



## Meeting Note

<b>File reference</b>	<b>EN010044 – Roosecote (Barrow) Biomass Project</b>
<b>Status</b>	<b>Final</b>
<b>Author</b>	<b>Karl-Jonas Johansson</b>

<b>Meeting with</b>	<b>Centrica Energy</b>
<b>Meeting date</b>	<b>27 April 2012</b>
<b>Attendees (Planning Inspectorate)</b>	<b>Robert Upton (Senior Examining Inspector) Tom Carpen (Principal Case Manager) Chris White (Case Manager) Luke Barfoot (Lawyer) Laura Allen (EIA) Alan Nettey (Case Officer) Karl-Jonas Johansson (Assistant Case Officer)</b>
<b>Attendees (non Planning Inspectorate)</b>	<b>Christopher LeCointe (RPS) Steven Collings (Eversheds) Mark Manley (Centrica) Keith Jones (RPS) Ian Jeffcoat (Povry Energy)</b>
<b>Location</b>	<b>Temple Quay House, Bristol</b>

<b>Meeting purpose</b>	<b>Applicant to provide update on the project and the consultation undertaken to date. Feedback on draft submission documents supplied to the National Infrastructure Directorate.</b>
------------------------	--

<b>Summary of key points discussed and advice given</b>	<p><b>Project update and timing of application</b></p> <p>The developer advised that the intended submission date has been moved from the first week of May to the end of May.</p> <p><b>Consultation progress</b></p> <p>PINS was informed by the developer that two more additional consultations had been carried out after the formal consultation process had closed. One was with regard to the local community in Rampside where residents had claimed to be unaware of the project and the second one related to the temporary closure of a railway bridge which would affect access to properties.</p> <p>The consultations are being conducted in line with the SoCC.</p> <p>In response to a PINS question about the consultation responses and the status of the consultation report the</p>
---	--

developer stated that the report will contain all the original responses but is currently a work in progress. .

PINS noted that submitting the application at the end of May might cause problems for the local authority to comment on adequacy of consultation due to the number of bank holidays coming up in June.

### **Transport assessment**

PINS queried what the impact of lorry traffic would be. The developer stated that import of material by road was not an option – except on a temporary basis in an emergency. This will be explained clearly in the application. The importation of sand and limestone to the site and removal of waste products from the site will be by road unless rail can be used – this will also be clearly set out in the application documents. According to the developer, traffic impacts will not be significant enough to require any off-site road works.

### **Section 106 agreements**

The developer advised that at present there are no off-site road works covered by the proposed S.106. The developer referred to a possible community benefits package that would fall outside S.106.

### **Draft DCO, Plans, Book of Reference, Explanatory Memorandum**

PINS asked about the discharge of DCO requirements. The developer was of the opinion that all requirements would be discharged by Barrow Borough Council.

The developer advised that:

- A revised pre-submission draft DCO, taking on board PINS' comments, should be complete next week and circulated. The model provisions will be used to inform the drafting of the DCO.
- Part of the boundary of the scheme has been altered in the updated DCO to remove certain land that was no longer required.
- The draft pre-submission Book of Reference is complete together with the works plans and land plans.

As regards provisions in the DCO relating to railways, the developer explained that they would be operating their own trains on track that was not part of the National Rail

Network and that the draft DCO contained a power to transport goods and to operate trains using the relevant railways.

PINS confirmed the need for the explanatory memorandum to set out the purpose and effect of all of the provisions in the draft DCO.

### **MMO Licence and environmental permit**

The developer informed PINS that they met with the MMO two weeks ago to discuss the draft marine licence.

With regard to the environmental permit, PINS was informed that an application was to be made to the Environment Agency shortly. PINS informed the developer that the Examining Authority (ExA) might seek a view from the Environment Agency as to whether a permit was likely to be granted during the examination.

The developer said that the discharge of cooling water to Cavendish Dock would be within the parameters of the existing permit for the existing power station.

PINS were informed by the developer that Natural England has queries about acid deposits from the proposed stack in the Morecambe Bay SAC. According to the studies the developer had conducted, there would not be any significant effects on the current level of acidity. The developer was not intending to modify the stack height.

### **Potential impacts on ecological designated sites**

Due to the close proximity of the proposed development site to several European sites, PINS advised the developer to refer to the PINS guidance on HRA in Advice Note 10 available on the infrastructure website. PINS referred the developer to the checklists contained in the appendices attached to Advice Note 10 which should be completed by a developer prior to submission of the application to assist in the production of the developer's HRA Report. The completed checklists should be provided with the DCO application.

In terms of wildlife, the developer informed PINS that the RSPB had been consulted and the migrating bird population had been surveyed for approximately 18 months. The conclusion was that no adverse effect was found and material supporting this finding would be included in the report. PINS informed the developer that we are able to review draft HRA reports prior to submission to provide comments on the process adopted and how the information has been presented. PINS explained that it would not

provide any comments on the conclusions reached in the HRA reports.

As the developer has identified that the infilling of Cavendish Dock would be required for the creation of a new rail siding, PINS sought clarification from the developer whether this work would damage any of the flora, fauna or geological or physiographical features by reason of which the SSSI is of special interest. If so, is consent required from Natural England under s.28(1)b of the Wildlife and Countryside Act 1981? The developer stated that they would consider this.

PINS advised the developer to be aware of Advice Note 12 and Regulation 24 of the Environmental Impact Assessment Regulations 2009 (as amended) with regard to possible transboundary effects. If any are identified these should be clearly stated and assessed as part of the application.

### **Statement of Reasons, Funding Statement, Section 127 Planning Act 2008 applications**

The developer indicated that the land of 6 utilities companies would be affected by the DCO and certificates under s.127 of the Planning Act 2008 to enable acquisition will be sought at the same time as the draft DCO is submitted.

### **AOB**

PINS advised the developer of the following

- Our Advice Notes have been updated following the abolition of the IPC.
- The developer should ensure that all statutory consultees have been consulted in line with the requirements of s.42 in the PA 2008.
- The Localism Act 2011 changed the status of A and B authorities and there are now A, B, C and D authorities.
- The Examining authority will be appointed by the SoS and whether a single Examining Inspector or panel of Examining Inspectors would be appointed would depend on the issues that emerge from the submitted application. This project might be able to be dealt with by a single Examining Inspector but a decision would be made by the Secretary of State after submission. .
- The limits of deviation on railway works needs to be defined in the application.
- Check that all maps and plans have north clearly marked on them and the scales are correct and in accordance with the relevant advice and guidance.
- New shape files setting out the final submission redline boundary for the proposed project needed to

	<p>be sent to the PINS, ideally 2 weeks prior to submission to assist PINS in considering the application.</p> <ul style="list-style-type: none"> <li>• It would also assist PINS if a draft of the DCO application form could be provided for review.</li> </ul> <p>Regarding changes to a project, PINS advised the developer to read Bob Neil's letter to the IPC on the national infrastructure portal. For advice regarding alternatives in a draft DCO, they should also see Ian Gambles' letter to National Grid on the national infrastructure portal. The developer was also advised to look how amendments were addressed at the Brig-y-Cwm examination. As regards the procedure for approval of elements of a project once a DCO is made, PINS advised that this would generally be dealt with in accordance with the terms of the DCO itself; development falling outside the scope of a DCO would need to be dealt with under the relevant applicable legislation.</p> <p>In terms of Statements of Common Ground, PINS advised the developer to define either what you agree upon or disagree upon with the relevant parties.</p>
<b>Specific decisions/ follow up required?</b>	Centrica to send PINS the PowerPoint presentation from the meeting.
<b>Circulation List</b>	All attendees.