

APPLICATION BY VEOLIA ES NOTTINGHAMSHIRE LTD FOR A WASTE COMBUSTION AND ENERGY RECOVERY FACILITY (ERF) ON LAND AT THE FORMER RUFFORD COLLIERY, RAINWORTH, NOTTINGHAMSHIRE

**NOTES OF A PRE-INQUIRY MEETING – RAINWORTH VILLAGE HALL
1400 MONDAY 7 JUNE 2010**

The Inspector, Rupert Grantham, explained that the purpose of the meeting was not to hear any evidence, but was as set out in an email from the Planning Inspectorate, to the main parties, dated 27 May.

Nature Conservation

The applicant Veolia is to assess the combined effects of plans and projects, including the proposed ERF, on nature conservation interests relating to woodlark and nightjar which suggest that part of Sherwood Forest may be suitable for identification as a Special Protection Area (SPA). Bond Pearce's letter of 17 May indicates that this "in-combination assessment" will provide sufficient detail to enable the Inspector, and thereby the Secretary of State (SoS), to reach a fully informed decision on the extent of those effects.

The assessment will consider whether the ERF, in combination with other plans or projects, is likely to have a significant effect on these nature conservation interests. Veolia confirmed that the results will also provide sufficient information to enable the Inspector, and thereby the SoS, to carry out an appropriate assessment of the implications for the suggested SPA, along the lines required by the Conservation of Habitats etc. Regulations (SI 2010 No 490) and described in ODPM Circular 06/2005.

Veolia accepts responsibility for ensuring that the information provided is adequate for these purposes. If the SoS were to refuse permission for the ERF, because of inadequacies in the information, Veolia would have no complaint unless those inadequacies were attributable to a failure by Natural England (NE) or the Nottinghamshire Wildlife Trust (NWT) to disclose relevant material.

Veolia will report its assessment by the end of July 2010. The boundary of the nature conservation site, to be considered, has been agreed with NE and NWT as the outer limit of areas identified by NE and the Royal Society for the Protection of Birds (RSPB). Agreement has also been reached on the long list of projects for consideration and on the area within which any future projects might need to be considered. There is unlikely to be disagreement over the nature conservation objectives, that are to be used in the study, and the methodology is likely to be agreed with NE. In any event, Veolia is to produce a statement of common ground (SoCG) which will indicate whether agreement was reached following consultation with NE and/or NWT after each stage of the assessment process. Veolia, NE and NWT will also produce supplementary proofs of evidence to address matters raised by the report.

Release of PFI Contract Information to PAIN

PAIN expect the Court of Appeal hearing to be held on 5 July, but the date of the Court's decision is not yet known. Meanwhile, the Information Commission Office (ICO) is expected to indicate that further details of the PFI Contract should be released before the end of July. It remains to be seen whether Nottinghamshire County Council (NCC) will agree with the ICO view.

If further details of the PFI Contract are released, this may be referred to in a supplementary proof of evidence from Mr Watson, but Veolia's evidence would remain unchanged.

New Policy

The government has announced its intention to revoke Regional Spatial Strategies. In order to save inquiry time, it may be possible for the planning authorities to agree a SoCG with Veolia, on the implications of this announcement for the inquiry. PAIN may also be able to agree. It is also open to any party to address the implications in a supplementary proof of evidence.

Planning Obligations and Conditions

NCC and Veolia are to review the content and wording of draft conditions set out in their SoCG, so that the list to be considered at the conditions session is an agreed version.

Veolia are to produce a draft of the planning obligation(s) that it proposes and it would be helpful if NCC were to indicate whether they are satisfied with the wording and content.

Timetable for submission of information

Veolia will provide the final report of its "in-combination" assessment by the end of July and the SoCG with NE and NWT by 6 August. If it is to produce a SoCG on RSS, this too will be provided by 6 August.

The draft planning obligation(s) will be provided by 6 August.

All supplementary proofs, and any new documents referred to in those proofs, are to be provided by 10 September.

The arrangements for circulating this information remain as before. In addition to electronic copies, hard copies should be provided to the Inspectorate and to any Rule 6 party that requests them.

Timetable for the resumed inquiry

The inquiry will resume at 1000 on Tuesday 28 September, in the Rainworth Village Hall. A draft programme is attached to this note. Constraints on sitting times remain as before.

An evening session of the inquiry will be held in the Village Hall, on Wednesday 6 October, to allow members of the public to present evidence. The session will start at 6pm and end when the evidence is finished, or by 9pm, whichever is the earlier. Those wishing to speak should register their names with programme officer Ruth Kinsey (tel 0115 977 4277 or email: ruth.kinsey@nottsc.gov.uk) by 29 September. Anyone who intends to give evidence should arrive at the Village Hall no later than 7pm.

Draft Inquiry Timetable

Rainworth Village Hall

Tuesday 28 September 2010	Inspector's remarks Mr Mazaud (Veolia) Ms Demmar (Veolia)
Wednesday 29 September	Mr Humpheson (Veolia) Mr Smyth (Veolia)
Thursday 30 September	Natural England
Friday 1 October	Dr Buisson (Veolia)
Tuesday 5 October	Dr Buisson (Veolia)
Wednesday 6 October	Prof Wade (Veolia) Evening session 6pm
Thursday 7 October	Prof Wade (Veolia) Mr Hankin (NCC)
Friday 8 October	Mr Hankin (NCC)
Tuesday 12 October	Ms Bland (NSDC) Dr Day (NWT)
Wednesday 13 October	Dr Day (NWT) Ms Bradley (NWT)
Thursday 14 October	Ms Bradley (NWT) Mr Downen (PAIN)
Friday 15 October	Mr Kondakor (PAIN)
Tuesday 19 October	Mr Watson (PAIN)
Wednesday 20 October	Session on conditions and obligations
Tuesday 26 October	Legal submissions on nature conservation matters Closing submissions

During the inquiry, the programme officer will be able to provide updates to this timetable. She will be at the Village Hall and contactable on 07843 460755

Programme officer for weeks commencing 28 Sept and 12 Oct is Tracy Barnes and for weeks commencing 5 Oct and 19 Oct is Ruth Kinsey.