



## Meeting note

<b>Project name</b>	Wheelabrator Kemsley Generating Station (K3) – Power Upgrade and Wheelabrator Kemsley North (WKN)
<b>File reference</b>	EN010083
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	10 September 2018
<b>Meeting with</b>	Wheelabrator Technologies Inc (WTI)
<b>Venue</b>	Kingdom, TQH, Bristol
<b>Meeting objectives</b>	Drafting DCO and project update
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

### Project update

The Applicant provided an update regarding two parts of the project, comprising Wheelabrator Kemsley Generating Station (K3) – Power Upgrade and Wheelabrator Kemsley North (WKN). The K3 generating station will be a consented project (under the TCPA permission) by the time the Development Consent Order (DCO) application for the Power Upgrade and WKN is submitted. The Inspectorate also recommended that the Applicant discuss the draft DCO with the Local Authorities (LAs). WKN has been directed into the Planning Act consenting regime under 35 of the PA 2008 by the Department for Business, Energy and Industrial Strategy (BEIS). This does not make the proposed development a Nationally Significant Infrastructure Project (NSIP), but does make it a project for which a development consent order is required. The Inspectorate advised to ensure that correct terminology is used for the application documents, and later during the examination stage. The Applicant was also advised of the need to justify why it considered the K3 project to require a DCO in their application documents.

The Applicant and the Inspectorate discussed the general approach to the DCO drafting and structure of the order, focusing mainly on the definitions and Schedule 1, as well as the suggested approach to Requirements, especially in the context of the relationship between the planning permission for Wheelabrator (K3), granted under TCPA 1990, and the proposed DCO for WKN. The issues should be further clarified in the Explanatory Memorandum (EM). The aim is to provide clear and concise terminology and definitions. The parties also considered the practicalities relating to the use of application documents, such as Land Plans, Work Plans and Book of Reference, and certification of all documents post the examination stage of the project.

The submission of the DCO application is anticipated in Q2 of 2019 (April/ May).



**AOB**

The following actions were agreed:

The Applicant will consider the issues related to drafting the DCO, and discuss matters further with BEIS if required.