



Meeting note

File reference	Ferrybridge Multifuel 2 (FM2) Power Station – EN010061
Status	Final
Author	James Bunten
Date	25 September 2013
Meeting with	Multifuel Energy Limited (MEL) and the Planning Inspectorate's FM2 case team and Consents Service Unit
Venue	The Planning Inspectorate Offices, Temple Quay House, Bristol
Attendees	Geoff Bullock – Dalton Warner Davis Ashley Comerford – SSE Jonathan Sime – SSE Jayne Williams – SSE Laura McVean – SSE Richard Lowe - URS Susannah Guest – Infrastructure Planning Lead Tom Carpen - Infrastructure Planning Lead Laura Allen - Senior EIA Advisor Richard Kent – EIA Advisor James Bunten – Case Officer David Watts – Consents Service Unit
Meeting objectives	Up-date on the FM2 scheme
Circulation	All above

Summary of key points discussed and advice given:

The Planning Inspectorate (the Inspectorate) advised on its openness policy, noting any advice given would be recorded and placed on the National Infrastructure Portal website under section 51 of the Planning Act 2008 as amended (the PA2008). It was noted that any advice given under section 51 of the PA2008 does not constitute legal advice upon which applicants (or others) can rely.

Informal Consultation

The developer – Multifuel Energy Ltd (MEL) – advised that the purpose of the meeting was to give an update of the project following recent informal consultation and the issuing of the Inspectorate's Scoping Opinion.

The developer noted there had been ongoing dialog with Wakefield Metropolitan District Council, Environment Agency and Natural England since early 2013.

The developer advised they have conducted informal public consultation with posters, newspaper advertisements in various papers including the Yorkshire Post, information fliers to 2,500 households and four public events. The developer advised that over 90 people attended the public events. They provided feedback forms and discussed the responses they received. The Inspectorate queried whether the issues that were raised by attendees were similar to FM1. The developer confirmed this and noted that employment opportunities and the perceived need for local road improvements were among the frequently raised questions.

It was also noted that the Ferrybridge Community Liaison Group (CLG) is continuing to hold meetings. Although this group was set up in relation to the Ferrybridge C power station and not specifically the proposed Ferrybridge Multifuel 2 (FM2) development, it is used as a means to update representatives of the local community on FM2. The developer also advised that the informal consultation had identified a body known as the Friends of Fryston Wood (part of Fryston Wood lies within the proposed application site) and this group is now invited to the CLG meetings.

Update on Environmental Impact Assessment

The developer advised they have taken positive steps to address the issues raised in the Inspectorate's scoping opinion, which includes further consideration of the cooling technology to be used. The potential use of either hybrid cooling towers or an air cooled condenser (ACC) system was identified in the developer's scoping report submitted to the Inspectorate. Following additional consultation with the Highways Agency, the developer anticipates that ACC will be taken forward as the proposed cooling system, subject to agreement with the Environment Agency. The developer has already begun discussions with the Environment Agency to this effect, including the need to demonstrate that ACC represents Best Available Technique (BAT).

Another issue that the developer has considered further, following the issue of the Inspectorate's scoping opinion, is the potential design of the fuel storage bunker. Initially three options were considered, as described in the developer's scoping report. Following comments provided by the Environment Agency, the developer has decided to proceed with consideration of two options and to discount the option for the bunker to be located below the water table. The Inspectorate queried how the developer intended to consult on the two alternative design options for the proposed fuel storage area. The developer advised that the two indicative designs would be provided, with the environmental statement (ES) assessing both potential options in terms of a 'worst case' scenario approach. Sketches will be used for formal consultation. The developer also advised that a similar approach is likely to be taken in relation to the building/design parameters for the proposed development.

The developer advised that they will produce a separate Health Impact Assessment following feedback from Public Health England. The developer also confirmed that there are no statutory designated sites potentially affected by the proposed development, which will be documented in a statement of common ground with Natural England.

The developer explained that the assessment of, and development consent order (DCO) for, the proposed FM2 has been informed by lessons learnt from Ferrybridge Multifuel 1 (FM1) which is currently under construction. This includes, for example, the possibility of including requirements in the DCO to enabling 24 hour working where necessary for certain construction activities, such as the pouring of concrete.

The developer also clarified the relationship between the proposed FM2 development and the FM1 power station. Whilst the two developments will be stand-alone projects, the developer has identified that there may be some shared infrastructure, which may include the rail gantry, sub-station, grid connection, groundwater abstraction boreholes, and surface water connections to Fryston Beck.

Changes to the proposed DCO boundary

The developer explained that following the submission of their scoping request, through discussions with consultees, the scheme design has been refined and the decision to pursue ACC for cooling has resulted in a reduction in the proposed DCO site through the removal of the land that would have been required to allow for cooling water connections to the River Aire, which is located immediately to the east of the wider Ferrybridge Power Station site.

Given the reduction in the proposed DCO site, the Inspectorate queried whether the developer was pursuing the potential option of fuel delivery by barge via the adjacent waterway. The developer confirmed that, as explained in their scoping report, export of ash via barge will remain a potential future option, but will not be included within the DCO application for the proposed FM2 development. Instead, the DCO application will focus on deliveries to and from the site via the road and rail networks given the availability of rail barge is not required. The ES will consider a worst case scenario and assume that all deliveries to and from the site (during construction and operation) will be by road. The developer explained that if infrastructure is required to enable possible export of ash via barge in the future, then this infrastructure may be secured either through Town and Country Planning Act consent or permitted development rights.

The developer explained that a number of grid connection options as outlined in their scoping report are still being investigated. At this stage, it is thought that up to four grid connection options may be included in the DCO application.

The Inspectorate also queried whether there were any new land ownership issues following the red line boundary amendment. The developer confirmed there are no new issues and noted that there will not be a need for any compulsory acquisition of land; although there will be the need to override certain rights in land and agree protective provisions with statutory undertakers. The developer advised they had completed the initial work for identifying affected parties for the book of reference.

Statements of Common Ground (SoCG)

There was discussion regarding Statements of Common Ground (SoCG) with the developer advising that they plan to enter into SoCG with Environment Agency, English Heritage, Natural England and Highways Agency. The Inspectorate noted that the web-pages of the Planning Portal contain published SoCG from other NSIP applications, which the developer may wish to refer to when deciding what should be included within a SoCG.

The Inspectorate also advised the developer to begin work on SoCG during the pre-application stage, highlighting that the Examining Authority is likely to request SoCG in its first round of written questions, if the proposed FM2 development is accepted for examination, where SoCG have not been submitted with the DCO application.

Formal Consultation

The developer advised they had consulted the local authorities on the draft Statement of Community Consultation (SoCC), from which an additional event and extended event hours were added. The developer advised it would have a 5km consultation radius. Newsletters will be delivered to the ward area within which the site is located and those adjoining it. It was also stated that the development did not fall in a parish council catchment but the developer advised they will consult all the parish councils whose areas fall entirely or partly within in the 5km area. The published SoCC notice will ensure that the formal consultation is also publicised beyond the 5km area.

The developer advised that community consultation under s47 of the PA2008 will start in early November (4 November to 20 December 2013).

The Inspectorate emphasised that the developer must notify it under s46 before formal consultation begins under s42.

The developer stated that they aim to consult with predominately electronic documents; however hard copies will be available, including those sent to deposit locations for public display.

When drafting the consultation report, the Inspectorate advised that dates and timeframes for both formal and informal consultation should be identified so there is an audit trail; stressing that clarity and consistency is essential. The Inspectorate also advised the developer to ensure that when compiling the list of consultees to consult, they should use the list of prescribed consultees set out in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) ('the APFP Regulations') and explain for each consultee listed in Schedule 1 whether or not they have been consulted and if not, why not. The developer may find it helpful when identifying which consultees to consult to refer to the Inspectorate's Advice Note 3 (revised in July 2013), which explains how the Inspectorate identifies consultees for the purposes of scoping and EIA notification, following the changes to the APFP Regulations. It would be helpful if the developer could also identify in the consultation report any non-statutory consultees consulted.

The Inspectorate advised that Advice Note 7 had been re-published in July 2013 to include information on what Preliminary Environmental Information is, which the developer may find useful.

DCO Application documents

It was advised that it would be beneficial for the developer to share drafts of the DCO with the Inspectorate, as well as the local authorities, and noted that the up to date DCO template should be used. It was also noted that the developer will begin drafting the DCO in the next couple of months, with a view to having the first draft available by the end of January/early February 2014.

The Inspectorate requested an update from the developer when draft documents are likely to be submitted. The developer advised that submission is still expected in Q2 / Q3 2014.

Consents

David Watts (DW) introduced himself and the purpose of the Consents Service Unit (CSU), which offers a service for developers with regards to non-planning consents required in addition to the PA2008.

DW introduced the CSU prospectus and outlined that there are 12 main consents; noting that a skeleton consents management plan (CMP) will be created to log the consents needed for the scheme. Following this meeting the CSU will produce a draft CMP for the proposed FM2 which can be used to inform discussions between the developer and CSU.

It was also noted that a separate email for contacting the CSU should be used:
ConsentsServiceUnit@pins.gsi.gov.uk.

Specific decisions / follow up required?

The intention is to arrange another meeting in February 2014 to update the Inspectorate on the formal consultation and also to provide the Inspectorate with the opportunity to provide feedback on the draft documents submitted by the developer in late January/early February 2014.