



Preliminary Meeting Note

Summary of Key Points Discussed and Advice Given

Application	White Rose Carbon Capture and Storage Project
Reference	EN010048
Date	22 April 2015
Venue	The Lowther Hotel, Aire Street, Goole, East Yorkshire, DN14 5QW

Please Note: *This meeting note is not a full transcript of the Preliminary Meeting but a summary of key points discussed and responses given. A complete audio recording of the event is available on the Planning Inspectorate's website.*

- Meeting commenced at 10.00 -

1. Introduction

Elizabeth Hill introduced herself as the Examining Authority (ExA), appointed by the Secretary of State (SoS), to examine an application submitted by Capture Power Limited.

The ExA welcomed attendees to the preliminary meeting, in respect of an application made by Capture Power Limited for an Order Granting Development Consent for the White Rose Carbon Capture and Storage Project (WRCCSP). The ExA advised that her role is to examine the application and submit a recommendation report to the relevant SoS – Department for Energy and Climate Change (DECC).

The ExA explained that the purpose of the Preliminary Meeting was to discuss how the Examination of the WRCCSP application will be conducted and therefore there would not be any discussion relating to the merits of the proposal.

The ExA referred to the draft Examination timetable included as Annex C in the 'rule 6' letter issued on 30 March 2015, and advised that the Preliminary Meeting was an opportunity for all attending to influence the Examination process. Everyone was reminded that a meeting note and an audio recording would be made available on the project pages of the



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Planning Portal's website as soon as possible following the close of the meeting.

The ExA introduced other members of the Planning Inspectorate present at the meeting and asked for those intending to speak to introduce themselves.

Andrew Fraser-Urquhart introduced himself as representing Capture Power Limited (CPL) with the rest of the team from Pinsent Masons LLP (Nick McDonald), Drax Power Limited (Jim Doyle and Marvin Seaman), Capture Power Limited (Robert Rattee), Dalton Warner Davis LLP (Geoff Bullock) and Environmental Resources Management Limited (Roderick Ellison). Helen Robinson and Rachel Wigginton introduced themselves as representing North Yorkshire County Council (NYCC). Louise Milnes introduced herself as representing Selby District Council (SDC).

The ExA also invited statutory parties not wishing to speak, but present to introduce themselves. Sam Kipling introduced himself as representing the Environment Agency (EA). Vicky Sterling introduced herself as representing National Grid (NG).

The ExA highlighted that if anyone else wished to speak at any point during the meeting, there were roving microphones available for attendees not situated near a microphone.

2. Examination Process

The ExA outlined the main features of the examination process. The main purpose of the examination is for the ExA to provide a recommendation to the SoS for Energy and Climate Change as to whether this project should receive consent in the form of a Development Consent Order (DCO), under the Planning Act 2008.

The ExA explained that the examination process is inquisitorial, not adversarial, focusing on the evidence and justification. Therefore, once the Examination begins, all concerns need to be evidenced.

The ExA advised that the process is predominately a written process by submitting Written Representations (WR), comments/responses to submissions, Local Impact Reports (LIR), Statements of Common Ground (SoCG) and answers to the ExA's questions; the ExA will then probe and assess the evidence that is submitted. The Rule 8 letter, issued following the preliminary meeting, will contain the first round of written questions and also contain deadlines for receipt of responses, comments and notifications for anyone wishing to become an interested party, wishing to speak at a compulsory acquisition (CA) hearing, issue specific hearing, or an open floor hearing, or wishing to attend an accompanied site visit.



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This may then be followed by hearings, a second round of written questions and answers and subsequent comments on these answers, to probe further into any unanswered points or address any new points that may have emerged. The ExA encouraged interested parties to engage fully throughout the written process, rather than wait for further rounds of questions or a particular hearing to influence the proceedings.

The ExA advised that it is useful to follow the proceedings of the examination by reviewing the evidence on the WRCCSP page of the Planning Inspectorate Planning Portal website to see how the examination is progressing. Any document that any party wishes the ExA to consider must be formally lodged as part of the examination process and available to all parties for examination.

The ExA noted that throughout any of the proceedings, filming, recording, reporting, or using social media is permitted but should be done responsibly with consideration for other parties. No individually recorded items may be relied on as evidence by any party or used in submissions.

The ExA set out the various hearings that may be held during the Examination:

Open Floor Hearing (OFH) – an OFH can be requested by an Interested Party (IP) and if a request is made, the hearing will be held.

Compulsory Acquisition (CA) Hearing – a CA hearing can be requested by an affected person (AP) and if a request is made, the hearing will be held.

Issue Specific Hearing (ISH) – an ISH is held if the ExA decides that it is necessary for the examination of issues or to ensure an IP has a fair chance to state their case. All IPs will be given the opportunity to give an oral representation, at the discretion of the ExA, at any of these hearings.

The ExA explained that there was currently a reserved date in the draft examination timetable for an ISH on the draft Development Consent Order (DCO). The ExA explained that over the duration of the Examination various site inspections will be scheduled. The ExA will undertake Accompanied Site Inspections (ASI) as well as Unaccompanied Site Inspections (USI) in order to see the features of the proposal and its context.

The ExA invited participants to present any questions about the examination process in general. None were raised.



3. Assessment of Principal Issues

The ExA requested comments regarding the Examining Authority's initial assessment of principal issues, set out in Annex C of the Rule 6 letter sent out on 30 March 2015. The ExA noted that this is not intended to be an exclusive list of all relevant matters, and that the ExA will have regard to all important and relevant matters when it makes its recommendation to the SoS.

CPL queried why, under the category of issues relating to biodiversity and habitats, the impact on habitats and biodiversity included impacts on fisheries. The ExA stated that she would relook at this issue.

NYCC requested that minerals, including clay extraction, be included among the issues relating to economic and social impacts as it was anticipated that this would form part of a section within the LIR.

4. Draft timetable for examination

The ExA directed participants to Annex D of the Rule 6 letter to view the draft timetable, noting that not all events listed will necessarily take place and it may be possible to close the examination earlier than the date provided (22 October 2015). The ExA invited participants to engage early on in the process, and to answer the written questions issued on 29 April 2015 even if the answers to these questions may be contained within the documentation submitted with the application so far.

The ExA highlighted the draft requests for SoCG in Annex G to the Rule 6 letter and emphasised the need for the ExA to clearly understand the areas of agreement and disagreement, and requested any comments on the issue of SoCG.

CPL commented that Annex G, Item F requests a SoCG between the applicant and the Canal and River Trust, concerning the use of the River Ouse for construction and operation of the project. CPL reported that it is possible, at some stage during the examination process, that the applicant will make a planning application to the Local Planning Authority for consent for small scale works to the existing jetty in order to increase its capacity to take higher loads (arising from greater use of the river during construction) than is currently possible. It was noted that this does not detract from the fact that everything required for the construction of the plant is contained within the DCO.

CPL highlighted the need to consider the procedural consequences of non-material changes submitted on 13 April 2015 and explained the reasons for submitting a number of documents since the application was accepted, as follows:



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- i. The DCO as submitted included provisions to divert a footpath which currently runs across the site. Since the application was submitted the County Council have confirmed a Footpath Diversion Order to achieve this. Changes were made to the relevant parts of the DCO and the plans to take account of this.
- ii. Since the DCO was submitted the applicant has secured a connection agreement with National Grid for onward transmission of electricity, and this therefore necessitates changes to the DCO to remove certain options for the connection to the grid.
- iii. Following acceptance the Planning Inspectorate advised the applicant on certain minor issues that needed attending to and these have been addressed.
- iv. The applicant identified an oversight with the way that information concerning the environmental assessment of traffic movements had been done, omitting potential impacts on traffic arising from the possible arrival of biomass by road. CPL explained that they have performed a sensitivity analysis, testing the environmental information on HGV movement, producing a short document demonstrating no significant material impact, and that they wish to present this document within the suite of evidence available.

In light of these changes, CPL explained that they took the view that it would be appropriate to undertake additional consultation on these documents and therefore suggested using Deadline II (10 June 2015) for the receipt of responses to the consultation, and requested, in order to meet this consultation timetable, that the ExA come to her procedural decision as to whether or not to accept the changes, by 29 April 2015.

The ExA informed the applicant that the non-material changes were currently being analysed.

Regarding Item 3 of the timetable, the ExA requested an update on the status of the LIRs from Local Authorities. NYCC stated that the LIR was on track to meet the deadline and that it would be a joint LIR between SDC and NYCC. NYCC anticipated that they would be able to submit a draft to the applicant within the next two weeks.

The ExA reminded statutory Parties that in order to participate in this examination as an interested party, they would either need to make a relevant representation or notify the ExA of their wish to be an IP in response to the Rule 8 letter.

Eric Ketley introduced himself as representing Long Drax Parish Council and stated that he would like to continue to be involved in the process as the Council may have useful information to offer throughout the examination.



The ExA requested at item 4 of the timetable that where hearings are to be held it would be helpful if the applicant could provide copies of the application and associated documents for the use of other attendees.

Items 6 to 10 of the timetable. The ExA informed participants that items 6 and 9 will depend on the responses to the first written questions and any notifications from an IP wishing to speak at such a hearing.

CPL noted that the accompanied site inspection (ASI) has been scheduled to take place after the issue specific hearings, and given that an ASI could be beneficial inform these hearings, the offer was presented to reschedule the ASI to take place before the scheduled hearings. The ExA explained that the scheduling of hearings that week was to factor in other commitments.

The ExA noted with regards to item 7 that the open floor hearing would be conditional on someone notifying the Planning Inspectorate that they would wish to speak at such a hearing.

The ExA expressed at item 8, that in her view a CA hearing would be necessary, and requested that a brief presentation be provided at the CA hearing by the applicant to describe the nature of the proposed CA to ensure that the ExA has a proper understanding of the full nature and reasons for CA. CPL noted that a large part of the land over which CA is sort is owned by Drax, an associated company, and commercial negotiations are continuing.

CPL requested a few extras days to meet Deadline III and the ExA agreed to consider this request.

5. Any other matters

CPL provided an update on matters listed in Annex G. CPL explained that the issues in the Habitat Regulations matrices identified by the Planning Inspectorate constitute sign-posting and cross-referencing within the document, and revised matrices will be submitted by Deadline I. CPL stated that the deadline of 20 May 2015 provides no difficulties for initial provision of an Annex bringing together mitigation measures, and noted that the applicant is also working towards the deadline of 20 May to provide schedules of the statutory undertakers interests.

The ExA thanked everyone for attending and contributing and closed the meeting.

- Meeting closed at 10.50 -
