



## Meeting note

<b>File reference</b>	EN06004 River Humber Gas Pipeline Replacement
<b>Status</b>	<b>Final</b>
<b>Author</b>	Ewa Sherman
<b>Date</b>	10 November 2014
<b>Meeting with</b>	The applicant National Grid
<b>Venue</b>	Meeting Room M2, Temple Quay House, Temple Quay, Bristol BS1 6PN
<b>Attendees</b>	<b>Planning Inspectorate</b> Tom Carpen – Infrastructure Planning Lead Ewa Sherman – Case Officer Ken Taylor – Infrastructure Planning Lead Karen Wilkinson – EIA and Land Rights Advisor Hannah Pratt – EIA and Land Rights Advisor <b>The Applicant</b> Paul Lee – Project Manager Nicky Hartley – EIA Project Manager Nicholas Dexter – Consent Officer
<b>Meeting objectives</b>	Project update
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given

The applicant was reminded of the Planning Inspectorate's openness policy. Any advice given will be recorded and published on the planning portal website under s51 of the Planning Act 2008 (as amended by Localism Act 2011) (PA 2008) and the advice given does not constitute legal advice upon which the applicants (or others) can rely.

### Project update

After the introductions the applicant, National Grid (NG), delivered a presentation on the project, which is the replacement of approximately 6km of gas pipeline under the River Humber. The applicant explained how the project design has evolved since a scoping opinion was requested from the Planning Inspectorate in May 2014. This included a decision to move the drive pit on the Goxhill (south side) back by 100m and changing the design of the entrance to the tunnelling works on the Paull (north side of the River Humber) from a sloping tunnel to a 15m wide shaft. The applicant also explained that the water used to test the pipeline integrity would likely be sourced either from Thorngumbald Drain to the north of the River Humber or on the south side. The water from dewatering the spoil would be stored and used for testing.

The applicant also provided information on the draft traffic routes on both sides of the proposed development around the existing Above Ground Installations (AGI) near Goxhill and Paull. One-way construction traffic routes have been defined on both sides of the River Humber and the applicant is proposing to construct passing places within the verges along the existing roads. There are currently on-going negotiations with the landowner whose track near Paull is proposed to be used for the construction traffic; if used, there would be no requirement for passing places to be included in the DCO on the north side of the River Humber.

The applicant advised that the project would be constructed in four phases over approximately 35 months, with about 10 to 12 months of tunnel boring. The duration of the construction works would be longer on the southern side, near Goxhill.

The disposal or re-use of tunnel arisings was discussed and the applicant advised that they are considering the following options: if the material is appropriate it could be re-used by the Environment Agency in their future realignment schemes; use by other developments in the area (such as Able Marine Park); restoring landfill or disused quarries; spreading on land to improve the soil quality; and lastly, the least preferred option of sending to landfill. If the arisings are re-used, they may be temporarily stored on site (within the application boundary) if the re-use option is not imminent; however all arisings would be removed from the site by the end of construction period. The applicant explained that they are considering how to address the uncertainty that this causes in the traffic assessment and are exploring the worst case scenario for removing arisings from site. This includes options of regularly spaced out traffic movements over the whole construction period or a focussed period of all traffic movements taking place in a short space of time.

The Inspectorate queried whether the local authorities had clear policies in relation to disposal to landfill and whether the proposal was in accordance with them. It also queried whether a requirement to detail how the tunnel arisings would be disposed of would be included in the DCO. NG advised that they are working on the draft Construction Environmental Management Plan which will require the contractor to demonstrate they have considered a waste hierarchy in determining how the arisings are dealt with. The CEMP is due to be completed by the end of January 2015, as well as the scope for the Site Water Management Plan and a Flood Resilience Plan (as discussed with EA).

The applicant also provided information on the methods of the tunnel construction, indicating that the shafts / pits could be up to 20m deep on either side of the river, the use of a tunnel boring machine to excavate the tunnel beneath the river, lining the tunnel with concrete segments and transporting excavated material for reuse/disposal away from the site. The prefabricated sections would be assembled onsite; the pipeline would be pulled in to the tunnel in lengths of up to 800m. Once complete the tunnel shafts will be filled with sea water and land restored as close as practical to its original condition. The pipelines are designed to last for 40 years and the tunnel for 100 years and the applicant does not anticipate the need to access the pipeline once the project is completed.

### **Consultation update**

The applicant confirmed that stage 2 of statutory consultation has been carried out between 22 September and 31 October 2014. However, it has agreed extensions with

two local authorities. Over 130 people attended three events, two on the South of the river (East Halton and Goxhill) and one on the North side (Paull). 75 pieces of feedback received have related mostly to traffic routes and conditions of roads, and also to the use of spoil for strengthening flood defences in the area.

The applicant confirmed as anticipated that they intend to submit the DCO application in March 2015.

### **Habitats Regulations Assessment**

The applicant advised that they have completed all bird surveys and met with Natural England in the summer to discuss the data available at the time and the potential impacts on European sites. The applicant explained that on the basis of the information at the time, Natural England could not rule out a likely significant effect on bird interest features of the Humber Estuary SPA and Ramsar site. The applicant has since undertaken further noise modelling and an assessment of lighting impacts on birds and believes that the project will not have a significant effect on bird interest features of the Humber Estuary SPA and Ramsar site. The applicant has submitted a revised draft report to Natural England and is awaiting feedback.

The applicant confirmed that Natural England has agreed that impacts on the Humber Estuary SAC features (specifically noise impacts from the tunnel boring machine on fish species including lamprey) could be screened out due to the lack of spawning grounds near the project which would be below the river bed and the depth of the tunnel. The applicant confirmed they would include information to support this conclusion in their NSER. The Inspectorate noted Marine Management Organisation (MMO) had raised concerns over noise impacts on fish species in their scoping response and advised the applicant to also consult with MMO on the issue.

[Post meeting note – on further consideration, the applicant may also wish to discuss this issue with the Environment Agency.]

The Inspectorate emphasised that the NSER should clearly demonstrate how mitigation relied upon to reach the conclusion of no likely significant effect is secured in the DCO.

### **EIA Screening**

NG confirmed that they are currently determining whether to request a second screening opinion from the Department for Energy and Climate Change (DECC) and/or the Planning Inspectorate. Merits of re-screening were discussed and the Inspectorate advised the applicant to seek further legal advice.

### **Submission and review of documents by the Planning Inspectorate**

The Inspectorate confirmed the availability of the pre-application service in relation to reviewing draft documents before their formal submission. The following documents can be reviewed: Development Consent Order, Explanatory Memorandum, Works and Land plans, Habitats Regulations Assessment (HRA) Report, and Consultation Report, including the appendices which would assist in demonstrating how the applicant fulfilled its statutory duty to consult. Additionally, if the compulsory acquisition matters are not resolved by the time of submission the applicant might wish to submit draft Book of Reference and the Statement of Reasons for comments.

The Inspectorate advised that as a general rule it takes three to four weeks to assess draft documents the first time around and two – three months overall if iterations of

draft documents are likely to be submitted. The applicant stated they would provide their draft documents in early or mid January 2015.

### **Key lessons learnt from other projects**

The Inspectorate emphasised that clarity and communication are vital regarding all application documents. For example during the acceptance stage the Inspectorate will be requesting from the local authorities their comments on the adequacy of consultation. Therefore it is important that the Consultation Report presents information clearly on whether NG have consulted properly and had regard to the consultation responses, and the applicant may wish to work with the local authorities and share the consultation report in advance.

The Inspectorate also advised that if the applicant has reached an agreement with any statutory bodies (such as Natural England) providing such evidence would be very helpful. The applicant advised that they are currently working on the Statements of Common Ground with intention of submitting them together with the DCO application.

The Inspectorate recommends that a 'mitigation tracker' identifying mitigation proposed in the ES and cross referring to specific provisions proposed is included within the draft DCO. This would be a useful check for the applicant in preparing their application and will give the Examining authority confidence that all mitigation is adequately secured.

Regarding the draft DCO the Inspectorate advised that the applicant must be precise on what powers they wish to secure through the DCO, whether they have been tested and consulted on, what their impact would be and how they could be mitigated. A new Advice Note 15 has been just published, providing information on drafting DCOs, and it can be accessed here: <http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/>.