to do so.

The date, time and place of any confirmed hearing will be notified in writing to all registered interested parties, providing at least 21 days' notice. I have set a deadline of **Wednesday 3 June 2015** to issue notification of the date, time and place for an open floor hearing and compulsory acquisition hearing.

Award of costs

You should be aware of the possibility of the award of costs against parties who behave unreasonably.

To assist understanding of what 'unreasonable behaviour' means in the context of an examination under the Planning Act 2008 you may find it helpful to read the Government guidance: *Awards of costs: examinations of applications for development consent orders* (July 2013)⁴ which can be found on the National Infrastructure pages of the Planning Portal website.

Future notifications

If you are an interested party you will continue to receive correspondence from the Planning Inspectorate about the examination throughout the process.

If you have received this letter because you were invited to attend the Preliminary Meeting, but you are not an interested party, you will **not** receive any further communication from us relating to this application. You can, however, visit the

⁴ <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

relevant project page on the National Infrastructure pages of the Planning Portal website to stay informed of the progress of the examination of the application or alternatively, sign up using an email address on the relevant project page to receive email updates about the project.

If you are a statutory consultee, or a local authority without direct responsibility in the proposed development area, and have not made a relevant representation, then you should inform the Planning Inspectorate if you wish to become a interested party by **Wednesday 20 May 2015. Statutory consultees who have not made a relevant representation and do not notify the Planning Inspectorate of their wish to become an interested party will not receive any further correspondence.**

If I require further information or written comments in the form of a Rule 17 letter, this will be sent to those applicable and published on our web site.

Managing of Information

The Planning Inspectorate has a commitment to information transparency. Therefore, all information submitted for this project (if accepted) and a record of advice which we have given can be found on the National Infrastructure pages of the Planning Portal website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information has been protected in accordance with our Information Charter.

Yours faithfully

Elizabeth Hill

Elizabeth Hill
Examining Authority

Annexes:

- A. Availability of representations and application documents
- B. Timetable for examination of the application
- C. Procedural decisions made by the Examining Authority (ExA)
- D. Principal Issues

Availability of representations and application documents

Anyone wishing to view documents in relation to the examination of the project, which are regularly updated, can do so via the internet on the National Infrastructure pages of the Planning Portal website:

<http://infrastructure.planningportal.gov.uk/projects/Yorkshire%20and%20the%20Humber/White-Rose-Carbon-Capture-and-Storage-Project/>

Documents can be viewed electronically at the following locations for inspection and printing:

Locations	Opening Times	Charges
Goole Library, Carlisle Street, Goole, DN14 5DS	Mon, Weds: 0930 -1900; Tues, Thurs, Fri: 0930 - 1700; Sat: 0900 - 1600; Sun: Closed	A4 Printing: Black & White 10p Colour 50p
Selby Library, 52 Micklegate, Selby, North Yorkshire, YO8 4EQ	Mon: 0930 - 1930; Tues, Weds, Fri: 0930 - 1730; Thurs: 0930 - 1230; Sat: 0930 - 1230 ; Sun: Closed	A4 Printing: Black & White 10p
Howden Library, 13 Market Place, Howden, DN14 7BJ	Mon: 1600 - 1900; Weds, 1400 - 1900; Fri: 1000 - 1400; Sat: 1000 - 1300; Tues, Thurs, Sun: closed	A4 Printing: Black & White 10p Colour 50p
Snaith Library, 27 Market Place, Goole, Snaith, DN14 9HE	Tues: 1400 - 1900; Thursday: 1000 - 1700; Sat 1000 - 1400; Mon, Weds, Fri, Sun: Closed	A4 Printing: Black & White 10p Colour 50p

Libraries have been supplied with a poster explaining how you can access and view the documents online.

Timetable for examination of the application

The Examining Authority's (ExA) examination of the application takes the form of consideration of written representations about the application. The ExA will also consider any oral representations made at the hearings. The ExA is under a duty to **complete** the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.

Item	Matters	Due Dates
1	Preliminary Meeting	Wednesday 22 April 2015
2	Issue by ExA of: <ul style="list-style-type: none"> • Examination timetable • ExA first written questions 	Wednesday 29 April 2015
3	<p>Deadline I</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Comments on relevant representations (RRs) • Summaries of all RR's exceeding 1500 words • Written representations (WRs) by all interested parties • Summaries of all WRs exceeding 1500 words • Local Impact Report from any local authorities • Statements of Common Ground requested by ExA – see Annex G • Responses to ExA's first written questions • Comments on any additional submissions (non-material change of application documents dated 13 April 2015 by applicant) • Comments on, and suggested changes to, the draft Development Consent Order <p>Notifications:</p> <ul style="list-style-type: none"> • Notification by Statutory Parties to inform the ExA of a wish to be considered an interested party • Notification of wish to speak at a compulsory acquisition hearing • Notification of wish to speak at the issue specific hearing on the draft Development Consent Order (DCO) • Notification of wish to speak at issue specific hearing on environmental issues • Notification of wish to speak at an open floor hearing • Notification of wish to attend accompanied site inspection 	Wednesday 20 May 2015
4	Issue by the ExA of: <ul style="list-style-type: none"> • Confirmation by the ExA of date, time and place for a accompanied site inspection (ASI) 	Wednesday 3 June 2015

	<ul style="list-style-type: none"> • Confirmation by ExA of date, time and place for an issue specific hearing • Confirmation by ExA of date, time and place for compulsory acquisition hearing • Confirmation by ExA of date, time and place for an open floor hearing, if required • Any further request for information if required 	
5	<p>Deadline II</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs and responses to comments on RRs • Comments on Local Impact Reports • Comments on responses to ExA's first written questions • Comments on SoCGs • Revised draft DCO from applicant • Applicant's response to comments received by Deadline I on non-material change to application documents, dated 13 April 2015 • Response to any further information requested by the ExA for this deadline 	Wednesday 10 June 2015
6	<p>Deadline III</p> <ul style="list-style-type: none"> • Report compiled from responses to the Applicant's notification of the non-material amendments to the DCO application and updates to the application documents dated 13 April 2015 	Friday 19 June 2015
7	Day reserved for issue specific hearing on environmental issues	Wednesday 1 July 2015
8	Evening reserved for an open floor hearing (if required)	Wednesday 1 July 2015
9	Morning reserved for compulsory acquisition hearing	Thursday 2 July 2015
10	Afternoon reserved for issue specific hearing on the draft Development Consent Order	Thursday 2 July 2015
11	Day reserved for accompanied site inspection	Friday 3 July 2015
12	<p>DEADLINE IV</p> <ul style="list-style-type: none"> • Post-Hearing documents including any written summary of an oral case put at any hearing • Comments on any further information received by the ExA for Deadline II 	Wednesday 8 July 2015
13	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> • Second written questions (if required) • Confirmation by the ExA of date, time and place for a further accompanied site inspection (ASI), if required • Confirmation by the ExA of date, time and place for further issue specific hearings, if any are required 	Wednesday 22 July 2015

14	<p>Deadline V</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to ExA's second written questions (if required) • Applicants revised draft DCO taking account of issues raised and comments to date <p>Notifications:</p> <ul style="list-style-type: none"> • Notification of wish to make oral representation at issue specific hearings between 1 and 3 September 2015, if any are required • Notification of wish to attend the ExA's inspection of a site to which the application/specific matters relate in the company of interested parties (ASI), if required 	Wednesday 5 August 2015
15	<p>Deadlines VI</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Comments on applicant's revised draft DCO • Comments on responses to ExA's second written questions (if required) • Response to any further information requested by the ExA for this deadline 	Friday 21 August 2015
16	Time period reserved for an ASI, if required and/or further issue specific hearings if any are required	Wednesday 2 – Thursday 3 September 2015
17	<p>Deadline VII</p> <ul style="list-style-type: none"> • Post-hearing documents including any written summary of an oral case put at any hearing and any documents/amendments requested by the ExA • Comments on any further information received by the ExA for Deadline V 	Wednesday 9 September 2015
18	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • ExA's revised draft DCO (if required) taking issues raised and comments into account • ExA's Report on the Implications for European Sites (RIES) for consultation • Any further request for information, if required 	On/before Friday 25 September 2015
19	<p>DEADLINE VIII</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Any updated SoCGs, • Any written comments on the ExA's revised draft DCO • Any written comments on the ExA's RIES • Response to any further information requested 	Wednesday 14 October 2015

	by the ExA for this deadline (if required)	
20	<p>DEADLINE IX</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> • Comments on any further information received by the ExA for Deadline VII (if required) 	<p>Wednesday 21 October 2015</p>
21	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.	<p>Thursday 22 October 2015</p>

Hearing Agendas

Please note that we will aim to publish a detailed draft agenda for each hearing on the project website at least 5 working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subjected to change at the discretion of the ExA.

Report on the Implications for European Sites (RIES)

Where the project needs to be assessed under the Habitats Regulation Assessment (HRA) process, the ExA may decide to issue a RIES during the examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake their HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

Procedural decisions made by the Examining Authority (ExA)

The ExA has made the following procedural decisions under Section 89(3) of the Planning Act 2008:

1. Non-material amendments and update to application documents

By letter dated 13 April 2015, Dalton Warner Davis on behalf of the Applicant submitted to the Planning Inspectorate a number of non-material changes to the application documents to reflect their up-to-date positions on the confirmed Footpath Diversion Order (FDO) and National Grid Electricity Transmission plc (NGET) grid connection offer.

The ExA has made a procedural decision to accept these documents into the examination. They have been published on the National Infrastructure pages of the Planning Portal website and are available electronically at the deposit locations listed in Annex A.

The ExA will accept comments on these additional documents on or before Wednesday 20 May 2015.

At the Preliminary Meeting, a request was made on behalf of the Applicant to undertake non-statutory consultation on the material submitted on 13 April 2015. The Applicant requested that responses to this consultation be submitted for deadline II.

The ExA considers that representation on the non-material changes to the application documents submitted on 13 April 2015 should be invited not only from those who have already registered as interested parties, but also from the wider community. The draft examination timetable has been altered to enable this non-statutory consultation to be undertaken by the Applicant and to allow for the wider public to engage fully with the process.

Deadline III will include such an opportunity for representation to be collated by the Applicant. The Applicant is requested to advertise the non-material changes to the application documents as soon as practicable on a non-statutory basis and to provide a compilation report of any responses to the ExA by **Friday 19 June 2015**.

2. Examining Authorities Principal Issues

At the Preliminary Meeting the Applicant requested that the sub-issue on fisheries be deleted from the list. However, although this matter would be covered under the general topic of biodiversity, the impacts on fisheries, if not effectively controlled, can be important. Therefore, I have decided to keep that sub-issue in the list. North Yorkshire County Council requested that minerals be added to the list under the socio-economic heading. I consider that this is an issue which should be added to the list as a separate topic and therefore an amended list of Principal Issues is attached at **Annex D**.

3. Statements of Common Ground (SoCG)

In relation to some of the principal issues identified in **Annex D**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain interested parties.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant interested party or parties, and submitted by the Applicant.

SoCGs are requested to be prepared by:

- A. **The Applicant and Selby District Council**, to include:
 - planning policy
 - regeneration
 - air quality
 - landscape and visual impact
 - noise and disturbance
 - heritage

- B. **The Applicant and North Yorkshire County Council**, to include:
 - planning policy
 - highways and transport
 - waste

- C. **The Applicant and the Environment Agency**, to include:
 - environmental permit
 - air quality
 - water abstraction and discharge
 - water quality
 - flood risk
 - nature conservation
 - combined heat and power
 - carbon capture

- D. **The Applicant and Natural England**, to include:
 - impacts on European sites and Sites of Special Scientific Interest
 - impacts on protected species

- E. **The Applicant and Yorkshire Wildlife Trust**, to include:
 - impacts on locally managed wildlife sites
 - opportunities for wildlife in the proposal
 - biodiversity offsetting

- F. **The Applicant and Canal and River Trust**, to include:
 - use of the River Ouse for construction and operation of the project

The ExA's advice is that the SoCGs should cover the following topics where relevant:

- Methodology for environmental impact assessment including assessment of cumulative effects
- Data collection methods
- Baseline data
- Data/statistical analysis, approach to modelling and presentation of results (including forecast methodologies)
- Full expression of expert judgements and assumptions
- Identification and sensitivity of relevant features and quantification of potential impact
- Likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose
- Feasible and deliverable mitigation and method for securing such mitigation within the DCO

4. Habitats Regulations 2010 (as amended)

The examination must include a process that provides sufficient information to enable the Secretary of State for Energy and Climate Change to meet his statutory duties as the competent authority under the Habitats Regulations 2010 (as amended) relating to European protected sites. In order to inform the ExA's report and recommendation to the Secretary of State on this application and to provide stand-alone information for the Secretary of State, the Applicant is requested to complete two matrices, to:

- Summarise the screening likely significant effects for each European protected site assessed, and
- Summarise the implications for the integrity of each European protected site assessed, where a likely significant effect either alone or in combination with other plans and projects has been identified

These two matrices are available to download from the National Infrastructure pages of the Planning Portal website:

<http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/09/Advice-note-10-HRA.pdf>

HRA screening and integrity matrices were supplied with the application documents. However, the ExA requests that the footnotes of the matrices are updated to cross refer to location of the evidence which supports the conclusions drawn; this should be by way of specific document and paragraph references. The matrices should be supplied in Word format as well as pdf's. The date by which the completed matrices must be received is **Wednesday 20 May 2015**.

5. In support of the draft Development Consent Order

The Applicant is requested to provide an Annex bringing together all mitigation needs (from the Environmental Statement and all application and supporting documentation) and where and how these are to be secured in requirements or through other binding and enforceable mechanisms. This should be fully cross-referenced and should be in a form that is capable of tracking and updating throughout the examination. **The deadline for the initial provision of the Annex is Wednesday 20 May 2015.**

6. S127 and 138 PA 2008

The Applicant is requested to provide schedules of statutory undertakers' interests (s127) and apparatus interest (s138) PA 2008 identifying in each case which undertaker or body is involved. Each interest should be referenced by plot numbers. In addition, the Applicant should set out against each plot and interest what steps have been taken to obtain the appropriate undertaker consent or agreement in principle or otherwise and how the Applicant intends to satisfy s127 and s138 PA 2008. **The deadline for the provision of the Annex is Wednesday 20 May 2015.**

Principal Issues

Air quality, including issues relating to:

- the impact on air quality from both the construction and operational phases.

Biodiversity and habitats, including issues related to:

- the impact on habitats and biodiversity, including fisheries; and,
- mitigation and enhancement measures.

Compulsory acquisition, including issues related to:

- the requirement for the powers sought and the need to establish a compelling case in the public interest;
- protective provisions;
- temporary use of agricultural land; and,
- financial arrangements.

Design, landscape and visual impact, including issues related to:

- the design concept and process;
- landscape and visual impact; and
- landscaping and screening.

Economic and social impacts, including issues related to:

- the impact on the local economy;
- minerals; and,
- the impact on local regeneration.

Flood risk, including issues related to:

- the impact of the proposed development on flood risk; and
- the flood resilience of the proposed buildings and infrastructure.

Noise, dust and vibration, including issues relating to:

- the impact during construction and operation.

Operational matters, including issues related to:

- implications of differing operational scenarios;
- carbon capture storage (CCS) and carbon capture readiness (CCR); and
- potential use of combined heat and power (CHP).

Soils and geology, including issues related to:

- contaminated land;

Traffic and transport issues, including issues related to:

- traffic movement and routing;

- use of rail; and,
- potential use of the River Ouse.

Water quality and resources, including issues relating to:

- the impact of construction on water quality; and
- the impact of operation on water resources and water quality.