



Meeting note

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| Project name | Drax Bioenergy with Carbon Capture and Storage Project |
| File reference | EN010120 |
| Status | Final |
| Author | The Planning Inspectorate |
| Date | 10 March 2021 |
| Meeting with | Drax Power Limited |
| Venue | Microsoft Teams |
| Meeting objectives | Project Update Meeting |
| Circulation | 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 to the Drax Bioenergy with Carbon Capture and Storage (Drax BECCS) project. The Applicant confirmed that non-statutory consultation is commencing and will be used to inform the Preliminary Environmental Information Report (PEIR). It is the Applicant's intention to start Statutory Consultation in Q3 2021. The Applicant confirmed that it is beginning to prepare the application documents with the intention to submit in Q1 2022.

Scoping Opinion

The Applicant outlined its intention to capture mitigation measures within a Register of Commitments, rather than submitting a draft Construction Environment Mitigation Plan (dCEMP) with the application. The Applicant confirmed that wherever the Environmental Statement (ES) relies on mitigation measures or particular activities, the application documents (in particular the DCO) will secure such measures. The Applicant proposed capturing the mitigation measures included within the ES within the Register of Commitments. The DCO would then secure the implementation of those measures by requiring a CEMP to be prepared in accordance with the Register of Commitments. The Inspectorate advised the Applicant to make it clear in the ES and Register of Commitments which effects the measures are intended to mitigate and where and how they are secured. The Inspectorate confirmed that it was up to the Applicant whether they chose to submit a dCEMP with the application but in the absence of one the alternative mechanism(s) must be clear and enforceable through the DCO.

The Applicant addressed several topics from the scoping opinion which it anticipates being able to scope out of the assessment, as more information is available and in agreement with the relevant stakeholder(s).

The Applicant intends to revisit the need for an assessment of the potential effects of an increased demand for accommodation and construction workers when more data is available regarding number of construction workers. However, the Applicant confirmed that it anticipates this will be scoped out as the number of construction workers is unlikely to be significant. The Applicant intends that the above also applies to the assessment of potential effects on development land and businesses, the need for which will be revisited once the transport assessment has been completed.

The Applicant confirmed that the need for an assessment of potential effects on agricultural land holdings will be considered once it is known how much of the land included in the Environmental Mitigation Area identified in the Scoping Report will be required for mitigation.

In respect of ecology, the Applicant confirmed that the approach to the assessment of effects arising from the loss or disturbance of common and widespread habitats will be agreed with all relevant consultees.

The Applicant confirmed it does not intend to complete an assessment of potential effects of daytime and night-time lighting as the baseline survey completed for the Drax Repower project provides sufficient data and is still representative of the current environment. The Applicant will use the existing data to inform a Lighting Strategy Report.

Regarding ground conditions, the Applicant set out its intention to assess construction impacts of the Proposed Development on future users by using desk-based information. Remediation and validation will be recommended as mitigation for operational impacts. The Applicant anticipates that an assessment of the operational impacts would be scoped out as the mitigation provided for the construction impacts would also apply to the operational phase. This will be secured in the Register of Commitments.

The Applicant confirmed that it will provide further justification on the scoping out of Land Use, Land Use Change and Forestry (LULUCF), in response to the Inspectorate's comments in the Scoping Opinion that such an assessment should be included in the ES.

The Applicant confirmed that consultation with Natural England, the Maritime and Coastguard Agency and the Canal and River Trust is ongoing related to the possibility of upgrades to Drax Jetty. Highways England have also been consulted regarding transportation on and around the site. Engagement with these consultees will provide context for the need for a navigational risk assessment.

AOB

The Inspectorate confirmed that there were no additional parties to consult pursuant to Regulation 11(1)(c) of the EIA Regulations 2017.

The Applicant confirmed that the consultation strategy is being developed with sufficient flexibility for virtual and/or in-person events; the Applicant is in discussion with Local Planning Authorities (LPAs) in respect of this. The Inspectorate advised the Applicant to keep a clear record and audit trail of these discussions in the Consultation Report. The Applicant is awaiting feedback from LPAs regarding the draft Statement of Community Consultation (dSoCC).

The Applicant is currently in the process of preparing drawing frames for the project and would welcome the Inspectorate's feedback on these drawings.

The Inspectorate advised the Applicant to consider audiovisual (AV) services needed to run virtual examinations and procurement of these services more generally. The Inspectorate can send the Applicant an example Service Level Agreement which is used to list the range of services that are likely to be required and the GDPR safeguards that will need to be put in place for any virtual events, including livestreaming.

The Inspectorate asked about the implications of the Drax Repower DCO for this application. The Applicant advised that Drax Repower will not be included in the cumulative effects assessment, and the Applicant is proposing to include an Article within the Order to secure that should the BECCS Project be consented the Drax Repower Order would not be implemented.

The following actions were agreed:

- The Inspectorate to send the Applicant the Service Level Agreement for AV providers that support virtual events.