



Meeting note

File reference	None
Status	FINAL
Author	Robert Ranger
Date	12 March 2015
Meeting with	Hydrodec Group
Venue	Temple Quay House, Temple Quay, Bristol, BS3 1RE
Attendees	The Planning Inspectorate Mark Wilson – Infrastructure Planning Lead Robert Ranger – Case Manager Will Spencer – EIA Adviser Hydrodec Group Iain Lees – Hydrodec Group Daniel Jackson – Indigo Planning Nick Fillingham – Indigo Planning
Meeting objectives	Initial project introduction for the proposed oil re-refinery facility at QEII Dock, Eastham, Wirral
Circulation	All attendees.

Summary of key points discussed and advice given:

Hydrodec Group (HDG) was advised about the openness policy and that any advice given will be recorded and placed on the Planning Inspectorate's (PINS) website in form of a meeting note. PINS explained that any advice given does not constitute legal advice upon which applicants (or others) should rely on.

Introductions and scheme description

PINS and HDG introduced their delegates, and HDG explained their proposal to develop a re-refinery facility to reprocess hazardous waste oil products to beneficial use at QEII Dock near Wirral; a proposal which they consider is consistent with national and international policy, and commitments on waste management.

HDG confirmed their current understanding that the input waste that will be processed at the proposed facility is hazardous waste within the meaning in the 2005 regulations, and that the proposed processing of that waste is recovery within the meaning in those regulations, and that the capacity of the proposed facility is expected to be more than 30,000 tonnes per year. It is likely, therefore, that the scheme will require a Development Consent Order rather than Planning Permission.

Informed by comprehensive non-statutory consultation, this scheme has been developed with a degree of completeness that would (in the view of HDG) allow an application to be made in short order. However, the consenting strategy to date has not been tailored to meet the statutory pre-application requirements of the Development Consent Order process. HDG is therefore keen to meet these statutory requirements as soon as possible by making full use of the work already carried out.

Overview of NSIP procedure and required documentation

PINS explained that the DCO process includes certain statutory pre-application consultation requirements that are intended to give structure to an applicant's pre-application consultation. A strategy designed purely to meet these requirements in the shortest possible time could be developed.

PINS advise that if HDG wanted to proceed at pace, following a decision to seek development consent, then they should consider appointing a legal firm to assist with the production of the draft DCO and other required application documents.

PINS is prepared to offer advice relevant to this; but implementing such a strategy should only be attempted where an applicant is confident that their non-statutory consultation has been adequate to inform the scheme. Inadequate consultation can result in an application that is not of a standard the secretary of state can consider satisfactory; the pre-application stage is a vital opportunity to create a better quality application, which can shorten the overall process. The [Planning Act 2008 guidance on the pre-application process](#) (Published by the Department for Communities and Local Government, January 2013) may be of assistance.

PINS also noted that many of the requirements include statutory minimum periods, and that an even an accelerated strategy would realistically require several months to complete.

PINS explained that an application for a Development Consent Order must be accompanied by a draft of the order that is sought; and that a Development Consent Order (being an instrument drafted to the circumstances of each scheme) can authorise considerably broader powers than can be secured through a Planning Permission. It can also incorporate other consents (such as Hazardous Substances Consent). PINS advised that HDG should consider whether their revised consenting strategy is taking full advantage of the new consenting route, and suggested that experienced legal advice could be of value to HDG.

PINS gave a general overview of the DCO examination process, statutory timescales, EIA and HRA procedures and processes, and fees, in line with the advice contained in advice notes 1 through 16, which can be found on the PINS website at <http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/>

PINS advised that it is not mandatory to seek a scoping opinion if an applicant is confident that their ES is already sufficiently developed; but if HDG wishes to seek a scoping opinion from PINS, advance notice of that intention would be appreciated. PINS drew attention to the scoping opinions on the website as examples of PINS scoping opinions.

HDG agreed to consider next steps and update PINS as necessary in the coming weeks.