

Draft Development Consent Order (DCO) including Requirements

Wyre Borough Council (WBC) has confirmed that it has no comments on the Draft DCO other than it would like a requirement to deal with farm management plans and traffic routing (See e-mail dated the 29th May attached at **Appendix 1**).

Lancashire County Council (LCC) has confirmed at officer level that it has no comments on the Draft DCO but would like the Heads of Terms to deal with the funding of a planning officer or consultant to assist in monitoring construction and operation of the Project (See e-mail dated the 23 May 2012 attached at **Appendix 2**).

Halite has pointed out that Requirement 12(1) makes provision for construction traffic routing in accordance with the provisions of the Environmental Statement and awaits a response from WBC. Halite has agreed to the funding of a planning officer/consultant and the provision of farm management plans and, following further consultation with the LPAs, will provide further details.

APPENDIX 1

From: Thow, David [REDACTED]
Sent: 29 May 2012 2:28 PM
To: Adrian James
Subject: RE: Halite SOCG

Adrian,

No comments other than we endorse LCCs comments as discussed e.g. requirement for farm management plans and traffic routing.

David Thow

Head of Planning Services

Wyre Council

Tel: [REDACTED]

Email: [REDACTED]

Web: www.wyre.gov.uk

From: Adrian James [REDACTED]
Sent: 29 May 2012 14:18
To: Thow, David
Subject: RE: Halite SOCG

David,

I am reminded – do you have any comments on the DCO other than the Heads of Terms issues we have already discussed.

Regards

Adrian James
Partner

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From: Thow, David [redacted]
Sent: 29 May 2012 13:55
To: Adrian James
Subject: Halite SOCG

Adrian,

I have the authority to issue the following signed SoCGs to you signed by Councillor David Henderson, Chairman of the Council's Planning Committee:

Planning History

Planning Policy

Sustainable Use of Salt

Land Use

Tourism and Economic Development

Civil and Military Aviation and Defence

I will send the Wyre version of Archaeology and Built Heritage, Noise/Vibration and Air Quality ones to David Hoare (Hyder).

I understand Stuart has an issue with the LCC LEMSP and has a copy of ours to check consistency.

Once I have confirmation that LCC have signed off those for Geology, Ecology, Landscape, Transport/Access, and Above Ground Risk/Safety, I will send an email confirming that Wyre endorses LCCs agreement of those.

Regarding the HSC SoCG I have the authority to agree to it once HSE has signed. If you are able to send me a copy with their signature I will add our Chairman's.

David Thow

Head of Planning Services

Wyre Council

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APPENDIX 2

From: Perigo, Stuart [REDACTED]
Sent: 23 May 2012 1:45 PM
To: Adrian James
Cc: Thow, David
Subject: RE: Halite - SOCG

Adrian

Your understanding is correct other than for Landscape and Ecological Management Strategy Plan (LEMSP) although that is being worked on. Maybe can be agreed for ecology but not landscape.

In terms of signing off – I suggest that for those which are to be signed up to by both authorities are signed up to individually as separate documents. The logistics of getting one signed and forwarded on for further signature in the time available is not possible.

Regards

Stuart Perigo
Group Head
Development Management Group
Environment Directorate
Lancashire County Council
PO Box 100
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www.lancashire.gov.uk

From: Adrian James [mailto:adrian.james@bartonwillmore.co.uk]
Sent: 23 May 2012 11:56
To: Perigo, Stuart; Thow, David
Subject: FW: Halite - SOCG

Chaps,

Halite has asked for an update on the position/status of the SOCG. My understanding on each of the SOCG is as follows :

- Geology – informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Above Ground Risk/Safety - informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Planning History - informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Planning Policy - informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Sustainable Use of Salt - informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Land Use including open space, green infrastructure and Green Belt - informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Tourism and economic development - informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Civil and military aviation and defence - informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Ecology - informal agreement with Officers and to be signed off by LCC on the 29th May. WBC will endorse LCC's agreement.
- Landscape - informal agreement with Officers and to be signed off by LCC on the 29th May. WBC will endorse LCC's agreement.
- Transport and Access - informal agreement with Officers and to be signed off by LCC on the 29th May. WBC will endorse LCC's agreement.
- Noise and Vibration – informal agreement with officers and to be signed off by WBC on the 28th May. LCC will endorse WBC's agreement.
- Archaeology - informal agreement with Officers and to be signed off by LCC on the 29th May. WBC will endorse LCC's agreement.
- Air Quality - informal agreement with officers and to be signed off by WBC on the 28th May. LCC will endorse WBC's agreement.
- Landscape and Ecological Management Strategy Plan (LEMSP) - informal agreement with Officers and to be signed off by WBC and LCC on the 28th and 29th May respectively
- Hazardous Substances Consent – yet to be provided

- DCO, Requirements and draft Heads of Terms – In the Heads of Terms add the need for funding of consultant to assist in monitoring construction and operation of the Project.

The only one outstanding is the Hazardous Substances Consent which was requested by the Commissioners and which I hope I can send you a draft later today. Where one of your Council's is taking the lead on agreeing the SOCG I have taken the liberty of suggesting that the other Council will simply what has been agreed e.g. thus as David has stated on Transport I have assumed that WBC will endorse what is agreed by LCC. I appreciate that this may not necessarily be the case in other circumstances so please let me know if I am being too presumptuous in what I set out above.

Hope my understanding reflects yours but please do not hesitate to contact me if I have got it wrong.

Look forward to hearing from you.

Regards

Adrian James
Partner

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From: Thow, David 
Sent: 11 May 2012 15:02
To: 'Perigo, Stuart'
Cc: Adrian James
Subject: RE: Halite - SOCG

Stuart,

We have only looked at the above ground built heritage part of the Archaeology SOCG and have no issues so are happy for you to sign the whole thing off. If necessary, I am happy to sign off in so far as our agreement only relates to the above ground stuff.

Again, with Landscape, we have had some involvement and have input what may be termed 'normal planners expertise' but this is clearly not to the same level as the work done by yourselves so I am reluctant to sign anything off it might prejudice your views on it. On the other hand, I am happy to formally endorse your agreement to it if you are happy for it to be signed off.

I do not see any point in us signing off Ecology and Transport as these are wholly LCC matters.

In terms of timing, I need sign off from My Chairman and Vice Chairman of Planning and my Chairman is now on leave for two weeks so he will be seeing me on Monday 28th May to sign them off.

David Thow

Head of Planning Services

Wyre Council

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Email: [REDACTED]

Web: www.wyre.gov.uk

From: Perigo, Stuart [REDACTED]
Sent: 11 May 2012 14:44
To: Adrian James
Cc: Thow, David; Pete Sulley
Subject: RE: Halite - SOCG

Thanks Adrian

I will progress accordingly

David

Hyder are progressing SOCG on Archaeology, Ecology, Landscape and Transport. Would you want to sign up to any of these? Maybe not as they relate more particularly to County specialism's, although there is some overlap on landscape.

Archaeology and Transport have been finalised (but not signed off). Copies attached for your info anyway.

Regards

Stuart Perigo

Group Head

Development Management Group

Environment Directorate

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From: Adrian James [REDACTED]

Sent: 11 May 2012 14:28

To: Perigo, Stuart

Cc: Thow, David; Pete Sulley

Subject: RE: Halite - SOCG

Stuart,

Thanks for the update which all makes sense and it looks like we are making progress. In terms of the points you raise, I would respond as follows :

- Above ground Safety SOCG is with Motts for re-draft to take on board the comments that have been made.
- DCO and requirements – There is not a separate SOCG on this as I am hopeful that its contents are agreeable. If this is the case, the SOCG could be just an exchange of correspondence. As we discussed at our last meeting, the DCO and the requirements are based on the Infrastructure Planning (Model Provisions)(England and Wales) Order 2009. If you are unhappy with the model provisions and you want them amending then it is necessary to explain to the Commissioners why the model provisions are not accepted. If we can agree the document as drafted that would be great but if not, please let us have your comments. We can be quite flexible but I am not sure how flexible the Commissioners will be. If there are issues then no doubt the Commissioners would look at these at the Hearings which are scheduled for the 24 July, 22 August and 17th to the 20th September as advised in their letter of the 2 May.
- Heads of Terms – Again I am hoping that we can agree the Heads of Terms with the addition of Halite making a commitment to fund the costs of the Council and/or its consultants to manage, monitor and enforce the DCO requirements and the implementation of the Project.
- Hazardous Substances Consent – Halite is preparing this at the present time and we should be able to let you have a copy in the next few days.

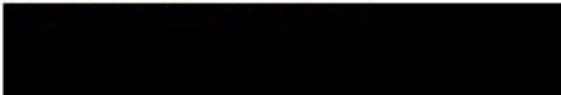
I hope the above makes sense but please do not hesitate to contact me if you require any further details or clarification. I have copied this e-mail to David Thow to keep him in the loop.

Regards

Adrian James

Partner

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From: Perigo, Stuart [REDACTED]
Sent: 11 May 2012 12:35
To: Adrian James
Subject: Halite - SOCG
Importance: High

Adrian

As an update

The following SOCG from you are acceptable at officer level and will be presented for decision on 29th May

Geology – there may need to be an addendum to this given the stability issues

Tourism and Economic Development

Planning Policy

Planning history – as far as it relates to this proposal

Civil and Military Aviation

Sustainability of Salt

I await your comments on Above Ground Safety before that can be finalised and similarly presented

Of those prepared by Hyder

Traffic acceptable and will be presented for decision on 29th May

Archaeology acceptable and will be presented for decision on 29th May

Ecology being finalised – no problems expected

Landscape being finalised – given as far as it does – no problems expected

I am looking at the following

Draft Development Consent Order – Requirements – IPC say they expect a SOCG on this – I don't recall seeing one

Heads of Agreement

Hazardous Substance Application – IPC say they want a SOCG on this – whilst we have had emails I don't recall seeing a SOCG

IPC questions – although these are principally for Halite

I am working on the LIR. Atkins has been retained to assess landscape and which will form part of the LIR.

Am I missing anything I have already received from you?

Stuart Perigo

Group Head

Development Management Group

Environment Directorate

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