



Meeting note

File reference	EN010062
Status	Final
Author	Steven Parker
Date	28 April 2014
Meeting	Roundtable meeting with the Planning Inspectorate, the applicant, Natural Resources Wales, Welsh Government, Neath Port Talbot County Borough Council and Glamorgan Gwent Architectural Trust applicant
Venue	Port Talbot Steel Works
Attendees	<p>The Planning Inspectorate Tom Carpen - Infrastructure Planning Lead Tracey Williams – Case Manager Helen Lancaster – Senior EIA Advisor Louise Evans – Case Officer Steven Parker – Assistant Case Officer</p> <p>Tata Steel Jason Heatman- Tata Steel UK Ltd Muhammad Jhandeer – Tata Steel UK Ltd Duncan O'Connor – Pinsent Masons Ben Lewis - GVA Catherine Mackay – AECOM Poppy Michelsen- AECOM William Morgan - PPS Mike Southall - GVA Guy Simms – Tata Steel Ltd</p> <p>Natural Resources Wales Gareth Lewis – Environmental Permitting Doug Cowie - Environmental Permitting Jenny Dickinson – Planning Liaison Officer</p> <p>Andrew Nicholas – Welsh Government Paul Colman – Neath Port Talbot County Borough Council Judith Doyle – Glamorgan Gwent Archaeological Trust</p>
Circulation	All attendees

Introduction

The Planning Inspectorate outlined its openness policy and ensured that the applicant understood that any issues discussed and any advice given would be recorded and placed on the Internal Power Generation Enhancement of the Port Talbot Steel Works project page, on the Planning Inspectorate pages of the Planning Portal website under s.51 of the Planning Act 2008. Further to this, it was made clear that any advice given did not constitute legal advice upon which the applicant (or others) can rely.

Summary of key points discussed and advice given

Planning Inspectorate presentation

The Planning Inspectorate gave a presentation outlining the Planning Act 2008 process for Development Consent Order (DCO) applications.

The presentation can be viewed here:

<http://infrastructure.planningportal.gov.uk/projects/wales/internal-power-generation-enhancement-for-port-talbot-steelworks/?ipcsection=advice&ipcadvic=c4bef5d6e4>

The Inspectorate explained that a key area that would be explored once the application is submitted, during the Acceptance stage of the process, was if the applicant's consultation was considered adequate by the local authorities.

In response to a question from Tata Steel Ltd, the Inspectorate clarified that during the relevant representations period, those that would like to register their interest in the project would need to do so by completing an online relevant representation form, briefly outlining their view of the proposal. The prescribed form is available on the designated Tata Steel project page on the Planning Inspectorate pages of the Planning Portal website or by contacting the Inspectorate for a hard copy of the relevant representation form.

The Inspectorate explained that a single or panel of inspectors would be appointed to examine the application. They are known as the Examining Authority (ExA). The purpose of the Preliminary Meeting is to give people who are interested parties the opportunity to tell the Examining Authority how they think the application should be examined, and what the key issues that it should examine are. The examination timetable will also be discussed.

The Inspectorate explained that the Examination is primarily based on written submissions, with hearings to help clarify matters. The ExA will issue written questions, some of which will be targeted at specific parties to better understand the issues. The Inspectorate suggested that examples of these questions could be found in the 'Rule 8' letter from previous applications. These can be found on the National Infrastructure pages of the Planning Portal website.

The Inspectorate advised on the timetable for examination and emphasised that any extension to the examination period was highly unlikely.

Project Update and engagement with statutory parties

The Inspectorate asked what other consents would be required in addition to the DCO application. The applicant stated that they were in discussion with Natural Resources Wales (NRW) regarding an environmental permit and that, at this time, it was unclear if this would be a variation of an existing permit or a new permit.

NRW indicated that they had no opposition to either approach, but that there was a need to continue discussions with the applicant.

The applicant indicated that the permit would probably not be applied for at the time of submission to the Planning Inspectorate of the DCO application, but that this would be finalised by the commencement of the examination stage by a Letter of No Impediment or suitable alternative agreement.

The applicant has created a water balance model with the full agreement of NRW that demonstrates that they may be able to operate within their existing water abstraction licence. As part of the mitigation measures, a hierarchy of abstractions will be agreed with NRW via a Requirement. The applicant has identified three sources of abstraction (all within their current abstraction license) which are the River Afan, Swansea Dock and the Flwyd Wyltt. The primary would be the River Afan and at times of low flow or stress on water resources, the applicant would switch its abstractions to one of the other two sources. Whilst the water balance model is currently showing an anomaly, the applicant is working with NRW and met on the 9th April 2014 with Associated British Ports (ABP) to go through the interim results.

NRW are comfortable with this approach and have been shown a revised water balance model which the applicant have produced.

The applicant stated that with regard to ecology matters, no bats have been found on site, the presence and possible re-location of Kidney Vetch would be addressed in the environmental statement via a Habitat Management Plan. A reptile survey is being carried out and will be available by the end of the month (April).

The applicant also advised that they would be submitting the new flood risk hydraulic model to NRW for their validation prior to the submission of the DCO. If time permits, then the finalised water balance model will also be submitted for validation.

Neath Port Talbot County Borough Council (NPTCBC) stated they have no concerns with respect to the proposed development, including on air quality, noise, traffic or ecology. Further to their section 42 response, it has been agreed to assess three additional cumulative sites but only for potential landscape and visual and air quality effects– Abernedd, Biomass II and Preenergy power stations.

If consent is granted NRW will measure the discharges when the proposal is operational but not during the construction phase. NRW suggested that mitigation measures should be put in place to ensure the suppression of dust during the construction phase.

The Inspectorate advised that they were aware of local concerns relating to dust in Port Talbot and highlighted the likelihood of representations being submitted.

The applicant stated that lessons had been learned regarding air quality with respect to activities on the Port Talbot site. There had also been concerns and complaints from the construction of the peripheral distributor road (known as Harbour Way) which is adjacent to their site.

The applicant indicated that opinion received on the proposed project had been generally positive but there were some concerns raised in relation to noise, light pollution and air quality / dust pollution which have been addressed in the ES and also within the Code of Construction Practice.

The applicant has been working with statutory consultees on producing Statements of Common Ground (SoCG). They do not expect many issues to cause dispute. The applicant also stated that they are submitting draft ES chapters with the relevant bodies.

The Inspectorate advised that information to assist with the drafting of the Local Impact Report (LIR) could be found in the Planning Inspectorate Advice notes and by looking at LIR's submitted in relation to previous applications.

AECOM asked whether a reference to the new EC Directive should be made in the planning chapter and EIA chapter, but only as an informative as the new Directive has not been transposed into UK legislation yet. The Inspectorate confirmed that a reference should be made.

Consultation under s42 of the Planning Act 2008

With regard to adequacy of consultation, NPT stated that they are content with the applicants approach and that there had been no contact from residents or local groups.

The applicant advised that responses received from their s42 statutory consultation indicated that Bridgend Council and Swansea Council have raised concern in relation to visual impact. Carmarthenshire County Council and Powys County Council have been consulted under s42 but no response has been received.

The Inspectorate advised that the applicant should include details of those that were consulted but didn't respond in their consultation report. The Inspectorate also advised the applicant to make contact with those statutory parties that they haven't received a response from as part of their s42 consultation, even if this is to seek a nil response and evidence this in their Consultation Report.

Draft documents

The applicant advised the Inspectorate that they would submit draft documents for review within the next few weeks. These are to include the draft DCO, Plans, Explanatory Memorandum, Book of Reference and the Consultation Report.

The Inspectorate indicated that they would require four weeks in which to review and comment on the documents.

Next steps

- Teleconference schedule (to be arranged)
- Draft documents meeting (to be arranged)