



Meeting note

File reference	EN010050
Status	Final
Author	Emma Fitzpatrick
Date	25 July 2013
Meeting with	Knottingley Power Limited
Venue	Temple Quay House, Bristol
Attendees	The Planning Inspectorate Tracey Williams (Case Manager) Oliver Blower (Case Manager) Emma Fitzpatrick (Assistant Case Officer) Will Spencer (EIA Advisor) Alison Down (EIA Advisor) Robert Hanson (Lawyer)
	Applicant Darragh Carr (ESB – Project Manager) Ben Wallace (ESB) Caryl Walter (Bond Dickinson)
Meeting objectives	Pre-submission update from the applicant and discussion on the draft documents submitted to the Planning Inspectorate.
Circulation	All Attendees

Summary of key points discussed and advice given:

Introduction

The Planning Inspectorate outlined its openness policy and ensured the applicant understood that any issues discussed and advice given would be recorded and placed on the Planning Inspectorate's website under s.51 of the Planning Act 2008. Further to this, it was made clear that any advice given did not constitute legal advice upon which the applicant (or others) can rely.

Draft Development Consent Order (DCO) and Explanatory Memorandum

Having reviewed the draft development consent order, the Planning Inspectorate had no further detailed comments to make on it in the meeting.

The applicant informed the Planning Inspectorate that they have held meetings with the local authorities regarding the DCO and further meetings are scheduled to aid ongoing discussions on DCO requirements.

The applicant enquired about a 'catch all provision' to deal with potentially unforeseen ancillary works. The Planning Inspectorate advised the applicant that if they were to take this approach they should ensure that it is easy to identify the justification for doing so, preferably in the explanatory memorandum.

The Planning Inspectorate recommended that where the DCO differs from model provisions, the applicant ensures there is explanation for such diversions. The Planning Inspectorate also advocated that it is helpful to supply a word version of the DCO tracked against the model provisions to clearly show where the differences are.

Update on Project Elements of the Scheme

The applicant updated the Planning Inspectorate on elements of the project; the applicant has narrowed routes for the pipeline from 3 to a single route corridor and confirmed their intention to use a water cooling system requiring abstraction of water from the river or the canal.

EIA S.51 Advice from the Planning Inspectorate

The Planning Inspectorate advised the applicant to ensure that any mitigation measures set out in the Environmental Statement are reflected within the DCO.

The Planning Inspectorate noted that the applicant had drafted a Habitats Regulations Assessment No Significant Effects Report, and suggested that it would be helpful if the applicant could obtain Natural England's comments on its conclusions.

The Planning Inspectorate requested that a GIS shape file is submitted at least two weeks in advance of the formal DCO submission to the Planning Inspectorate and stated that advice on the required format is contained within National Infrastructure Planning Advice Note 7.

With regard to statements of common ground, the Planning Inspectorate encouraged the applicant to continue discussions with key statutory bodies and local authorities, to ensure that an Examining authority could be satisfied on key issues within an examination, should the application be accepted.

Pre-submission S.51 Advice from the Planning Inspectorate

The Planning Inspectorate advised the applicant of the following:

- To ensure that the documents for submission with the DCO application are properly checked and references within documents cross-checked to ensure that they are correct.
- To plan ahead for the likely situation that all consultation responses are asked for during acceptance by the Examining authority.
- To make sure that documents submitted are accessible, understandable and intelligible.
- To check the National Policy Statements for specific guidelines relevant to their application.
- With regards to the Book of Reference, for consistency and clarity, to not deviate from the wording of the act.

The applicant advised the Planning Inspectorate that they have considered the above. The applicant also proposed to supply the Planning Inspectorate with a s.55

acceptance checklist completed by the applicants project team. The Planning Inspectorate advised that this would be useful, but that the completion of the s55 checklist by the applicant should not be seen as a guarantee that the application will be accepted. The s55 checklist can be found in Appendix 2 to Advice Note 6 on the Planning Inspectorate website.

Submission

The applicant is aiming to submit the application in the first week of September, and will keep regular contact with the Case Manager in the interim to ensure that the Planning Inspectorate is aware of any changes to these likely timescales.

Specific decisions / follow up required?

- The applicant to supply the Planning Inspectorate with contact details of the relevant Local Authorities.
- The Planning Inspectorate to supply any further comments on the draft documents (should they be required) directly to the applicant. These comments would subsequently be published on our website as S.51 advice.
- The Planning Inspectorate to provide information regarding application fees to the applicant.