

Planning Act 2008 – section 91

EN010097

Application by VPI Immingham B Ltd for an Order Granting Development Consent for the VPI Immingham OCGT Project

Agendas for Issue Specific Hearing 1 (ISH1) on the draft Development Consent Order (dDCO) and Issue Specific Hearing 2 (ISH2) on Environmental Matters

The Examining Authority (ExA) notified Interested Parties on 3 September 2019 of the decision to hold Issue Specific Hearings (ISH) on the following dates:

Hearing	Date and time	Location
ISH1 (draft DCO)	Wednesday 2 October 2019 Seating available from 9.30am. The hearing will start at 10.00am	The Ashbourne Hotel Vicarage Lane North Killingholme North Lincolnshire DN40 3JL
ISH2 (Environmental Matters)	Thursday 3 October 2019 Seating available from 9.30am. The hearing will start at 10.00am	The Ashbourne Hotel Vicarage Lane North Killingholme North Lincolnshire DN40 3JL

Access and Parking: Free Parking and designated disabled parking spaces are available in the hotel car park situated at the main entrance of the hotel. Spaces can be reserved if necessary

Purpose of the Hearings

ISH1

The main purpose of ISH1 is to consider the drafting aspects of the draft DCO (dDCO) and in particular to:

- Clarify issues around how the dDCO is intended to work, what is to be consented, the extent of the powers and what requirements, provisions and agreements are proposed;
- identify any possible issues not covered by the dDCO as currently drafted; and
- establish or confirm the views of Interested Parties as to the appropriateness, proportionality and efficacy of the provisions and requirements as currently drafted.

For the avoidance of doubt, the hearing will not consider the underlying issues arising from the Application or the representations which have been made in relation to those issues. The decision to hold the hearing should not be taken to imply that the ExA has reached any view at this stage of the examination as to whether or not the Order should be granted. The hearing will, accordingly, be conducted on a without prejudice basis.

ISH2

The main purpose of ISH2 is to consider the environmental effects of the application.

Agendas

In order to ensure that those attending the hearings can make the best use of the time, the ExA has prepared the agendas below. Please note that these agendas are indicative and may be amended.

The ExA may wish to raise other matters arising from submissions and pursue lines of enquiry during the discussion which are not on the agenda.

Invited Participants

The Applicant, all Interested Parties and Affected Persons are invited to attend. Representatives of the following companies and bodies are requested to attend to address matters identified in the agendas.

ISH1 into the dDCO:

- Phillips 66 Limited
- Air Products (BR) Limited
- Environment Agency
- National Grid Electricity Transmission Plc
- Hornsea 1 Limited
- Optimus Wind Limited, Breesea Limited, Sonningmay Wind Limited and Soundmark Wind Limited (together known as the 'Hornsea 2 Companies').
- North Lincolnshire Council
- Any other IPs with an interest in the drafting of the dDCO; implementation or discharge of proposed articles, requirements or other provisions; seeking protective provisions or any related side agreements.

ISH2 into Environmental Matters:

- Representatives of the Applicant who are in a position to discuss the matters on the agenda
- North Lincolnshire Council
- Environment Agency
- Any other Interested Parties who wish to take part in the hearings

Participation, conduct and management of hearing

Participants may be legally represented if they wish, but the hearings will be conducted to ensure that legal representation is not required.

Participation is subject to the ExA's power to control the hearing.

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

The ExA will be referring to the revised version of the dDCO accepted into the Examination at Deadline 2 [REP2-003].



AGENDA FOR ISH1

DRAFT DEVELOPMENT CONSENT ORDER

Item	Matters
1.	Welcome, introductions and arrangements for the Hearing
2.	Structure of the Order The Applicant to: <ul style="list-style-type: none">- summarise the structure of the dDCO- describe the extent of the Works, provisions and powers sought- briefly introduce each of the draft Requirements and Schedules and their purpose- provide a brief summary of any changes made in the revised dDCO submitted at Deadline 2. Comments and questions will be invited from Interested Parties.
3.	Main discussion points <ul style="list-style-type: none">- Article 24 - acquisition of Sub-Soil only- Article 29 - Statutory undertakers- Requirement 9 – Amendment of Requirement 9 in relation to permitted preliminary works/ temporary means of enclosure.- Requirement 13 – Written Scheme of Investigation- Requirement 19 – Operational noise restriction- Update on Protective Provisions
4.	Opportunity for other parties to ask questions about/ comment on the proposed revisions to the draft DCO.
5.	Discharge of requirements and conditions, appeals and disputes
6.	Other Matters
7.	Close of the Hearing



AGENDA FOR ISH2 ENVIRONMENTAL MATTERS

Item	Matters
1.	Welcome, introductions and arrangements for the Hearing
2.	Issues arising from the responses to the ExA's Written Questions [PD-007] on Environmental Issues and from Written Representations. i) Cultural Heritage <ul style="list-style-type: none">• Framework Written Scheme of Investigation<ul style="list-style-type: none">- Timing of archaeological strip map and record.- Other concerns ii) Noise <ul style="list-style-type: none">• Operational Noise Restriction (Requirement 19 dDCO) iii) Piling iv) Alternatives / Site selection
3.	Matters for Clarification: <ul style="list-style-type: none">• Foul and surface water drainage• Update on Environmental Permit
4.	Update on Statements of Common Ground
5.	Other Matters
6.	Close of the Hearing

Please note: Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including further written questions.

The agendas may be subject to change at the discretion of the ExA. The hearings will close at the conclusion of business. Interested parties who have registered to speak in advance will be provided with a table and microphone. Individuals who have not registered in advance may participate at the discretion of the ExA.