



Meeting note

File reference	EN070003
Status	Final
Author	Louise Evans
Date	6 th March
Meeting with	Thorpe Marsh Power Ltd
Venue	Temple Quay House, Bristol
Attendees	The Planning Inspectorate Tom Carpen – Infrastructure Planning Lead Hannah Nelson – EIA and Land Rights Advisor Louise Evans – Case Officer Applicant Matthew Sheppard – Turley Associates Sarah Mee – Thorpe Marsh Power Ltd David Wood – Hogan Lovells International LLP Claire Dutch – Hogan Lovells International LLP
Meeting objectives	Project update meeting between PINS and the applicant to discuss outcomes of the 1st phase of consultation and the next stage of the pre-application process.
Circulation	All attendees

Summary of key points discussed and advice given:

Introduction

PINS and the applicant introduced their respective teams and roles to each other. PINS advised the applicant about their openness policy (that any advice given will be recorded and placed on the National Infrastructure pages of the planning portal website under s51 of the Planning Act 2008 (as amended by the Localism Act 2011) (PA 2008) and that any advice given does not constitute legal advice upon which developers (or others) can rely).

Consultation

The applicant gave update on the project, and advised that it has started consultation under sections 42 and 47 of the Act on the route corridor.

PINS asked whether the applicant is intending to seek any powers of compulsory acquisition. The applicant confirmed that they have agreements in principle with the significant majority of the affected landowners/occupiers, and negotiations remain on-going.

Stage 2 consultation will begin at the end of April 2014. The applicant confirmed that they will repeat same exercises as they did during the 1st phase of consultation and will run for the same length; however they will reduce the number of public exhibitions to four, as there was less interest than was initially anticipated during the 1st phase.

The applicant advised that it is also currently preparing draft documents for submission (see draft documents discussion later in the meeting note).

Project definition

The applicant confirmed that the route of the pipeline and the location of the above ground infrastructure remains the same as was described in the Scoping Report (dated October 2012).

The pipeline corridor is now fixed at a working width of 30m, except where certain construction practices require a greater working width. The applicant confirmed that the main construction compound will be located on an airfield close to the pipeline route.

PINS advised the applicant that all works being sought for in the DCO would have to be within the red line boundary, and there will be a need for the ES to include an assessment of the environmental effects associated with the construction compound.

Applicant's Queries (questions submitted by the applicant to PINS prior to the meeting)

3.1 Pipeline Route. We intend to comply with Reg 5 (2) (j)(i) (proposed route and alignment of the development) by showing the 30m wide working width on both the land plans and works plans. The pipeline will sit within the working width. We intend to set horizontal limits of deviation accordingly. Will this approach meet the requirements of Reg 5?

PINS advised that the plans should identify the horizontal limits of deviation as well as the working width, and that it would be important for the works plan to clearly differentiate between the two. PINS advised that it would be able to provide further advice on receipt of draft works plans but that the applicant may wish to consider recent applications for linear schemes as examples.

3.2 Scoping Opinion. We have agreed slightly different assessment techniques to those specified in the scoping opinion. We are progressing on the basis that following the methods and approaches agreed with key consultees is acceptable, as this should feed through to Local Impact Reports. Is deviation from the scoping opinion as a result of alternative agreements being reached acceptable?

PINS confirmed that the agreement on the scope of the environmental assessment was based on the information available at the time in the applicant's Scoping Report (dated October 2012). PINS welcomes that the applicant has been speaking with Local

Authorities and other statutory consultees to agree the assessment methodologies, and accepts that such approaches may evolve over time as more information becomes available. PINS advises that any deviation from the assessment approaches agreed in the Scoping Opinion (December 2012) should be clearly explained in the Environmental Statement. PINS advised the applicant that if they think their assessment approach and is sufficiently different from that agreed in the Scoping Opinion (December 2012), they should consider requesting a new Scoping Opinion from the Secretary of State.

Issues from Consultation

The applicant provided a summary of the main issues it considered were raised during the first round of formal consultation. These included the proximity of the development to Fenwick Hall (a scheduled ancient monument), the management of flood risk, and the control of traffic and other activities associated with the construction of the development.

The applicant advised that following consultation with Natural England, they have written agreement that no European designated sites are likely to be affected by the development and therefore a HRA is not required. PINS advised the Applicant to submit this evidence within their application.

The applicant had discovered during the 1st phase of consultation that some members of the public who had experience of a previous examination into a Nationally Significant Infrastructure Project had views about the process that were more appropriate for PINS to handle. However, the applicant asked if there was anything it could do to address these at pre-application to avoid issues at examination.

PINS advised the applicant to continue to undertake its pre-application duties and to include throughout the consultation report how they have shown regard to any opinion/issue raised during the consultation stages.

PINS also advised that it may be able to facilitate meetings with local authorities/statutory bodies, where this could help the applicant identify potential issues or address any procedural questions about examinations.

Project Plan

The applicant confirmed exhibitions would be starting at the end of April 2014 which would give them time to finalise the SoCC and the draft Environmental Statement, and will run until the end of June. The applicant still intends to submit their application during the 3rd quarter of this year, ideally at the end of August.

The 2nd SoCC is currently with the local authorities and the applicant is still accepting their comments.

Draft Documents

PINS outlined the 2-3 month timeframe required after the submission of the draft documents – this would allow for sufficient time to review the documents and a meeting between PINS and the applicant to discuss any issues found. PINS also confirmed the documents required for review (DCO, consultation report, land and work plans, book of reference and explanatory memorandum) and advised that

although their consultation is being carried out in two separate stages it would be preferable if all draft documents were submitted in full. A second draft potentially could be submitted but sufficient time must be allowed for PINS to conduct a full review.

Consents outside the Development Consent Order (DCO)

PINS asked the applicant if they were currently aware of any consents they would require outside of the DCO process. The applicant stated that there may be a potential need for hedgerow removal consents and Environment Agency consent for discharges associated with the construction phase discharge. PINS advised that the Examining Authority would look for a letter of no impediment from Natural England and a letter of comfort from the Environmental Agency to understand whether there would be any issues preventing the grant of licences / permits outside the DCO.

PINS advised the applicant to consider the need to factor the submission of draft applications to the relevant consenting bodies into their project plan, to ensure letters of no impediment could be obtained to support their DCO application. PINS suggested that the applicant could, if they chose, use the services of the Consent Services Unit (CSU), which comprises of technical expertise from Natural England and the Environmental Agency. CSU would be able to advise on the consents required for their application, and assist in creating a consents management plan. PINS confirmed that the contact details for the CSU are available on the National Infrastructure Pages of the Planning Portal.