



## Meeting note

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<b>Status</b>	<b>Draft</b>
<b>Author</b>	Karl-Jonas Johansson
<b>Date</b>	16 September 2016
<b>Meeting with</b>	Eggborough Power Limited
<b>Venue</b>	Telecon
<b>Attendees</b>	<b>The Planning Inspectorate:</b> Tom Carpen (Infrastructure Planning Lead) Richard Kent (EIA and Land Advisor) Stephanie Newman (EIA and Land Advisor) Karl-Jonas Johansson (Case Officer)  <b>Eggborough Power Limited</b> James Crankshaw (Eggborough Power Limited) Jason Morris (Eggborough Power Limited) Geoff Bullock (Dalton Warner Davis LLP) Jake Barnes-Gott (Dalton Warner Davis LLP) Richard Lowe (AECOM) Jonathan Riley (Pinsent Masons)
<b>Meeting objectives</b>	Project update meeting
<b>Circulation</b>	All attendees.

### Summary of key points discussed and advice given:

#### Introduction

The Applicant and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate continued by outlining its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under s.51 of the Planning Act 2008 (PA 2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely.

#### General project update

The Applicant informed the Inspectorate that it has initiated contact with key consultees such as Selby District Council (SDC), North Yorkshire County Council

(NYCC), Natural England (NE) and the Environment Agency (EA) to discuss specific matters relating to these consultees' remits.

SDC and NYCC are currently being formally consulted on the draft Statement of Community Consultation (SoCC). This followed informal consultation on the SoCC. The Inspectorate noted that the consultation report will need to show how the Applicant complied with the SoCC. The Applicant was advised of the need to provide justification in its consultation report on any aspects of the SoCC that are not implemented.

The Applicant is currently conducting its Stage 1 non-statutory consultation within the defined consultation zone until 14 October 2016. The consultation will be given the same weight as the statutory (Stage 2) consultation planned for January 2017 when finalizing the application. In between the two consultation phases the Applicant intends to continue to hold meetings with key consultees with the aim of resolving any outstanding issues.

The Applicant was advised that the Inspectorate can chair a meeting with the Applicant and key consultees after the statutory consultation has ended to help the parties to reach agreement on any outstanding issues before the formal submission of the application.

## **EIA Scoping**

The Applicant identified a discrepancy on one of the figures appended to the Scoping Report depicting the different site configuration options to those described in the text. This was discussed and the Inspectorate was of the view that this was a minor issue as the main body of text in the Scoping Report was very clear on which site options were under consideration and which site options had been disregarded. The Inspectorate did not consider it necessary for the Applicant to provide a revised Scoping Report. The Inspectorate explained that the error would be noted within the Secretary of State's Scoping Opinion to clarify for readers the basis on which the Secretary of State had reached their opinion.

The Applicant was informed that the Marine Management Organisation (MMO) had contacted the Inspectorate since they had not been sent a consultation letter. It was clarified that the MMO has now been notified by the Inspectorate under Regulation 9 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) and that the MMO was aiming to provide a response before the statutory deadline.

The Applicant explained that, at this stage, it has not identified any European designated sites likely to experience significant effects as a result of the project (although assessment work and discussions with statutory consultees remain ongoing).

## **Surveys**

The Applicant reported that discussions with NE regarding surveys were progressing well and the NE currently has no objections to the Applicant's approach to how it plans to conduct them. The Applicant informed the Inspectorate that NE had requested that the Applicant conduct an Agricultural Land Survey, which will be done later in 2016. It is the Applicant's intention to use these discussions as the basis for its Statement of

Common Ground (SoCG) with NE, which the Applicant hopes to submit as part of the application. It was further clarified that the Applicant intends to try to finalise as many SoCG as it can before submitting the application and if necessary use the consultees' discretionary services to facilitate this. Any outstanding SoCG will be submitted as drafts with the application with the consultees' agreement.

### **Compulsory Acquisition and Access to land under s53 of PA2008**

The Applicant does not envisage any major land issues around the main site as it is owned by the Applicant. A preferred gas pipeline connection route has not been finalised and the Applicant is currently consulting on two options. The corridors are currently quite broad so they can mitigate some issues that might impact the routes. The Applicant does not envisage having to use s53 of PA2008 to get access to land but will review this as new land owners impacted by the project are identified. The Applicant clarified that the DCO will contain compulsory acquisition powers but the ambition is to secure access to land by private agreement.

### **Draft Documents review**

The Applicant stated a preference for two reviews of the draft documents with the first review planned for March 2017 to ensure that it can submit the application in May 2017. The Applicant was advised to programme in four weeks from receipt to a feedback meeting, for the first review of the documents and to start making a shortlist of the documents they would like the Inspectorate to review. Typically, the Inspectorate has reviewed the DCO, the explanatory memorandum, statement of reasons, funding statement, works and land plans, and consultation report and appendices.

### **AOB**

The Inspectorate noted (and the Applicant agreed) that the proposed approach to assessing the cumulative effects of the potentially simultaneous decommissioning and demolition of the existing coal-fired power station and the construction and commissioning of the new CCGT plant will be a key issue for the EIA. This aspect is recognised in the Scoping Report, and will be discussed as part of the Secretary of State's Scoping Opinion.

The Applicant is currently discussing the scope for a Planning Performance Agreement with SDC and NYCC.

The Inspectorate asked for an indication of some of the potential issues people have raised with the Applicant. The Applicant advised that based on its early discussions, it has received feedback on heritage assets, the future of the site and socio-economic and traffic impacts on the local area arising from the project.

### **Specific decisions / follow up required?**

- The Inspectorate to set up monthly update meetings.
- Site visit with key consultees to be arranged either October 2016/January 2016.