

SUPPLEMENTAL AGENDA
Planning and Rights of Way Panel

Tuesday, 26th October,
2010
at 9.30 am

PLEASE NOTE TIME OF MEETING

Committee Rooms 1 and 2 - Civic
Centre

This meeting is open to the public

Members

Councillor Fitzhenry (Chair)
Councillor Jones (Vice-Chair)
Councillor Letts
Councillor Mead
Councillor Osmond
Councillor Slade
Councillor Thomas

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AGENDA

Agendas and papers are available via the Council's Website

18 ARRANGEMENTS FOR PRE-APPLICATION CONSULTATION FOR THE BIOMASS PLANT AT SOUTHAMPTON PORT

To consider a report of the Planning and Development Manager setting out proposed arrangements for pre-application consultation, in respect of the above project classified as a National Significant Infrastructure Project' under the Planning Act 2008, attached.

Monday, 18 October 2010

SOLICITOR TO THE COUNCIL

DECISION-MAKER:	PLANNING AND RIGHTS OF WAY PANEL
SUBJECT:	ARRANGEMENTS FOR PRE-APPLICATION CONSULTATION FOR THE BIOMASS PLANT AT SOUTHAMPTON PORT
DATE OF DECISION:	26 OCTOBER 2010
REPORT OF:	PLANNING & DEVELOPMENT MANAGER
STATEMENT OF CONFIDENTIALITY	
N/A	

BRIEF SUMMARY

In October 2009, the Government set up an independent body to decide any planning applications that were classified as Nationally Significant Infrastructure Projects (NSIP) and this body is called the Infrastructure Planning Commission (IPC, although the current Government has advised that its name and role may change). Any developer proposing a project that is a NSIP has a duty to consult with local communities prior to submitting their proposal to the IPC.

Therefore, the City Council no longer determines planning applications for NSIPs. Instead, the City Council is a statutory consultee and will shortly be asked by the IPC to provide formal planning comments on a proposed Biomass Plant on land at Southampton Port. This project will be the City Council's first NSIP.

The attached draft Statement of Community Consultation (SoCC) and draft Community Consultation Strategy (CCS) set out the promoter's strategy and methodology for consultation. In this instance the promoter of the project is Helius Energy. The Council now has the opportunity to comment on, and agree, the proposed draft SoCC and CCS to ensure that it provides the most robust form of public consultation.

Helius Energy have agreed an extension to the 28 day period for comment to enable a Planning Panel decision. A formal response to Helius Energy is needed by Friday 29th October 2010.

RECOMMENDATIONS:

- (i) The proposed arrangements for pre-application consultation, as set out in the attached proposed draft SoCC and CCS, are noted, agreed and reported to the IPC and Helius Energy as acceptable.

REASONS FOR REPORT RECOMMENDATIONS

1. To provide the Planning & Rights of Way Panel with further detail of how applications for NSIPs, such as the proposed Biomass Plant on land forming Southampton Docks, will be determined and to explain the Council's role in this process.
2. To gain the Panel's agreement for the attached draft SoCC and CCS as proposed by Helius Energy.

DETAIL (Including consultation carried out)

3. Background to the Project

Helius Energy plc ('Helius Energy') proposes to build and operate a 100MWe biomass fuelled electricity generating station in the Port of Southampton. The project is classified as a 'National Significant Infrastructure Project' under the Planning Act 2008.

4. The proposed scheme will be located within the Port of Southampton's Western Docks adjacent to Millbrook Railfreight Terminal and Millbrook (Hants) railway station. The scheme will comprise a biomass fuelled electricity generating plant capable of generating approximately 100 Megawatts (Declared Net Capacity) of electricity and associated biomass processing and fuel store, boiler house, turbine building, cooling assembly ancillary buildings, structures, plant and equipment together with other engineering and building works.
5. The plant will generate renewable electricity that will be fed into the local electricity supply grid, equivalent to the consumption of approximately 200,000 homes. This is sufficient to provide the Southampton population (approximately 100,000 households) and local commercial development with renewable electricity. Potential opportunities to supply heat to existing and proposed development within the vicinity of the plant are also being investigated.
6. Construction of the project will take approximately 36 months. It is anticipated the plant will become operational in 2015. The plant will generate between 40-250 jobs during construction and approximately 40 permanent full time jobs during operation. In addition, the plant would also help safeguard existing jobs within the area and will result in indirect employment for off-site based logistics, engineering and services support and procurement.
7. **Process**

Helius Energy has prepared the attached draft SoCC and CCS pursuant to Section 47 (1) of the Planning Act 2008. They set out how the applicant proposes to consult the people 'living in the vicinity of the land' proposed for the development. The City Council's agreement of these documents is now needed and this does not prejudice the Council's proper consideration of the planning merits of the proposal in due course.
8. The submitted documents have been forwarded to relevant Council officers and Ward Councillors for comment as part of this exercise. Any comments received will be reported verbally at the Panel meeting.
9. **Draft Statement of Community Consultation (SoCC)**

The submitted SoCC is attached to this report at Appendix 1 and is supported by the more detailed draft Community Consultation Strategy (CCS). The CCS is attached at Appendix 2.
10. These documents set out the proposed method for public consultation prior to the submission of a formal application to the IPC for consideration. It also includes a list of affected stakeholders and groups that Helius Energy have identified as 'living in the vicinity of the land'. The City Council is asked to consider this list and either amend or approve its content.

11. Once the draft SoCC and CCS have been agreed and finalised Heliuss Energy will implement it prior to submitting their planning application.
12. The pre-application consultation stage is divided into two phases:
 - Phase I (Informal) lasts for approximately 2 months and is followed by a 28 day period when written responses will be invited. The aim of Phase 1 is to introduce the project to stakeholders.
 - Phase II (Formal) involves a more formal consultation process and follows a more detailed environmental assessment by Heliuss Energy of their proposals. It is anticipated that Phase II will commence in December 2010 and will include two public exhibitions.
13. **Consultation Feedback**

The approved SoCC and CCS will be submitted to the IPC at the application stage along with a Consultation Report. This report details the findings and comments received during the consultation period. If the IPC consider that the consultation has been inadequate prior to the application submission it is unlikely that the IPC will accept to validate the application for development consent.

RESOURCE IMPLICATIONS

Capital/Revenue

1. As part of the planning application process for this NSIP the Council will be asked to comment on the adequacy of the draft SoCC, prepare a Local Impact Report detailing the planning merits and considerations of the scheme, and monitor and enforce (where necessary) the implementation of the scheme and any associated planning conditions. No planning fee will be provided to the City Council as part of this process and this work will be undertaken within existing Council budgets.

Property/Other

2. None

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

1. The Planning Act 2008, which received Royal Assent on 26 November 2008, provides for a faster and fairer development consent system for nationally significant transport, energy, water, waste-water and waste infrastructure projects.
2. The City Council is a statutory consultee for the proposals (see sections 42 and 43 of the Act). Under section 55 of the Act the City Council may make representations to the IPC concerning the adequacy of the promoter's consultation, to which the IPC must have regard when deciding whether or not to accept an application. Section 55(5) defines an adequacy of consultation representation as a representation about whether the applicant has complied with section 42, 47 and 48 of the Act. Any such representation must, therefore, be about how the promoter has carried out the consultation, and may not be about how the promoter has had regard to responses to consultation.

Other Legal Implications:

3. None

POLICY FRAMEWORK IMPLICATIONS

1. The proposed development will, in due course, be submitted to the IPC for consideration and the City Council will be expected to comment on the planning merits of the development against the current adopted Development Plan (namely, the City's Local Development Framework Core Strategy (2010) as supported by the "saved" policies of the City of Southampton Local Plan Review (2006)).
2. The current submission relates only to the proposed Statement of Community Consultation and its associated Strategy for undertaken this exercise. This has been examined against the Council's own adopted Statement of Community Involvement (2006).

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SUPPORTING DOCUMENTATION

Appendices

1.	Draft Statement of Community Consultation (SoCC0
2.	Draft Community Consultation Strategy (CSS)
3.	Site Plan

Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	No
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Other Background Documents

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	IPC website: http://infrastructure.independent.gov.uk/	
2.	Planning Act (2008) – DCLG – Guidance on pre-application consultation	
3.	SCC Statement of Community Involvement	

WARDS/COMMUNITIES AFFECTED:	Freemantle, Millbrook and Redbridge primarily
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**Draft Statement of Community Consultation
Proposed 100MWe Biomass Electricity Generating Plant, Southampton Port**

Introduction

Helius Energy plc ('Helius Energy') proposes to consent, build and operate a 100MWe biomass fuelled electricity generating station in the Port of Southampton. The project is classified as a 'National Significant Infrastructure Project' under the Planning Act 2008 and therefore an application for Development Consent will be made to the Infrastructure Planning Commission (IPC).

Helius Energy has prepared this Statement of Community Consultation or SoCC, pursuant to Section 47 (1) of the Planning Act 2008. The Act requires that a SoCC must set out how the applicant proposes to consult the people 'living in the vicinity of the land' proposed for the development. Helius Energy must carry out consultation on the proposed application in accordance with the proposals set out in this statement.

Consultation with the local community assists in providing the developer with vital local knowledge. This knowledge enables the developer to identify any likely environmental or social effects on the locality. Consultation enables the project design to evolve in response to those potential effects and incorporate appropriate mitigation measures.

For the local community, engagement exercises provide an opportunity to understand more about the proposed scheme, explore how the development can bring value to their community, and help shape solutions to issues that arise from the scheme.

Project Description

The proposed scheme will be located within the Port of Southampton's Western Docks adjacent to Millbrook Railfreight Terminal and Millbrook (Hants) railway station (grid reference SU 396 124). The scheme will comprise a biomass fuelled electricity generating plant capable of generating approximately 100 Megawatts (Declared Net Capacity) of electricity and associated biomass processing and fuel store, boiler house, turbine building, cooling assembly ancillary buildings, structures, plant and equipment together with other engineering and building works. The plant will generate renewable electricity that will be fed into the local electricity supply grid, equivalent to the consumption of approximately 200,000 homes. This is sufficient to provide the Southampton population (approximately 100,000 households) and local commercial development with renewable electricity. Potential opportunities to supply heat to existing and proposed development within the vicinity of the plant are also being investigated.

The development of biomass fuelled electricity generating plant is consistent with Central Government and local planning policies to encourage energy from renewable sources. Renewable energy results in reduced emissions of greenhouse gas emissions compared to fossil fuel alternatives like coal, oil and gas. Generating energy from sustainable biomass is considered to be a low carbon energy source.

The plant will require up to 800,000 tonnes of solid biomass per annum. The biomass feedstock will comprise sustainably sourced fuel in the form of virgin wood fibre; recycled wood chips; energy crops; solid recovered fuel; residues from processing cereals and oilseeds; and other solid biomass material as defined by the Renewables Obligations 2009. The plant **will not** use general domestic or industrial waste or liquid biomass feedstocks, e.g. vegetable oils. The majority of the fuel will be delivered to the plant through the Port of Southampton with some locally sourced fuel being delivered to the site by road or rail.

Construction of the project will take approximately 36 months. It is anticipated the plant will become operational in 2015. The plant will generate between 40-250 jobs during construction and approximately 40 permanent full time jobs during operation. In addition, the plant would also help safeguard existing jobs within the area and will result in indirect employment for off-site based logistics, engineering and services support and procurement.

Further information on the proposed scheme and some Frequently Asked Questions are available on the project website: www.southamptonbiomasspower.com The website will be updated as the project progresses and various non technical documents will be uploaded as they are published. The information available on the website will also be available in hard copy format in the Shirley Library and through the Marchwood Parish Council Clerk.

Statement of Community Consultation

As required by the Regulations, Helius Energy has formally consulted with Southampton City Council on the content of the SoCC.

A separate document, entitled 'Community Consultation Strategy', has been produced which provides further detail on the community consultation strategy for Southampton Biomass Power and provides details of the consultation undertaken with Southampton City Council. Information about how Statutory Consultees will be consulted is also included within the document. The Community Consultation Strategy document is available on the project website, in Shirley Library and from the Marchwood Parish Council Clerk.

The following groups have been identified, in consultation with Southampton City Council, as 'living in the vicinity of the land':

- Employees of the Port of Southampton and companies located within the Port;
- Residents of Millbrook and Freemantle wards of Southampton who reside south of the A3057 and east of the A35;
- Business premises located within Millbrook and Freemantle including the those within the Millbrook Industrial Estate, the Manor House Industrial Estate and British American Tobacco;
- Residents on Redbridge road, along the route from the M271 motorway junction to Dock Gate 20;
- Residents of the village of Marchwood; and
- Business premises located within the village of Marchwood;

In addition to the specific groups identified above, the dedicated project website will reach a wider audience to keep readers informed about the proposals.

A copy of the SoCC, and Community Consultation Strategy document, will be sent to locally elected community representatives who include the MP and MEPs for Southampton and the New Forest as well as Marchwood Parish Council and community groups/residential associations in the areas identified above. A full list of local community representatives is available in the Community Consultation Strategy document. Councillors for Southampton City Council and New Forest District Council elected in the wards above will also receive a copy of these documents.

The SoCC and the Community Consultation Strategy document will be available in the Shirley Library, 14 Redcar Street, Southampton, SO15 5LL.

The Infrastructure Planning Commission

The Infrastructure Planning Commission is an independent body set up by the Government in October 2009 to decide applications for Nationally Significant Infrastructure Projects (NISPs), giving consideration to both the local and national impacts of a proposed scheme.

The draft National Policy Statement for Energy sets out the Government's intended policy for the development of energy infrastructure. The National Policy Statement for Energy has not yet been formally designated by the Secretary of State and until that time, the IPC does not have the power to decide applications and will instead make a recommendation to the Secretary of State for Energy and Climate Change. The Secretary of State will then decide whether to grant consent for the proposed scheme.

The IPC will only accept an application if the applicant can demonstrate that they have consulted fully with the local community. The IPC's website sets out the process for consultation during the examination process: <http://infrastructure.independent.gov.uk>.

On the 29th June 2010 the Government announced plans to abolish the IPC but retain the skills and expertise within a Major Infrastructure Planning Unit as part of the Planning Inspectorate within the Department for Communities and Local Government. New legislation will be required to bring about this change. Until that legislation is in place, the IPC will continue within its present role. Further details are available on the IPC's website: www.independent.gov.uk/infrastructure.

Environmental Impact Assessment

The proposed scheme may have environmental effects and therefore Heliuss Energy has determined that an environmental impact assessment (EIA), pursuant to 'The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009', will be undertaken. Various technical assessments will be carried out by a

team of independent specialist consultants. The findings of these assessments will be set out in an Environmental Statement which will be submitted as part of the application to the IPC.

Helius Energy will consult with various statutory bodies concerning the scope of the EIA prior to submitting a Scoping Statement to the IPC for a formal response. The principal potential significant impacts identified by Helius Energy, and to be addressed within the Environmental Statement, include:

- Effect on local air quality
- Visual impact
- Effect of transport movements
- Noise and vibration effects
- Effect on ecological interests
- Economic Regeneration and new job generation
- Carbon savings and sustainability

Detailed assessments will seek to assess the impact of the proposed scheme on the existing locality, taking other proposed schemes into account where applicable. The assessments will seek to maximise any beneficial impacts on the local community while identifying any viable mitigation measures where appropriate.

Consultation Strategy

Helius Energy is seeking the public and stakeholder's views on the proposed scheme and, where relevant, the proposed measures to mitigate any potentially significant local impacts identified by the environmental impact assessment. In addition to gaining the views of the local community, community engagement will provide the opportunity to inform the local community about the proposed scheme and for the local community to ask questions about the proposals.

Helius Energy informally consulted with Southampton City Council regarding the community consultation strategy to ensure the consultation reaches out to all members of the community who may be affected by the proposed development.

The application preparation process is interactive and therefore, in order to allow for third party responses or additional studies as required, specific dates for the consultation exercises proposed have not been specified however Helius Energy undertakes to advertise the various consultation activities in the local newspaper and on the project website, where appropriate, and has set out indicative timeframes within this document.

Community consultation will take place in two phases as set out below.

Phase I: Informal consultation

Phase I of the community consultation will involve informal consultation with the local community representatives including local residents associations & community groups and locally elected community representatives. Please see the Community Consultation Strategy document for the full list of these individuals and organisations. Local Councillors will also be kept informed about the proposals.

The aim of Phase I is to inform the local community about the project and identify the potential impacts of the scheme on that community. This phase will provide the opportunity for the local community, through their local community representatives, to learn more about the proposed scheme and identify any perceived or potential impacts of the scheme on the locality.

Phase I will be undertaken immediately following the publication of the SoCC and is expected to last around 2 months, followed by a period of 28 days minimum for consultees to submit written responses to the applicant. Phase I will be undertaken while the various environmental studies are being completed.

The local community representatives will be introduced to the proposed scheme in writing and will receive copies of a Project Summary which will outline the proposed scheme along with the SoCC and Community Consultation Strategy document and the Scoping Statement, which sets out the topics that the environmental impact assessment will examine. All local community representatives will be invited comment on the proposals. The opportunity will be given to attend a face to face meeting to discuss the project and provide any appropriate feedback.

The project website will be launched at the start of Phase I. The website will provide details of the project directly to the members of the public. All documents circulated to the local community representatives will also be made available on the project website. Members of the public will be able to contact Helius Energy through the project website during this phase to ask questions about the proposed scheme and can register to receive a notification when the website is updated with new information. A copy of all the information provided on the website will also be available in Shirley Library and from the Marchwood Parish Council Clerk.

Phase II: Formal consultation

Phase II will involve formal consultation with the local community and will be undertaken once the majority of the environmental assessments have been completed. It is anticipated Phase II will commence in December 2010. The aim of this phase of the consultation is to inform the local community on the outcomes of the environmental impact assessment, including any anticipated effects of the scheme on the locality. Views will be sought on the mitigation measures proposed within the scheme design.

A Non Technical Consultation Document will be published, providing a summary of the various environmental studies undertaken in non technical language. The publication of the Non Technical Consultation Document will be advertised in the Daily Echo and copies of the document will be available in

the Shirley Library and on the project website. A copy of the document will also be sent to the local community representatives and local Councillors.

Two public exhibitions will also be held at the start of this phase to provide the opportunity for the local community to meet with Helius Energy's project team.

Representatives from the specialist consultants responsible for assessing the areas of specific concern to the local community will also attend to answer more specific questions. It is anticipated these will include emissions to air, ecological, noise and vibration and transportation effects.

It is intended that the exhibitions will be held at two separate community centres or halls within the local area. The date and location of the exhibitions will be advertised in the local newspaper, on the project website and through a leaflet drop to residential properties and business premises in Freemantle, Millbrook, Marchwood and Redbridge in the areas identified above. The local community representatives, local Councillors and employers within the Port of Southampton will also receive an invitation to the exhibitions.

The exhibitions will take place on two separate days, during the week, and will run into the evening to ensure the widest possible access. Information about the project will be communicated through the use of posters and copies of the Non Technical Consultation Document will be available for review.

Members of the local community will have a minimum of 28 days following the public exhibitions to make comments on the content of the Non Technical Consultation Document. The deadline for responses will be specified in all advertisements, on the project website and on all copies of documents and leaflets published. The website will provide a facility for members of the public to submit their comments on the proposals. Members of the public will also be able to submit written comments at both public exhibitions.

Consultation feedback

Feedback on consultation is important to ensure the local community know their views have been heard. The main source of feedback from the community consultation will be in the form of the Consultation Report, which will be submitted with the application to the IPC.

The Consultation Report will include a summary of all community representations and Helius Energy's response. The Consultation Report will be circulated to the local community representatives and local Councillors as well as a copy being available in the Shirley Library and on the project website once the application has been accepted by the IPC. Helius Energy may also provide direct feedback to individuals where appropriate.

Helius Energy plc,
242 Marylebone Road, London. NW1 6JL



Switching On The **Green Light**

Draft Community Consultation Strategy

Southampton Biomass Power Ltd

**Proposed 100MWe Biomass Electricity Generating
Plant, Southampton Port**

**September 2010
Version 1.0**

Prepared By:

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SCHEDULE OF APPENDICIES

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Appendix 2	Site Location

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ABBREVIATIONS

EIA	Environmental Impact Assessment
ES	Environmental Statement
IPC	Infrastructure Planning Commission
NSIP	Nationally Significant Infrastructure Project
SCC	Southampton City Council
SOCC	Statement of Community Consultation

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1.0 INTRODUCTION

- 1.1 Heliuss Energy plc ('Heliuss Energy') proposes to consent, build and operate a 100MWe biomass fuelled electricity generating station in the Port of Southampton. The project is classified as a 'National Significant Infrastructure Project' under the Planning Act 2008.
- 1.2 The Planning Act (2008), and associated Regulations, requires applications for 'Development Consent Orders' for Nationally Significant Infrastructure Projects to be made to the Infrastructure Planning Commission (IPC). The legislation sets out statutory requirements for developers to engage in pre-application consultation with local communities, local authorities and those who would be affected by the proposal as well as key public bodies.
- 1.3 The legislation requires the developer to produce a Statement of Community Consultation or SoCC which sets out the framework for consultation with the local community and interest groups. The Regulations require that following formal consultation with the relevant Local Authority, in this case Southampton City Council, the SoCC is published in a local newspaper.
- 1.4 The Community Consultation Strategy document provides further detail regarding the intended approach to community consultation for the proposals for the project.

2.0 HELIUS ENERGY

- 2.1 Helius Energy plc is a biomass energy development company delivering a portfolio of projects across the UK. Established in 2005 (registered to AIM, the London Stock Exchange's international market for smaller growing companies, in 2007), Helius Energy seeks to provide reliable energy from sustainable resources in a way which is economic and which has proper regard to environmental considerations.
- 2.2 Helius Energy plc's objective stems from the growing need for reliable power from renewable fuels in order to overcome the issues of climate change due to carbon dioxide emissions associated with fossil fuels like coal, oil and gas.
- 2.3 Helius Energy plc is committed to promoting a wider public understanding of the need to switch to energy resources that reduce carbon emissions in order to address issues of global climate change. The company welcomes Government initiatives and encouragement to involve and inform the local community about major development projects before the formal submission of planning and related applications.
- 2.4 Helius Energy plc is a responsible and ethical company and is totally committed to being a sustainable business. As well as identifying and developing biomass energy plants, the Helius Energy plc strategy includes retaining ownership of the projects into operation.
- 2.5 The Helius Energy plc team has extensive knowledge of the UK renewable energy market, biomass energy technologies and is experienced in promoting and developing biomass fuelled power stations. Made up of a team of highly qualified and skilled individuals, each team member contributes to the company's approach to the development of new projects where development skills are complimented by construction and operational experience. In addition to the team members, the board at Helius Energy plc is of a solid pedigree, made up of 8 directors with over 150 years combined experience.
- 2.6 The Group successfully permitted its first biomass fuelled 65MWe electricity generating station on a site at Stallingborough, on the south side of the Humber Estuary. Consent under section 36 of the Electricity Act 1989, and deemed planning permission was granted in June 2008. The project was sold to RWE innogy in 2008 with Helius retaining an interest. Preliminary site works were commenced in 2008 and commencement of the main project is anticipated during 2010/11.
- 2.7 In January 2009, Helius Energy secured planning permission for a 7.2MWe combined heat and power plant on a site at Rothies, Moray. The plant will use distiller's draff as a fuel feedstock. The scheme is currently at design stage and commencement of construction of the project is expected by winter 2010.

- 2.8 In March 2010, Helius Energy secured Section 36 consent, and deemed planning permission for a 100MWe biomass fuelled electricity generating station at Avonmouth Dock, Bristol. The scheme is now in design stage and it is anticipated that work on site on the project will commence early 2011.

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3.0 REGULATORY REQUIREMENTS FOR COMMUNITY CONSULTATION

3.1 This Section outlines the regulatory obligations Helius Energy must fulfil with regards to community consultation and the Statement of Community Consultation (SoCC).

Requirement for Community Consultation

3.2 Section 47 of The Planning Act 2008 sets out the developer's duty to consult the local community and requires the applicant to prepare a statement (the 'SoCC') setting out how they intend to consult with the 'people living in the vicinity of the land'. The applicant is required to consult with the local authority while preparing the statement and should have regard to any response received from the local authority.

3.3 Section 47 (6) of the Planning Act 2008 requires that the SoCC be published in a local newspaper. In addition, the SoCC will be circulated to locally elected representatives and will be made available on a dedicated project website.

3.4 Section 47 (7) of the Planning Act 2008 requires that the applicant carries out community consultation on the proposal in accordance with the framework set out within the SoCC.

Requirement for an Environmental Impact Assessment

3.5 It is considered that the proposed development falls within Schedule 2, Category 3(a) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. It is of a scale and nature that could potentially give rise to significant effects and, therefore, the applicant has undertaken to complete an Environmental Impact Assessment on the proposals and will submit an Environmental Statement with the application to the IPC.

3.6 Regulation 10(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 requires the applicant to set out how they intend to consult on preliminary environmental information, within the SOCC. Sections 5.0 and 6.0 of this document provide details on how the consultation on the preliminary environmental information will be undertaken.

4.0 PROJECT DESCRIPTION

- 4.1 The proposed scheme will be located within the Port of Southampton's Western Docks adjacent to Millbrook Railfreight Terminal and Millbrook (Hants) railway station (grid reference SU 396 124).. The site location is shown in Appendix 2.
- 4.2 The proposed scheme will comprise a biomass fuelled electricity generating plant capable of generating approximately 100 Megawatts (Declared Net Capacity) of electricity and associated biomass processing and fuel store, boiler house, turbine building, cooling assembly, ancillary buildings, structures, plant and equipment together with other engineering and building works. The plant will generate renewable electricity that will be fed into the local electricity supply grid, equivalent to the consumption of approximately 200,000 homes. This is sufficient to provide the Southampton population (approximately 100,000 households) and local commercial development with renewable electricity. Opportunities to provide heat to premises within the vicinity of the plant are also being investigated.
- 4.3 The plant will require up to 800,000 tonnes of solid biomass per annum. The biomass feedstock will comprise of sustainably sourced fuel in the form of virgin wood fibre; recycled wood chips; energy crops; solid recovered fuel; residues from processing cereals and oilseeds; and other solid biomass material as defined by the Renewables Obligations 2009. The plant **will not** use general domestic or industrial waste or liquid biomass feedstocks, e.g. vegetable oils. The majority of the fuel will be delivered to the plant through the Port of Southampton with some locally sourced fuel being delivered to the site by road.
- 4.4 Construction of the project will take approximately 36 months. It is anticipated the plant will become operational in 2015. The plant will generate between 40-250 jobs during construction and approximately 40 permanent full time jobs during operation. In addition, the plant would also help safeguard existing jobs within the area and will result in indirect employment for off-site based logistics, engineering and services support and procurement.

5.0 COMMUNITY CONSULTATION FRAMEWORK

5.1 'The Planning Act 2008 - Guidance on pre-application consultation' was released by the Department for Communities and Local Government in September 2009. Paragraph 16 of the guidance outlines the basic purpose of community consultation which ensures people:

- a. *'Have access to information;*
- b. *Can put forward their own ideas and feel confident that there is a process for considering ideas;*
- c. *Have an active role in developing proposals and options to ensure local knowledge and perspectives are taken into account*
- d. *Can comment on and influence formal proposals*
- e. *Get feedback and be informed about progress and outcomes'.*

What makes for useful Community Consultation?

5.2 The sharing of information in both directions, from the developer to the local community and vice-versa, can be to the benefit both the communities and the proposed development.

5.3 Consultation with the local community assists in providing the developer with vital local knowledge. This knowledge enables the developer to identify any likely environmental or social effects on the locality. Effective consultation enables the project design to evolve in response to those potential effects and incorporate appropriate mitigation measures. Proposed mitigation measures will seek to minimise any adverse effects and maximise the positive impacts of the proposals.

5.4 For the local community, engagement exercises provide a chance to understand more about the proposed scheme, explore how the development can bring value to their community, help shape solutions and have their say on the proposals.

5.5 For consultation with the local community to be effective, it is important that the developer sets out the aims of the consultation and is clear about what will be consulted upon at the various stages.

People living within the vicinity of the land

5.6 In order to comply with Section 47 (1) of the Planning Act 2008, Helius Energy must consult with 'people living in the vicinity if the land'. It is therefore necessary to define 'people living in the vicinity if the land' and determine the area within which it is appropriate, in these circumstances, to consult.

5.7 Guidance on pre-application consultation under the Planning Act 2008, released by the Department of Communities and Local Government in September 2009, suggests finding a balance between consulting those who are significantly affected by proposals and consulting a wider group of local

people who will not be directly affected, but who will have a reasonable fear that they might be, or will have strong feelings about the project.

- 5.8 Following informal consultation with Southampton City Council, Helius Energy identified the following groups as:
- i Employees of the Port of Southampton and companies located within the Port;
 - ii Residents of Millbrook and Freemantle wards of Southampton who reside south of the A3057 and east of the A35;
 - iii Business located within Millbrook and Freemantle including the those within the Millbrook Industrial Estate, the Manor House Industrial Estate and British American Tobacco;
 - iv Residents on Redbridge road, along the route from the M271 motorway junction to Dock Gate 20;
 - v Residents of the village of Marchwood; and
 - vi Business premises located within the village of Marchwood;

- 5.9 In addition to the specific groups identified above, the dedicated project website will reach a wider audience to keep readers informed about the proposals and provide the means to make comments on or ask questions about the proposed scheme.

Publicly available project information

- 5.10 The dedicated project website (www.southamptonbiomasspower.com) sets out details about the proposed project and includes a register of all publicly available documents for reference along with a section of FAQs concerning the scheme. In addition, the website gives details of how the local community can contact Helius to raise queries relating to the project or respond to any questions.
- 5.11 The information available on the website will be provided in a hard copy format in the Shirley Library (Redcar Street, Southampton, SO15 5LL) and through the Marchwood Parish Council Clerk.
- 5.12 Under Section 39 of the Planning Act 2008, the IPC must make all applications and accompanying documents, information and consultation reports available to the public on a register of applications. In addition, the IPC has a statutory duty, under Section 51 of the Planning Act 2008, to record all advice given in relation to an application or potential application and make this information publicly available.

Community Consultation Strategy

- 5.13 Helius Energy undertakes to complete a two stage community consultation process which is outlined in the sections below.

- 5.14 Helius Energy consulted with Southampton City Council informally to gain their input on the community consultation strategy. Particular points covered by the consultation included:
- i The definition of those 'living in the vicinity of the land';
 - ii The identification of potential effects on the local community;
 - iii Input into the suggested strategy;
 - iv Identification of residential associations or community groups in the vicinity of the site;
 - v Suggested locations and timings of the proposed public exhibitions and the best means to advertise the exhibitions locally;
- 5.15 Following the informal consultation, draft versions the SoCC and Community Consultation Strategy document were submitted to Southampton City Council for formal comment on the 15th September 2010. Southampton City Council's response has been incorporated into the final versions of the SoCC and the Community Consultation Strategy document.
- 5.16 Helius Energy published the finalised SoCC in full in The Daily Echo on *<to be inserted>* and *<to be inserted>*. A copy of the finalised SoCC can be found in Appendix A.
- 5.17 Figure 5.17 sets out an overview of the strategy for community consultation strategy devised, alongside key stages of the Environmental Impact Assessment process.

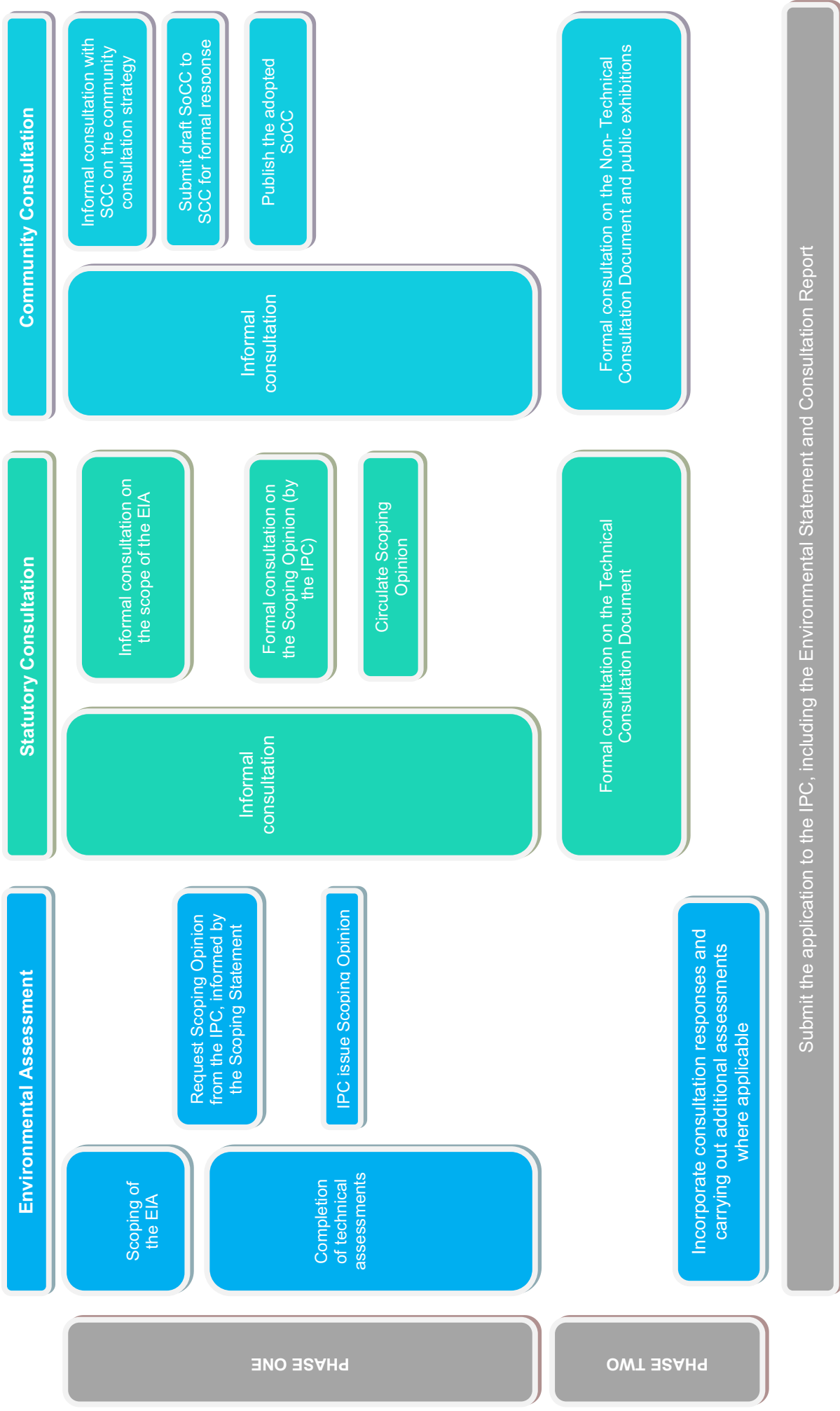


Figure 5.17 Overview of the EIA and Community Consultation processes

Community Consultation Stage One

- 5.18 Phase I of the community consultation will involve informal consultation with the local community representatives including Southampton City Council, local residents associations & community groups. Locally elected community representatives will also be informed about the scheme.
- 5.19 The aim of Phase I will be to better understand the local community and identify the potential impacts of the scheme on that community. This phase will provide the opportunity for the local community directly, and through their locally elected community representatives, to learn more about the proposed scheme and raise any concerns regarding the potential impacts of the scheme on the locality.
- 5.20 Phase I will be undertaken immediately following the formal response of Southampton City Council on the SoCC and is expected to last around 2 months and will be followed by a period of 28 days minimum for consultees to submit written responses to the applicant. Phase I will be undertaken while the environmental studies are being completed.
- 5.21 The following individuals and groups have been identified as local community representatives for the purpose of this consultation:
- i West Southampton Community Forum;
 - ii Chinese Association of Southampton
 - iii SOS Polonia;
 - iv Southampton Federation of Residents Associations;
 - v Southampton Sight;
 - vi Foyes Corner Community Festival;
 - vii Friends of the Field
 - viii Maybush and District Community Association;
 - ix Millbrook and District Community Association;
 - x Redbridge Tenants and Residents Association;
 - xi Councillor Fred White (Marchwood Parish Council);
 - xii Mr Alan Whitehead, MP;
 - xiii Ms Catherine Bearder, MEP;
 - xiv Mr Peter Skinner, MEP;
 - xv Mr Nirj Deva, MEP;
 - xvi Mr Daniel Hannan, MEP;
 - xvii Mr Nigel Farage, MEP;
 - xviii Mr Richard Ashworth, MEP;
 - xix MR Richard Ashworth, MEP;
 - xx Mrs Sharon Bowles, MEP;
 - xxi Mr Keith Taylor, MEP;

xxii Mrs Marta Andreasen, MEP; and

xxiii Mr James Elles, MEP.

5.22 Should additional community groups or residents associations the cover the areas identified as being 'within the vicinity of the land' be identified throughout the application process, they will be included in future communications with the 'locally elected representatives.

5.23 The local community representatives will be introduced to the proposed scheme in writing and will receive copies of the following documents:

- i The Project Summary;
- ii The SoCC;
- iii The Community Consultation Strategy document; and
- iv The Scoping Statement

5.24 The project summary will provide a description of the proposed scheme.

5.25 The Scoping Statement sets out the topics that will be included within the Environmental Statement that will be submitted with the application.

5.26 The community representatives will be invited to make comments on the proposals and to meet with Helius Energy to discuss the proposals and provide feedback from the local community.

5.27 In addition to the locally elected representatives identified above, the following Southampton City and New Forest District Councillors have been identified as 'local Councillors' and will kept informed about the proposals through the provision of the project documents outlined above. The Councillors will also be advised about the role of Southampton City Council and The New Forest District Council as a Section 42 Statutory Consultees in the application process:

- i Councillor Carol Cunio, Mayor of Southampton;
- ii Councillor Michael Ball (Freemantle ward);
- iii Councillor Jeremy Moulton (Freemantle ward);
- iv Councillor Brian Parnell (Freemantle ward);
- v Councillor David Durnell (Millbrook ward);
- vi Councillor Linda Norris (Millbrook ward);
- vii Councillor Andrew Wells (Millbrook ward);
- viii Councillor Paul Holmes (Redbridge ward);
- ix Councillor Peter Marsh-Jenks (Redbridge ward);
- x Councillor Catherine McEwing (Redbridge ward);
- xi Councillor Alison Hoad (Marchwood Ward); and

xii Councillor Alan Shotter (Marchwood Ward).

5.28 The project website will be launched at the start of Phase I. The website will provide details of the project directly to the members of the public. All documents circulated to the local community representatives will be made available on the project website. A copy of all the information provided on the website will also be available in Shirley Library.

5.29 The website will include an e-mail address to allow members of the public to contact Helius Energy during this phase to ask questions about the proposed scheme. The public will also be able to register to receive a notification when the website is updated with new information.

Community Consultation Stage Two

5.30 Phase II of the community consultation strategy will involve formal consultation with the local community and will be undertaken once the majority of the environmental assessments have been completed.

5.31 The aim of Phase II is to inform the local community on the outcomes of the environmental impact assessment, including any anticipated effects of the scheme on the locality. Views will be sought on the mitigation measures proposed within the scheme design.

5.32 Information about the proposals will be communicated in two ways through:

- i A Non Technical Consultation Document; and
- ii Public Exhibitions.

Non Technical Consultation Document

5.33 A Non Technical Consultation Document will be published, outlining the proposed scheme and summarising the key potential environmental effects of the proposal. The document will include project drawings and images. As it will be designed for the local community, the consultation document will be written in non-technical language and will address issues raised during earlier consultation communication.

5.34 The publication of the Non Technical Consultation Document will be advertised in the Daily Echo for two consecutive weeks.

5.35 Copies of the Non Technical Consultation Document will also be available at the Shirley Library (Redcar Street, Southampton, SO15 5LL), through the Marchwood Parish Council Clerk and on the project website: www.southamptonbiomasspower.com.

- 5.36 A copy of the Non Technical Consultation Document will also be provided to the local community representatives and local Councillors identified under Phase I.

Public Exhibitions

- 5.37 Two public exhibitions will be held at the start of Phase II to provide the opportunity for the local community to meet with Helius Energy's project team and discuss the proposals.
- 5.38 Representatives from the specialist consultants responsible for assessing the areas of specific concern to the local community will also be available to answer more specific questions. It is anticipated these will include emissions to air, ecological, noise and vibration and transportation effects.
- 5.39 The exhibitions will take place on two separate days, during the week and will run into the evening to ensure the widest possible access. Information about the project will be communicated through the use of posters and copies of the Non Technical Consultation Document will be available for review.
- 5.40 It is intended that the exhibitions will be held at two separate community centres or halls within the local area. Helius Energy will seek the views the local community representatives as to the best locations to ensure the exhibitions are as accessible as possible to the whole community.
- 5.41 The date and location of the exhibitions will be advertised in the local newspaper, on the project website and through a leaflet drop to business and residential properties in the Freemantle, Millbrook, Redbridge and Marchwood wards in the areas outlined above.
- 5.42 The local community representatives, local Councillors, and employers within the Port of Southampton will be advised of the exhibition details and be invited to attend.

Formal responses to Phase II consultation

- 5.43 Following the publication of the Non-Technical Consultation Document and the public exhibitions, the local community will have a minimum of 28 days to comment directly to Helius Energy about the proposals. The deadline for responses will be specified in all advertisements, on the project website and on all copies of documents and leaflets published.
- 5.44 The dedicated project website will provide a facility for members of the public to submit their comments directly to Helius Energy. Members of the public will also be able to submit written comments at both public exhibitions.
- 5.45 All consultation responses received by the applicant will be taken into account when preparing the final application documents to be submitted to the IPC.

Consultation feedback

- 5.46 Feedback on consultation is important to ensure the local community know their views have been heard. The main source of feedback from the community consultation will be in the form of the Consultation Report, which will be submitted with the application to the IPC.
- 5.47 The Consultation Report will include a summary of all community representations and Helius Energy's response to those comments. The Consultation Report will be circulated to the local community representatives and a copy will be available on the project website once the application has been accepted by the IPC. Helius Energy may also choose to provide direct feedback to individuals where appropriate.

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6.0 STATUTORY CONSULTATION FRAMEWORK

Identifying who should be consulted about the proposed application

6.1 Section 42 of the Planning Act 2008 requires the applicant to consult with a number of statutory bodies and organisations. Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 lists the bodies or persons who must be consulted on relevant proposals. The following organisations been identified as relevant to the proposed scheme:

- i The IPC;
- ii South East England Regional Assembly;
- iii The Health and Safety Executive;
- iv The South Central Strategic Health Authority ;
- v Natural England;
- vi English Heritage;
- vii Hampshire Fire and Rescue Services;
- viii Hampshire Constabulary;
- ix The Environment Agency;
- x The Commission for Architecture and the Built Environment;
- xi South East England Development Agency (SEEDA);
- xii The Equality and Human Rights Commission;
- xiii Sustainable Development Commission;
- xiv Joint Nature Conservation Committee
- xv The Highways Agency;
- xvi Southampton City Council;
- xvii Ofgem;
- xviii The Health Protection Agency;
- xix Hampshire LRF Secretariat, ;
- xx Associated British Ports;
- xxi SSE Power Distribution;
- xxii Network Rail Infrastructure Ltd
- xxiii Southern Water;
- xxiv New Forest District Council;
- xxv Fareham Borough Council;
- xxvi Test Valley Borough Council;
- xxvii Hampshire County Council;
- xxviii Marchwood Parish Council
- xxix Partnership for Urban South Hampshire;
- xxx Ford Motor Company Ltd (current occupiers of part of the site);
- xxxi Marine Management Organisation; and

xxxii Government Office for the South East.

- 6.2 The above list may be revised following confirmation of the bodies notified by the IPC under Regulation 9 (1) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

Statutory Consultation Strategy

- 6.3 As with the framework for community consultation, technical consultation will be carried out in two phases to run concurrently with the community consultation (see Figure 5.17).

Statutory Consultation – Stage One

- 6.4 Initial consultation will be on an informal basis as part of the environmental assessment of the proposals. Initial consultation on the contents and form of the Scoping Statement may be sought from statutory bodies. Further advice may be sought during the completion of the Environmental Impact Assessment and compilation of the Environmental Statement.
- 6.5 The IPC will consult with the Statutory Bodies directly prior to publishing the Environmental Impact Assessment Scoping Opinion.

Technical Consultation – Stage Two

- 6.6 The second phase of consultation will involve the circulation of a formal Technical Consultation Document to all Section 42 Statutory Consultees..
- 6.7 The Technical Consultation Document will include:
- i A summary of the main proposals;
 - ii A map of the site location;
 - iii A plan of the site layout; and
 - iv Summaries of the technical environmental assessments undertaken.

- 6.8 Statutory Consultees will have a minimum period of 28 days to respond directly to Helius Energy on the contents of the consultation documents. Helius Energy will have regard to these responses when preparing the proposed application to the IPC and may respond directly to the Statutory Consultees or seek further advice where appropriate.

- 6.9 All Section 42 consultation responses received by the applicant will be contained within the Appendix of the Consultation Report submitted with the application to the IPC.

7.0 SUBMISSION OF THE APPLICATION TO THE IPC

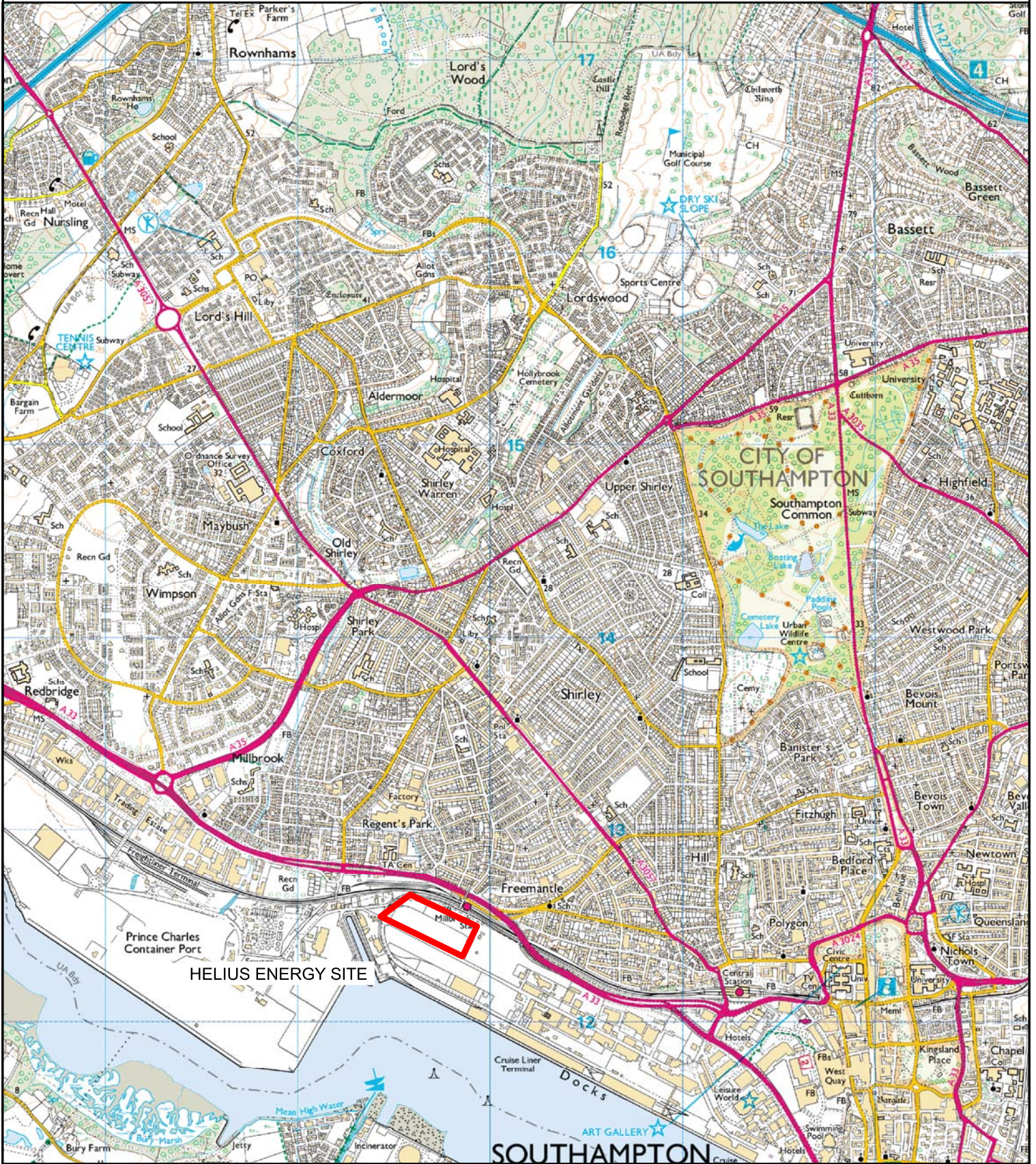
- 7.1 Following the completion of Phase II of the consultation strategy, Helius Energy will compile the application documents for submission to the IPC. The application documents will include a Consultation Report, which will detail the various consultation activities carried out by the applicant to fulfil the obligations set out in the SoCC. The Consultation Report will also include a summary of the responses received during the various consultation activities with the local community and Helius' response to the comments made. The responses received by the Statutory Consultees will also be included.
- 7.2 Following submission of the application, the IPC has 28 days to determine whether the community consultation undertaken by the applicant has been sufficient before formally accepting the application.
- 7.3 On receiving confirmation that the application has been accepted by the IPC, Helius Energy will place advertisements in the Daily Echo, a national paper and the London Gazette to advise of the accepted application, in accordance with Section 56 of the Planning Act 2008. Helius Energy will also post public notices in at least 10 prominent positions within one mile of the site advising of the accepted application. All notices will advise of the deadline for interested parties to register with the IPC. The project website will be updated accordingly and copies of the Environmental Statement and Non Technical Summary will be made available. In addition, the documents relating to the application will be made available on the IPC's website.
- 7.4 The IPC will request a Local Impact Report from the Local Planning Authority, in this case Southampton City Council, under Section 60 of the Planning Act 2008, and will carry out further consultation with interested parties.

APPENDIX 1 – STATEMENT OF COMMUNITY CONSULTATION

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APPENDIX 2 – SITE LOCATION

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REV	DETAILS	BY	CHKD	APPR
PROJECT: SOUTHAMPTON				
DRAWING TITLE: SITE LOCATION PLAN				
DRAWN: R.DRAYCOTT		CHECKED:		APPROVED:
SCALE NTS @ A4		DRAWING NUMBER: SPTN-9003		REV 0.2



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