



## Meeting note

<b>File reference</b>	Keuper Underground Gas Storage
<b>Status</b>	<b>Final</b>
<b>Author</b>	Steven Parker
<b>Date</b>	3 June 2014
<b>Meeting with</b>	Keuper Gas Storage Ltd Cheshire West and Chester Council Halton Borough Council
<b>Venue</b>	The Forum, Chester
<b>Attendees</b>	<b>The Planning Inspectorate (PINS)</b> Tom Carpen Steven Parker <b>Keuper Gas Storage Ltd</b> Richard Stevenson - INEOS Lewis Jones - PPS Victoria Longmore – Zyda Law  Steven Holmes – Cheshire West & Chester Andrew Plant – Halton Borough Council
<b>Meeting objectives</b>	Project update and consultation with local authorities
<b>Circulation</b>	All Attendees

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

#### Introduction

The Planning Inspectorate outlined its openness policy and ensured that attendees understood that any issues discussed and advice given would be recorded and placed on the Planning Inspectorate's website under s.51 of the Planning Act 2008. Further to this, it was made clear that any advice given did not constitute legal advice upon which the developer (or others) can rely.

#### Overview

The purpose of the meeting was for PINS to meet the host local authorities and introduce the Planning Act process, as well as identify any early issues for consideration by all parties. As part of this, applicant gave an update on the project, followed by a presentation from PINS on the process for preparing and submitting an application.

## **Project update**

### **Geological surveys**

The applicant confirmed that a seismic survey has been completed and as a result, the location of proposed cavities has been amended, but that they were still within the original project boundary. The position of roads, pipelines and landscaping was still ongoing as a result of the change to cavity positions and to feedback received.

### **Environmental surveys**

Tree and hedge surveys are being carried out and ERM, a sub-contractor, are conducting environmental impact studies into wild birds and great crested newts. The applicant is working to prepare a draft European Protected Species licence to enable a letter of no impediment from Natural England in time for any DCO examination.

The Planning Inspectorate asked for details about any potential European sites under the Habitats Regulations. The applicant advised that the Mersey is designated as a RAMSAR site. There are also sites of local interest and the applicant is working to prepare an assessment of this.

### **Hazardous substances**

A hazardous substances consents certificate will be applied for to Cheshire West and Chester Council in July. This consent is outside the scope of any Development Consent Order. A Control of major accident hazards (COMAH) consent will be applied for through the Health and Safety Executive (HSE) in due course.

### **Consultation update**

The project was launched publically in March and non-statutory consultation has recently been completed. The applicant is also currently meeting with parish councils as part of an on-going dialogue that existing underground gas storage operators have with the Councils.

The applicant confirmed that their website, phone line and Freepost address have been activated. Statutory consultation is planned to begin in September / October 2014. The anticipated submission of the application is expected to be January / February 2015.

The applicant has received comments during the non-statutory phase of their consultation. Issues raised include health and safety concerns, visual impacts, the need for gas storage and traffic concerns, particularly in the Byley area. The applicant stated that traffic entering the site was now via King Street, which should address these concerns.

### **Third Party Land Ownership**

The applicant confirmed that there are plans for nine cavities on land not owned by them (INEOS), and that this land is owned by four individual land owners. Keuper Gas Storage Ltd (KGSL) is in negotiations with these land owners in efforts to acquire this land, to avoid the need to seek powers to compulsorily acquire it. KGSL retains the option of seeking these powers as part of the DCO, if these negotiations fail.

## **Planning Inspectorate presentation and advice**

The Planning Inspectorate gave a presentation on the process for applying for a DCO and gave the following specific advice in relation to the slides:

The Planning Inspectorate advised on the value of identifying issues during the pre-application stage and working to resolve them. This included joint working between local authorities to minimise duplication and share resources. It also included commenting on the draft development consent order, particularly where local authorities were parties to draft requirements.

The Inspectorate advised that applications would not be held up by the absence of consultation responses should the situation arise, provided consultees were given the appropriate opportunity to respond.

For local authorities the role of Planning Performance Agreements (PPAs) was covered. Where there is a need / benefit from agreeing timescales and level of information with local authorities, that PPAs could be useful for both parties. The Planning Inspectorate also advised that once an application was submitted it would proceed in accordance with the statutory timescales and if other parties did not respond this would not hold up an examination. It advised the applicant and local authorities to provide evidence-based views and it would be for the examining authority to consider the evidence if there was an absence of evidence from other parties that would otherwise be helpful. Examining authorities could also ask questions of interested parties during an examination.

The applicant asked if they were able to submit additional drawings that were not to scale to show the route of the pipeline, and if the Inspectorate were able to provide examples of drawings? The Inspectorate advised that it was possible to submit additional drawings to aid understanding but that the applicant would need to provide plans to scale of the whole project route.

The Inspectorate advised the applicant and local authorities that they should begin working towards statements of common ground at the earliest opportunity, to help identify areas for further consideration on matters that can be resolved prior to any application.

The applicant asked where the hearings would be held. The Inspectorate advised that they would be held locally to the project at an accessible venue.

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

The Inspectorate and applicant agreed to monthly teleconferences with the Inspectorate to help both parties understand how the project is progressing, given consultation is due to start.

It was also suggested that a further round table meeting be held following the close of consultation to include a wider range of key stakeholders.