



## Meeting note

<b>File reference</b>	Ferrybridge Multifuel 2 (FM2)
<b>Status</b>	<b>FINAL</b>
<b>Author</b>	Emma Fitzpatrick
<b>Date</b>	23 April 2013
<b>Meeting with</b>	SSE, Dalton Warner Davis and URS
<b>Venue</b>	Temple Quay House, Bristol
<b>Attendees</b>	Ashley Comerford (SSE) Jonathan Sime (SSE) Chris Harris (SSE) Richard Lowe (URS) Keith Dalton (DWD) Geoff Bullock (DWD)  Susannah Guest (Principal Case Manager) Laura Allen (Senior EIA Advisor) Richard Kent (EIA Advisor) Tracey Williams (Case Manager) Oliver Blower (Case Manager) Emma Fitzpatrick (Assistant Case Officer) Adrian Harding
<b>Meeting objectives</b>	Introduction to the Ferrybridge Multifuel 2 project
<b>Circulation</b>	

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

#### Introduction and Background

The Planning Inspectorate (the Inspectorate) explained its openness policy and the commitment to publishing any advice under Section 51 of the Planning Act 2008 (the Act). It was confirmed that the Inspectorate is unable to give legal advice on which developers or others can rely and that applicants should seek their own legal advice.

The applicant, Multifuel Energy Ltd, is a joint venture company (50:50 SSE/Wheelabrator Technologies Inc.) set up originally for the Ferrybridge Multifuel 1 (FM1) project and subsequently is the developer for the Ferrybridge Multifuel 2 (FM2) project.

FM1 has consent under s.36 of the Electricity Act 1989 from DECC, with construction already commenced and likely to be completed in Q4 2014, ready for commercial operation in Q2 2015. There is a maximum requirement of 675,000 tonnes of fuel per

annum attached to FM1 based on a Calorific Value of 10MJ/kg, and is likely to have a capacity of up to 90MW gross output (the consent being for up to 108MW gross output). A 100% of fuel required has already been secured for FM1.

## **FM2 Project Details**

The FM2 project has been derived from the success of FM1. Due to the project being a proposed generating station with a capacity of up to 90MW gross, it falls within the Nationally Significant Infrastructure Project (NSIP) thresholds. Although the projects FM1 and FM2 are similar, FM1 is a stand alone project. FM1 and FM2 are not dependent upon each other.

### *Fuel*

The fuel anticipated to be used in FM2 is 'multifuel' and is similar to that to be used in FM1. The fuel would be processed offsite and then delivered to FM2.

### *The Site*

SSE owns the land on which the proposed FM2 would be located. The applicant does not envisage the need for any compulsory acquisition of land. The applicant considers that no crown land is involved in the project, but will verify this.

### *Fuel Delivery*

For the FM1 project 100% delivery of fuel is by road. Whilst SSE has recently invested in the installation of rail infrastructure onsite, which could facilitate fuel being transported to the site by rail, as this would be dependent on the arrangements of the chosen fuel providers, which have not yet been selected, the environmental statement (ES) for FM2 would assess a worst case scenario of 100% delivery of fuel by road. The applicant confirmed that further works to the rail infrastructure are not proposed within the FM2 application.

## **Environmental Impact Assessment**

The applicant confirmed that they will fully assess all the options they are considering within the ES.

The Rochdale Envelope was discussed and the applicant sought advice on this approach. The Inspectorate advised that the draft Development Consent Order (DCO) and Explanatory Memorandum should clearly identify and explain what elements of the development are fixed, and where flexibility is sought as details of a project have not been resolved at the time when the application is submitted. Where flexibility is sought in the design and dimensions of elements of the project, the parameters defined in the draft DCO should have been assessed within the accompanying ES.

The applicant informed the Inspectorate that as the project was 20km from the nearest European Site, the need to undertake a Habitats Regulation Assessment was not anticipated. The Inspectorate recommended that the applicant discuss and agree this with the statutory nature consultees, in particular Natural England, prior to submitting the application for FM2.

## **Statutory Consultees and Local Authorities**

The applicant is in regular discussion with the host authority which is Wakefield Metropolitan District Council. They have also had informal communication with English Heritage, the Highways Agency, Natural England, North Yorkshire County Council, Selby District Council and the Environment Agency.

The Inspectorate advised the applicant of the change in definition of Local Authorities. The Inspectorate also advised the applicant that it may prove helpful to keep an audit trail of all discussions with statutory consultees and Local Authorities for possible use in the consultation report.

### **Key Milestones and Timescales**

The applicant explained that it intends to undertake two stages of consultation prior to submission of a DCO application which are likely to be in Q2/Q3 2013 and Q4 2013 respectively.

Subsequent to the meeting, the applicant informed the Inspectorate that an informal Stakeholder and Community Consultation Strategy document would be published to outline the applicant's approach to consultation. This is likely to set out the consultation timetable as being:

- June/July 2013: informal consultation with the local community, relevant technical bodies (e.g. Natural England and the Environment Agency) and relevant Local Authorities.
- Q4 2013: formal consultation in accordance with the Planning Act 2008 with the local community, and relevant prescribed statutory consultees, including technical and regulatory organisations, relevant statutory undertakers, relevant Local Authorities, and those persons with an interest in the land required for the Proposed Development.

The applicant confirmed that it would consult on a Statement of Community Consultation prior to the formal stage of consultation commencing.

Dependent on pre-application timescales and other time considerations; the applicant envisaged construction commencing in Q3 2015, with a 3 year build period thereafter and commercial operation by 2018.

### **AOB**

The Inspectorate advised the applicant to ensure early engagement with all key parties and to consider potential Statements of Common Ground.

The Inspectorate advised the applicant of the recent changes to the list of prescribed consultees in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended). The Inspectorate also directed the applicant to its Advice Note 3 which sets out how the Inspectorate identifies consultees when undertaking its notification and consultation requirements. The Inspectorate explained that Advice Note 3 will shortly be revised to reflect the changes to the Schedule 1 list of prescribed consultees.

### **Specific decisions / Follow up required**

The applicant asked the Inspectorate if a funding statement is still required to be provided with the development consent order application if there is no provision for

the compulsory acquisition of land. The Inspectorate queried whether the applicant may still need to compulsory acquire any rights over land. The Inspectorate advised the applicant to seek their own legal advice, but would also consider this query.

The Inspectorate would send the applicant an email setting out the requirements for submitting a scoping request.

The applicant and the Inspectorate to discuss potential site visit.