

# Meeting note

<b>File reference</b>	EN070002 and TR030002
<b>Status</b>	Final
<b>Author</b>	Adam Price
<b>Date</b>	14 January 2014
<b>Meeting with</b>	York Potash Limited (YPL)/ YPL advisors
<b>Venue</b>	Teleconference

## Attendees

### Applicant:

Morag Thomson (Marrons Shakespeares)  
Laura-Beth Hutton (Marrons Shakespeares)  
Allan Gamble (York Potash Limited)  
Sian John (Royal Haskoning DHV)  
Justin Gartland (Nathaniel Lichfield & Partners)  
Aisling O'Dawd (Nathaniel Lichfield & Partners)  
William Woods (York Potash Limited)  
Gareth Edmunds (York Potash Limited)

### Planning Inspectorate (PINS):

Tom Carpen (Infrastructure Planning Lead)  
Patrycja Pikniczka (Case Officer)  
Adam Price (Assistant Case Officer)  
Laura Allen (Senior EIA and Land Rights Advisor)  
Hannah Nelson (EIA and Land Rights Advisor)  
Tim Hallam (Lawyer)

## Meeting Objectives

Update on York Potash Pipeline and York Potash Harbour Facilities Projects

## Circulation

All Attendees

## Summary of Key Points and Advice Given:

### Introductions

The Inspectorate outlined its openness policy and ensured those present 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 applicant (or others) can rely.

## Project Update

The applicant updated the Inspectorate on the progress of its applications.

The applicant explained that the previous Minehead application had been formally withdrawn on 10 January 2014 from with NYMNPA.

The applicant explained that they had recently held a meeting with North York Moors National Park Authority (NYMNPA) regarding renewing the previous Planning Performance Agreement (PPA) for the minehead application.

The applicant explained that there are on-going pre-application discussions with relevant stakeholders.

The applicant explained that a series of meetings had been held with both the NYMNPA and AMEC (consultants advising NYMNPA) in relation to the Environmental Impact Assessment (EIA) including the Cumulative Impacts Assessments. The Inspectorate asked the applicant if these discussions related only to the Minehead or included the proposed pipeline NSIP application as well. The applicant explained that these discussions only referred to the proposed Minehead application. The Inspectorate inquired in to the frequency of these meetings. The applicant explained that these were monthly meetings which would be on-going and noted that a member of AMEC would be present in each of these meetings.

### **Harbour Facilities Order - Scoping Opinion**

The Secretary of State adopted a scoping opinion for the proposed harbour facility on 13 January 2014.

The applicant explained that they had been copied into the comments which Natural England provided to the Inspectorate with regards to the Secretary of State's scoping opinion for the proposed Harbour Facilities DCO. The applicant stated that they did not feel that the reference to an ecological survey at the proposed site was warranted and was grounded in Natural England's more generic approach to ecological surveys where they may be required. The applicant advised it was in the process of drafting a response to Natural England to discuss further, with a view to agreeing that an ecological survey is not necessary.

The Inspectorate confirmed that the Secretary of State's scoping opinion had been produced based on the information provided in the applicant's scoping report and having taken into account the comments provided by the consultees. Whilst the Secretary of State is not able to update an issued scoping opinion, if an applicant wished the Secretary of State to adopt a new scoping opinion, it would have to submit a new scoping request. However, the Inspectorate advises that applicants are generally only likely to find that a new scoping opinion useful if the proposed development changes substantially during the EIA process, prior to application submission.

If subsequent information becomes available which following agreement with the relevant consultee, e.g. Natural England, results in the applicant changing the proposed approach to the EIA and the applicant determines

that this change does not merit a new scoping request to the Secretary of State, the Inspectorate advised the applicant to record this change to the scope of the EIA, and the reason for it, within the Environmental Statement.

The applicant confirmed that it would review the Secretary of State's scoping opinion and would get back to the Inspectorate in due course if they had any queries.

### **Proposed Accompanied Site Visit (ASV)**

The Inspectorate asked the applicant if there were to be any major developments with the project prior to the ASV scheduled for the 5 February 2014. The applicant explained that there is on-going engineering work and refinement of options and a meeting with the Consents Service Unit (CSU) scheduled for 30 Jan 2014 to discuss the draft Consents Management Plan produced jointly by the CSU and the applicant.

The applicant stated that both Hartlepool Borough Council and Stockton-on-Tees Borough Council would not have control in relation to the dredging at the proposed harbour facility and rather it would be the Marine Management Organisation (MMO) who would be the responsible body here. The applicant stated however that they would still engage with both of the relevant local authorities and invite them to the ASV. In relation to this the Inspectorate asked if Hartlepool Borough Council and Stockton-on-Tees Borough Council local authorities were familiar with the Nationally Significant Infrastructure Projects (NSIP) process. The applicant stated that they were unsure as they have not yet engaged with them.

The applicant explained that a draft letter had been prepared for all local authorities inviting them to the ASV which includes a project description referring to the different elements of the wider project and outlines the arrangements for the site visit with regards an agenda and locations. The Inspectorate asked the applicant if there would be time during the ASV for formal introductions and a brief presentation providing an overview of the NSIP process to the local authorities. The applicant agreed that this would be appropriate and that the itinerary would be amended accordingly.