

Meeting Note

File reference	EN030001 Preesall Underground Gas Storage
Status	Final
Author	Rachael Walker

Meeting with	Halite
Meeting date	7.6.11
Attendees (IPC)	Tom Carpen (Case Leader) Ian Gambles (Director of Operations) Andrew Phillipson (Commissioner) Rachael Walker (Assistant Case Officer)
Attendees (non IPC)	Keith Budinger (CEO – Halite) Tim Smith (Berwin Leighton Paisner) Ian McLeod (Programme Manager – Halite)
Location	IPC Offices, Bristol

Meeting purpose	Update meeting for Preesall Underground Gas Storage. Introduction of the new CEO for Halite and to update the IPC on the progress and current status of the application.
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Summary of key points discussed and advice given	<p><u>Introductions</u></p> <p>IPC advised on its policy of openness and transparency. Issues discussed and advice given will be recorded and placed on IPC's website under s.51 of the Planning Act 2008 (PA 2008). Any advice given does not constitute legal advice upon which developers (or others) can rely. No advice can be given on the merits of an application.</p> <p>Halite gave a short presentation (see attached) on the progress of the application from 2010 to June 2011.</p> <p><u>Consultation</u></p> <p>Halite explained that consultation has now closed however responses received after the deadline of 27 May 2011 are still being taken into account and will be included in the Consultation Report. Halite considers that as a result of more information being made readily available to the public compared to previous applications, people feel more assured and have asked focussed detailed questions about the proposal. From the comments received, Halite considers that there are fewer objections on the principle of the scheme than in previous consultations. Halite also considers that the reason for this is attributable to people being better informed through its public awareness campaign, and that the fact of fewer consultation responses (compared to previous planning applications) Halite did not consider that it was indicative of any ineffectiveness in the consultation undertaken, nor did it consider</p>
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that it was as a result of the reduction in the size of the proposals from the previous scheme.

IPC advised Halite to consider how they will explain and give reasons in the Consultation Report for why there have been fewer responses and attendees to consultation events compared to previous occasions. An IPC advice note on the format of Consultation Reports will be issued soon.

IPC has been copied into consultation responses from some Parish Councils; the IPC asked what Halite's strategy is for responding to comments sent by Hambleton Parish Council, copied to the IPC claiming that it was not consulted properly.

Halite explained that it has extended the consultation period for Hambleton parish council and that it has records of where they have consulted so far.

Halite added that it has advised consultees who failed to respond within time that late responses would still be taken into account. There have been continuing discussions with Lancashire County Council regarding the Adequacy of Consultation Representation and no issues have been raised to date.

Draft Development Consent Order (DCO)

IPC advised Halite to provide a draft Order early on as experience from examinations so far has shown the need to ensure the draft Order is thoroughly prepared. The IPC is able to provide technical drafting comments but is not able give a view on the acceptability of the proposal as set out in the draft DCO. The IPC advised Halite to look at previous advice issued to guide the production of other draft DCOs.

The IPC advised that it is best practice to send draft documents to other statutory consultees for information and comment, in particular relevant draft requirements in the DCO. The IPC asked if relevant bodies have been included in such discussions.

Halite explained that it has an internal working draft DCO based on the Model Provisions. This draft has helped identify actions required in relation to discussions with relevant bodies. Halite also explained that Statements of Common Ground and Statements of Issues will be produced with the relevant bodies who will have a role in monitoring deemed consents. A schedule of consents has also been drafted listing required consents within and outside of the draft DCO.

IPC explained the extent to which discussions with and input from relevant bodies can have a bearing on the examination of the application. It is important to ensure that all parties are clear on what the consents are and who will monitor such consents. IPC also recommended Halite to look at how various bodies process an application for consent should any be sought outside the DCO and

how they will be monitored if included in the DCO.

Section 53 request

Halite asked about the information the IPC would need for it to demonstrate reasonable efforts had been taken to gain rights of entry to land for the purposes of surveys.

The IPC advised that an updated Advice Note will soon be published regarding section 53 applications. This will be distributed as soon as it is available. IPC also recommended that evidence provided in relation to discussions with the owner of affected land needs to be as detailed and as full as possible.

Examination

Halite enquired to what extent can a person or body make a recommendation to the IPC on the expertise an assessor will require, if one is needed, at examination.

The IPC advised that anyone can make a representation to the IPC of their opinion on which issues may require an assessor and expertise which may be necessary. Representations can be made at Pre-Examination or any point after Acceptance. However it is at the discretion of the Examining Authority (ExA) to what extent they consider the representation. These representations can also be included in a Statement of Common Ground, especially if in conjunction with a Local Authority. After the relevant representation period has closed the ExA will carry out the Initial Assessment of Issues in advance of a Preliminary Meeting. It will be at this point, or at any point thereafter, that an Assessor may be appointed if deemed necessary.

IPC also advised that a further outreach event may be considered suitable if an application is accepted to go forward to examination. IPC asked Halite to keep IPC informed of notification dates and timescales so an outreach can be organised if necessary.

Integration

Halite informed the IPC that they have been following the future of the IPC and the integration with the Planning Inspectorate (PINS).

IPC explained that the integration is going according to the intended timescale and if Parliament passes the Localism Bill according to its stated schedule integration will happen in April 2012. As of this date, the new PINS will include a National Infrastructure Directorate which will deal with all National Infrastructure Projects. The most significant change expected to the process is the removal of the decision making powers currently held by the IPC. Instead, a recommendation will be made to the relevant Secretary of State who will have a further 3 months to make their decision. The transitional arrangements are not yet finalised however the transition will be made as seamless as possible for current

	<p>applications. Any pre-application work will not need to be repeated.</p> <p><u>AOB</u></p> <p>IPC advised that it is worthwhile for Halite to continue to follow the applications which have been submitted to the IPC so far in regards to procedural and technical issues. It is also worthwhile to keep track of advice given to all developers on the advice log on the internet.</p> <p>Halite informed IPC that a question regarding the extent to which a Hazards Substances Consent can be included in the provision of the DCO will be submitted in writing for a full and informed answer.</p>
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Specific decisions/ follow up required?	<p>Send Advice Notes on Section 53 and Consultation Report.</p> <p>Halite will submit an enquiry on Hazards and Substances Consent within the DCO to IPC for response.</p>
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