



Meeting Note

File reference	EN010015
Status	FINAL
Author	Stella Perrett

Meeting with	RWE npower ; Atlantic Array Team	
Meeting date	25th October 2012	
Attendees (Planning Inspectorate)	Simone Wilding	Case Leader
	Gail Boyle	EIA
	David Price	EIA
	Tim Hallam	Lawyer
	Stella Perrett	Assistant Case Officer
Attendees (non Planning Inspectorate)	Gill Moore	Offshore Consents Manager
	Paul Carter	Offshore Developer
	Natasha Bacon	Onshore consents Manager
	John Houghton	Legal Advisor to RWE (Bond Pearce)
	Claire Rees	Legal Advisor to RWE (Bond Pearce)
Location	2 Rivergate, Temple Quay, Bristol	

Meeting purpose	To update the Planning Inspectorate generally about the project issues and timeline, and to discuss the draft Development Consent Order (DCO)
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Summary of key points discussed and advice given	<p>PINS advised on its policy of openness and transparency and the record of the meeting to be published on the National Infrastructure Portal (NI website) under s51 of the 2008 Planning Act as amended (PA 2008). Any advice given under s51 does not constitute legal advice.</p> <p>Changes to project team Robert Thornhill has left the team and will be replaced as Project Manager by Craig Harwood on 1st November. Natasha Bacon will become Consents Manager for the whole Project.</p> <p>Section 42 Consultation RWE carried out s42 consultation over July/August 2012 providing consultees twice the statutory period to respond. The majority of consultees responded on time, but some sent in their responses significantly later and some are still yet to respond.</p> <p>Project Update and Programme Because of dealing with late responses to their s42 consultation, and the changes to their team, RWE will not now be submitting before spring 2013.</p>
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PINS advised RWE that in considering how to deal with issues raised by a late response they should be mindful of the risk of leaving key issues unresolved prior to submission. As the statutory examination period of 6 months cannot usually be extended, it is likely to be too short to resolve any fundamental outstanding matters.

RWE will be putting out a press release mid-November about their possible submission date.

PINS explained that it will send a warm-up letter to the relevant Local Authorities about 5-6 weeks prior to submission to encourage appropriate delegations to be put in place for a quick turn around of adequacy of consultation responses.

Informal Public Consultation

Over the summer, RWE held 13 public exhibitions to which over 1000 people came. They recorded all the responses, and from feedback forms filled in at public exhibitions the feedback was approximately 50-50 for and against the scheme. PINS reported that they had little contact from the public about the scheme and consistently advised people to liaise directly with RWE prior to the application's submission.

Section 42 consultation

RWE are now talking to their respondees, but not yet consulting on the draft DCO, which will be their next stage.

PINS suggested that they consult the MMO (Marine Management Organisation) about the draft DCO soon to give them sufficient time to respond.

RWE confirmed that the flexibility in their draft DCO was included in their exhibitions. They showed the worst possible visual effect from both coasts.

PINS highlighted that as the s46 notification had only been sent to PINS in June 2012 The Infrastructure Planning (Transitional Provisions) Direction 2012 does not apply to this project. RWE should therefore satisfy itself that it can adequately address this matter in their consultation report when submitting their application.

Transboundary Screening Matrix

PINS will be producing the transboundary screening matrix over the next month or two and will advise RWE of the outcome. It will be published on the NI website and will be ongoing throughout the process. PINS will request more information if necessary.

Plans, Onshore and Offshore

The meeting looked at the published location map. There was a discussion about suitable scales and numbers of the offshore maps, and showing the boundaries of the Deemed Marine Licence (DML) and the Welsh boundary.

PINS advised that the way co-ordinates are referenced in the plans and draft DCO should be consistent. Also that a larger scale map where the cable comes ashore would be helpful. It

was agreed that RWE would present draft offshore plans to PINS to receive advice about the scale at which they should be presented.

PINS also recommended RWE look at the revised Advice Note 6 which has been updated to reflect the changes brought in by the Localism Act. It includes as annex an updated s55 checklist and the electronic document index which PINS requests developers to use to assist with the uploading of application documents to the NI web-site in the event of an accepted application.

Habitat Regulations Assessment

RWE will be consulting the statutory nature conservation bodies on their Habitats Regulations Assessment (HRA) shortly. They have some ornithology issues to resolve.

PINS suggested RWE look at what statutory consultees have said about these issues on other projects. This is a key area to resolve at the pre-application stage because it can be very time-consuming to reach agreement on and presents a high risk if unresolved.

PINS advised that RWE should look at the commitments made by NE to NSIP projects in the relevant Annex of PINS Advice Note 11.

PINS advised that a revision of PINS Advice Note 10 on HRA is being published imminently. This will include matrices which PINS will be expecting developers to submit with their applications in future. (now published and available online)

RWE's draft HRA screening document is progressing and has been consulted on as part of the s42 consultation.

PINS suggested that RWE may wish to consider including in their consultation report any key responses to their consultation as eg from the statutory nature conservation bodies. RWE expect their draft HRA report to be ready by the end of November. PINS offered to provide high-level comments on this.

Draft DCO

Following the structure of the draft DCO PINS asked for clarification and/or provided advice on several articles and requirements as set out in the attached letter.

RWE will need to ensure the draft DCO includes all the powers necessary to carry out the project and secure the required mitigation in accordance with the Environmental Statement. RWE will clarify the name of the company (Channel Energy Ltd) in their Funding Statement.

PINS suggested RWE may wish to look at other published draft DCOs relating to off-shore wind schemes as eg the ExA's draft DCO produced for Kentish Flats Extension. PINS also referred RWE to recent advice published about the laying of sub-sea cables.

RWE said they do not expect to have to use compulsory acquisition powers on any statutory undertakers to be affected by the project. They have therefore not included any protective provisions in the draft DCO.

Specific decisions/ follow up required?	PINS will send RWE the electronic filing index template PINS will send a draft meeting note and advice on the draft DCO separately.
Circulation List	All Attendees All PINS project team