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To all interested parties

Your Ref:

Our Ref: EN010062

Date: 20 May 2015

Dear Sir / Madam

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8(3) and Rule 17

Application by Tata Steel UK Limited for an order Granting Development Consent for the Internal Power Generation Enhancement for Port Talbot Steelworks

I have made a procedural decision for further written questions; **these are directed towards the applicant and Associated British Ports**. May I request that you provide full and clear answers to all questions relevant to their circumstances. I will be most grateful for your commitment in this regard.

Even though all the questions in this letter are directed either towards the applicant and/or Associated British Ports, you may nevertheless choose to answer them if an answer would be relevant to the issues that concern you.

1. General Question 4.1.1 to **the applicant**

STATEMENT OF COMMON GROUND (SoCG) – Neath Port Talbot County Borough Council (NPTCBC)

Can the applicant provide a signed and agreed copy of the SOCG with NPTCBC which concludes the agreement of all issues contained within your draft SoCG (Doc Ref SoCG NPT.02 dated May 2015).

2. General Question 4.1.2 to **the applicant**

STATEMENT OF COMMON GROUND (SoCG) – County and City of Swansea (CCS)

Can the applicant provide a signed and agreed copy of the SOCG with CCS which concludes the agreement of the Beyond Bricks and Mortar issue.

3. Compulsory Acquisition 4.2.1 to **the applicant**

Can the applicant confirm the outcome of their negotiations with Network Rail in relation to the side agreement between the two parties covering the acquisition of rights and the protection of interests.

Can the applicant confirm whether there will be any compulsory acquisition requirements and if so include them within a draft final preferred DCO.

4. Development Consent Order Question 4.4.1 to **the applicant and Associated British Ports (ABP)**

ARTICLE 25 and SCHEDULE 9 – PROTECTIVE PROVISIONS – Associated British Ports

- (a) Legal Agreements - Can the applicant and ABP provide copies of the agreed legal agreements that exist between them (in relation to water abstraction) as described by ABP in paragraphs 8.1 and 8.2 of their written representation dated 15 January 2015. Redaction will be acceptable for commercially sensitive information.
- (b) Impounded Dock Level Management - Can the applicant and ABP provide evidence that demonstrates why the existing water level based methodology for managing the impounded dock water levels cannot be applied as the trigger mechanism for impounding seawater in the future.
- (c) River Afan Monitoring – Can the applicant confirm what has been agreed with NRW and the Afan River Management Group to ensure that there will be sufficient early warning of low river flows to enable impounding to be implemented in order to maintain impounded dock water levels.
- (d) Can the applicant and ABP provide evidence that demonstrates the capacity of the existing impounding facilities to maintain the critical water levels within the Port Talbot Dock during periods of low river flows with reference to the anticipated abstraction rates.
- (e) Can the applicant provide a final version of their preferred protective provisions with ABP within a draft final preferred DCO
- (f) National Policy Statement Ports – Can the applicant and ABP provide any comments in relation to the Ports NPS and in particular NPS Ports sections 3.1.5 and 3.3.

5. Development Consent Order Question 4.4.2 to **the applicant**

ARTICLE 23 and SCHEDULE 7 – PROTECTIVE PROVISIONS – National Grid

ARTICLE 25 and SCHEDULE 9 – PROTECTIVE PROVISIONS – ABP

Can the applicant provide a final preferred draft DCO that includes either their agreed protective provisions with these two parties or in the absence of such, the applicant's preferred protective provisions for each party.

6. Environmental Matters Question 4.5.1 to **the applicant**

ENVIRONMENTAL PERMIT

Can the applicant confirm the date of submission, or if not yet submitted, the date on which the submission of their environmental permit application will be lodged with Natural Resources Wales.

7. Environmental Matters Question 4.5.2 to **the applicant**

SITE INVESTIGATION AND DQRA OUTCOMES

Can the applicant provide evidence to support the agreement of all interested parties as to the outcomes of all issues related to the results of the site investigation works and Detailed Qualitative Risk Assessment (DQRA).

Responses to these written questions should be received no later than **Thursday 28 May 2015**.

Responses to these questions including any supporting documents should be published on the Planning Inspectorate website by **29 May 2015**. If you have any comments on these responses these should be received no later than **Friday 5 June 2015**.

If you have any further queries, please do not hesitate to contact the case team at the contact details above.

Yours faithfully

Roger Eyre

Roger Eyre
Examining Authority

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.