

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

The Port Talbot Steelworks (Power Generation Enhancement) Order

5.01.1 Consultation Report: Summary

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1. Introduction

- 1.1 This document summarises the Consultation Report (Document reference 5.01) submitted with the application by Tata Steel UK Limited (“Tata Steel”) for the Port Talbot Steelworks (Power Generation Enhancement) Order.
- 1.2 As required under the Planning Act 2008 (the Act), the Consultation Report gives details of:
- what has been done by Tata Steel in compliance with the consultation and publicity requirements in sections 42, 47 and 48 of the Act;
 - the responses received to the consultation; and
 - how Tata Steel has taken account of these responses in preparing the application for a DCO for the proposed development
- 1.3 The Consultation Report also explains the additional non-statutory consultation Tata Steel has undertaken with a range of stakeholders in respect of its proposals.
- 1.4 A phased approach was undertaken to the consultation, with feedback from the non-statutory phase of consultation (March 2013 – December 2013) helping inform the plans put forward during the statutory consultation that took place between 27 January 2014 and 14 March 2014. Further non-statutory engagement also took place between the end of statutory consultation and submission of the application.
- 1.5 Tata Steel has taken account of the responses received throughout the consultation process during the preparation of the application for the proposed development, as evidenced in the Consultation Report.

2. The Proposed Development

- 2.1 The proposed development would generate electricity for onsite process requirements and be fuelled predominantly by gases arising from Tata Steel's existing steel-making operations. The proposed development will have a generating gross capacity of up to 150MWe, giving the site an overall total maximum generating capacity of 245MWe. As the total electrical generating capacity would exceed 50MWe, the proposed development is designated as a Nationally Significant Infrastructure Project ("NSIP") under the Planning Act 2008.

3. Consultation Approach

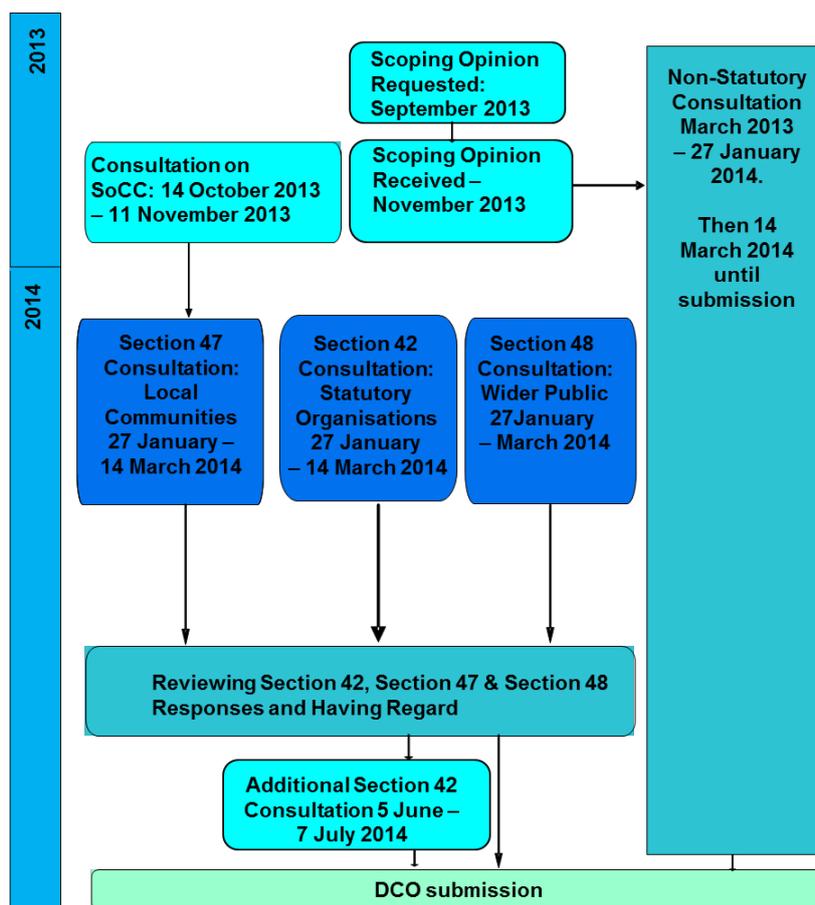
- 3.1 Tata Steel implemented a strategic approach to pre-application consultation that had regard to the Act and DCLG Guidance and took into consideration a number of factors when assessing the appropriate approach to consulting on the proposed development. These factors included:
- The proposed development would form part of the existing large scale industrial steel works site and represent an enhancement and extension of the existing power plant facility situated adjacent to the site of the proposed development.
 - The existing stakeholder and community engagement links already established by Tata Steel in Port Talbot, including with key stakeholders for the project such as NRW, NPTCBC and local political representatives.
 - The established communication channels already in place to enable easy dissemination of information on the proposed development when required, such as through Tata Steel's SA13 magazine distributed to more than 20,000 local households.
- 3.2 The location and parameters of the proposed development have largely been dictated by the existing operations at the steelworks. Therefore, the focus of the consultation was on understanding the key environmental and socio-economic

impacts of the project and ensuring appropriate mitigation measures were developed.

3.3 Taking into account the location and nature of the proposed development as well as Statutory Guidance, the consultation involved a single stage of statutory consultation, supported by an ongoing programme of non-statutory consultation and engagement with the local community and key stakeholders.

3.4 Figure 1.1 shows the timeline of pre-application consultation undertaken by Tata Steel.

Figure 1.1: Timeline of Pre-Application Consultation



4. Non-statutory Consultation

- 4.1 A range of non-statutory consultation activity took place (between March and December 2013) in advance of the statutory consultation to help inform the statutory process, and this informal dialogue has continued with a range of stakeholders and consultees until the point of submission of the application.
- 4.2 Early non-statutory consultation began by focusing engagement on key consultees such as Neath Port Talbot County Borough Council (NPTCBC) and Natural Resources Wales (NRW) in order to influence the scope of the EIA and consultation approach at the start of the proposed development.
- 4.3 Wider consultation with stakeholders and community representatives was undertaken in Autumn/Winter 2013.
- 4.4 Meetings were also held with other key community representatives such as the local MP, as well as a presentation given to the Joint Consultative Committee (JCC) comprised of local councillors and officials which is designed to ensure a regular dialogue between Tata Steel and key local stakeholders in relation to its broader Port Talbot operation.
- 4.5 Engagement also began with the local community in Autumn 2013, which included an article in Tata Steel's community magazine 'SA13' that was delivered to 20,000 local households, the launch of the website for the proposed development, engagement with the 5,000 employees on site through the internal staff magazine and intranet, and local press coverage.
- 4.6 Non-statutory engagement continued after the close the statutory consultation and has been ongoing, particularly with key stakeholders, up to submission of the DCO application.
- 4.7 Full details of the non-statutory consultation undertaken by Tata Steel are set out in section 3 of the Consultation Report.

5. Statutory Consultation

5.1 Tata Steel undertook the following statutory consultation in accordance with the requirements in sections 42, 47 and 48 of the Act.

S42 consultation

5.2 The s42 consultation took place over 47 days from the 27 January to 14 March 2014. Each of the following were identified for the purposes of the s. 42 consultation:

- the relevant prescribed bodies listed in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009;
- relevant local authorities; and
- those with an interest in the land affected by the proposed application.

5.3 On 22 January 2014 a letter was sent to all s42 consultees informing them of the consultation, the process for providing feedback and the date by which feedback needed to be made and how to obtain further information.

5.4 The PEIR was a key document and provided s42 consultees with an opportunity to understand the environmental detail of the proposed power plant and identify and feedback on any potential issues which would inform the scope of the ongoing EIA process.

5.5 The statutory consultation period was supported by a series of meetings and briefings on the proposals, which provided an opportunity for stakeholders to discuss the proposals and raise any issues.

5.6 Tata Steel made available a number of feedback mechanisms in order to provide a transparent and coherent approach to consultation. Responses and enquiries could be made by post, email or a freephone telephone number.

5.7 Following the conclusion of the s42 consultation, Tata Steel identified some additional interests, rights and restrictions in the land affected by the proposals, the owners of which had not been consulted during the s42 consultation. Accordingly, a further s42 consultation was carried out with these additional s42(1)(d) persons from 5 June until 7 July 2014.

5.8 Full details of the s42 consultation are set out in section 4 of the Consultation Report.

S47 consultation

5.9 In accordance with s47 of the Act, Tata Steel undertook consultation with communities, groups and individuals that live, work or use the area surrounding the proposed development or may potentially be affected by it.

5.10 When mapping the consultation zone, Tata Steel established three zones based on the likely level of visual and environmental impact. These were:

- Inner Consultation Zone: all those living within the SA12 and SA13 postcode areas of Port Talbot;
- Outer Consultation Zone: all those within a 5 – 10km radius of the site; and
- Wider Area: members of the public from outside the identified Inner and Outer Consultation Zones (captured by s48 consultation).

5.11 The majority of direct consultation activity was targeted at those in the Inner Zone, while those in the Outer Zone were engaged primarily through elected and community representatives.

5.12 Statutory consultation with the local community (under s47) ran for 47 days from 27 January 2014 to 14 March 2014.

5.13 A range of consultation tools were used to consult the local community including a Consultation Summary Document that was produced specifically for the local

community as part of the consultation process. This provided an overview of the proposed development in an easy to understand format.

5.14 Other consultation tools included:

- Questionnaire; and
- Public exhibitions.

5.15 The consultation materials were designed to encourage consultees to feedback on the proposed development with a focus on the layout and design of the proposal, and potential local impacts (such as environmental, visual, traffic management and socio-economic issues). In addition, consultees were able to provide comment on other aspects of the scheme if they wished.

5.16 Four public exhibitions were held in February 2014, at which details of the proposed development could be viewed and discussed with members of the project team. Over the four days, approximately 160 people attended the exhibitions.

5.17 In addition, a stakeholder workshop took place on 13 March 2014 at Tata Steel Port Talbot Steel Works that was attended by nine people.

5.18 Full details of the s47 consultation are set out in section 5 of the Consultation Report.

S48 Notices

5.19 The s48 consultation ran for 47 days from the 27 January 2014 to 14 March 2014.

5.20 The consultation under s48 comprised the placing of required statutory notices in the local, Welsh and National press, with the aim of informing the wider public of the proposals, where to find more information and how to respond to the consultation.

5.21 Full details of the s48 publicity and consultation are set out in section 6 of the Consultation Report.

6. Having Regard to Responses

6.1 In accordance with s49 of the Act, Tata Steel has carefully considered all responses received in response to the consultation and has had regard to these in the formation of its final application. Section 7 of the Consultation Report sets out Tata Steel's response to each of the issues raised.

7. Key Issues Raised

- 7.1 A total of 21 responses were received from statutory consultees as part of the s42 consultation.
- 7.2 A total of 47 written responses were received from the local community in response to the s47 consultation in the form of questionnaires or email responses.
- 7.3 Apart from a number of general enquiries, no consultation responses were received from the wider general public (those consulted under s48).
- 7.4 Additionally, feedback received from direct consultation with hard to reach groups and the stakeholder workshop has been included in the analysis of responses.
- 7.5 All consultation responses from statutory consultees, the local community and general public have been entered into a specifically-created consultation database to assist with the management and documentation of the consultation process.
- 7.6 For ease of reference, the issues raised have been categorised alphabetically into a number of themes.
- 7.7 Key issues raised by respondents included:
- Air quality and emissions (specifically around dust issues);
 - Mitigation of construction impacts (noise, dust and traffic impacts);
 - Mitigation of noise impacts;

- Mitigation of local visual impact and the request for boundary screening;
- Support for the site location due to its proximity to the existing power plant and required infrastructure;
- Acceptance that the overall visual impact would remain minimal in the context of the industrial landscape;
- Support for the investment in the steelworks to help secure jobs; and
- Support for the environmental benefits of the new power plant.

7.8 For a full grid of responses to the consultation and Tata Steel's response, see Appendix 30 of the Consultation Report.

8. Evolution of the Proposed Development

8.1 As the project evolved Tata Steel recognised the need to have flexibility to deliver the proposed development in either one or two construction phases. The potential phased approach to the construction of the proposed development was developed after the statutory consultation period.

8.2 Rather than carrying out a further round of statutory consultation on the potential two phase approach, Tata Steel concluded that it was appropriate and more effective to consult key stakeholders (NPTCBC and NRW) on the potential new impacts arising from this phased approach. Section 7 of the Consultation Report explains the factors taken into account by Tata Steel in coming to this conclusion.

9. Conclusion

- 9.1 The Consultation Report sets out how Tata Steel has complied with the requirements under Sections 42, 47 and 48 of the Act and how it has had regard to responses received to the statutory consultation.
- 9.2 The key changes that have been made to the proposed development a result of the consultation include:
- the inclusion of a requirement within the DCO in relation to the preparation and implementation of a landscape strategy to include tree planting along the proposed development's site boundary with Harbour Way;
 - the inclusion of a requirement within the DCO in relation to the final approval of the external finish of the proposed development;
 - the inclusion of a requirement within the DCO for a written scheme of archaeological investigation to be undertaken; and
 - additional assessment work identified through dialogue with stakeholders and included within the EIA on landscape and visual impact, air quality, water abstraction, and socio-economic and cumulative impacts.