

19 March 2012

To all Interested Parties

Dear Sir/Madam

**PREESALL SALTFIELD UNDERGROUND GAS STORAGE APPLICATION – NOTICE OF APPOINTMENT OF AN ASSESSOR, OF AVAILABILITY OF RELEVANT REPRESENTATIONS AND OF THE PRELIMINARY MEETING**

**Planning Act 2008 (PA2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 – Notice of appointment of an assessor<sup>1</sup>, of availability of relevant representations<sup>2</sup> and of the Preliminary Meeting<sup>3</sup> regarding an application for development consent for a proposed Underground Gas Storage Facility at Preesall Saltfield, Lancashire**

**IPC Reference Number: EN030001**

I am writing to you following my appointment by the Chair of the Infrastructure Planning Commission (the IPC) as the lead member of the Panel to examine this application for a Development Consent Order (DCO). The other members of the Panel are Commissioners Emrys Parry and Libby Gawith. I am also writing to notify you that, at our request, the Chair of the IPC has appointed Dr. Ramues Gallois to act as an assessor to assist the Panel, as the Examining Authority, in the examination of this application about geology and geotechnical matters, in particular relating to constructing and operating underground gas storage caverns in saltfields through solution mining<sup>4</sup>.

1. *Confirmation of your status as an 'interested party'*

I can confirm that you are now regarded as an Interested Party and will therefore receive notifications from the IPC about the examination throughout the process<sup>5</sup>. Your unique reference number is provided in the covering letter or in the email to which this letter is attached. All relevant representations submitted are available for you to access on the IPC's website or to inspect at various locations. The details of where and when the representations and application documents can be inspected are provided in **Annex A** to this letter.

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<sup>1</sup> s100 PA2008 and Rule 11

<sup>2</sup> Rule 21

<sup>3</sup> s88 PA2008 and Rule 6

<sup>4</sup> s100 PA2008 and Rule 11

<sup>5</sup> s102 PA2008

## 2. *Invitation to the Preliminary Meeting*

I am also writing to inform you of the date, time and place of the Preliminary Meeting and to invite you to attend that meeting if you wish<sup>6</sup>.

**The Preliminary Meeting will take place on Tuesday 24 April 2012. Registration will start at 9:30 and the meeting is scheduled to start at 10:30 at Marine Hall, The Esplanade, Fleetwood, Lancashire, FY7 6HF<sup>7</sup>.**

**If you wish to attend the Preliminary Meeting** please write to or email the case leader (Tom Carpen) at the address at the beginning of this letter by Tuesday 17 April 2012. It would help us manage the meeting in an efficient way if you are able to:

- confirm your attendance; and
- inform us whether you wish to speak at the meeting and to note the agenda items you wish to speak to, listing points you wish to make.

## 3. *The purpose of the Preliminary Meeting*

The purpose of the Preliminary Meeting is to enable views to be expressed about the way in which the application is to be examined.

It is important to recognise that the Preliminary Meeting is about procedure and **how** the examination will be conducted. It is **not** about the merits of the application which will be considered when the examination of the application takes place, through the written representations and any hearings. You should also note that you do not need to attend this meeting to be able to participate in the examination over the next few months. Further information about the Preliminary Meeting is given in IPC Advice Note 8.4 which is enclosed with this letter and is also available on the IPC website (<http://infrastructure.independent.gov.uk/wp-content/uploads/2012/03/Advice-note-8.4.pdf>).

The agenda for the Preliminary Meeting at **Annex B** has been set following the Panel's initial assessment of the principal issues arising from the application at **Annex C**. **Annex D** sets out a draft timetable giving proposed deadlines for information to be submitted to the examination and dates for any hearings<sup>8</sup> that are or may be arranged.

**Annex E** suggests the matters where the Panel will find it particularly helpful to have Statements of Common Ground between the applicant and various Interested Parties. These can help clarify areas of agreement and disagreement and assist the examination process. The suggestions do not preclude SOCG being provided on other matters.

At the Preliminary Meeting we wish to hear from Interested Parties particularly where they consider there may be other significant issues to be examined or issues that may need to be examined in a different way.

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<sup>6</sup> s88(3) PA2008 and Rule 6

<sup>7</sup> Rule 6. In the event further time is required to complete the business of the Preliminary Meeting, it will resume at the same venue at 9:30 on Thursday 3 May 2012.

<sup>8</sup> Rule 8

### *Arrangements for the Preliminary Meeting*

**Please bring the covering letter with you to the Preliminary Meeting** as proof of your identity and status as an Interested Party. On arrival at the venue you will be asked to register your name and unique reference number with staff; you will then be directed to the room in which the Preliminary Meeting is to take place. Priority will be given to those registered as Interested Parties before any seating is allocated to other members of the public.

My aim is to run an efficient and effective Preliminary Meeting, and I therefore strongly encourage one representative only to speak on behalf of groups of individuals with similar procedural concerns, and only then if others, such as a local authority or statutory consultee, have not already made the point.

If you wish to make any submissions on matters not set out in the agenda and which would enhance the discussion at the Preliminary Meeting, I ask that you write to or email the case leader (Tom Carpen) setting out the submissions that you wish to make at least 7 days before the Preliminary Meeting. We will endeavour to accommodate reasonable requests and will alter the agenda on opening the Preliminary Meeting if we consider doing so will assist the discussion regarding the procedure to be applied to the examination of the application.

A note will be taken of the Preliminary Meeting. This will be published on the IPC's website and deposited at the locations listed at **Annex A** as soon as practicable<sup>9</sup> after the meeting. An audio recording of the meeting will also be available on the IPC's website as soon as practicable<sup>10</sup> after the meeting.

Following the Preliminary Meeting and after considering all relevant issues raised at the meeting and views submitted, the Panel, as the Examining Authority, will decide how the application is to be examined<sup>11</sup> and I will write to you as soon as practicable after the meeting with our decision.

#### 4. *Arrangements for the initial accompanied Site Inspection*

I am also writing to notify you of the date, time and place for a site inspection in the company of any Interested Party or their representative.

**An initial accompanied site inspection will take place during the afternoon on Thursday 3 May 2012. The parties will gather at 13:00 and the site inspection is scheduled to start at 13:30 from Marine Hall, The Esplanade, Fleetwood, Lancashire, FY7 6HF<sup>12</sup>.**

The usual expectation is that the Panel will be accompanied just by representatives of the applicant and the local authorities, in order to keep the inspection manageable. But if you do wish to attend the initial accompanied site inspection please write to or email the case leader (Tom Carpen) at the address at the beginning of this letter by Tuesday 17 April 2012, and we can discuss the matter at the Preliminary Meeting.

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<sup>9</sup> Rule 7(2)

<sup>10</sup> Rule 7(2)

<sup>11</sup> s89(1) PA2008 and Rule 9

<sup>12</sup> Rule 16(3)

Finally, you may wish to read the IPC's policy on the approach to making an award of costs in relation to nationally significant infrastructure project applications. That policy is available on the IPC's website.

Yours faithfully

A handwritten signature in black ink that reads "Paul Hudson". The signature is written in a cursive style with a horizontal line underlining the name.

**Paul Hudson**

Lead member of the Panel of Commissioners

The IPC gives advice about applying for an order granting development consent or making representations about an application (or a proposed application). The IPC takes care to ensure that the advice we provide is accurate. This communication does not however constitute legal advice upon which you can rely and you should note that IPC lawyers are not covered by the compulsory professional indemnity insurance scheme. You should obtain your own legal advice and professional advice as required.

We are required by law to publish on our website a record of the advice we provide and to record on our website the name of the person or organisation who asked for the advice. We will however protect the privacy of any other personal information which you choose to share with us and we will not hold the information any longer than is necessary.

Before sending information to the IPC, please consider our Openness Policy, which can be viewed on our website or a copy will be provided free of charge on request.

## **Annex A**

### **Availability of relevant representations and documents**

On the Commission's website at [www.independent.gov.uk/infrastructure](http://www.independent.gov.uk/infrastructure) following the links: *Projects – North West – Preesall Underground Gas Storage – Relevant Representations*, and for inspection and copying at:

#### **Halite Energy Group**

Unit 5, St Georges Court, St Georges Park, Kirkham, Lancashire, PR4 2EF

Mondays to Fridays 9am to 5pm

Contact: 01772 672277

*Copying Facilities/Charges:*

- A4 Black and White: 10p per sheet
- A4 Colour: 25p per sheet

#### **Lancashire County Council**

Environment and Public Protection Services, Environment Directorate, County Hall, Preston, PR1 0LD

Mondays to Fridays 9am to 5pm

Contact: 01772 531 929 / [DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

*Copying Facilities/Charges:*

- No public copying facilities available

#### **Wyre Borough Council**

Civic Centre, Breck Road, Poulton-le-Fylde, Lancashire. FY6 7PU

Mondays to Thursdays 9am to 5pm; Fridays 8.30am to 4.30pm

Contact: 01253 891000

*Copying Facilities/Charges:*

- A4 Black and White only: 30p per sheet

#### **Fleetwood Library**

North Albert Street, Fleetwood, Lancashire, FY7 6AJ

Mondays and Fridays 9.30am to 5pm; Tuesdays and Thursdays 9.30am to 7pm; Wednesdays 9.30am to 12.30pm; Saturdays 9.30am to 4pm

Contact: 01253 775800 / [fleetwood.library@lancashire.gov.uk](mailto:fleetwood.library@lancashire.gov.uk)

*Copying Facilities/Charges:*

- A4 Black and White: 10p per sheet
- A4 Colour: 25p per sheet

#### **Knott End Library**

Lancaster Road, Knott End, Lancashire, FY6 0AU

Mondays and Fridays 1.30am to 5pm; Tuesdays and Thursdays 1.30pm to 7pm; Saturdays 10am to 12noon; and Wednesdays closed

Contact: 01253 810632 / [knottend.library@lancashire.gov.uk](mailto:knottend.library@lancashire.gov.uk)

*Copying Facilities/Charges:*

- A4 Black and White: 10p per sheet
- A4 Colour: 25p per sheet

#### **Infrastructure Planning Commission**

Temple Quay House, Temple Quay, Bristol, BS1 6PN

Mondays to Fridays 9am to 5pm

Contact: 0303 444 5000 / [preesall@infrastructure.gsi.gov.uk](mailto:preesall@infrastructure.gsi.gov.uk)

*Copying Facilities/Charges:*

- A4 Black and White: 10p per sheet
- Other sizes at additional cost

## Annex B

### Agenda for the Preliminary Meeting

**Date:** Tuesday 24 April 2012

**Time:** 9:30 for 10:30

**Venue:** Marine Hall, The Esplanade, Fleetwood, Lancashire, FY7 6HF

<b>9:30</b> Registration
<b>10:30</b> Welcome and Introductions to the Examining Authority and the Assessor
<u>Agenda</u>  1. Principal Issues and other matters to be examined – see Annex C  2. Methods of Examination, including the need for hearings  3. Timetable for the Examination – see Annex D  4. Accompanied Site Visits
<b>13:00</b> Expected Close of the Preliminary Meeting
<b>Afternoon:</b> Continuation of the Preliminary Meeting if necessary

## **Annex C**

### **Initial Assessment of the Principal Issues**

This is the initial assessment of the principal issues arising from consideration by the Panel of the application documents and relevant representations received concerning the Preesall Saltfield Underground Gas Storage Facility application. It is not a comprehensive or exclusive list of relevant matters. Regard will be had to all important and relevant matters in making findings and conclusions after the examination is concluded.

#### **1. Geology**

- the feasibility, suitability and safety of the proposal to create up to 19 underground caverns for gas storage in the Preesall Saltfield by solution mining having regard to the previous uses of the area and the borehole and geological data presented with the application;
- the risk of gas migration and potential for subsidence arising from the specific construction techniques proposed in the application and the potential concerns regarding seismic activity.

#### **2. Whether the project will have a significant effect on the Morecambe Bay Special Protection Area (SPA) and Ramsar site and the Wyre Estuary Site of Special Scientific Interest (SSSI), following the implementation of the proposed mitigation identified in the Landscape and Ecological Management Strategy Plan.**

#### **3. The impact of brine discharge to the Irish Sea on commercial fish stocks, and marine habitats and fauna.**

#### **4. Noise impacts of pipeline construction on new residential development at Harbour Village, Rossall Hospital and caravan parks along the Wyre Estuary.**

#### **5. Landscape impacts of the Gas Compressor Compound in view of the range and scale of elements it is proposed to contain, and the justification for its location on the east rather than the west bank of the Wyre estuary.**

#### **6. Disposal of waste arisings from debrining sediment to an existing cavern (Brine Well 123).**

#### **7. Justification for a new haul road from A588, and creation of a network of new surface accesses to well heads by improving existing tracks.**

#### **8. Disruption/sterilisation of farmland from construction of the main pipeline to Nateby.**

#### **9. Compulsory acquisition issues.**

## Annex D

### Draft timetable for examination of the application

The Panel is under a duty to **complete** the examination of the application by the end of the period of 6 months beginning with the day after the start day (s98 PA 2008).

Item	Matters	Due Dates
1	<b>Preliminary Meeting</b> <sup>13</sup>	<b>Tuesday 24 April 2012</b>
2	Issue of: <input type="checkbox"/> Note of preliminary meeting held on 24 April 2012 <sup>14</sup> <input type="checkbox"/> Procedural timetable <sup>15</sup> <input type="checkbox"/> Examining Authority's first written questions <sup>16</sup>	<b>Wednesday 2 May 2012</b>
3	Examining Authority's initial site inspection to the application site and surrounding area in the company of Interested Parties <sup>17</sup>  Start Time: 13:30 (meet at 13:00)  Start Place: Marine Hall, The Esplanade, Fleetwood, Lancashire, FY7 6HF	<b>Thursday 3 May 2012</b>

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<sup>13</sup> Rule 6: In the event that further time is required to complete the business of the Preliminary Meeting, the Preliminary Meeting will resume at the same venue at 9:30 on Thursday 3 May 2012

<sup>14</sup> Rule 7(2)

<sup>15</sup> Rule 8(1) and (2)

<sup>16</sup> Rule 3(3)(b); Rule 8(1)(b)(i) and (iii); and Rule 10(6)(b) and (c)

<sup>17</sup> Rule 16(2)



<p><b>4</b></p>	<p>Deadline for receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Responses to Examining Authority's first written questions<sup>18</sup></li> <li><input type="checkbox"/> Summaries of any Relevant Representations exceeding 1500 words<sup>19</sup></li> <li><input type="checkbox"/> Written Representations (including summaries of any Written Representations of more than 1500 words)<sup>20</sup></li> <li><input type="checkbox"/> Local Impact Report(s) (LIR) by all relevant Local Authorities<sup>21</sup></li> <li><input type="checkbox"/> Statements of Common Ground (SoCG)<sup>22</sup></li> </ul>	<p><b>Wednesday 6 June 2012</b></p>
<p><b>5</b></p>	<p>Deadline for receipt by the Examining Authority of:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Comments on Relevant and/or Written Representations<sup>23</sup></li> <li><input type="checkbox"/> Comments on Local Impact Report(s)<sup>24</sup></li> <li><input type="checkbox"/> Comments on responses to Examining Authority's first written questions<sup>25</sup></li> </ul>	<p><b>Wednesday 4 July 2012</b></p>
<p><b>6</b></p>	<p>Issue of:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Examining Authority's further written questions<sup>26</sup></li> </ul>	<p><b>Wednesday 18 July 2012</b></p>
<p><b>7</b></p>	<p>First Issue Specific Hearing on the draft Development Consent Order<sup>27</sup></p>	<p><b>Tuesday 24 July 2012</b></p>

<sup>18</sup> Rule 3(4); Rule 8(1)(b); and Rule 10(7)

<sup>19</sup> Rule 8(1)(i) and 14(3)

<sup>20</sup> Rule 8(1)(a) and (i); Rule 10(1) and (2); and Rule 14(3)

<sup>21</sup> Rule 8(1)(j)

<sup>22</sup> Rule 8(1)(e)

<sup>23</sup> Rule 8(1)(c)(i) and (d)(i); Rule 3(2)(b); and Rule 10(5)

<sup>24</sup> Rule 8(1)(j)

<sup>25</sup> Rule 8(1)(c)(ii) and (d)(ii); Rule 3(4); and Rule 10(7)

<sup>26</sup> Rule 3(3)(b); Rule 8(1)(b); and Rule 10(6)(b) and (c)

<sup>27</sup> s91 PA2008; and Rule 13(3)(a)

<b>8</b>	Deadline for receipt by Examining Authority of:  <input type="checkbox"/> Responses to Examining Authority's further written questions <sup>28</sup>	<b>Wednesday 15 August 2012</b>
<b>9</b>	Second Issue Specific Hearing on the draft Development Consent Order <sup>29</sup>	<b>Wednesday 22 August 2012</b>
<b>10</b>	Final notification by Examining Authority of date, time and place for:  <input type="checkbox"/> Any other Issue Specific Hearing(s) if required <sup>30</sup>	<b>Friday 24 August 2012</b>
<b>11</b>	Deadline for receipt by Examining Authority of:  <input type="checkbox"/> Comments on responses to Examining Authority's further written questions <sup>31</sup>  <input type="checkbox"/> Notification of wish to be heard at an Open Floor Hearing by Interested Parties <sup>32</sup>  <input type="checkbox"/> Notification of wish to be heard at a Compulsory Acquisition Hearing by Affected Persons <sup>33</sup>	<b>Friday 24 August 2012</b>
<b>12</b>	Deadline for receipt by Examining Authority of:  <input type="checkbox"/> Final draft DCO, requirements and completed/executed s106 undertakings <sup>34</sup>	<b>Friday 31 August 2012</b>
<b>13</b>	Final notification by Examining Authority of date, time and place for:  <input type="checkbox"/> Compulsory Acquisition Hearing(s) <sup>35</sup>  <input type="checkbox"/> Open Floor Hearing(s) <sup>36</sup>  <input type="checkbox"/> Accompanied Site Inspection(s) <sup>37</sup>	<b>Friday 31 August 2012</b>

<sup>28</sup> Rule 3(4); Rule 8(1)(b); and Rule 10(7)

<sup>29</sup> s91 PA2008; and Rule 13(3)(a)

<sup>30</sup> s91 PA2008; and Rule 13(3)(a)

<sup>31</sup> Rule 8(1)(c)(ii) and (d)(ii)

<sup>32</sup> s93(1) PA 2008 and Rule 8(1)(f) and Rule 13(1)

<sup>33</sup> s92(2) PA 2008 and Rule 8(1)(g) and Rule 13(1)

<sup>34</sup> Rule 8(1)(k)

<sup>35</sup> s92 PA 2008 and Rule 13(3)(b)

<b>14</b>	Time period reserved for any other Issue Specific Hearing(s) (in the event the Examining Authority decides during the progress of the examination that they are needed)	<b>Monday 17 to Thursday 20 September 2012</b>
<b>15</b>	Time period reserved for any Compulsory Acquisition Hearing(s)	<b>Tuesday 9 to Friday 12 October 2012</b>
<b>16</b>	Time period reserved for any Open Floor Hearing	<b>Tuesday 16 to Thursday 18 October 2012</b>
<b>17</b>	Date reserved for Examining Authority's site inspection to application site and surrounding area in the company of Interested Parties <sup>38</sup>	<b>Friday 19, Tuesday 23 or Wednesday 24 October 2012</b>
<b>18</b>	Deadline for close of examination (s98 (PA))	<b>Thursday 25 October 2012</b>

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<sup>36</sup> s93 PA 2008 and Rule 13(3)(a)

<sup>37</sup> Rule 16(3)

<sup>38</sup> Rule 16(2)

## **Annex E**

### **Statements of Common Ground**

In relation to some of the Principal Issues identified in **Annex C**, the Examining Authority will be assisted by the preparation of Statements of Common Ground (SOCGs) between the applicant and Interested Parties. The draft timetable for the examination therefore provides a period for the preparation and submission of SOCGs.

The aim of a SOCG is to agree factual information and to inform the Examining Authority and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which need not be in dispute or the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and the interpretation of the implications of a difference can then be expanded in the evidence.

Unless otherwise stated or agreed, the SOCG should be agreed between the applicant and the other relevant Interested Party(ies), and submitted by the applicant.

SOCGs will be requested formally when the procedural timetable is issued following the Preliminary Meeting together with questions from the Examining Authority (see **Annex D**). At this stage, it appears to us that there is scope for the applicant and relevant Interested Parties to work together in a number of areas to clarify areas of agreement and disagreement and where SOCGs may be helpful. These include:

- **Geology (Halite and Lancashire County Council (LCC) in particular)**
- **Habitats Regulations Assessment (Halite and Natural England in particular)**
- **Draft Development Consent Order (DCO) including Requirements (Halite and LCC, Wyre Borough Council (WBC) in particular)**
- **Landscape and Ecological Management Strategy Plan (Halite and LCC, WBC in particular)**
- **Transport and Site Access (Halite and LCC, WBC in particular)**
- **Noise (Halite and WBC in particular)**
- **Application for deemed Hazardous Substances Consent (Halite and Health and Safety Executive, LCC, WBC in particular)**
- **Deemed Marine Licence (Halite and Marine Management Organisation in particular)**

19 March 2012

To all Interested Parties

Dear Sir/Madam

**PRESALL SALTFIELD UNDERGROUND GAS STORAGE APPLICATION – NOTICE OF APPOINTMENT OF EXAMINING AUTHORITY**

**Planning Act 2008 (PA2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 – Notice of appointment of the Examining Authority<sup>39</sup> to handle an application for development consent for a proposed Underground Gas Storage Facility at Preesall Saltfield, Lancashire**

**IPC Reference Number: EN030001**

I am writing to notify you that I have appointed a Panel of three Commissioners to handle the examination of this application. The three members of the Panel (“the Examining authority”) are as follows.

- Paul Hudson – lead member of the Panel
- Emrys Parry
- Libby Gawith

Further information about the three Panel members can be found on the IPC website.

As the lead member of the Panel, Paul Hudson is writing to you separately with details of the forthcoming preliminary meeting and providing details of the Examining Authority’s initial assessment of the principle issues on this application.

Yours faithfully



**Sir Michael Pitt  
Chair**

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<sup>39</sup> Rule 4