

## Annex A: Changes to the application

# Meeting note

<b>File reference</b>	EN010095
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	28 April 2020
<b>Meeting with</b>	Boston Alternative Energy Facility
<b>Venue</b>	Teleconference
<b>Attendees</b>	<b>The Planning Inspectorate</b> <b>Boston Alternative Energy Facility Limited</b>
<b>Meeting objectives</b>	Project update meeting by telecon
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given:

#### Welcome and introductions

The Applicant and the Planning Inspectorate (the Inspectorate) Case Team introduced themselves and their respective roles. The Inspectorate continued by outlining its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under section 51 of the Planning Act 2008 (PA2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely.

#### Project update

The Applicant gave a presentation on the changes to the scheme. These include changes to the thermal treatment technology which no longer includes gasification processes. Changes also include provision of an on-site concrete batching plant and construction programme optimisation to allow more and earlier aggregate delivery by ship, both of which will minimise HGV movements during construction.

The Applicant indicated that the changes may have a small additional impact on the generating station's visual impact, such as the change from one to three stacks. The Applicant stated that the changes are anticipated to have an overall positive impact in relation to

the path follows the main flood defence bank alongside the river. This is being closed because the wharf for the project will be built there. The County footpath officers have been involved in discussions about the closure of the footpath along the flood defence bank and the diversion along the existing footpath along Sea Bank and are content with this route. Sea Bank has some gaps, where the embankment has been previously removed. The previous plan for the project was to allow pedestrians to follow the path down from the embankment and cross through the site at ground level using a supervised crossing point. This raises health and safety issues. Therefore, the project has been amended to include a footbridge connecting the two parts across the gap. The Applicant's view is that BBC was in favour of the new approach, subject to the design of the bridge meeting required standards.

## **Environmental Issues**

The Applicant informed the Inspectorate that it intends to apply for an Environmental Permit post-consent of the DCO. This has always been the position of the Applicant since the earliest engagement with the Environment Agency (EA). The Inspectorate advised that this approach is against the standing advice of the EA who recommended that developers submit their permit application at the same time as the submission of the DCO. The Applicant's approach means the EA will not be in a position to publish their intended decision on the permit application before the DCO examination closes. This was acknowledged by the Applicant and they have explained their consenting approach to the EA.

It was confirmed that the changes to the project are unlikely to impact on the Habitats Regulation Assessment because the duration and extent of dredging required will not change.

The Applicant was advised to use the latest Met Office climate change projection data when conducting its flood risk assessments (FRA) and to document any agreements made with the EA and the relevant lead local flood authorities. PINS advised the applicant to check the NI website around recent acceptance decisions and s51 advice that has been published in relation to climate change projections being applied in DCO applications. The Applicant identified that they have already engaged with the EA, LLFA and IDB on this regard.

## **Consultation programme**

The Applicant confirmed that it will conduct a targeted informal consultation on the changes to the project with Statutory Parties who responded at Scoping and s42 and members of the public. The Inspectorate highlighted that members of the public that might not have had concerns previously with the project might want to get involved at this stage and queried how these parties would be reached. The Applicant clarified that it is developing a consultation strategy with appropriate materials and media to ensure the local community is made aware of the changes to the proposals and is given an opportunity to submit comments. The Applicant didn't think it needed to update the Statement of Community Consultation as it regarded the planned consultation as targeted but stated it would review the issue internally. It was agreed that the Applicant would also discuss this with BBC and Lincolnshire County Council.

**Draft documents review**

The Applicant stated that it would request a targeted draft documents review. The Inspectorate informed that it would be beneficial if the Consultation Report and the Habitats Regulation Assessment could be included in the review.

**Anticipated submission date**

Late Q3/early Q4 2020. The Inspectorate stated they would update the submission date on the project page.

**Any other business**

The Applicant was advised to review the Riverside Energy Park decision letter.

The Applicant confirmed that it was consulting with the local fishing community and will ensure that pre-application consultation and notification requirements are adhered to.