



## Meeting Note

<b>File reference</b>	<b>EN010054 – South Hook Combined Heat and Power Station</b>
<b>Status</b>	<b>Final</b>
<b>Author</b>	<b>Iwan Davies</b>

<b>Meeting with</b>	<b>Applicant – South Hook CHP</b>
<b>Meeting date</b>	<b>14<sup>th</sup> February 2013</b>
<b>Attendees (Planning Inspectorate)</b>	<b>Tom Carpen (Principal Case Manager) Iwan Davies (Case Officer) KJ Johansson (Assistant Case Officer) Frances Russell (EIA Manager) Hannah Pratt (EIA and Land Rights Advisor)</b>
<b>Attendees (non Planning Inspectorate (PINS))</b>	<b><u>Applicant</u> Lyn Powell (RPS) Jason Rundle (SHCHP) Paul Ericsson (SHCHP) Donovan Ingram (SHCHP) James Taylor (Simmons &amp; Simmons)</b>
<b>Location</b>	<b>Temple Quay House, Temple Quay, Bristol, BS1 6PN</b>

<b>Meeting purpose</b>	<b>South Hook Combined Head and Power Station update meeting to discuss draft Development Consent Order (DCO) and Explanatory Memorandum (EM)</b>
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<b>Summary of key points discussed and advice given</b>	<p>The Planning Inspectorate (PINS) advised on its openness policy, that any advice given will be recorded and placed on the National Infrastructure Portal website under section 51 of the Planning Act 2008 as amended (the 2008 Act) and also to note that any advice given under section 51 does not constitute legal advice upon which applicants (or others) can rely.</p> <p><b>Project Update</b></p> <p>The Applicant advised that the application submission date has been amended to approximately mid-April 2013.</p> <p>The Environmental Statement will be consulted upon between 4<sup>th</sup> March and 2<sup>nd</sup> April 2013 under s42 of the 2008 Act.</p> <p>PINS advised that, especially in the context of recent discussions with Environment Agency Wales and Countryside Council for Wales, it may be helpful for PINS to review the draft Habitats Regulations Assessment (HRA) prior to submission. The Applicant agreed to send this to PINS as early as possible before the application submission date.</p>
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## **Draft DCO and EM**

The applicant had provided PINS with a draft Development Consent Order (DCO) and Explanatory Memorandum (EM) in advance of the meeting.

At the meeting PINS raised detailed queries on the definition within and / or intentions of provisions and requirements. It also provided advice to assist the Applicant in preparing the next iteration of the DCO captured below.

- The applicant could usefully share draft provisions and requirements directly with local authorities and any other stakeholder who may have a view at any examination. PINS experience is that Inspectors often ask relevant Interested Parties for their views on individual provisions / requirements in the DCO during examination. Consulting at this stage may help draw a stakeholder's attention to a matter it may not have considered from the consultation material.
- It would be helpful if the draft EM provided comments on the requirements as well as the operative provisions.
- PINS still use the Model Provisions (MP)<sup>1</sup> as a guide to the content of DCOs, although it is recognised that they may not fit every project. (Note: PINS provided a template to capture any changes to assist any future draft DCO meetings).
- Where any article or requirement differs from the MPs, it would be helpful if the draft Explanatory Memorandum identified in each case:
  - a. The nature of the difference
  - b. If the provision is based on a precedent, an internet link to a copy of that precedent, or, if none, a hard copy of it.
- It would be helpful if the draft DCO be provided as a Word version showing tracked changes from the 21 December 2012 version.

## **AOB**

### Role of Local Authorities

The applicant requested PINS to provide advice to the relevant Local Authorities on their role in the 2008 Act process. PINS advised that it would be happy to contact the Authorities to address any queries they may have and discuss their roles at this stage of pre-application. However

<sup>1</sup> The Infrastructure Planning (Model Provisions)(England and Wales) Order 2009

	<p>PINS advised that it is the Applicant's responsibility to liaise with the Local Authorities on specific aspects of the DCO and within reason to discuss the potential impacts or relevance to the Authority.</p> <p><u>Grid Connection</u></p> <p>The applicant advised that further work had been done on the grid connection. PINS provided initial advice on the earlier draft of the Grid Connection Statement (GCS) that the applicant had submitted. It advised that it would be helpful if the GCS set out clearly, for each relevant section of the connection, the consents that would be required; the consenting bodies; the timescales involved; the legislation that consents fall under, and the information required for the consents/licences. It was also advised that it would be important to ensure the boundary of the DCO application and the Grid Connection are clearly defined on submission. In particular, points at which the connection came above ground should be addressed.</p> <p><b>Further draft documents</b></p> <p>PINS is able to provide further comments on the revised draft of the GCS, along with the Consultation Report and, as discussed, the draft Habitats Regulations Assessment report.</p>
<b>Specific decisions/ follow up required?</b>	<ul style="list-style-type: none"> <li>- Applicant to submit draft HRA to PINS for review prior to application submission</li> <li>- PINS to contact relevant LA to provide advice on the 2008 Act process</li> </ul>
<b>Circulation List</b>	Attendees