

Date: 12 January 2023
Your Ref: EN010116
Our Ref: 15984



Sarah Norris
Case Manager
The Planning Inspectorate
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Dear Ms Norris,

NORTH LINCOLNSHIRE GREEN ENERGY PARK PROJECT
THE PLANNING ACT 2008
THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

We write on behalf of the North Lincolnshire Green Energy Park Limited ('the Applicant') in response to the 'Rule 8' letter dated 23 November 2022 [PD-006] in which the Examining Authority has requested a number of documents to be submitted by Deadline 3.

Documents requested to be submitted at Deadline 3

The Applicant requests that the Examining Authority accepts the following documents submitted in advance of Deadline 3:

- Document 1.2 - Application Guide [Revision 4] (clean and tracked);
- Document 9.16 – Applicant's comments on responses to the ExAs ExQ1 [Revision 0];
- Document 9.17 - Comments on Written Representations [Revision 0];
- Document 9.3 – Compulsory Acquisition Schedule [Revision 2] (clean and tracked)

Updated Guide to Application

All new and revised documents are referenced in the enclosed updated Application Guide (Document 1.2 – Application Guide [Revision 4]). A clean and tracked version have been provided for clarity.

Additional Documents Submitted

In addition to the documents requested by the Examining Authority to be submitted at Deadline 3, the following documents are also being submitted.

- Document 4.1 – Location Plan and Order Limits Plans [Revision 1];
- Document 4.3 – Rights of Way and Access Plans [Revision 1];
- Document 4.5 – Indicative Connections Plans (Revision 1);

Partners

R J Greeves BSc (Hons) MRICS
G Bullock BA (Hons) BPL MRTPI
A Vickery BSc MRICS IRRV (Hons)
S Price BA (Hons) DipTP MRTPI

A R Holden BSc (Hons) FRICS
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B Murphy BA (Hons) MRUP MRTPI
A Meech BSc MRICS
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- Document 4.10 – Indicative Landscape and Biodiversity Plans [Revision 2];
- Document 4.14 – Indicative Highways Drawings [Revision 1];
- Document 4.16 – Indicative Surface Water Drainage Plan [Revision 1];
- Document 4.17 – Indicative Utility Diversion Drawings [Revision 1];
- Document 4.19 – TRO Drawings [Revision 1];
- Document 5.3 - Design and Access Statement [Revision 1];
- Document 5.12 - Design Principles and Code [Revision 1] (clean and tracked);
- Document 6.3.7 - Code of Construction Practice (CoCP) document [Revision 2] (clean and tracked);
- Document 9.10 – Status of Negotiations with Statutory Undertakers [Revision 1] (clean and tracked)
- Document 9.18 – Applicant’s further responses to Written Questions (ExAQ1) [Revision 0]
- Document 9.19 - Bibliography of external reference documents and provisions of these [Revision 0];
- Document 9.20 - The purpose for which compulsory acquisition and temporary possession powers are sought [Revision 0].

Red Line Boundary Change

As set out in the Deadline 2 Cover letter, the Red Line Boundary (RLB) has been reduced by approximately 30 square meters due to an issue with the plot boundaries. Changes were made to the RLB at plot 5-66 as the boundary was drawn veering too far to the west and included part of a title which is not intended to be included in the RLB. The boundary of plot 5-66 has now been receded to remove this land on the Land Plans submitted at Deadline 2. In the same area, the boundary between plots 5-67 and 5-70 was also drawn incorrectly, with plot 5-67 incorporating land which should be part of plot 5-70. This too has now been fixed and recorded on the Land Plans submitted at Deadline 2.

The Applicant confirms that since Deadline 2 the parties affected by the above changes have been notified in writing.

This RLB change has also resulted in changes to a number of the Plans / Drawings, as set out in the list above.

Updates from further responses to Written Questions (ExAQ1)

A number of application documents have been updated at this deadline as a result of the written questions (ExAQ1). Document 9.18 – Further responses to written questions, submitted at this deadline, sets out why these changes have been made, and what these changes are.

The Design and Access Statement (DAS) and the Design Principles and Codes Document have been updated to provide greater clarity of the purpose and the relationship between these two documents. Additional Design Codes have been included within the Design Principles and Codes document which provide further clarity / explanation on design matters including the detailed design process.

For clarity, a clean and track changed version of each updated document has been provided, with the exception of the DAS, which has included a schedule of post submission amendments at Appendix A of the document.

Updates to the CoCP have also been made at this Deadline to address comments on working hours and soil reinstatement. Additionally, three appendices have been added to this document at this deadline as a result of written questions, and consultation with stakeholders. These are; Outline Piling and Foundation Works Management Plan, Outline Construction Noise and Vibration Management Plan, Outline Construction Ornithology Management Plan.

Document 9.20 - The purpose for which compulsory acquisition and temporary possession powers are sought has been provided in response to Q7.0.20 to assist the ExAs consideration of the Applicant's case for compulsory acquisition.

Also provided at this deadline is a bibliography of all external documents referenced within the application documents. Where publicly available these have been provided as hyperlinks within the document. Where the document is not publicly available, we have provided a copy of the document at this submission. Please refer to the document (ref: 9.19) for a list of these documents.

Response to UKWIN further information

The Applicant has provided a detailed response to each of the points raised by UKWIN in their Written Representation in Document 9.17 - Comments on Written Representations [Revision 0]. The Applicant has also responded to the specific points raised by UKWIN on the accuracy of the RDF Supply Assessment which is provided as Appendix A to Document 9.17.

Accompanied Site Inspection

Please find below an updated itinerary for the Accompanied Site Inspection (ASI) on the 27th January 2023 with the inclusion of Church Farm.

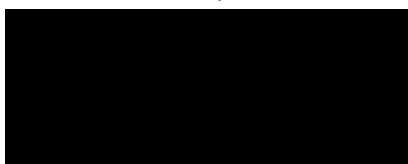
We note a late submission from RAIN which suggests a number of additional sites to be included within the ASI. It is not proposed that these be added to the ASI as they are largely publicly accessible locations and could be visited separate to this ASI. Additionally, several of the suggested locations have already been visited by the Inspectors during their unaccompanied site inspection.

LOCATION (LATITUDE, LONGITUDE)	REASON FOR INCLUSION	INCLUDED IN USI CARRIED OUT BY ExA?
Viewpoint 1: Park Ings Grain Sheds - 53°36'47.51"N, 0°41'49.71"W	Drive to view Lysaughts Drain 4-75 and 4-89, Drive to flood bund site by chicken farm 6-3, 6-2, 6-1, 6-4	No - Restricted access

Viewpoint 2: RMS Ports office – Flixborough Wharf – 53°37'5.17"N, 0°41'55.14"W	The ExA and attendees can meet and park on this site and with the necessary PPE and supervision can view the following areas that may be of significant interest to the ExA as forming the core of the Project: <ul style="list-style-type: none"> - Flixborough Wharf and port facilities and steel shed 5-20 5-53 - Flixborough end of the railway 5-79, 5-81, 5-77, 5-71 - steel stock areas of RMS Ports and Rainham Steel - Glanford House 5-35 - Bellwin House 5-38 - Wharfside Court 5-40 to 5-51 - Jotun Paints site and proximity to the switchyard and AGI 5-88 - Proposed screening and planting areas north of the Flixborough Industrial estate 5-79, 5-81, 5-77, 5-71 - AB Agri site 5-54 	No – restricted access
Viewpoint 3: Church Farm railway crossing 53°37'20.73"N 0°40'59.88"W	Mr Green has requested the ExA to visit the railway crossing at Church Farm	Yes – part of a public right of way
Viewpoint 3: Norinco land for BNG - 53°36'49.28"N, 0°40'41.21"W	The ExA has expressed an interest in the land identified to deliver some of the BNG and may wish to meet with the land agent and landowner to see the area planned for improvement 6-84, 6-7	Yes – open access land
Viewpoint 4: Dragonby Sidings - 53°37'6.20"N, 0°38'21.33"W	The ExA and attendees can meet at the Vosloh Cogifer site and with the necessary PPE and supervision view the railway interface with Network Rail and the proximity to the British Steel site 8.2	No – restricted access

A risk assessment for the ASI has been produced and is attached to this Cover Letter as Appendix 1. It is the intention that all attendees would review this and get in touch with the Applicant if they have any questions or clarifications prior to the ASI.

Yours faithfully,




DWD
For and on behalf of North Lincolnshire Green Energy Park Limited

APPENDIX 1 - Risk Assessment and Method Statement

Risk Assessment & Method Statement

A Assessment Details

Activity Assessed: NLGEF Site Visit – Examining Authority Personnel, Members of the Public	ASSESSMENT NUMBER GBB-OPS-RAMS-0422
Site / Location: North Lincolnshire Green Energy Park	Assessment Date: 6 th January 2023
Plant Area / Specific Unit: Various Locations around the park	Review Date: 6 th January 2024
GB-Bio Assessor (Print): Ray Fraser	GBB Project Assessor's Signature : 
GB-Bio Assessor's Position: First Element – H&S Director	

B Those Affected

A Employees ✓	C Adjacent Workers ✓	E Contractors ✓
B Members of the Public ✓	D Young Persons *	F Visitors ✓

Others (Specify)

G
H

Risk Assessment & Method Statement

C Hazards

* Seek advice from Radiation Safety Personnel

HAZARD	NO	YES	THOSE AFFECTED	HAZARD	NO	YES	THOSE AFFECTED	HAZARD	NO	YES	THOSE AFFECTED
General Hazards				Machinery				Electrical Hazards			
Access / Egress		X	A B C E F	Mobile or Fixed Plant		X	A B C E F	Live Parts / Isolation	X		
Slips / Trips		X	A B C E F	Adjacent Live Plant or Equipment	X			Work adjacent live plant	X		
Working at Height	X			Hand or Power Tools (Inc. HAVS)	X			Electric Cables (Inc Extension Leads)	X		
Multi-level Working	X			Hot Works - Welding/Grinding/Burning	X			H.V. Contact / Working	X		
Fall of Person(s)		X	A B C E F	Stored Pressure / Energy	X						
Fall of Object(s)	X			Cutting Parts / Guarding (Machinery)	X						
Confined Space(s)	X			Environmental				OTHERS (state below) ...			
Restricted means of escape/rescue	X			Weather (Wind / Rain / Lightening)		X	A B C E F	* Ionising Radiations	X		
Contact with Process	X			Temperature (High or Low)		X	A B C E F	* Radioactive Contamination	X		
Fire + Explosion		X	A B C E F	Lighting	X			Air Tools	X		
Vibration	X			Noise	X			Site Security	X		
Lifting Operations	X			Ultra-Violet Light (Sunshine)		X	A B C E F	Lone Working	X		
Vehicles		X		Hazardous Substances & Materials				Transport		X	A B C E F
Manual Handling	X			Hazardous Substances	X			Overhead Hazards	X		
Repetitive Work	X			COSHH Assessment	X						
Interface with Third Parties/Contractors		X	A B C E F	Asbestos	X						
Awkward/Sustained/Static Postures	X			Dust / Fume	X						
Pinch / Nip Points	X			Viral Bacterial & Disease Potential	X						
Uneven Surfaces		X	A B C E F	Material Engulfment	X						
Scaffold / PASMA	X			Water / Drowning		X	A B C E F				

Risk Assessment & Method Statement

D

HAZARDS IDENTIFIED ABOVE	ASPECTS OF ACTIVITY THAT GIVE RISE TO THE HAZARD	SEVERITY X LIKELYHOOD = RISK RATING			CONTROL MEASURES	SEVERITY X LIKELYHOOD = RISK RATING		
		S	L	R		S	L	R
Unfamiliar Location/s	Getting lost, separated from main group, unaware of surrounding and local hazards.	4	2	8	<p>At the meet and greet point, all tour party visitors shall be given a H&S briefing outlining the H&S expectations for the tour and be made aware of all potential hazards.</p> <p>All tour team leaders shall be introduced so they are known to all visitors.</p> <p>All specified PPE (see PPE section below for specific requirements) to be given to individuals or checked that they have it prior to commencing.</p> <p>All parties once out on the tour shall be accompanied/driven by a competent member of NLGEP team, who will ensure that no one wonders off unaccompanied whilst they are on the tour.</p> <p>Each team party leader is responsible for ensuring their teams safe routes whilst on the tour.</p>	4	1	4

Risk Assessment & Method Statement

HAZARDS IDENTIFIED ABOVE	ASPECTS OF ACTIVITY THAT GIVE RISE TO THE HAZARD	SEVERITY X LIKELYHOOD = RISK RATING			CONTROL MEASURES	SEVERITY X LIKELYHOOD = RISK RATING		
		S	L	R		S	L	R
		Fire	Whilst on some company's properties, the fire alarm may sound or if an actual fire breaks out, unfamiliar with site or site rules.	5		2	10	When entering working sites, the team leader shall make all visitors aware of the sites specific fire muster point, and if required sign the party onto any signing in registers or comply with the specific company's visitors' requirements.
General Emergency	Injury or health problem.	5	2	10	<p>All team leaders to be made aware in advance of the nearest Accident & Emergency hospital and the best/quickest routes.</p> <p>An official site tour member should be trained in First Aid techniques.</p> <p>A first aid kit needs to be readily available.</p> <p>A mobile phone should always be available, if no or poor signal area, team leaders need to be aware of the nearest available landline.</p> <p>All accidents and/or near misses need to be documented and the safety representative made aware.</p>	3	2	6

Risk Assessment & Method Statement

HAZARDS IDENTIFIED ABOVE	ASPECTS OF ACTIVITY THAT GIVE RISE TO THE HAZARD	SEVERITY X LIKELIHOOD = RISK RATING			CONTROL MEASURES	SEVERITY X LIKELIHOOD = RISK RATING		
		S	L	R		S	L	R
Access/Egress	Entry into fields, work sites – fencing, barriers, and other obstacles.	3	3	9	All access to all areas will be by a 4x4 vehicle with a driver who knows the routes and all safe entry points. There may be some walking involved, again this should only occur under the supervision of the tour guide.	3	1	3
Access/Egress	Entry into fields works site – being challenged by landowners and/or other specific site personnel	2	4	8	The planned route, will be made known in advance with communication with all landowners and the other site responsible persons along with timings.	2	1	2
Access/Egress	Falling into trenches which have been dug as part of the archaeology study.	3	2	6	All trenches which are near the planned route, need to be clearly identified and fenced/roped off prior to the tour.	3	1	3

Risk Assessment & Method Statement

HAZARDS IDENTIFIED ABOVE	ASPECTS OF ACTIVITY THAT GIVE RISE TO THE HAZARD	SEVERITY X LIKELYHOOD = RISK RATING			CONTROL MEASURES	SEVERITY X LIKELYHOOD = RISK RATING		
		S	L	R		S	L	R
Slips & Trips Fall of Persons Uneven Surfaces	Tour party members tripping or falling over trip hazards along the route or facial injuries to low hanging tree branches.	3	3	9	<p>A pre-tour of the route prior to the main parties to ensure all areas where walking is required is clear of any obstructions, clear trip hazards and all routes are clear from any openings.</p> <p>Any part of the route, which is either unstable or uneven, pre-warn the party prior to crossing these points of the tour.</p> <p>All tour guests should have good robust shoes / boots to prevent slipping on wet grass/mud (walking shoes/boots as an example).</p>	3	2	6
Interface with second or third parties	Confrontation with site staff, contractors, or members of the public, confronting suspicious characters.	4	3	12	<p>All non-tour site staff, contractors to be made aware of the tour and the timings, all tour participants to remain within the main group.</p> <p>Tour team leaders to remain vigilant about possible anti-social behaviour or activity and to divert the route/party if potential for it to escalate.</p> <p>Tour team leader to always have access to a mobile phone and if they have concerns to call 999.</p>	4	1	4

Risk Assessment & Method Statement

HAZARDS IDENTIFIED ABOVE	ASPECTS OF ACTIVITY THAT GIVE RISE TO THE HAZARD	SEVERITY X LIKELYHOOD = RISK RATING			CONTROL MEASURES	SEVERITY X LIKELYHOOD = RISK RATING		
		S	L	R		S	L	R
Water Courses	Drowning or Hypothermia	5	3	15	All tour routes to avoid where possible, open water courses. If the route cannot avoid an open water course, then the party needs to be briefed on the potential dangers and to keep away from the water's edge.	5	1	5
Mobile, Fixed Plant Or Traffic	Contact with traffic, mobile plant and/or fixed plant leading to injury	5	4	20	<p>The tour route should be planned so no public roads need to be crossed or walked along, all tour party participants should be driven from each area avoiding the need to be near any public roads.</p> <p>All site personal and contractors to be made aware of the tour and the timings and not operate mobile plant when the tour party is in the area.</p> <p>The tour leader shall ensure that all tour party participants are kept well away from any fixed plant or machinery along the route.</p> <p>All tour party participants will be required to wear Hi-visual reflective vest so they can be clearly seen.</p>	5	1	5

Risk Assessment & Method Statement

HAZARDS IDENTIFIED ABOVE	ASPECTS OF ACTIVITY THAT GIVE RISE TO THE HAZARD	SEVERITY X LIKELYHOOD = RISK RATING			CONTROL MEASURES	SEVERITY X LIKELYHOOD = RISK RATING		
		S	L	R		S	L	R
Inclement or Stormy Weather (Rain, Wind, Lightening)	Hypothermia, Hyperthermia, Fainting, Sunburn, Sunstroke, Discomfort.	5	2	10	<p>All tour party participants will be expected to be dressed appropriately to meet the days weather expectations.</p> <p>If on the day, high UV is expected, barrier cream should be made available for tour participants to apply on any exposed skin.</p> <p>Hot drinks or cold drinks (temperature dependant) to be made available at some stage of the tour.</p> <p>If lightening, the tour should be stopped until the storm has passed, no tour party participants should be left exposed if in danger of lightning strikes. If the lightening shows no signs of stopping, the tour should be cancelled and re-scheduled later.</p>	5	1	5
Transport	Car Collison / Accident	5	2	10	<p>The tour driver/s to be competent and fully licenced to drive the vehicle being used, copies of licenses should be seen prior to the event.</p> <p>All drivers should be covered with business insurance.</p>	5	1	5

Risk Assessment & Method Statement

HAZARDS IDENTIFIED ABOVE	ASPECTS OF ACTIVITY THAT GIVE RISE TO THE HAZARD	SEVERITY X LIKELYHOOD = RISK RATING			CONTROL MEASURES	SEVERITY X LIKELYHOOD = RISK RATING		
		S	L	R		S	L	R
Lack of suitable PPE	Not been seen whilst walking around, danger of collision. Feet injuries (stepping on glass, nails etc.). Eye injury due to flying debris, low hanging branches. Cuts to hands (Weil's disease). Head injury – falling debris	5	3	15	All participants should have available or provided with the following PPE requirements: Hard Hat, Walking Shoes/Boots, Hi-Vis Reflective Vest, gloves, and Safety Glasses The above should be worn as instructed by the Tour Leader	5	1	5
Insurances	Injured party making claims	3	1	3	Ensure suitable 'Public Liability' insurance covers the event and any potential future claims.	3	1	3

Risk Assessment & Method Statement

E

ADDITIONAL COMMENTS / OBSERVATIONS: Method Statement

- Good, advanced communication to be forwarded to landowners and site management involved on the tour detailing the planned route, participating numbers and planned timings for days tour.
- Tour route to be pre-inspected prior to main parties to ensure the planned route is safe from any obvious hazards.
- Tour drivers' licences to be verified prior to planned date to ensure compliance and all relevant insurance are in place.
- Planned arrival area for tour participants is clearly documented in advance and attendees notified of the exact location.
- All arriving tour participants to 'sign in' on arrival.
- Once all attendees have arrived, safety briefing to be held and any potential hazards made known, tour leaders to be identified and introduced to participants, groups to be split into smaller groups dependent on participating numbers.
- Tour conducted as per the plan and timings
- On completion of the tour, participants to 'sign out' and depart.
-

F

RELEVANT REFERENCES: (e.g. Other Risk Assessments / Method Statements / Safe Working Procedures / Local Rules / Radiation Work Permits / Control Documents)

Risk Assessment & Method Statement

G

EFFECT	PROBABILITY	RISK RATING
1 = Minor Injury or Damage to Plant 5 = Major Injury/Death or Severe Damage to Plant and/or Tributary to Plant/Process Shutdown	1 = Unlikely/Unprobable 5 = Very Likely/Probable	If initial risk rating equals 6 or above, control measures must be put in place to minimise or eliminate risk of personnel injury or accident.

H

Read & Understood Confirmation		
Name (Print)	Name (Signature)	Date R.A. Read & Understood

Complex Work Locations and/or Activities:

Complicated Employee Work Locations, e.g. Construction/Operating Plant environments, non-routine activities and conditions and where more than one employee is potentially at risk shall be assessed as follows: -

The likelihood and severity of an occurrence from an identified hazard is assessed utilising an arithmetic score. A scale of 1 for low to 5 for high is utilised as follows:

- Likelihood** 1 for a HIGHLY UNLIKELY Event
 5 for a HIGH LIKELY Event/ALMOST CERTAIN Event

- Severity** 1 for NIL OR SLIGHT INJURY
 5 for a SEVERE OR FATAL INJURY

A judgement on Risk is established from the following matrix.

		RISK				
L I K E L I H O O D	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
			1	2	3	4
		S E V E R I T Y				

The judgment on Risk establishes as to whether or not:

- The Risk is acceptable
- Control Measures are required to mitigate the Risk
- The Residual Risk precludes the work activity occurring without first removing the Hazard completely

The scoring threshold at which Control Measures shall be implemented is 6. Therefore, if the scoring is:

5 or less - The Risk is ACCEPTABLE, and Control Measures are not required.

6 or more - The Risk is UNACCEPTABLE, and Control Measures are required.