

THE YORK POTASH HARBOUR FACILITIES ORDER 201X

Consultation Report – Appendices 22 to 31



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**Nathaniel Lichfield
& Partners**

Planning. Design. Economics.

**Harbour Facilities Development
Consent Order**

**Consultation Report
Appendices 22 to 31
Section 37(3)(c) Planning Act 2008**

Doc. No: 6.1
York Potash Limited

19 December 2014

50303/HS/Con/A22-31

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London N1 9RL

nlplanning.com

Appendices

(Appendices marked in **bold** are included within this volume)

Project-wide consultation (non-statutory)

- Appendix 1 Full Account of Early Consultation on the Project (2011 to 2013)
- Appendix 2 YPL Update newsletters
- Appendix 3 Full account of consultation during 2014
- Appendix 4 Consultation Benchmarking Document for the 2014 public consultation on the mine, MTS and MHF
- Appendix 5 The York Potash Project Explained brochure [June 2014]
- Appendix 6 Schedule of comments received during the public consultation on the mine, MTS and MHF (June to September 2014)
- Appendix 7 Summary schedule assessing the 2014 public consultation responses
- Appendix 8 Map of the consultation responses received from across the UK
- Appendix 9 Map showing the distribution of responses in the local area during the 2014 public consultation

Harbour DCO statutory consultation

- Appendix 10 Harbour facilities EIA Scoping Opinion list of statutory consultees
- Appendix 11 List of Section 42 consultees
- Appendix 12 Consultation notification letter sent to Section 42 consultees
- Appendix 13 The York Potash Harbour Facilities Summary of Proposals document (also Doc Ref 7.2)
- Appendix 14 CD of harbour facilities DCO consultation material
- Appendix 15 Plan of the Authorities consulted under Section 43
- Appendix 16 Section 46 letter sent to the Planning Inspectorate
- Appendix 17 Final Statement of Community Consultation
- Appendix 18 Notice and emails from RCBC and STBC confirming agreement to the Statement of Community Consultation
- Appendix 19 Newspaper advert confirming consultation timings and dates
- Appendix 20 Public consultation notice and locations in local areas where this was displayed
- Appendix 21 Photographs of public exhibitions

Appendix 22 Public exhibition boards

Appendix 23 Consultation feedback survey

Appendix 24 Letter sent to Councillors

Appendix 25 Letter sent to business networks

Appendix 26 Letter sent to local members of parliament

Appendix 27 Section 48 notice

Appendix 28 Section 42 consultation schedule

Appendix 29 Section 47 consultation schedule

Appendix 30 Online consultation results

Appendix 31 Summary schedule assessing the Section 47 consultation responses received

Appendix 22

Public exhibition boards

WELCOME TO THE EXHIBITION



BACKGROUND

The proposed harbour facilities at Teesside are an integral part of the York Potash Project.

The harbour development is classified as a Nationally Significant Infrastructure Project (NSIP). This requires a Development Consent Order (DCO) from the Secretary of State for Transport before it can be developed.

WHAT WE ARE CONSULTING ON?

York Potash Ltd is asking for views on the proposed harbour facilities and associated infrastructure; its construction and the ongoing operation of the facilities and their overall impact.

Your views on any element of the proposals are encouraged at this stage and could help to shape further development of the harbour facilities going forward.

MORE INFORMATION

The consultation includes both public events and more technical information available for people to view.

Draft technical reports are available at these exhibitions and on the Company website www.yorkpotash.co.uk.

The documents will be on display at various locations from 11 September 2014 to 16 October 2014.

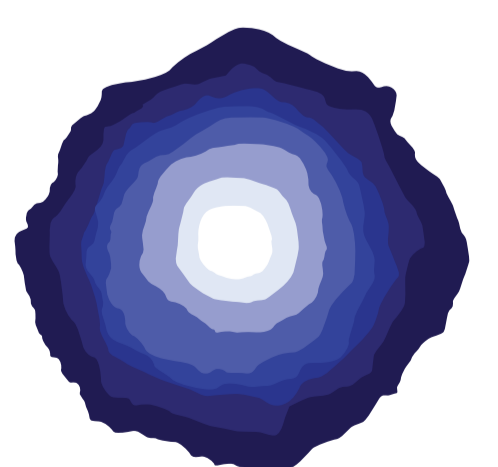
HAVE YOUR SAY NOW

York Potash is proposing a one-stage consultation process for the harbour facilities so it is important to have your say now.

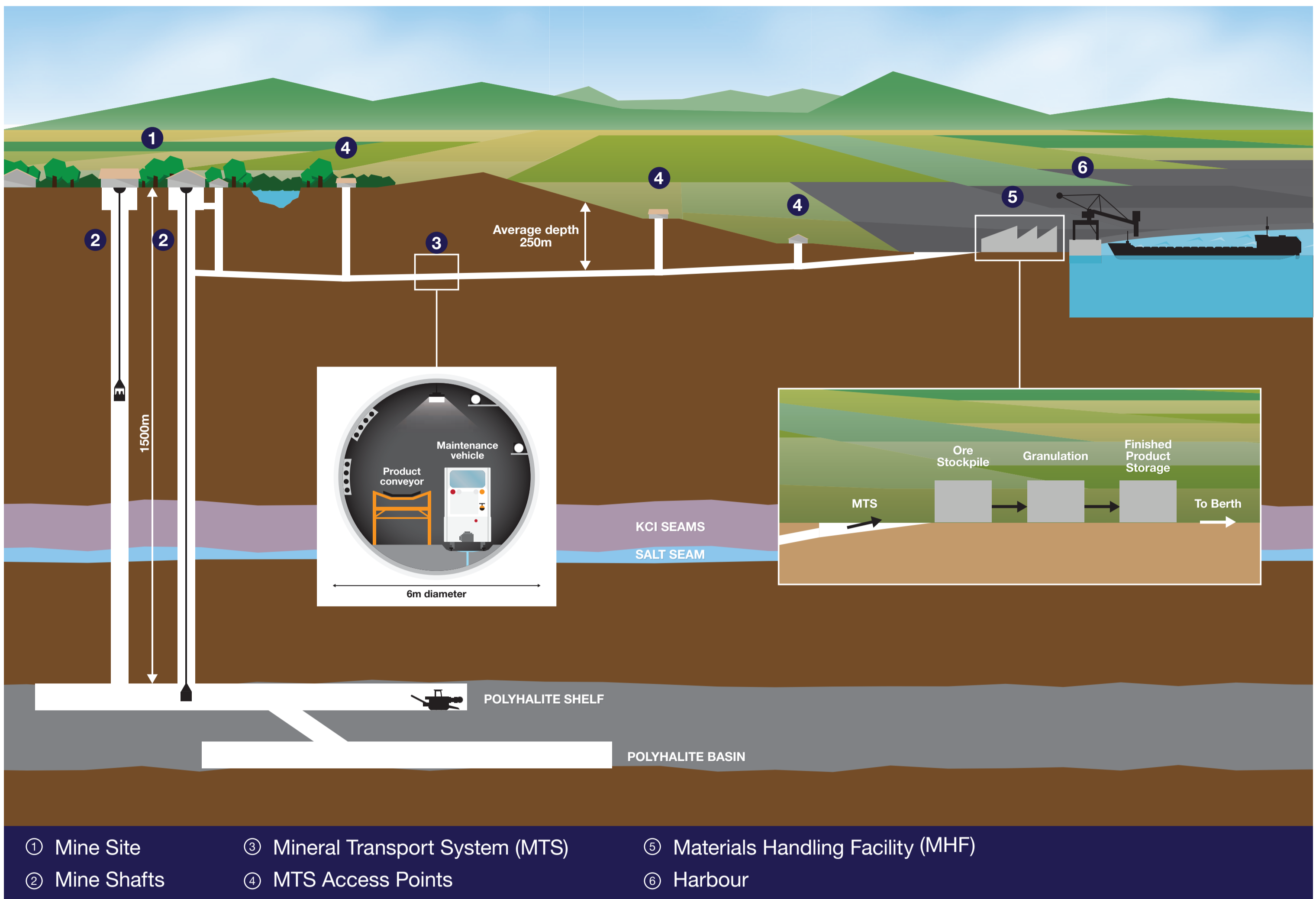
PLANNING PROCESS

PROJECT ELEMENT	DETERMINING AUTHORITY
Mine and mineral transport system	North York Moors National Park Authority and Redcar and Cleveland Borough Council
Materials handling facility	Redcar and Cleveland Borough Council
Harbour	Secretary of State for Transport

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A **Sirius Minerals** Project



OVERVIEW OF THE WIDER YORK POTASH PROPOSALS



The York Potash Project aims to build the first Potash mine in the UK for over 40 years – an opportunity for North Yorkshire and Teesside that has local, national and global significance.

There are four main elements to the York Potash Project:

MINE SITE

This would be situated approximately three miles south of Whitby.

MINERAL TRANSPORT SYSTEM (MTS)

The MTS includes a conveyor system in a tunnel and would transport the mined polyhalite to the materials handling facility at Wilton.

MATERIALS HANDLING FACILITY (MHF)

This would consist of the plant and equipment necessary to granulate the polyhalite.

HARBOUR FACILITIES

This incorporates the conveyor system from the MHF and quayside infrastructure.

ECONOMIC BENEFITS

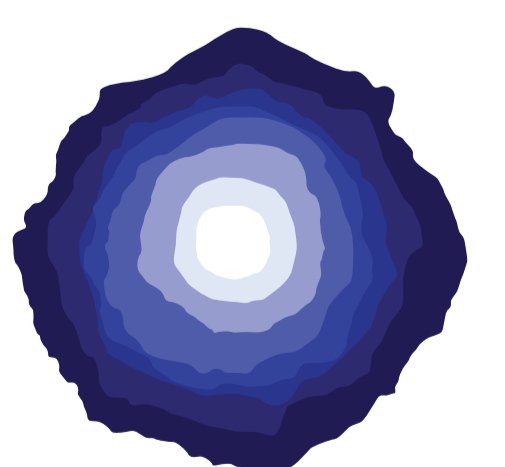
OVER 4200
JOBS CREATED
 DURING CONSTRUCTION
 AND PRODUCTION

£1.2
BILLION
EXPORTS
ANNUALLY

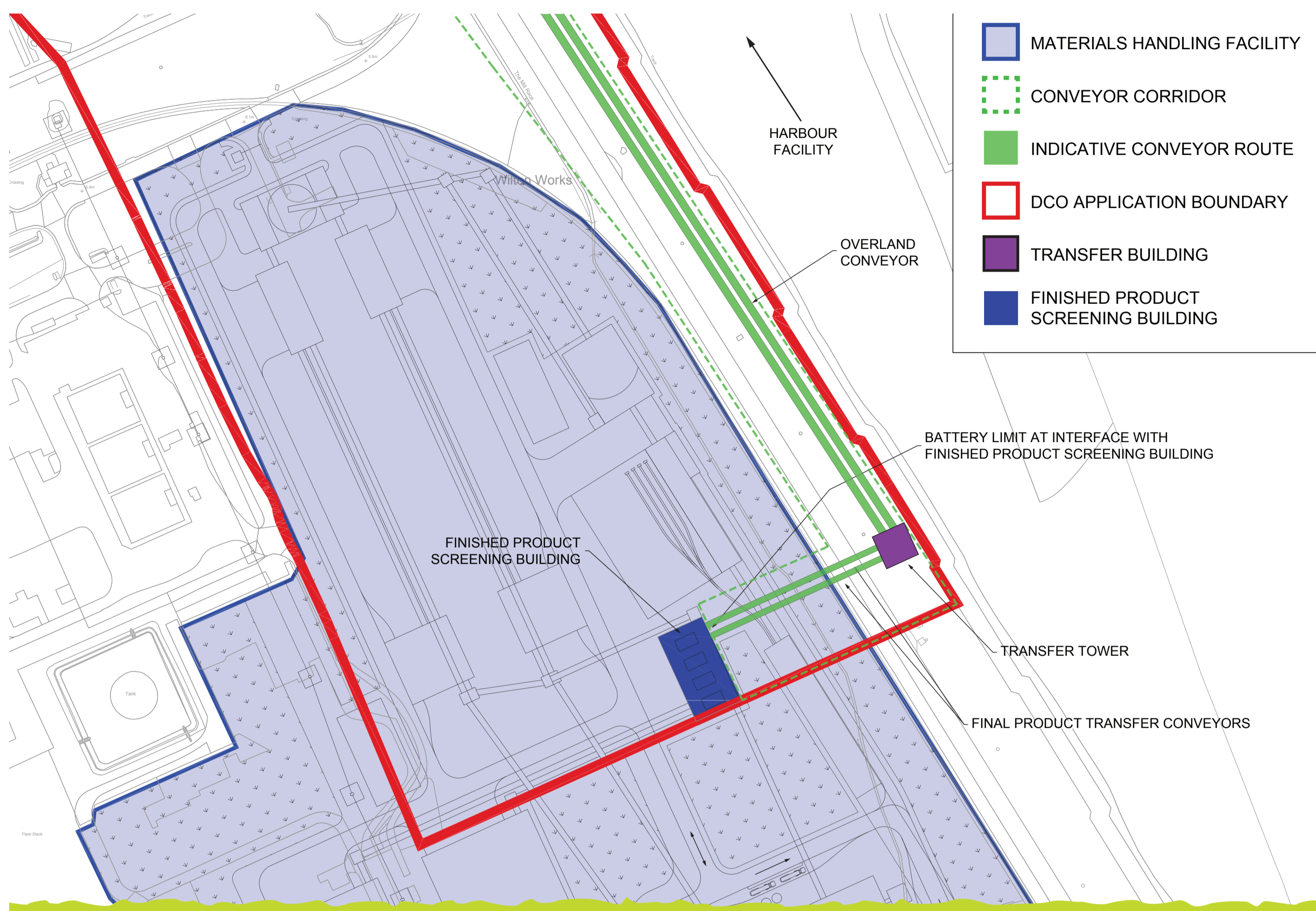
£48M
ANNUAL
LOCAL
PAYMENTS

£233M IN
TAX
RECEIPTS

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MATERIALS HANDLING INTERFACE

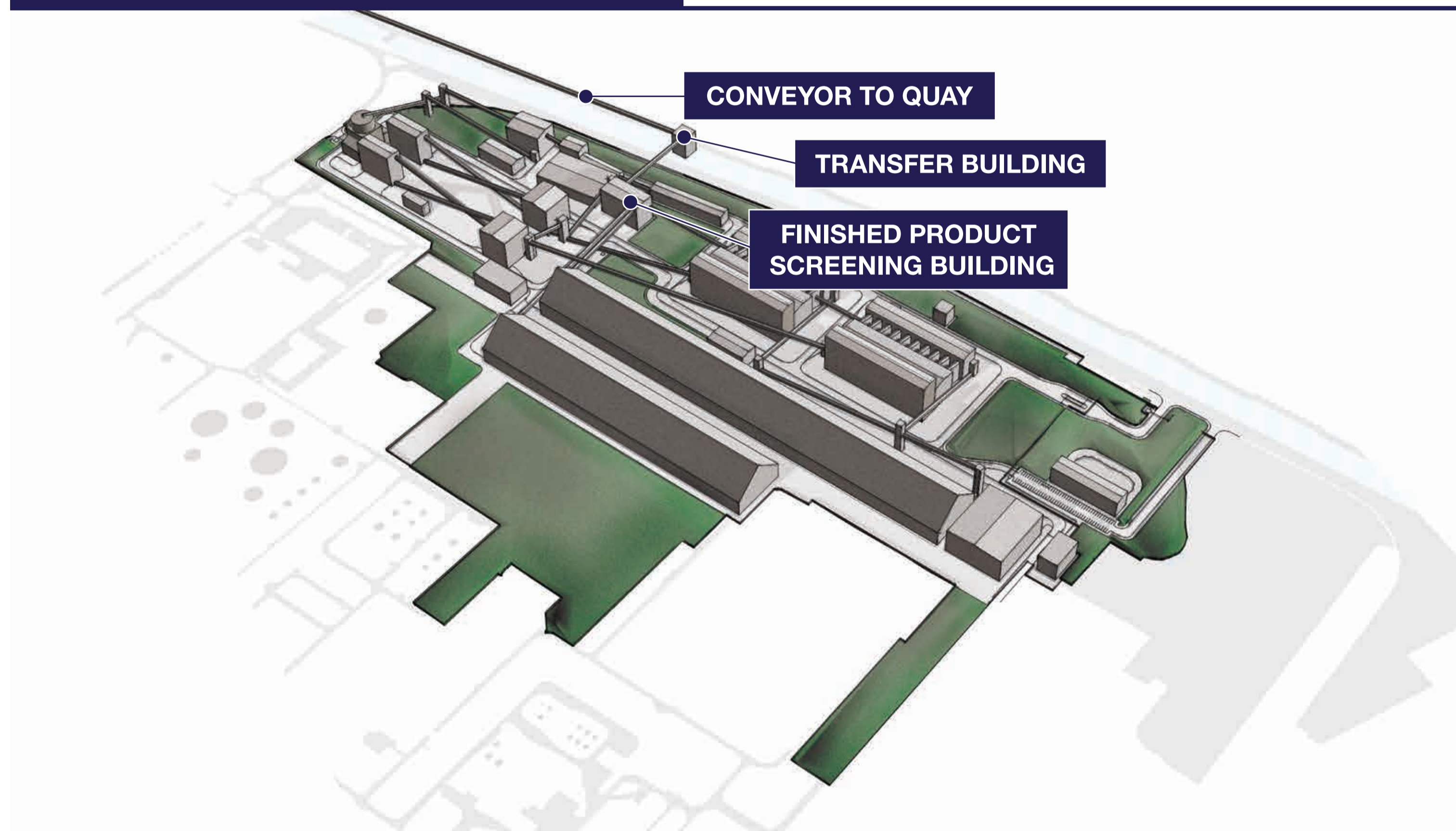


The harbour facilities will interface with the wider York Potash Project at the proposed materials handling facility (MHF). This facility will include all the plant and equipment necessary to granulate the polyhalite and create the final product.

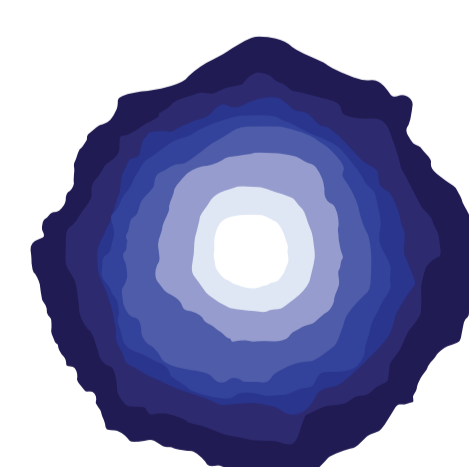
The polyhalite product would then be transferred onto a conveyor system leading to the harbour facilities.

The MHF will be the subject of a planning application due to be submitted for consideration by Redcar and Cleveland Borough Council in September 2014.

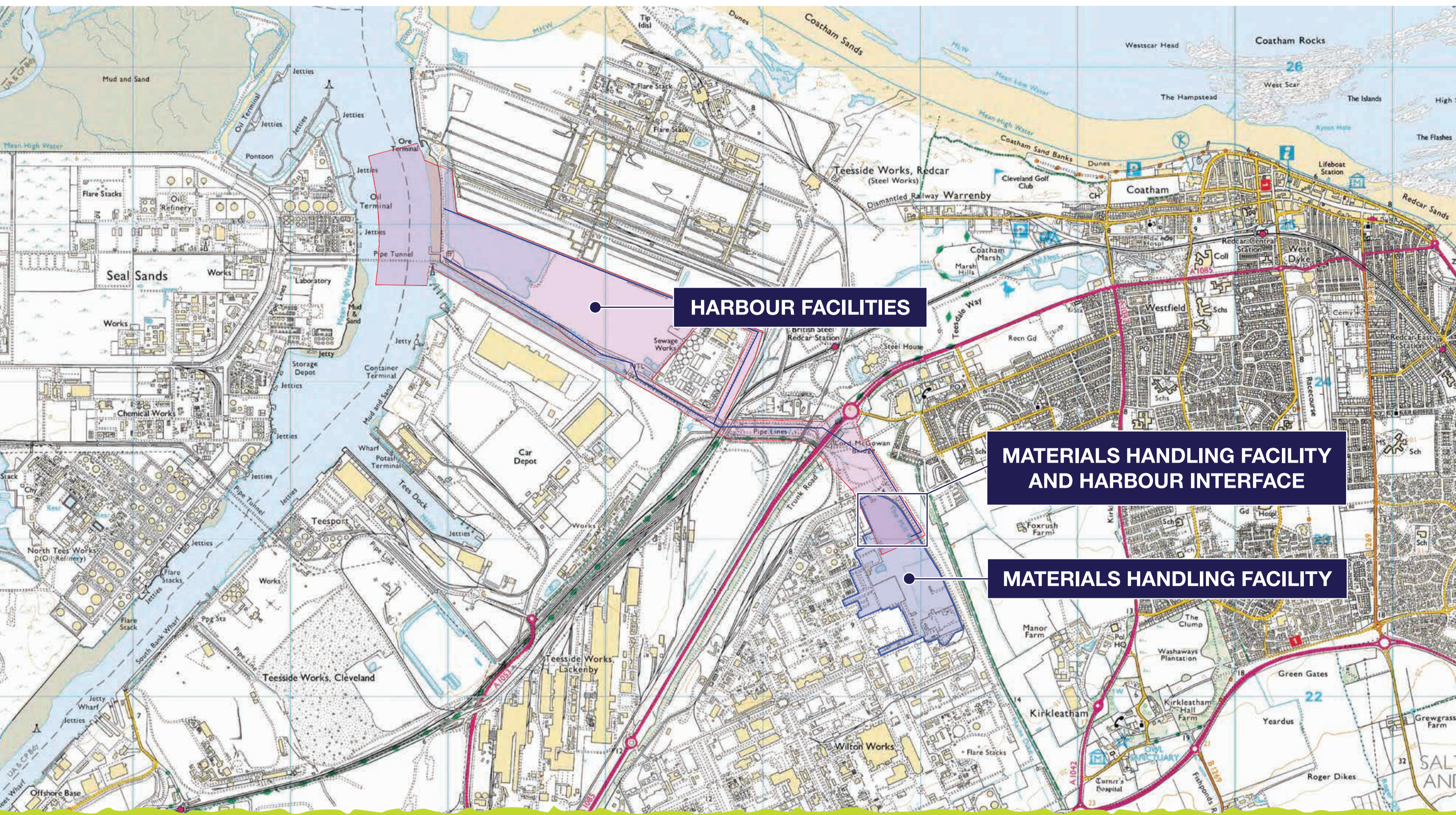
MATERIALS HANDLING FACILITY



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THE HARBOUR FACILITIES



OVERVIEW

The harbour facilities would be located at Bran Sands, with a conveyor connection to the Wilton Estate. The Tees Estuary is ideally suited to providing shipping access to customers around the world. The proposed harbour facilities would enable York Potash to export the product to satisfy the global demand for high quality polyhalite.

In summary, the proposed harbour facilities development would comprise of the following main elements:

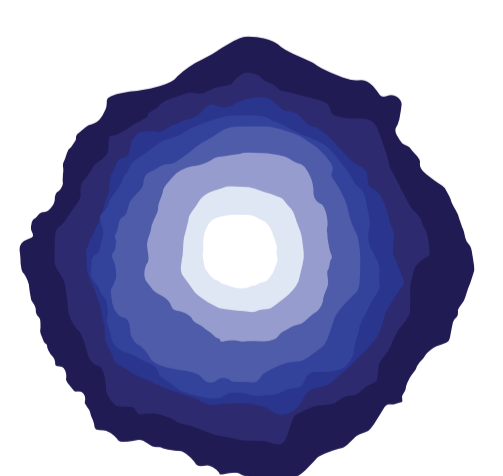
- A conveyor system – linking the materials handling facility to the quay.
- Product storage facility – two surge bins, stationed at the quay.
- Quay structure – providing docking for up to two ships and space for ship loading equipment.
- Associated infrastructure – including access and car parking, office space, a workshop and smaller ancillary buildings for plant and equipment.
- Dredging – allowing sufficient berth depth for the proposed ships.

Implementation and operation of the harbour facilities would be undertaken in two phases:

- Phase 1 would be the immediate operation of the facility with a throughput of 6.5 million tonnes per annum (mtpa) of polyhalite, utilising one new wharf and temporary usage of an existing quay at the site.
- Phase 2 would enable the facility to increase its operational capacity to 13mtpa through the addition of a second wharf.

Further technical information and plans are available at a range of public venues, at these events and on the Company website www.yorkpotash.co.uk

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CONVEYOR OVERVIEW

BRIDGE OPTION 1 – SIMPLE



BRIDGE OPTION 2 – TRUSS



CONVEYOR SYSTEM

The conveyor comprises two parallel belts that would run along elevated conveyor bridges, the height of which would vary along the route for road and rail crossings, and for passing under power lines.

The conveyor route needs to pass over the A1085, the main road into Redcar. The images above show two potential bridge options.

The conveyor system would be contained to prevent dust escaping, protect the product from rain and minimise any noise impacts.

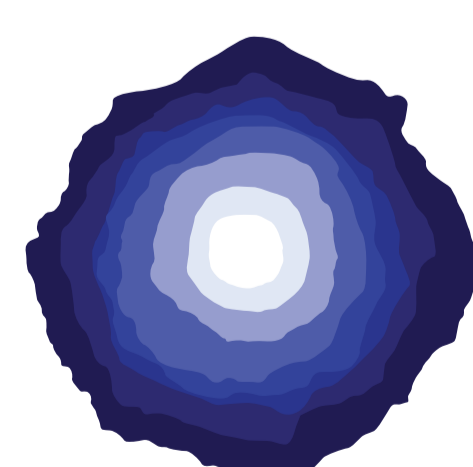
There are two route options being considered for the conveyor after it enters the Bran Sands site and travels to the quayside.

At various stages the conveyor would pass through transfer towers in order to facilitate a change in direction where the polyhalite would be transferred from one conveyor to another. These would have a maximum height of 25 metres.

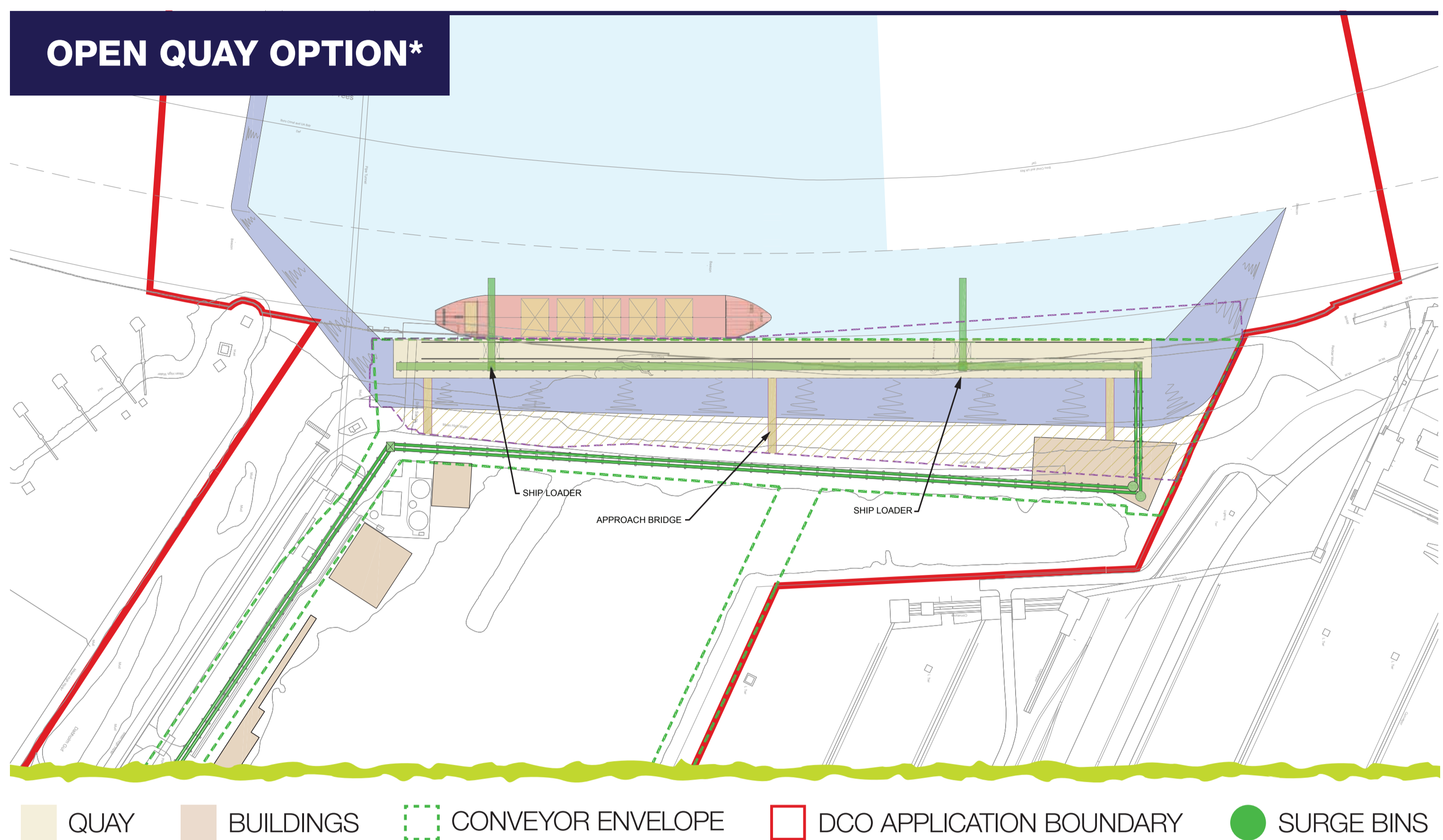
Close to the quayside the conveyor would feed into transfer towers or surge bins, at a maximum height of 35 metres, and would then feed the ship loader system.

Further technical information and plans are available at a range of public venues, at these events and on the Company website www.yorkpotash.co.uk

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BUILDINGS AND STRUCTURES



BUILDINGS

Existing structures and buildings on the site would be kept where possible.

Several permanent buildings would be required including an office, workshop, storage, and various smaller ancillary buildings housing plant and machinery.

Further technical information and plans are available at a range of public venues, at these events and on the Company website www.yorkpotash.co.uk

NWL TEMPORARY JETTY

Northumbria Water (NWL) previously operated a jetty on the site.

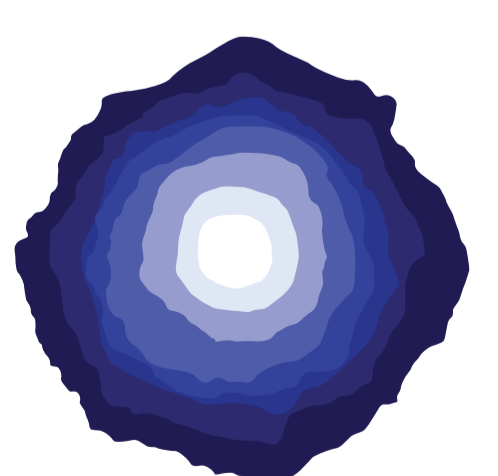
In the first two years of operation this may be used on a temporary basis, with equipment installed to allow for smaller boats to be loaded.

This option could either be pursued through a standard planning application to Redcar & Cleveland Borough Council and/or included in the DCO process.



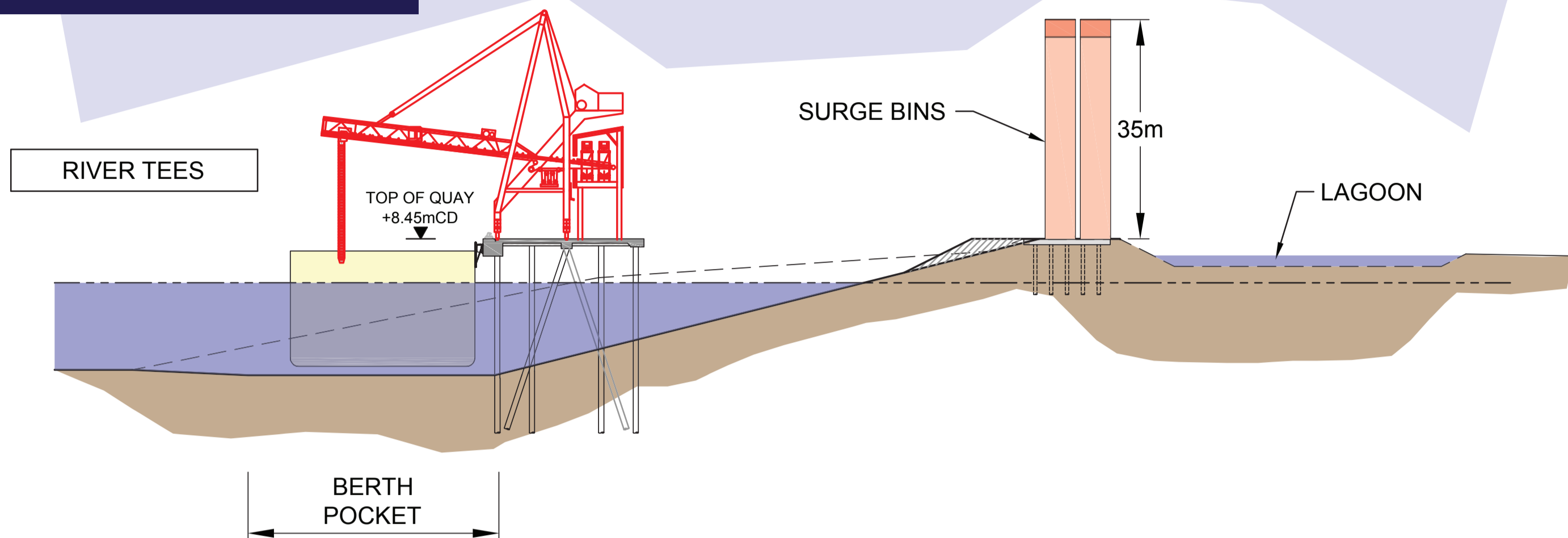
*This plan shows the open quay option. A closed quay is also being considered.

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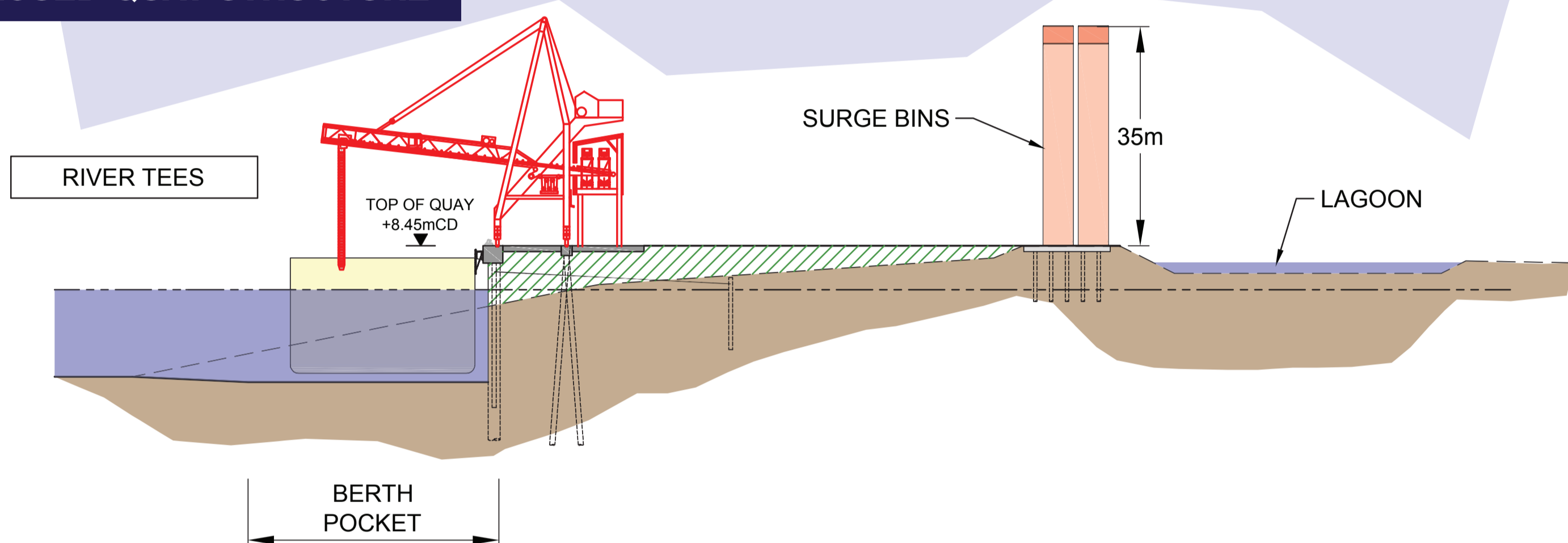


THE QUAY OPTIONS

OPEN QUAY STRUCTURE



CLOSED QUAY STRUCTURE



QUAY OPTIONS

The proposed quay would consist of a wharf of a minimum of 540 metres in length allowing for the docking of two ships at one time.

The quay deck will be approximately 2m above the highest water level, accounting for anticipated sea level rises.

There are two options for the construction of the quay:

1. OPEN QUAY STRUCTURE:

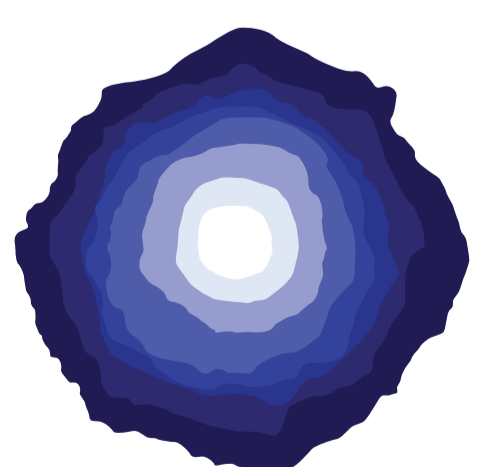
This would be a suspended structure located approximately 60m from the existing river bank. The platform could be accessed via one of three approach bridges. The effect being a lessened impact on the flow of the river.

2. CLOSED QUAY STRUCTURE:

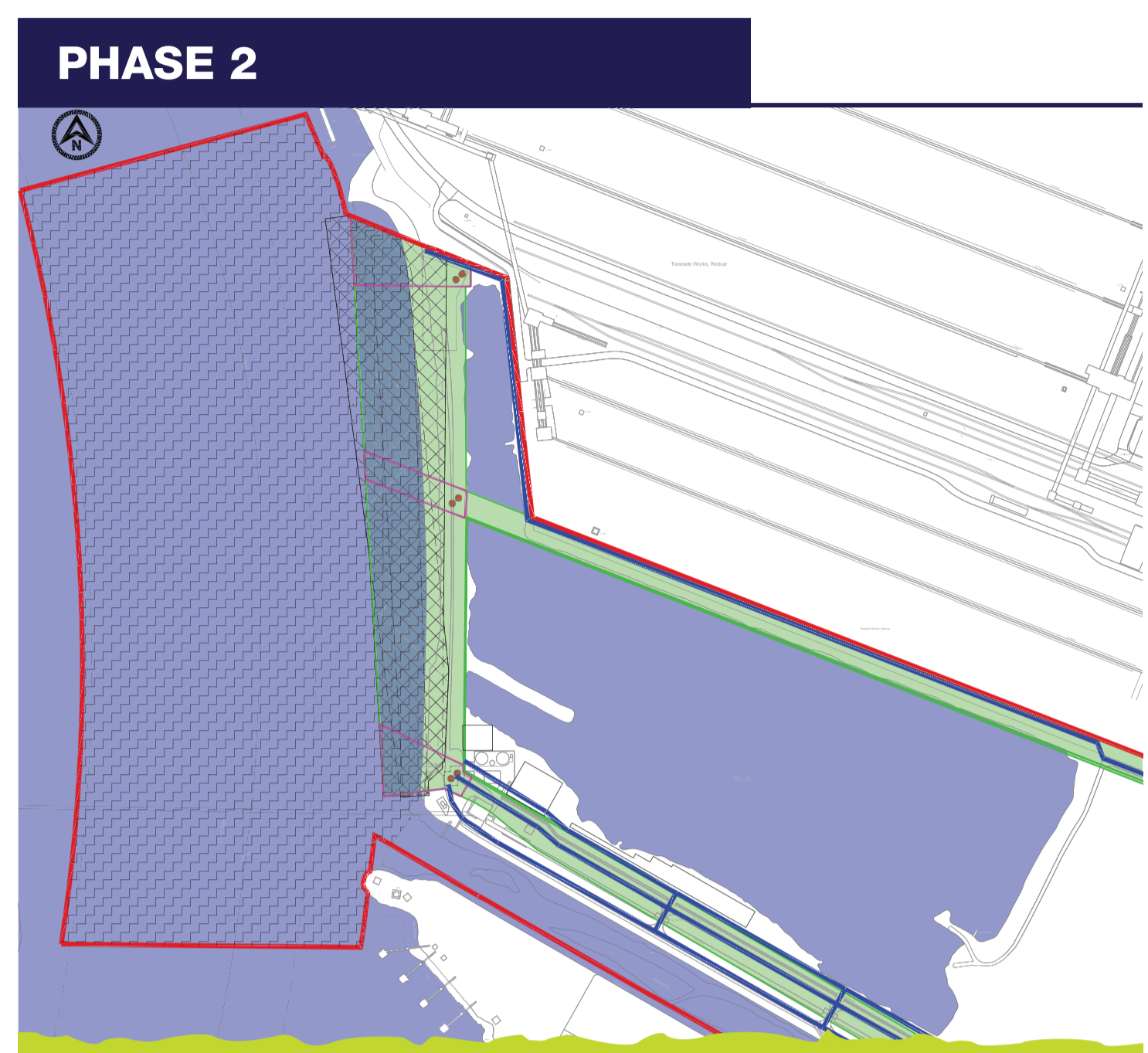
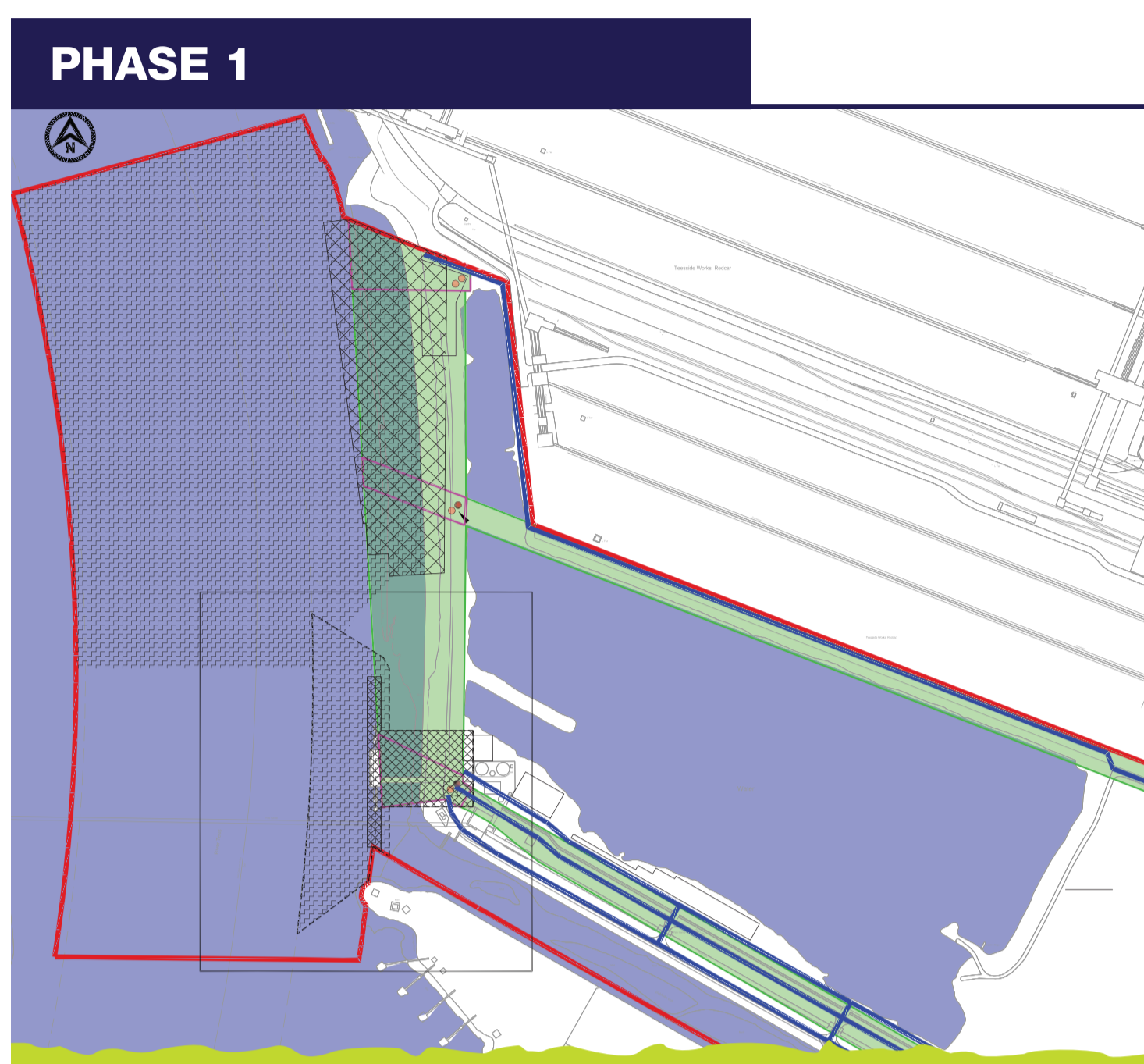
The space between the bank and the proposed location of this quay platform would be back filled. The quay platform would therefore be accessible via engineered hard standing. This proposal would add increased stability to the shoreline.

Further technical information and plans are available at a range of public venues, at these events and on the Company website www.yorkpotash.co.uk

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CONSTRUCTION AND DREDGING



— DCO APPLICATION BOUNDARY ▨ DREDGING ENVELOPES ▨ CONVEYOR OPTIONS ▨ QUAY

CONSTRUCTION

Subject to all necessary consents, works to construct the proposed harbour facilities would commence in January 2017 with completion of Phase 1 expected in July 2018. Phase 2 would be completed, with the harbour running at full capacity, by 2024.

Vehicle access to the harbour facilities would be via the A1085 trunk road: no new, external road infrastructure is proposed. There is also potential for some construction materials to be brought to the site on barges.

During the construction period, an area would be required for the contractor's compound, associated storage and car parking. This would be cleared and restored once construction of the harbour facilities is complete.

DREDGING

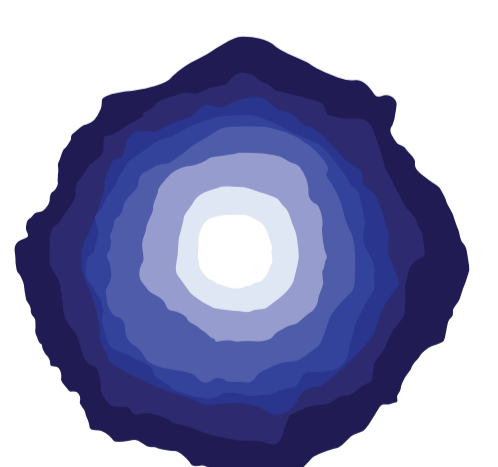
To accommodate the quay and the ships it would be necessary to dredge an area of the estuary to provide for mooring and an adequate entry channel.

Dredging involves the removal of a layer of the river bed in order to create the necessary depth. The material that is displaced in the dredging process would be removed from the area.

Most dredging would be carried out as part of the construction process, however some would be required as part of routine maintenance to prevent the build-up of river sediment in the quay berth.

Further technical information and plans are available at a range of public venues, at these events and on the Company website www.yorkpotash.co.uk

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ENVIRONMENTAL IMPACTS AND MITIGATION

QUAY LOCATION AS IT IS TODAY



The harbour facilities development requires an Environmental Impact Assessment (EIA) to be carried out and submitted with the DCO application. This is being prepared by an experienced team at one of the UK's leading environmental consultancies.

The EIA looks in detail at the potential impacts of the Project on the environment, both during construction and operation, and identifies any measures that may be necessary to minimise these effects.

A Construction Environmental Management Plan would be developed to ensure that all environmental impacts are managed effectively.

The key topics being investigated for the EIA are:

1. Ecological issues – both in terms of the marine and coastal areas as well as areas on land
2. Water issues – including water quality and hydrology, coastal protection and flooding
3. Visual impacts – focusing on the effects on those who live, work and travel through the area
4. Transportation – relating to lorry and car movements on land and also navigational issues within the Tees

5. Air quality, noise and vibration – particularly focusing on the construction period including piling into the riverbed

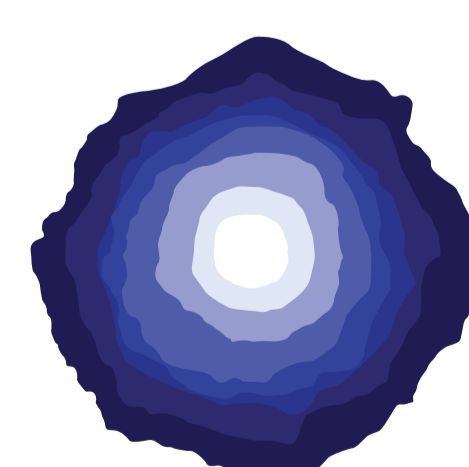
6. Heritage and archaeology

7. Socio-economics and any effects on the use of the area for recreation or leisure purposes

As part of this consultation process, a Preliminary Environmental Report has been prepared which provides information identified to date in relation to the current conditions of the site and the possible effects of the harbour facilities development.

You can view the Preliminary Environmental Report at a range of public venues, at these events and on the Company website www.yorkpotash.co.uk

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Appendix 23

Consultation feedback survey

WE WANT YOUR VIEWS

Your views are important so please tell us what you think. Forms should be returned by **Thursday 16 October 2014**.

PERSONAL DETAILS

Name:	
Address:	
Postcode:	Email:

YOUR VIEWS ON THE OVERALL YORK POTASH PROJECT

What is your overall opinion of the York Potash Project?

- Supportive Undecided/don't know Against

What are your views about the job creation and economic benefits of the Project?

- In favour Undecided/don't know Not in favour

What do you think about the overall environmental impact of the Project?

- No concerns Undecided/don't know Unacceptable

GENERAL COMMENTS

Please provide any general comments on the York Potash Project. Turn over for specific comments about the Development Consent Order (DCO) application to the Secretary of State for the proposed harbour facilities in December 2014.

CONTACT

T: 0845 543 8964 (helpline)
E: info@yorkpotash.co.uk
yorkpotash@nlplanning.com

ABOUT YOUR DATA – Consultation responses may be provided to the relevant planning authority as part of the normal planning application process. Personal details other than postcodes will be redacted for any public facing document. Your personal details will never be disclosed to other third parties.

HARBOUR APPLICATION – YOUR COMMENTS

This page is for specific comments on the proposed harbour facilities which requires a Development Consent Order (DCO) application to the Secretary of State.

Available information

1. Do you feel you have enough information to comment on the proposed harbour facilities?

- Yes No

If not, what other information would you have liked?

Overall Impacts

2. What is your general opinion of the overall impact of the proposed harbour facilities?

- Positive impact No or neutral impact Undecided/ don't know Unacceptable impact No comment

Jobs and investment

3. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?

- In favour Undecided/ don't know Not in favour No comment

Site location

4. Do you support the proposed location of the harbour facilities?

- Yes Undecided/ don't know No No comment

Design of key components of the proposed harbour facilities

5. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?

- Support Undecided/ don't know Against No comment

6. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?

- Support Undecided/ don't know Against No comment

Wildlife and habitats

7. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?

- Yes Undecided/ don't know No No comment

Construction period

8. What is your view on the impact of the harbour facilities during the construction period?

- Overall impact will be positive Need for development outweighs temporary construction impact Undecided/ don't know More could be done to reduce the construction impacts The overall impacts will be negative No comment

Dredging

9. What is your view on the proposed dredging required as part of the harbour facilities?

- Supportive Undecided/ don't know Concerned about dredging impact No comment

ANY OTHER COMMENTS

Please use the space provided below to make any other comments specific to the proposed harbour facilities. Please specify the comment number and the subject of any comment.

No.	Subject	Comment

Thank you very much for providing your comments.

Appendix 24

Letter sent to Councillors

York Potash Ltd
7–10 Manor Court | Manor Garth
Scarborough | YO11 3TU
North Yorkshire | United Kingdom
Tel: +44 1723 470 010

16 September 2014

Dear Councillor

RE: York Potash Harbour Facilities Consultation

We have now launched our formal pre-application consultation on our proposed harbour facilities in Teesside. The consultation period runs until 16 October 2014 and follows our presentation to members on 9 September at TunedIn.

As part of the consultation, a series of public exhibitions are taking place at the following venues:

- Wednesday 17 September 2014 – Westfield Farm Community Centre, The Green, Redcar, Dormanstown, TS10 5NA
- Thursday 18 September – Tuned In, Majuba Road, Redcar, TS10 5BJ
- Friday 26 September – Tuned In, Majuba Road, Redcar, TS10 5BJ
- Saturday 27 September – Westfield Farm Community Centre, The green, Redcar, Dormanstown, TS10 5NA.

The draft application documents which include detailed plans and reports are available on our website, www.yorkpotash.co.uk/consultation/harbour-application-documents/, at the exhibitions and at a range of public locations.

The draft application documents which include detailed plans and reports are available on our website, www.yorkpotash.co.uk/consultation/harbour-application-documents/, at the exhibitions and at a range of public locations.

For ease of reference please see our **Summary of Proposals Document** which provides an overview of the harbour facilities proposals.

We would encourage you to visit our website to view the plans and/or attend one of our exhibitions. Feedback can be provided at the exhibitions or online. Alternatively you can send comments to the

York Potash Consultation Team, Nathaniel Lichfield & Partners, 14 Regents Wharf, All Saints Street
London, N1 9RL,
0845 543 8964
yorkpotash@nlplanning.com.

The deadline for receipt of responses is 16 October 2014.

Yours sincerely,

York Potash Consultation Team

Appendix 25

Letter sent to business networks

York Potash Ltd
7-10 Manor Court | Manor Garth
Scarborough | YO11 3TU
North Yorkshire | United Kingdom
Tel: +44 1723 470 010

BY POST

Rachel Anderson
Commerce House
Exchange Square
Middlesbrough
TS1 1DW

11 September 2014

Dear Rachel,

Re: Harbour facilities pre-application consultation

I'm writing to let you know that we are currently embarking on a period of pre-application public consultation for the harbour facilities proposals.

This consultation period runs from 11 September to 16 October 2014 and we will be holding a number of public exhibitions in the Redcar and Dormanstown areas. Further details are available on our website <http://yorkpotash.co.uk/consultation/current-consultation/>.

As part of our consultation planning we have committed to offer a presentation to the North East Chamber of Commerce so that we can give your organisation an opportunity to ask questions and provide comments. If you would like a meeting to discuss these proposals and receive a presentation then please do get in touch within the consultation period.

I enclose a copy of *The York Potash Harbour Facilities Summary of Proposals* document, which is also available to download on our website. It provides an overview of the development and associated infrastructure; its construction and the ongoing operation of the facilities and their overall impact. Please let us know if you would like to receive more hard copies. An online feedback form is also available to capture comments, although written comments are equally valid.

Please feel free to get in touch if you require further information.

Yours sincerely,


Gareth Edmunds
External Affairs Director

York Potash Ltd
7-10 Manor Court | Manor Garth
Scarborough | YO11 3TU
North Yorkshire | United Kingdom
Tel: +44 1723 470 010

BY POST

Mr Sandy Anderson
Cavendish House
Stockton on Tees
TS17 6QY

11 September 2014

Dear Mr Anderson,

Re: Harbour facilities pre-application consultation

I'm writing to let you know that we are currently embarking on a period of pre-application public consultation for the harbour facilities proposals.

This consultation period runs from 11 September to 16 October 2014 and we will be holding a number of public exhibitions in the Redcar and Dormanstown areas. Further details are available on our website <http://yorkpotash.co.uk/consultation/current-consultation/>.

As part of our consultation planning we have committed to offer a presentation to the Tees Valley Unlimited so that we can give your organisation an opportunity to ask questions and provide comments. If you would like a meeting to discuss these proposals and receive a presentation then please do get in touch within the consultation period.

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Please feel free to get in touch if you require further information.

Yours sincerely,


Gareth Edmunds
External Affairs Director

York Potash Ltd
7-10 Manor Court | Manor Garth
Scarborough | YO11 3TU
North Yorkshire | United Kingdom
Tel: +44 1723 470 010

BY POST

Stephen Catchpole
Cavendish House
Stockton on Tees
TS17 6QY

11 September 2014

Dear Mr Catchpole

Re: Harbour facilities pre-application consultation

I'm writing to let you know that we are currently embarking on a period of pre-application public consultation for the harbour facilities proposals.

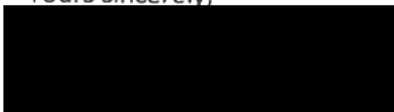
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Please feel free to get in touch if you require further information.

Yours sincerely,



Gareth Edmunds
External Affairs Director

York Potash Ltd
7-10 Manor Court | Manor Garth
Scarborough | YO11 3TU
North Yorkshire | United Kingdom
Tel: +44 1723 470 010

BY POST

Mr. Stan Higgins
Room H224
Wilton Centre
Redcar
TS10 4RF

11 September 2014

Dear Mr Higgins,

Re: Harbour facilities pre-application consultation

I'm writing to let you know that we are currently embarking on a period of pre-application public consultation for the harbour facilities proposals.

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As part of our consultation planning we have committed to offer a presentation to the North East Process Industry Cluster so that we can give your organisation an opportunity to ask questions and provide comments. If you would like a meeting to discuss these proposals and receive a presentation then please do get in touch within the consultation period.

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Gareth Edmunds
External Affairs Director

York Potash Ltd
7-10 Manor Court | Manor Garth
Scarborough | YO11 3TU
North Yorkshire | United Kingdom
Tel: +44 1723 470 010

BY POST

Mr. Ted Salmon
Suite G11a
IT Centre
Innovation Way
York
YO10 5NP

11 September 2014

Dear Mr Salmon,

Re: Harbour facilities pre-application consultation

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As part of our consultation planning we have committed to offer a presentation to the North East Federation of Small Businesses so that we can give your organisation an opportunity to ask questions and provide comments. If you would like a meeting to discuss these proposals and receive a presentation then please do get in touch within the consultation period.

I enclose a copy of *The York Potash Harbour Facilities Summary of Proposals* document, which is also available to download on our website. It provides an overview of the development and associated infrastructure; its construction and the ongoing operation of the facilities and their overall impact. Please let us know if you would like to receive more hard copies. An online feedback form is also available to capture comments, although written comments are equally valid.

Please feel free to get in touch if you require further information.

Yours sincerely,



Gareth Edmunds
External Affairs Director

Appendix 26

Letter sent to local members of parliament



BY POST and EMAIL

Alex Cunningham MP
Office of Alex Cunningham MP
House of Commons
London
SW1A 0AA

11 September 2014

Dear Mr Cunningham,

Re: Harbour facilities pre-application consultation

Please find enclosed a copy of our *Harbour Facilities Summary of Proposal Document*. It provides an overview of the development and associated infrastructure; its construction and the ongoing operation of the facilities and their overall impact. It has been produced to coincide with the launch of our pre-application public consultation for this part of the wider York Potash Project.

You will also see in the document that we are planning a series of public exhibitions to engage with local communities throughout the area. We have published further technical, detailed information on our website at <http://www.yorkpotash.co.uk/consultation/current-consultation/>.

We are sending this information to you as a local member of parliament and because of our commitment in the consultation strategy to keep local representatives informed of the proposals. If you would like a meeting to discuss these proposals, receive a presentation or to provide feedback then please do get in touch during the consultation period, which runs from 11 September to 16 October 2014.

You may also be interested to know that we are hosting a stand No 8 at the forthcoming party conference in Manchester and hope you will be able to visit us then.

Yours sincerely,

Gareth Edmunds
External Affairs Director

Enc: Summary of Proposal Document
Notice of a Statement of Community Consultation



BY POST and EMAIL

James Wharton MP
Office of James Wharton MP
House of Commons
London
SW1A 0AA

11 September 2014

Dear Mr Wharton,

Re: Harbour facilities pre-application consultation

Please find enclosed a copy of our *Harbour Facilities Summary of Proposal Document*. It provides an overview of the development and associated infrastructure; its construction and the ongoing operation of the facilities and their overall impact. It has been produced to coincide with the launch of our pre-application public consultation for this part of the wider York Potash Project.

You will also see in the document that we are planning a series of public exhibitions to engage with local communities throughout the area. We have published further technical, detailed information on our website at <http://www.yorkpotash.co.uk/consultation/current-consultation/>.

We are sending this information to you as a local member of parliament and because of our commitment in the consultation strategy to keep local representatives informed of the proposals. If you would like a meeting to discuss these proposals, receive a presentation or to provide feedback then please do get in touch during the consultation period, which runs from 11 September to 16 October 2014.

You may also be interested to know that we are hosting a stand (number 15 in the registration zone) at the forthcoming party conference in Birmingham and hope you will be able to visit us then.

Yours sincerely,



Gareth Edmunds
External Affairs Director

Enc: Summary of Proposal Documents
Notice of a Statement of Community Consultation



BY POST and EMAIL

Ian Swales MP
Office of Ian Swales MP
House of Commons
London
SW1A 0AA

11 September 2014

Dear Ian,

Re: Harbour facilities pre-application consultation

Please find enclosed a copy of our *Harbour Facilities Summary of Proposal Document*. It provides an overview of the development and associated infrastructure; its construction and the ongoing operation of the facilities and their overall impact. It has been produced to coincide with the launch of our pre-application public consultation for this part of the wider York Potash Project.

You will also see in the document that we are planning a series of public exhibitions to engage with local communities throughout the area. We have published further technical, detailed information on our website at <http://www.yorkpotash.co.uk/consultation/current-consultation/>.

A flyer advertising the consultation has been distributed to 2,797 addresses in your constituency. We are sending this information to you as a local member of parliament and because of our commitment in the consultation strategy to keep local representatives informed of the proposals.

If you would like a meeting to discuss these proposals, receive a presentation or to provide feedback then please do get in touch during the consultation period, which runs from 11 September to 16 October 2014.

Yours sincerely,



Gareth Edmunds
External Affairs Director

Enc: Summary of Proposal Document
Notice of a Statement of Community Consultation

Appendix 27

Section 48 Notice



THE GAZETTE

LONDON GAZETTE

**CONTAINING ALL NOTICES PUBLISHED ONLINE ON
11 SEPTEMBER 2014**

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* Containing all notices published online on 11 September
2014

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of an Order made under Section 247 of the above Act entitled "The Stopping up of Highway (East) (No.31) Order 2014" authorising the stopping up of a northern part width of Glenrose Avenue comprising highway verge at Ravensden, in the Borough of Bedford to enable development as permitted by Bedford Borough Council under reference 14/00449/FUL.

COPIES OF THE ORDER MAY BE OBTAINED, free of charge, from the Secretary of State, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR or nationalcasework@dft.gsi.gov.uk (quoting NATTRAN/E/S247/1468) and may be inspected during normal opening hours at Putnoe Library, Library Walk, 180 Putnoe Street, Putnoe, Bedford, MK41 8HQ.

ANY PERSON aggrieved by or desiring to question the validity of or any provision within the Order, on the grounds that it is not within the powers of the above Act or that any requirement or regulation made has not been complied with, may, within 6 weeks of 11 September 2014 apply to the High Court for the suspension or quashing of the Order or of any provision included.

Dave Candlish, Department for Transport (2194894)

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of an Order made under Section 247 of the above Act entitled "The Stopping up of Highway (South West) (No.30) Order 2014" authorising the stopping up of a western part-width of Melville Road, comprising footway, at Melville Road in the City of Plymouth, to enable development as permitted by Plymouth City Council under reference 14/00528/FUL.

COPIES OF THE ORDER MAY BE OBTAINED, free of charge, from the Secretary of State, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR or nationalcasework@dft.gsi.gov.uk (quoting NATTRAN/SW/S247/1453) and may be inspected during normal opening hours at Plymouth City Council, Civic Centre, Armada Way, Plymouth PL1 2AA.

ANY PERSON aggrieved by or desiring to question the validity of or any provision within the Order, on the grounds that it is not within the powers of the above Act or that any requirement or regulation made has not been complied with, may, within 6 weeks of 11 September 2014 apply to the High Court for the suspension or quashing of the Order or of any provision included.

S. Zamenzadeh, Department for Transport (2194895)

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of an Order made under Section 247 of the above Act entitled "The Stopping up of Highway (Yorkshire and the Humber) (No.42) Order 2014" authorising the stopping up of an irregular shaped south eastern part width of Maple Road at its junction with Willow Grove at Thorne, in the Metropolitan Borough of Doncaster to enable development as permitted by Doncaster Metropolitan Borough Council, references 13/01281/4FULM and 12/00563/FULM.

COPIES OF THE ORDER MAY BE OBTAINED, free of charge, from the Secretary of State, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR or nationalcasework@dft.gsi.gov.uk (quoting NATTRAN/Y&H/S247/1446) and may be inspected during normal opening hours at Moorends Post Office, 141 Marshland Road, Moorends, Doncaster, South Yorkshire, DN8 4SU.

ANY PERSON aggrieved by or desiring to question the validity of or any provision within the Order, on the grounds that it is not within the powers of the above Act or that any requirement or regulation made has not been complied with, may, within 6 weeks of 11 September 2014 apply to the High Court for the suspension or quashing of the Order or of any provision included.

S. Zamenzadeh, Department for Transport (2194896)

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of an Order made under Section 247 of the above Act entitled "The Stopping up of Highways (North East) (No.45) Order 2014" authorising the stopping up of a southern part width of Park Avenue, a western part with of Sunderland Road and a length of the rear lane connecting Park Avenue and Sunderland Road at Cleadon Park in the Metropolitan Borough of South Tyneside to enable development as permitted by South Tyneside Council under reference ST/0764/12/FUL.

COPIES OF THE ORDER MAY BE OBTAINED, free of charge, from the Secretary of State, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR or nationalcasework@dft.gsi.gov.uk (quoting NATTRAN/NE/S247/1334) and may be inspected during normal opening hours at South Tyneside Council, Town Hall, Civic Offices, Westoe Road, South Shields, NE33 2RL.

ANY PERSON aggrieved by or desiring to question the validity of or any provision within the Order, on the grounds that it is not within the powers of the above Act or that any requirement or regulation made has not been complied with, may, within 6 weeks of 11 September 2014 apply to the High Court for the suspension or quashing of the Order or of any provision included.

S. Zamenzadeh, Department for Transport (2194897)

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of the proposal to make an Order under section 247 of the above Act to authorise the stopping up of an eastern part-width and a south western part-width of Ashtree Close at Belton, in the Borough of North Lincolnshire.

IF THE ORDER IS MADE, the stopping up will be authorised only to enable development to be carried out should planning permission be granted by North Lincolnshire Council. The Secretary of State gives notice of the draft Order under Section 253 (1) of the 1990 Act but will only consider making the Order in the event that planning permission is granted.

COPIES OF THE DRAFT ORDER AND RELEVANT PLAN will be available for inspection, during normal opening hours, at Belton Post Office, 55 High Street, Belton DN9 1NR in the 28 days commencing on 11 September 2014, and may be obtained, free of charge, from the Secretary of State (quoting NATTRAN/Y&H/S247/1518) at the address stated below.

ANY PERSON MAY OBJECT to the making of the proposed order within the above period, stating their reasons for doing so, by writing to the Secretary of State, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR or nationalcasework@dft.gsi.gov.uk, quoting the above reference. In submitting an objection it should be noted that your personal data and correspondence will be passed to the applicant to enable your objection to be considered. If you do not wish your personal data to be forwarded, please state your reasons when submitting your objection.

Dave Candlish, Department for Transport (2194900)

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of the proposal to make an Order under section 247 of the above Act to authorise the stopping up of an irregular shaped area of highway verge which lies to the front of Nos. 19 – 25 St Marks Close at the cul-de-sac termination point of St Marks Close, at Flitwick in Central Bedfordshire.

IF THE ORDER IS MADE, the stopping up will be authorised only in order to enable development as permitted by Central Bedfordshire Council, under reference CB/13/03999/FULL.

COPIES OF THE DRAFT ORDER AND RELEVANT PLAN will be available for inspection during normal opening hours at Flitwick Post Office, 9 Station Road, Flitwick, Bedford, MK45 1DP in the 28 days commencing on 11 September 2014, and may be obtained, free of charge, from the Secretary of State (quoting NATTRAN/E/S247/1516) at the address stated below.

ANY PERSON MAY OBJECT to the making of the proposed order within the above period, stating their reasons for doing so, by writing to the Secretary of State, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR or nationalcasework@dft.gsi.gov.uk, quoting the above reference. In submitting an objection it should be noted that your personal data and correspondence will be passed to the applicant to enable your objection to be considered. If you do not wish your personal data to be forwarded, please state your reasons when submitting your objection.

Dave Candlish, Department for Transport (2194902)

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of the proposal to make an Order under section 247 of the above Act to authorise the stopping up of various sections of highway in the areas around Hillmorton Road, Lapworth Road, Bretford and Fulbrook Road at Coventry, in the City of Coventry.

IF THE ORDER IS MADE, the stopping up will be authorised only in order to enable development as permitted by Coventry City Council under reference RM/2013/2517.

COPIES OF THE DRAFT ORDER AND RELEVANT PLAN will be available for inspection during normal opening hours at Coventry Central Library, Smithford Way, Coventry, CV1 1FY in the 28 days commencing on 11 September 2014, and may be obtained, free of charge, from the Secretary of State (quoting NATTRAN/WM/S247/1513) at the address stated below.

ANY PERSON MAY OBJECT to the making of the proposed order within the above period, stating their reasons for doing so, by writing to the Secretary of State, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR or nationalcasework@dft.gsi.gov.uk, quoting the above reference. In submitting an objection it should be noted that your personal data and correspondence will be passed to the applicant to enable your objection to be considered. If you do not wish your personal data to be forwarded, please state your reasons when submitting your objection.

Dave Candlish, Department for Transport (2194903)

**YORK POTASH LIMITED
SECTION 48 PLANNING ACT 2008
REGULATION 4 INFRASTRUCTURE PLANNING (APPLICATIONS:
PRESCRIBED FORMS AND PROCEDURE) REGULATION 2009
THE YORK POTASH HARBOUR FACILITIES ORDER 201X
NOTICE PUBLICISING A PROPOSED APPLICATION FOR A
DEVELOPMENT CONSENT ORDER ("DCO")**

Notice is hereby given that York Potash Limited of 3rd Floor, Greener House, 66-68 Haymarket, London, SW1Y 4RF (the "Applicant") proposes to apply to the Planning Inspectorate under section 37 of The Planning Act 2008 for a development consent order ("DCO") to authorise the construction and operation of Harbour facilities at Bran Sands, Teesside for the export of polyhalite bulk fertilizer which will be linked by conveyor to a materials handling facility located within the Wilton International complex (the "Application").

The project is development that requires an environmental impact assessment and the Applicant will submit an Environmental Statement with the Application.

The Application relates to land at Bran Sands, Teesside and land at Wilton International complex and is part of a wider project being promoted by the Applicant ("the Project"). The Project comprises the development of a new polyhalite mine south of Whitby; transportation of the polyhalite from the mine to Teesside via a proposed 36.5km underground Mineral Transport System and transference of the polyhalite via a Materials Handling Facility ("MHF") to the Harbour facilities.

The proposed DCO will, amongst other things, authorise:

- The construction and operation of a quay structure on the River Tees at Bran Sands to facilitate the mooring of vessels in the estuary directly adjacent to the onshore harbour facilities and allow shiploader access;
- Dredging of the berthing area;
- The construction of shiploaders on the quay structure to load the mineral product onto ships for onward transportation;

- The erection of surge bins for the ship loading flow management of the mineral product;
- A conveyor system to transport the polyhalite connecting the harbour with the materials handling facility within the Wilton International complex; and
- Ancillary infrastructure.

A copy of details of the proposals, preliminary environmental information, plans, maps and other draft documents showing the nature and location of the proposed development, may be inspected free of charge at the following locations and during the hours set out below.

- Redcar and Cleveland Borough Council offices, Kirkleatham Street, Redcar, TS10 1RT Mon – Fri 09:00 to 17:00;
- York Potash Limited, 7 – 10 Manor Court, Manor Garth, Scarborough, YO11 3TU Mon – Fri 09:00 to 17:00;
- Redcar Library, Kirkleatham St, Redcar, Cleveland TS10 1RT Mondays to Wednesdays and Fridays 09:00 to 18:00, Thursdays 09:00 to 17:00 and Saturdays 09:30 to 12:30; and
- Tuned In, Majuba Road, Redcar, TS10 5BJ Mondays to Fridays 08:30 to 20:00, Saturdays 08:30 to 18:00 and Sundays 08:30 to 16:00.

The documents relating to the proposed Application will be on display at the above locations from 11 September 2014 to 16 October 2014. Copies of the plans, maps and documents can be provided in paper copy form at a cost of £600 or on CD free of charge. Further details in relation to the project and these documents can be found on the Applicant's website www.yorkpotash.co.uk.

Any responses or representations in respect of the proposed Application, should be sent in writing to the Applicant, at York Potash Consultation Team, Nathaniel Litchfield & Partners, 14 Regent's Wharf, All Saints Street, London N1 9RL or by e-mail to yorkpotash@nlplanning.com.

Any response or representation in respect of the proposed Application MUST (i) be received by the Applicant by 16 October 2014, (ii) be made in writing, (iii) state the grounds of the response or representation and (iv) indicate who is making the response or representation, and (v) give an address to which correspondence relating to the response or representation may be sent.

Responses and representations will be made public. (2194907)

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of the proposal to make an Order under section 247 of the above Act to authorise the stopping up of the whole of footpath no.30, connecting Alencon Link and Basing View, a length and a northern part width of Lower Basing View at Basingstoke, in the Borough of Basingstoke and Deane.

IF THE ORDER IS MADE, the stopping up will be authorised only in order to enable development as permitted by Basingstoke and Deane Borough Council, reference 13/01985/FUL.

COPIES OF THE DRAFT ORDER AND RELEVANT PLAN will be available for inspection during normal opening hours at Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke, RG21 4AH in the 28 days commencing on 11 September 2014, and may be obtained, free of charge, from the Secretary of State (quoting NATTRAN/SE/S247/1508) at the address stated below.

ANY PERSON MAY OBJECT to the making of the proposed order within the above period, stating their reasons for doing so, by writing to the Secretary of State, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR or nationalcasework@dft.gsi.gov.uk, quoting the above reference. In submitting an objection it should be noted that your personal data and correspondence will be passed to the applicant to enable your objection to be considered. If you do not wish your personal data to be forwarded, please state your reasons when submitting your objection.

S Zamenzadeh, Department for Transport (2194908)

**DEPARTMENT FOR TRANSPORT
TOWN AND COUNTRY PLANNING ACT 1990**

THE SECRETARY OF STATE hereby gives notice of the proposal to make an Order under section 247 of the above Act to authorise the stopping up of an irregular shaped north western part-width of Dairy Lane (part of the A690) at Stonebridge, in the County of Durham.

Appendix 28

Section 42 and 48 consultation schedule

Doc Ref	Consultee	Date consulted	Response date	Summary of Response	Change Y/N?	Regard had to response (s49)
Planning Act 2008: Section 42 - prescribed consultees						
S42-LA-012-01	Health and Safety Executive	11.09.14	18.09.14	There are HSE Consultation zones for several hazardous installations that affect the proposed development. Maps have been provided for 12 locations. [NOTE - Locations are not listed as response has been retracted due to an administrative error. Please see reference number S42-LA-012-02.]	N	See response to S42-LA-012-03
S42-LA-012-02	Health and Safety Executive	11.09.14	30.09.14	As well as sending correspondence to HSE's NSIP address, the York Potash Section 42 was also sent to another HSE office and HSL has sent a response to you. Please could the response [of 18.09.14] be retracted and any associated information from HSL. Apologies issued for the internal administrative error. Internal consultation procedures are being followed and HSE's official formal response will be issued by 16/10 as requested from the designated NSIP account.	N	See response to S42-LA-012-03
S42-LA-012-03	Health and Safety Executive	11.09.14	16.10.14	<p><u>Will the proposed project fall within any of HSE's consultation on distances?</u></p> <p>A representation made by the HSE to The Planning Inspectorate on the 19 December 2013 in the matter of the siting of permanent workplaces within the consultation zones of major hazard installations and any requirement for Hazardous Substances Consent for the harbour project remains relevant and is summarised below. However based on the outline harbour proposal the opinion has been formed that the advice is unlikely to be relevant for this type of project. It is however for the developer to formally assess the relevance of these matters in their application.</p> <p>The proposed harbour facilities could fall within the inner, middle or outer consultation zones of the following major hazard installations:-</p> <p>Seal Sands Storage Limited (HSE Ref: H0493); Vopak Limited (HSE Ref: H0533); Fine Organics Limited (HSE Ref: H1875); Norseia Pipeline Limited - c/o ConocoPhillips (HSE Ref: H4311); Dow Chemical Co+E43mpny (HSE Ref: H3980); Sahaviriya Steel Industries (HSE Ref: H1272); Sabic UK Petrochemicals (HSE Ref: E43H3739); Ineos Chlor Limited (HSE Ref: H4341); Croda Chemicals International Limited (HSE Ref: H2084); Dow (Wilton) Limited (HSE Ref: H3454); Huntsman Polyurethanes (UK) (HSE Ref: H3738); Lotte Chemicals UK Limited(HSE Ref: H3736); Ineos Nitrites (UK) (HSE Ref: H0441).</p> <p>The harbour project does not fall within the CZs of major accident hazard pipelines (MAHPs).</p> <p>The proposed facility is categorised as development type DT1.1 - Workplaces in HSE's Planning Advice for Developments Near Hazardous Installations Information Package (PADHI+). HSE would not advise against the granting of planning permission for the harbour proposal if any associated permanent workplace comprised less than 100 occupants in each building and less than 3 occupied storeys. The middle and outer consultation zones are compatible with the permanent workplaces envisaged arising from this type of project.</p> <p>Further information on PADHI+ is available on the HSE website: http://www.hse.gov.uk/landuseplanning/padhi.htm.</p> <p><u>Would Hazardous Substances Consent be needed?</u></p> <p>There is no indication in the proposal that the activities undertaken at the harbour facility would require Hazardous Substances Consent to be granted. The presence on, over or above land of certain hazardous substances, at or above set threshold quantities (Controlled Quantities), may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 1992 as amended by The Planning (Hazardous Substances) (Amendment) (England) Regulations 2009 and 2010.</p> <p>hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.</p> <p>Further information on HSC should be sought from the relevant Hazardous Substances Authority.</p> <p><u>Explosives</u></p> <p>The proposed York Potash Harbour Facilities development does not impinge on the separation distances of explosives licensed site at Tees Port.</p>	N	The applicant's consultant team sent a letter (by post and email) to the Health and Safety Executive on 10.11.14 to thank it for its s42 response and to confirm that liaison was taking place with the parties identified in its letter. The position reached with the relevant parties is explained in this schedule.
S42-LA-016-01	Trinity House	11.09.14	03.10.14	<p>Trinity House has reviewed the consultation documentation, including the draft DCO. Trinity House wishes to comment on the draft DCO:</p> <ul style="list-style-type: none"> - Article 2: note that "Trinity House" is correctly defined. - Article 37: note the savings provision for Trinity House. - Article 23: Trinity House's directions would override those of the Port Authority. However, suggest that this article omits the reference to Trinity House, so that the undertaker must follow Tees and Hartlepool's Port Authority's directions. Trinity House's existing powers and duties for the superintendence and management of aids to navigation will continue to apply by virtue of the savings provision in article 37. <p>Trinity House wishes to be consulted in relation to any works below the high water mark in connection with the project, so that Trinity House can advise as to marking and other navigational matter.</p>	Y	The applicant's consultant team sent a letter (by email) on 10.11.14 to Trinity House to thank it for its s42 response and to confirm that the requested changes would be incorporated into the submission draft Order.
S42-LA-018-01	Maritime & Coastguard Agency (MCA)	11.09.14	06.10.14	<p>At this stage MCA can only generalise and point in the direction of the Port Marine Safety Code (PMSC). Liaison and consultation with the local Harbour Authority to develop a robust Safety Management System (SMS) for the project under this code. The sections that it is felt cover navigational safety under the PMSC and its Guide to Good Practice are as follows:</p> <p>From the Guide to Good Practice, section 6 Conservancy, a Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port, and a duty of reasonable care to see that the harbour is in a fit condition for a vessel to use it. Section 6.7 Regulating harbour works covers this in more detail and have copied the extract below from the Guide to Good Practice.</p> <p><u>6.7 Regulating harbour works</u></p>	N	The applicant's consultant team sent a letter (by email) to the Maritime & Coastguard Agency (MCA) on 10.11.14 to thank it for its s42 response and to confirm that ongoing liaison with the MCA would continue as the design development progresses. <p>Related to the matters raised by the MCA, discussions have taken place with PD Ports (responsible for maintaining the river channel for safe navigation) and the Harbour Master (responsible for enforcing the regulations</p>

Doc Ref	Consultee	Date consulted	Response date	Summary of Response	Change Y/N?	Regard had to response (s49)
				<p>6.7.1 Some harbour authorities have the powers to license works where they extend below the high watermark, and are thus liable to have an effect on navigation. Such powers do not, however, usually extend to developments on the foreshore.</p> <p>6.7.2 Some harbour authorities are statutory consultees for planning applications, as a function of owning the seabed, and thus being the adjacent landowner. Where this is not the case, harbour authorities should be alert to developments on shore that could adversely affect the safety of navigation. Where necessary, consideration should be given to requiring the planning applicants to conduct a risk assessment in order to establish that the safety of navigation is not about to be put at risk. Examples of where navigation could be so affected include:</p> <ul style="list-style-type: none"> • high constructions, which inhibit line of sight of microwave transmissions, or the performance of port radar, or interfere with the line of sight of aids to navigation; • high constructions, which potentially affect wind patterns; and • lighting of a shore development in such a manner that the night vision of mariners is impeded, or that navigation lights, either ashore and onboard vessels are masked, or made less conspicuous. <p>There is a British Standards Institution publication on Road Lighting, BS5489. Part 8 relates to a code of practice for lighting which may affect the safe use of aerodromes, railways, harbours and navigable Inland waterways.</p> <p>Following on from the scoping study an application for a Harbour Revision Order (HRO) may be required. If this is necessary, the MCA will need to be consulted again on any revisions which may be required to enhance the initial conditions. Possible new conditions will be developed from the findings of a full Environmental Impact Assessment (EIS) report on the project.</p>		of the existing port to ensure safety, security and general operations standards are met) and these discussions have informed the information presented in Sections 16 ('Commercial Navigation') and 18 ('Infrastructure') of the Environmental Statement [Document Nos: 6.4 to 6.7] which address matters such as navigational safety.
S42-LA-019-01	Highways Agency	11.09.14	06.10.14	<p>The prime concern is the continued operation and safety of the Strategic Road Network. HA's prime point of impact on the A1053 and the A1053/ A174 Greystones junction. It is understood that, as well as the proposed port, the following related developments are also proposed:</p> <ol style="list-style-type: none"> 1. York Potash Mine mining facility, located in the North Yorkshire Moors 2. A transportation tunnel bringing quarried commodities from the North Yorkshire Moors to a material handling facility at Wilton, and 3. A materials handling plant at Wilton. <p>HA wish to consider the impact of all of these developments, which may require reference to other Planning and NSIP applications. Discussions with YP's consultants, Royal Haskoning have taken place in respect of the impact of the proposals on the Strategic Road Network (SRN). The highest level of traffic generated at the Strategic Road Network has been identified as being in the construction period in month's 1 to 4 and month 44 of the developer's plans (the actual dates of these are to be confirmed). It is suggested that these should:</p> <ul style="list-style-type: none"> • not coincide with traffic peaks on our network. • not coincide with Roadworks • not coincide with other developments peak flows of traffic, e.g. Dogger Bank critical construction periods <p>Information has been received detailing the level of transport during the construction period generated by construction traffic and journey to work traffic. A construction traffic management plan is sought setting out how this traffic is managed down to 2.5 employees per car. This construction transport management plan should set out a schedule of works and the traffic impact on the SRN generated. It should include:</p> <ul style="list-style-type: none"> • background traffic • traffic growth from development that is likely to come forward within the timescale of the construction phase • the timescale and level of development created as part of this and the other associated developments • the impact of other project' construction phases e.g. Dogger Bank proposals <p>A transport assessment of the associated developments would also be required. HA are in the process of discussing implications for the SRN with Royal Haskoning, and have undertaken pre-application discussions regarding the impact on the SRN. These should continue towards assurance that impact of the development will be within the capabilities of the SRN.</p>	N	There has been previous and ongoing engagement with the HA. The applicant's consultant team sent a letter (by email) to the Highways Agency on 10.11.14 to thank it for its s42 response and to provide a brief response to the points made. This confirmed that a Construction Traffic Management Plan and Transport Assessment will accompany the DCO application.
S42-LA-021-01	Natural England	11.09.14	09.10.14	<p>Natural England (NE) is a non-departmental public body whose statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. The consultation under S42 of the Planning Act 2008 encompasses consultation on the preliminary environmental information, and includes a draft HRA and Draft Development Consent Order. NE welcomes both formal and informal pre application consultation and refers to the annex to the Planning Inspectorate advice note 11. The extensive pre-application discussions NE have been involved in across the whole York Potash Project is welcomed including the sight of the Draft PEI and will be happy to review further draft ES chapters and PER.</p> <p><u>1.0 Draft Development Consent Order:</u> This document is clearly still at very early stages of development. It will be important to ensure that all mitigation measures, particularly those required as statutory requirements detailed within the Environmental Statement or HRA (e.g. timing constraints and measures to avoid noise/disturbance to SPA birds) are fully incorporated in the Requirements for the DCO. NE are happy to advise further once these requirements are drawn up. There will need to be a clear mechanism for enforceability and it will not be sufficient to defer consideration of mitigation measures to Construction Environmental Management Plans and Habitat Management Plans for generation at a later date.</p> <p><u>2.0 York Potash Harbour Facilities Order 201X – Draft Habitat Regulations Assessment (05/09/14):</u> This HRA includes screening information for the whole York Potash Project including the mine and mineral transport system (MTS). The mine and MTS are part of a planning application which NE are imminently to be consulted on. Since NE do not have access to the</p>	Y	NE has been consulted regularly throughout the Harbour pre-application process, including recent meetings held in October and November 2014. The response to the issues raised in its Section 42 response can be summarised as follows: <ol style="list-style-type: none"> 1. Ecological enhancements works are now proposed to the Bran Sands lagoon. 2. The further survey information requested by NE to assess the Harbour Facilities proposals has now been provided by the applicant.

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				<p>final Environmental Statement for this application to the North York Moors National Park Authority / Redcar and Cleveland Borough Council, it is reasonable to provide comment at this pre-application stage only on the Harbour element of the proposal which is the primary subject of this consultation. NE have previously raised concerns on the development of the York Potash Project-wide HRA and Cumulative Impact Assessment. With elements of information and full detail still not available on the Harbour facility it will be difficult not to avoid advising competent authorities that further information is required for both the HRA and CIA.</p> <p><u>2.1 Internationally and nationally designated sites:</u> The application site is within or in close proximity to a European designated site (these are also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Teesmouth and Cleveland Coast Special Protection Area SPA) which is a European site. The site is also listed as Teesmouth and Cleveland Coast Ramsar site1 and is notified at a national level as Cowpen Marsh, Seal Sands, Seaton Dunes and Common, South Gare and Coatham Sands, Redcar Rocks, Tees and Hartlepool Foreshore and Wetlands Sites of Special Scientific Interest (SSSIs). NE welcome the revision of the HRA which has taken account of the comments in relation to the Harbour facility made in a pre-application response on the screening report reviewed and responded to on 31 July 2014.</p> <p><u>2.2 Further information required:</u> NE notes the draft appropriate assessment of the proposal has been undertaken in accordance with Regulation 61 of the Regulations. NE is a statutory consultee on the Appropriate Assessment stage of the HRA process, and a competent authority should have regard to NE's advice. Special Protection Areas (SPAs) are classified for rare and vulnerable birds, and for regularly occurring migratory species. The birds for which SPAs are designated may also rely on areas outside of the SPA boundary. These supporting habitats may be used by SPA populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SPA bird populations, and proposals affecting them may therefore have the potential to affect the SPA. It should be noted that the potential impacts that may arise from the proposal relate to the presence of SPA interest features that are located outside the current site boundary. NE advise that the potential for offsite impacts needs to be considered in assessing what, if any, potential impacts the proposal may have on European sites. The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites in question although you acknowledge further information is awaited (as indicated in section 10.4.8). Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of NE that it is not possible to ascertain that the proposal will not result in adverse effects on site integrity. NE advises that the assessment currently does not provide enough information and/or certainty to justify the assessment conclusion. Further information, assessment and consideration of mitigation options is required, and NE provides the following advice on the additional assessment work required.</p> <ul style="list-style-type: none"> - Data needs to be presented for all waterbirds and not just selected species. The 20,000 waterbird assemblage feature does not just comprise species that are >1% of the Tees population, but all waterbirds. - Night time usage by birds has not been assessed at all – it would be useful to understand if any information on this is available. - More detail has been provided on the scale of buildings and likely footprints. However, this is still very preliminary and more detailed designs before impact can be properly assessed. Examples of what is required: the land-take from Dabholme Gut is undefined, will it annex a large area, or is it just a small projection into it? The annexing of part of Bran Sands Lagoon may or may not be in the final design? The loss of 0.2ha of Bran Sands lagoon for 'works' (section 10.3.6). The potential northern conveyor and vehicle access route is likely to cause extensive disturbance to what is currently a relatively quiet part of Bran Sands Lagoon. Key bird species such as red-breasted merganser, goldeneye and little grebe are concentrated in this area (and two otter spraints were recently found here). A conveyor bridge across the mouth of the northern arm of Bran Sands Lagoon would be likely to fragment the lagoonal habitat for bird (and mammal) usage. The height and scale of the conveyor as it traverses one/or both sides of the lagoon is unclear at present, as indeed is whether it is screened or closed – more detail is available at the silos and transfer towers, but NE need to understand the scale and size of the structure and indeed the noise created by the conveyor(s) which may displace or disturb SPA birds. NE recommend that this is minimised in your final design. The destiny of the NWL jetty and its potential use or removal remain undecided, and consequently there may be ramifications for disturbance impacts throughout the construction of the project i.e. this may reduce/extend the disturbance periods. NE would expect a piling method statement to accompany any operation of this magnitude (both solid and open quay options). The document would include detailed construction methodology, machinery and mitigation (soft start, mmo's, construction times etc.). Data on how regularly the frontage mudflats are exposed has been requested – this will enable a better understanding of the impacts on the intertidal area. More consideration may need to be given to how a design could be developed which might retain more of this habitat, even if it were unable to function fully in its current form. NE requires further clarity on the effects of polyhalite on both marine and freshwater ecosystems in case of spills and confirmation of the conveyor design (closed/open). The impact on intertidal habitats needs to be considered in the context of bird declines on Teesside and also the massive historic loss of intertidal within this estuary. Species that feed on intertidal mud tend to have experienced the greatest declines. This suggests that the intertidal system is already stressed and so is less able to withstand further impacts. NE note that further lighting assessments, noise assessments and sediment quality data are awaited which are essential for proper understanding of the proposal's impacts. Further investigation on the nature of water exchange between the Tees Estuary and Bran Sands Lagoon (10.3.32) is awaited with interest, as this may provide significant opportunities to mitigate impacts. NE consider that enhanced water control is key to the future of Bran Sands Lagoon, with the aim of increasing tidal exchange, thereby creating new intertidal margins within the lagoon to mitigate for losses on the foreshore. This would need a hydrological study aimed at producing optimal designs for the necessary infrastructure. Improved control over connectivity and flow would also permit the isolation of Bran Sands Lagoon from the 		

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				<p>estuary in the event of a pollution incident. In addition, the small islands within Bran Sands Lagoon could be reinstated as part of this project, since they would provide invaluable roosting and nesting opportunities.</p> <p>– NE note that acoustic barriers are proposed and more detail will be needed on this mitigation measure once the design is finalised. Piling has only been considered for the port terminal and there is no information on the conveyor construction. NE would expect to see seasonal restrictions on construction scheduling in order to avoid impacts on wintering SPA birds. Parking, storage and lay down areas immediately adjacent to Bran Sands Lagoon will need to be properly screened to minimise disturbance during the operational phase. During construction, the most disturbing activities should be scheduled outside the winter period (November to March inclusive). NE considers that as the 'narrow spits either side of Seaton Channel' are designated as an SPA (and SSSI) further consideration should be given to the long term impacts (especially since the quay structure will remain in situ at decommissioning stage) of an increase in wave height of up to 0.1m to the structural integrity of the spits (10.3.14). NE considers that the indirect impacts on SPA birds on Bran Sands (feeding habitat reduction through loss of fluvial sediments from dredging) should also be considered in this section (10.4.8). Construction of the harbour will lead to a number of negative impacts on bird populations and potential indirect impacts related to changes in coastal processes. There remain a number of uncertainties on the scale of some impacts, and since no positive works are currently proposed the likely outcome will be a negative impact on SPA birds of unknown magnitude.</p> <p>- NE would welcome a commitment to the beneficial management of the site for SPA birds during the lifetime of the proposal, including the adoption of measures to monitor and control management of the application site.</p> <p>- Other measures outside the application site - which NE welcome and which would be of benefit to SPA birds - comprise the beneficial use of dredgings from the capital dredge as suggested in 3.4.12 for habitat creation in the Tees Estuary. This could be used to recreate roost islands at Bran Sands and NE suggest you speak to PD Ports about this.</p> <p>Further specific comments on the information in the PER that requires further clarification information:</p> <p>2.2.1 Hydrodynamic and sedimentary regime - NE requires further clarity regarding the infill rate of 100,000m3 per year. Is this the amount of material that will need to be maintenance dredged from the proposed YPL dredge footprint per year? If this is the case 80,000m3 is mud that will be lost from the system each year, a percentage of which would potentially have been destined for Bran Sands or Seal Sands? NE would expect to see a full assessment of the impacts due to dredging in the ES (NE notes this will be the case as highlighted on pg 64 section 5.5.7). NE considers that even though the modelled effect on existing wave height is predicted to be low (max 0.15m) the impacts should still be given due consideration in the ES (i.e. impacts to the spits at Seaton Channel entrance) – see above.</p> <p>- It is stated that chart area 8 has an annual infill rate of 84,000m3 but paragraph 5.4.20 suggests an infill rate of 100,000m3 for the development footprint which is smaller than the whole of chart area 8. NE requires further clarity on this point.</p> <p>2.2.2 Marine sediment and water quality - NE notes that more recent sediment quality samples have been taken for the Quay 1 project by PD Ports than those referred to which are older projects – check this one for updated results.</p> <p>2.2.3 Marine Ecology - NE notes that the king piles for the solid quay option will be approx. 2m in diameter (page 19, paragraph 3.1.24), whereas the subsea acoustic modelling assumes a pile diameter of 914mm. NE requires further clarity as to why the worst case pile diameter was not used for the modelling (8.3.23).</p> <p>3.0 Nationally Important Sites - Wildlife And Countryside Act 1981 (As Amended) - This application is in close proximity to Cowpen Marsh, Seal Sands, Seaton Dunes and Common, South Gare and Coatham Sands, Redcar Rocks, Tees and Hartlepool Foreshore and Wetlands Sites of Special Scientific Interest (SSSIs). NE's concerns about information requirements relating to SSSI features are dealt with in 2.2 in the consideration of Teesmouth and Cleveland Coast SPA and Ramsar site.</p> <p>4.0 European Protected Species protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended): have reviewed the Terrestrial Ecology Chapter 10 of the PER and are satisfied that appropriate surveys have been undertaken on the application sites. NE. Section 2.4 of our scoping response of 20 December 2013 makes reference to our standing advice for protected species for further consideration. Note that evidence of otter was found at the northern end of the Bran Sands Lagoon and that the project design should therefore seek to avoid habitat loss/disturbance for this species. There do not appear to be any licensing issues associated with European Protected Species.</p> <p>5.0 Habitats and Species of Principal Importance as described in the EIA scoping response: The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication 'Guidance for Local Authorities on Implementing the Biodiversity Duty'. Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats 'are capable of being a material consideration...in the making of planning decisions'. NE therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.</p> <p>Seals - NE would expect that the timings for repositioning and boring/pre-augering etc. to be fully documented in the piling method statement. Therefore an assessment could be made on the duration of the 'non piling' period. Please note NE recommends a minimum of 8 hours continuous break in every 24 hour period where no impact piling is carried out. This condition is one consistently recommended on the Tees in relation to seals.</p> <p>Fish - Please seek advice from the Environment Agency on fish species which are not interest features of the designated sites.</p> <p>6.0 Biodiversity enhancements - This application may provide opportunities to incorporate features into the design which</p>		

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				are beneficial to wildlife, such as the provision of bat boxes, the greater provision of intertidal habitat and habitat creation and enhancement measures beyond those required for mitigation as described in section 2.2. Measures to enhance the biodiversity of the site should be secured in accordance with Paragraph 118 of the NPPF. Additionally, would draw attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.		
S42-LA-022-01	Cleveland Fire Brigade	11.09.14	10.10.14	Cleveland Fire Brigade offers no representations regarding the development as proposed. However access and water supplies should meet the requirements as set out in approved document B volume 2 of the building regulations for buildings other than domestic dwellings. Further comments may be made through the building regulation consultation process as required.	N	The applicant's consultant team sent a letter (by email) on 10.11.14 to Cleveland Fire Brigade (CFB) to thank it for its s42 response and to confirm that CFB will be kept updated of the project throughout the DCO process.
S42-LA-023-01	Marine Management Organisation	11.09.14	10.10.14	<p>1. The proposed development - York Potash Limited (the "Applicant") proposes to make an application under the Planning Act 2008 (the "2008 Act") for a development consent order (the "DCO Application"). The DCO Application would seek authorisation for the Applicant to construct and operate harbour facilities on Teesside for the export of Polyhalite bulk fertilizer (the "Project"). [MMO Description of proposals not repeated here]</p> <p>2. Scope of these representations - This document comprises the MMO's initial comments in respect of the Project. These comments are based on the information contained within the PER and are made without prejudice to any future representation the MMO may make about the Project. This is also without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for anything else. These representations comprise:</p> <ul style="list-style-type: none"> An explanation of the MMO's role in the consenting of Nationally Significant Infrastructure Projects – section 3; The MMO's initial comments on the marine licence requirements of the Project – section 4; and The MMO's initial comments on the Project based on the information provided in the PER – section 5. <p>3. The MMO's role in Nationally Significant Infrastructure Projects - The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The UK Government's Marine Policy Statement forms the framework for the MMO's management of the marine area. <u>Marine planning</u> - The MMO is the marine plan authority for the East Inshore area, which is the part of the UK marine area in which the Project would be located. The Secretary of State would have regard to the East Inshore marine plan in determining the DCO Application and so part of the MMO's role will be to advise on the interaction between the Project and the marine plan. <u>Marine licensing</u> - The MMO is the marine licensing authority for the part of the UK marine area in which the Project would be located. The marine licensing provisions of the 2009 Act set out which activities in the marine area require a marine licence. In broad terms, this includes any activity which involves the deposit or removal of articles or substances below the level of mean high water springs, unless a relevant exemption applies. In the case of Nationally Significant Infrastructure Projects, the 2008 Act enables DCOs for projects which affect the marine environment to include provisions which deem marine licences¹. Alternatively, applicants may choose to seek a marine licence directly from the MMO. Whether a marine licence is deemed by a DCO or granted by the MMO, the MMO is the body responsible for post-consent monitoring, variation, enforcement and revocation of the marine licences. Where applicants choose to seek to have a marine licence deemed by a DCO, it is envisaged that applicants will seek to agree the draft marine licence with the MMO prior to submitting their DCO application. The MMO would also expect applicants to engage with the bodies which the MMO would ordinarily consult when considering marine licence applications, in order to seek their views on marine impacts and mitigation. These bodies include but are not limited to:</p> <ul style="list-style-type: none"> The Environment Agency; Natural England; The Maritime and Coastguard Agency; English Heritage; Local planning authorities; Local harbour authorities; Local inshore fisheries and conservation authorities; The Royal Yachting Association; The Royal Society for the Protection of Birds; and The corporation of the Trinity House of Deptford Strond. <p>Further information on licensable activities can be found on the MMO's website:- https://www.gov.uk/government/organisations/marine-management-organisation</p> <p>4. The marine licence requirements of the project - From the high-level information relating to the marine elements of the project in the PER, the MMO has identified the following activities which potentially require a marine licence:</p> <ul style="list-style-type: none"> Piling for quay structure; 	Y	<p>The Marine Management Organisation (MMO) has been consulted regularly throughout the Harbour pre-application process, including recent meetings held in October and November 2014. The response to the issues raised in the MMO's s42 response can be summarised as follows:</p> <ol style="list-style-type: none"> The requirements of the Water Framework Directive are addressed within the Environmental Statement that accompanies the DCO application. Ecological enhancements works are now proposed to the Bran Sands lagoon. The further information requested by the MMO to assess the Harbour Facilities proposals has now been provided by the applicant. The range of other environmental issues raised is addressed within the Environmental Statement that accompanies the DCO application. A revised draft deemed marine licence has been provided to the MMO and a response is awaited. The revised draft licence has been included in the Draft Order.

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				<ul style="list-style-type: none"> Construction of quay; Dredging; and Disposal of dredged material. <p>The Applicant is responsible for ensuring all appropriate consents have been granted before commencing works. The above list should not be considered exhaustive, and any additional works or activities in the marine area which may require a marine licence should be notified to the MMO at the earliest opportunity.</p> <p>5. The information presented in the PER</p> <p>5.1. Planning and policy context - The PER considers national and local policies relevant to specific chapters of the PER. However, the ES should also demonstrate that other relevant policy and plans have been considered and explain how they have been taken into account.</p> <p>In particular, the Secretary of State would be required to have regard to the Marine Policy Statement and any relevant marine plan in determining the DCO Application. As such, the Applicant should give due regard to these in preparing the DCO Application and the ES should demonstrate how they have been taken into account.</p> <p>5.2. Description of works - Where details have not been finalised, the ES must detail all potential construction options, ensuring that the worst case scenario has been assessed. In this situation, the assessment should follow the 'Rochdale Envelope'3 approach.</p> <p>For the marine elements, the study area comprises the likely maximum extent over which potentially significant environmental impacts of the scheme may occur. The maximum extent of the potential impact has been determined to be the area over which the potential effects of the proposed scheme on tidal currents and sediment transport may occur. Such effects have the potential to affect other parameters, such as marine ecology, waterbird populations and water quality.</p> <p>5.3. Designated sites - The proposed works are within the South Gare and Coatham Sands+E28 SSSI designated for its flora, invertebrate fauna and birdlife, and Teesmouth and Cleveland Coast SPA and Ramsar sites designated for their ornithological interest.</p> <p>The proposed works are within 5km of the following designations:</p> <ul style="list-style-type: none"> Seaton Dunes and Common SSSI designated for its flora, invertebrate fauna and bird life and range of habitats; Tees and Hartlepool Foreshore and Wetlands designated because the complex of wetlands, estuarine and marine sites support internationally important populations of wildfowl and waders on the Tees Estuary; and Cowpen Marsh SSSI designated for its importance to migratory wildfowl and wading birds. The MMO would expect that the Environmental Impact Assessment will assess the potential impacts of the proposed development on these designated sites. <p>The MMO would defer to Natural England (NE) on comments relating to impacts on the designated sites.</p> <p>3. http://infrastructure.independent.gov.uk/wp-content/uploads/2011/02/Advice-note-9.-Rochdale-envelope-web.pdf</p> <p>5.4 Coastal processes and hydrodynamics - The potential impacts of the proposed construction works and operational phases on coastal processes are described in section 5 and the baseline and the list of impacts identified are appropriate. The MMO note from paragraph 5.3.2, that the numerical modelling from the Northern Gateway Container Terminal (NGCT) has been used and that the calibration and validation is still valid. Justification of how the data is still valid should be provided given the age of the data. The MMO would also expect to see the model include new projects and applications for a cumulative impact assessment as it is not clear that the model has been updated to reflect changes in the estuary. Paragraph 5.3.3 states that the implications of predicted changes will be assessed in terms of significance of the potential impact on various environmental parameters which notes marine biological receptors, but does not note impacts on erosion and accretion: this paragraph should be clarified.</p> <p>The MMO would encourage the applicant to consult with the MMO to determine the extent of any further modelling required for the EIA.</p> <p>The applicant should be aware that when using reports that are not current (for example the QEII and NGCT ES's) a justification for why the results are still valid should be included in the final ES. The MMO would also expect the modelling reports to be included as appendices to the ES for cross referencing.</p> <p>Paragraph 5.5.4, the use of a trailer suction hopper dredger/cutter suction dredger is a worst case scenario over the backhoe dredger. The MMO would expect the full details of the sediment plume modelling to be included in the final ES i.e. calibration, validation, increase in suspended sediment data.</p> <p>The MMO agrees that increasing the suspended sediment concentrations by 10-50mg/l would be temporary in nature and short lived, however the increase in suspended sediment should be assessed in terms of the potential barrier to fish migration and behavioural effects, and this should be included within the ES.</p> <p>5.5 Sediment and water quality - It is noted that the sediment samples are currently being analysed and a full impact assessment will be undertaken once these are received and incorporated into the final ES.</p> <p>The MMO welcome the inclusion to assess potential alternative options for the use of dredged material once these results are available and to be included within the final ES. The MMO disagree with the following statement from paragraph 8.5.14 "However given the unconstrained nature of the tides within the Tees Estuary, it is anticipated that dilution would rapidly reduce the concentration of contaminants to acceptable levels". This statement has been provided prior to the availability of the sediment analyses results for contaminants. Dependant on the levels of contamination, mitigation measures may be required for implementation and this statement is currently unjustified. The MMO does note however that a full assessment of the risks associated with disturbance to potentially contaminated sediment will be undertaken during the EIA process. The MMO defer to comments on the Water Framework Directive to the Environment Agency (EA).</p>		

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				<p>5.6 Fish and shellfish resources - The MMO welcomes that the PER now identifies the fish species which use spawning and/or nursery grounds within the vicinity of the proposed scheme, including those which are on the OSPAR List of Threatened and Declining Species and Habitats. The MMO defer to comments by EA on fish species.</p> <p>5.7 Commercial fisheries - Royal Haskoning have described the baseline conditions with regards to commercial fisheries and the MMO would encourage continued dialogue with the local MMO office through MMO HQ contacts.</p> <p>5.8 Underwater noise - The survey methodologies appear to be adequate and on the whole, the impact assessment methodologies appear to be appropriate.</p> <p>Para 8.3.1.1: It is appropriate that underwater background noise measurements were taken within the Tees estuary, within the area of the proposed scheme footprint in April 2014. This is good practise and it is recommended that ambient noise monitoring is undertaken prior to the commencement of a construction development.</p> <p>Para 8.3.31: The MMO recommends that unweighted metrics are used in underwater noise modelling assessments, and it is appropriate that they have been included in this report.</p> <p>Potential mitigation measures, page 163: The MMO would defer to NE on the impacts of underwater noise on marine mammals.</p> <p>5.9 Dredged material - The MMO welcomes the inclusion of the current maintenance dredge operations and requirements and note that in Chart 9, there will be an increase of approximately 8,000m3 per year to be dredged. It would be useful to review the modelling that has been used to calculate this figure.</p> <p>The Tees Estuary is broken into 13 chart areas and the assessment is based on the chart area that the facility will be in (i.e. Chart 9) however it will be necessary to assess whether the works will affect any other part of the Tees estuary in terms of sedimentation (and therefore increased maintenance dredging) or increased erosion within the final ES. The MMO would also expect the ES to assess the cumulative impacts of the capital dredge and disposal with other dredge and disposal operations for these sites.</p> <p>The applicant has stated that if no alternative uses for the dredged material can be found then all of the dredged material will be disposed of offshore (paragraph 3.1.37). The applicant should ensure that if this is the case (or if it is unknown at the time of submission) then the EIA should assess the potential impacts of all the material being disposed of offshore.</p> <p>If alternative uses for the dredged material have been identified for the submission of the ES, it would be useful to see the final figures of what proportion is proposed to be disposed of at the disposal site and what proportion is proposed for alternative use. If the alternative use cannot be guaranteed, the applicant should assess the full amount being disposed of to sea.</p> <p>The applicant has noted that there is likely to be a requirement for periodic maintenance dredging within the berth pocket and approach channel and the volume will be predicted during the EIA process. The applicant must decide whether to include maintenance dredging within the Deemed Marine Licence. The applicant should be aware that depending on the results of sediment analysis and the length of licence, frequent sample analysis will be required throughout the scheme of the project.</p> <p>5.10 Cumulative impacts - The PER has not identified any plans or projects for inclusion within the EIA and final ES, it does however identify the consultations carried out and specify that a cumulative impact assessment will be presented as a supporting document to the Harbour Facilities ES. The MMO therefore defers comment until this has been submitted for review.</p> <p>5.11 Mitigation and monitoring - The PER includes some mitigation measures however given that some assessments have yet to be carried out, the MMO withholds comment on the adequacies of these measures. The applicant should be made aware that depending on the outcomes of the full EIA, additional mitigation measures may be required. The applicant should ensure mitigation forms part of the ES and all recommended mitigation is transferred to the DCO.</p> <p>5.12 Additional comments - The ES should justify (why/ how) which of the options was chosen as the preferred option. If the applicant has not chosen a preferred option for the scheme at the time of submission of the ES, then the EIA should assess the realistic worst case scenario of either option on the marine receptors being assessed.</p> <p>The MMO note that the PER proposes not to assess decommissioning as it is the intention that the works will comprise a long term infrastructure proposal (paragraph 3.3.1). If decommissioning is not included, the ES should detail the additional uses or changes of use. Consideration of monitoring and maintenance if the port is not used for a long period should be included.</p> <p>The MMO note that the maintenance dredging requirement would be included within the PD Teesport wider maintenance dredge campaigns (paragraph 7.6.4), the MMO would recommend consultation with the harbour authority to ensure future marine licences include the additional tonnage and requirements for sampling are undertaken as per MMO requirements. It would be useful if the applicant could supply a shapefile of the location of the proposed works for use in GIS to aid future assessment.</p> <p>It would be useful if the applicant could signpost to specific documents or appendices that may not be obvious for example the modelling as referenced in section 5.8, dredged material, of this document.</p> <p>6. Conclusion - The MMO would welcome further consultation and recommends that the applicant continues to discuss the marine licensing requirements with the MMO especially as most of the detailed assessments have yet to be carried out. The MMO notes that these will be included within the ES; however it would be helpful to review a second PER or draft ES prior to submission to ensure any deficiencies have been addressed. The items included in this letter should be considered in the Environment Impact Assessment process, the MMO would not see this letter as a definitive list of all Environmental Impact Assessment/ Environmental Statement requirements and other subsequent work may prove necessary.</p>		
S42-LA-	Environment	11.09.14	09.10.14	Draft Development Consent Order - This document is clearly still at very early stages of development. It will be important	Y	The Environment Agency (EA) has been consulted

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024-01	Agency			<p>to ensure that all mitigation measures, particularly those required as 'statutory requirements detailed within the Environmental Statement (e.g. timing constraints and measures to avoid noise/disturbance to migratory fish) are fully incorporated in the Requirements for the DCO. There will need to be a clear mechanism for enforceability and it will not be sufficient to leave to Construction Environmental Management Plans and Habitat Management Plans later down the line. Will be happy to advise further once these requirements are drawn up.</p> <p>Further information required - wish to provide the following specific comments on the information in the Preliminary Environmental Report (PER) that requires further clarification/information/assessment:</p> <p><u>Loss of intertidal and subtidal habitat:</u> Both options presented in the PER for quay structure show significant loss of available intertidal habitat. For the open quay all the intertidal area is lost and for the solid quay the majority is lost. Intertidal mudflats are a key marine habitat and have high abundance of species. They are highly productive areas which support large numbers of predatory birds and fish. They provide feeding and resting areas for populations of migrant and wintering waterfowl, and are also important nursery areas for fish. On the Tees, areas of mudflat are fragmented and this area is seen as a potentially important resource. National Planning Policy Framework states:</p> <p><i>118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:</i></p> <p><i>- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</i></p> <p>Would request more data is presented on how regularly the frontage mudflats are exposed- this will enable a full understanding of the impacts on the intertidal area. More consideration may need to be given to how a design could be developed which could retain more of this habitat, even if not able to fully function in its current form.</p> <p>Currently there is little assessment of any suitable alternatives or mitigation. The PER does not acknowledge the need to compensate for the loss of mudflat. Further assessment is required together with justification for preferred option. Details of mitigation and compensation need to be included. In addition there is also loss of subtidal habitat, which should also be considered in the context of mitigation or compensation requirements.</p> <p><u>Piling:</u> The Salmon and Freshwater Fisheries Act 1975 (SAFFA) is legislation aimed at the protection of freshwater fish, with a particularly strong focus on salmon and trout. There are many activities that could constitute an offence under SAFFA including direct mortality, barriers to migration and degradation of habitats. The PER provides some analysis of potential noise impacts on seals from the proposed piling but this has not been extended to migratory fish. On the Tees piling has the potential to affect runs of migratory fish. It has been established that fish are very sensitive to noise and vibration disturbance. Between the 1st March and 30th November, in any given year, no piling work should take place for 3 hours following low water to allow migration of adult salmon and sea trout. During the month of May, in any given year, no piling should take place to allow migration of juvenile salmon and sea trout. On this basis, assessment of the potential noise impact of migratory fish should be undertaken with appropriate mitigation provided.</p> <p><u>Dredging:</u> Sediment contamination test results should be made available at the earliest opportunity to allow for consideration of the options for the fate of the dredge spoil. Dredger type and timing of dredging should be discussed to allow for the protection of migratory fish. Monitoring of sediment levels needs to be agreed to allow for background and threshold levels to be set.</p> <p><u>WFD Assessment:</u> The Water Framework Directive (WFD) section proposes that the Environment Agency's Clearing the Waters guidance (Environment Agency, 2012) is used to assist in the assessment of the potential impacts of the proposed scheme on the ecological status/potential of water bodies screened into the WFD assessment. Clearing the Waters is aimed at assessing the potential impacts of dredging and disposal. The large majority of the proposed site is situated on land created through ongoing pre-existing activities of infilling the tidal estuary and extension into the permanent channel. The proposal may result in further modification of inter tidal areas and riparian zone and impact on the channel. Clearing the Waters guidance of insufficient scope to adequately assess all potential impacts of the proposal, notably the hydro-morphological impacts on the intertidal and riparian areas of the Tees estuary in what is already a heavily modified water-body. Consider that assessment should be undertaken of all potential impacts and select appropriate screening tools to assess the impacts of these activities. Would be happy to advise further on this assessment.</p> <p><u>Biodiversity enhancements</u> - This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the greater provision of intertidal habitat and habitat creation and enhancement measures beyond those required for mitigation as described in section 2.2. Measures to enhance the biodiversity of the site should be secured in accordance with Paragraph 118 of the NPPF. Additionally, would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.</p> <p><u>Landfill gas migration and Environmental Permitting</u> - The proposed development is on and around the Azko Nobel (formally ICI Chemicals and Polymers) closing landfill site at Bran Sands (CLE24/EAWML 60092). The landfill has a long history of waste deposits. Although first licensed for waste disposal in 1977, wastes from the ICI Chemical complex at Wilton were deposited prior to this. The early deposits of waste included a mixture of industrial wastes types including what now would be described as hazardous wastes. In its later years of operation wastes were exclusively non-hazardous biodegradable industrial and commercial wastes. A Closure Notice was served on this site in 2006, following the Environment Agency's refusal to grant the site a PPC permit. It should also be noted that the wastes included in this permit include the area of the Bran Sands Water Treatment Facility (operated by Northumbrian water) which was built over the existing landfill using</p>		<p>regularly throughout the Harbour pre-application process, including meetings held on 24.10.14 and 27.11.14.</p> <p>The response to the issues raised by the EA in its s42 response can be summarised as follows:</p> <ol style="list-style-type: none"> 1. Ecological enhancements works are now proposed to the Bran Sands lagoon. 2. The assessment in the Environmental Statement (Section 7 and 8) [Document No: 6.4] that accompanies the DCO application provides further detail on the intertidal and subtidal areas in response to the points raised by the EA. 3. The further information requested by the EA to assess the Harbour Facilities proposals has now been provided by the applicant. 4. The requirements of the Water Framework Directive are addressed within the Environmental Statement [Document No: 6.4 to 6.7] that accompanies the DCO application. 5. It is no longer proposed to locate the construction compound on the former Bran Sands landfill site. It is envisaged that there would not be any damage to the engineered landfill cap as a result of the Harbour Facilities development. 6. Whilst the assessed impact on the intertidal foreshore does not give rise to a need for mitigation, at the suggestion of the EA a discussion has commenced with the Tees Wildlife Trust regarding a potential contribution towards a habitat creation project.

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				<p>suitable construction techniques. The landfill site was capped with a CQA engineered Landfill Directive compliant clay/geomembrane composite cap, to prevent the ingress of meteoric water and to prevent uncontrolled landfill gas migration. As with all biodegradable landfills it is also expected that the site will settle/compact _perhaps significantly (up to 20%) over time. Within the waste body, leachate monitoring boreholes and an array of landfill gas extraction boreholes are installed. These are connected to horizontal pipeworks, which lead to a gas utilisation plant and flare at the north-east corner of the site. The site is also surrounded by a series of landfill gas migration/groundwater monitoring boreholes, external to the waste mass which are monitored on an agreed frequency. Understand the developer is not currently the permit holder for the landfill. Table 6.1 of the Preliminary Environmental Report states that there is no landfill gas migration which might affect the development. The most recently submitted environmental monitoring (for 2013), however does show some significant landfill gas migration issues, especially in the northern part of the site. Consider that this landfill gas migration needs to be assessed and any potential migration be incorporated into the scheme. The route of the elevated conveyers and the indicative access routes do seem to impinge on the waste boundary and are certainly in areas which contain existing monitoring infrastructure. This infrastructure must not be damaged and access to them must be maintained. Can provide further information on the location of this infrastructure if required. The PER outlines that the whole of the surface of the landfill is designated as a lay down area for construction materials and some areas may be used as a permanent car parking. This is of great concern given the implications on potential damage to the engineered cap and restoration, gas and leachate monitoring and extraction pipeworks (and required access). Although these proposals will need to be agreed under the Environmental Permitting regime by the permit holder, careful consideration needs to be given at this stage to the suitability of using this area and the interrelationships with the planning permission. It may not be appropriate to use this entire area for lay down of construction materials, given the topography of the landfill and the associated infrastructure. On this basis, there may be implications for the construction phase of the scheme that should be considered in the planning regime.</p>		
S42-LA-025-01	The Coal Authority	11.09.14	13.10.14	<p>The Coal Authority Response: No Observations</p> <p>The proposals have been reviewed and it is confirmed that the proposed Nationally Significant Infrastructure Project is located outside of the defined coalfield. Accordingly, The Coal Authority has no comments to make on this proposal. As this proposal lies outside of the defined coalfield, in accordance with Regulation 3 and Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 it will not be necessary for any further consultations to be undertaken with The Coal Authority on this Nationally Significant Infrastructure Project. This letter can be used by the applicant as evidence for the legal and procedural consultation requirements.</p>	N	No response required.
S42-LA-026-01	English Heritage	11.09.14	14.10.14	<p>EH have examined their records and can confirm that the proposed development will have no direct impacts upon any asset for which English Heritage would have a national remit (e.g. Scheduled Monument, Grade I and II* Listed Building, Registered Park and Garden, Registered Battlefield, World Heritage Site).</p> <p>EH welcomes the decision to underground the conveyor system from the Mine Head site to the Material Handling Facility. This will mean that there will be no physical impact on the Conservation Areas of Yearby and Kirkleatham, as would have been the case with the original cut and cover pipeline proposals. EH advise, however, that in the Environmental Statement (which it is informed is being prepared to accompany the full planning application), the applicant should address the issue of potential impacts of the construction and operation of the Material Handling Facility and related infrastructure, upon the setting of the Kirkleatham Conservation Area.</p> <p>EH also advise that the applicant should liaise closely with the archaeological consultants retained to give advice to Redcar and Cleveland Borough Council. They are best placed to advise on the potential impacts of the proposals on undesignated archaeological/heritage assets and they will also have a view on any requirements for a protocol for the recording of archaeological/palaeoenvironmental material recovered in the course of the dredging activities related to the project (c.f Crown Estates: Protocol for Archaeological Discoveries: Offshore Renewables, December 2010).</p>	N	The applicant's consultant team sent a letter (by email) on 10.11.14 to English Heritage to confirm the matters raised in its s42 response will be picked up in the Environmental Impact Assessment. All the matters raised in the s42 response are addressed within the Environmental Statement [Document Nos 6.4 to 6.7] that accompanies the DCO application.
S42-LA-034-01	Public Health England	11.09.14	16.10.14	<p>Public Health England (PHE) welcomes the opportunity to comment on the proposals and Environmental Impact assessment at this stage of the project. PHE notes that have replied to earlier consultations as listed below and this response should be read in conjunction with that earlier correspondence. Request for Scoping Opinion - 3rd January 2014</p> <p>PHE has reviewed the Preliminary Environmental Report (PER) dated September 2014 regarding the above consultation and can confirm that are satisfied with the approach taken in preparing this report. PHE is satisfied that potential impacts on public health due to air, water and soil contamination as a consequence of this development have been adequately addressed and, where necessary, suitable mitigation has been proposed. However, it has been noted that the report does not appear to consider possible health impacts of Electric and Magnetic Fields (EMFs). The proposer should confirm either that the proposed development does include or impact upon any potential sources of EMF; or ensure that an adequate assessment of the possible impacts is undertaken and included in the ES. If necessary, an assessment of the possible impacts due to EMFs should be undertaken and included in the Environmental Statement (ES). PHE provided information on the possible impacts on human health due to EMFs in its scoping opinion dated 3rd January 2014. PHE will comment when the ES becomes available. Should the promoter or their agents wish to discuss our recommendations or to seek any specific advice prior to the submission of the ES, PHE would of course be pleased to assist.</p>	N	The development would not give rise to any sources of Electric and Magnetic Fields that would affect public health. Public Health England will be kept updated of the project throughout the DCO process.

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S42-LA-035-01	Network Rail	11.09.14	16.10.14	<p>Network Rail owns and operates Great Britain's railway network and has statutory and regulatory obligations in respect of it. Network Rail is a statutory undertaker in respect of its railway undertaking. Network Rail is an affected land owner in respect of the proposed development and has been in discussions with the promoter regarding the impact of the scheme on the railway with the details as currently known.</p> <p>As Network Rail is a statutory undertaker in respect of its railway undertaking it has a statutory obligation under its licence to protect the rail infrastructure. Therefore, as you would expect with any proposed development which is adjacent to and interfaces with the railway network, Network Rail will seek to obtain certain assurances and protections in connection with this scheme. In particular, it has been identified that there will be a Basic Asset Protection Agreement in respect of the initial development consultation and a subsequent bridge agreement to cover detailed design approval, construction and future inspection, maintenance and renewal or removal of the conveyor bridge. In addition, the promoter will need to enter into an option agreement and an easement or wayleave agreement for the conveyor and, potentially, for the tunnel under line MBW3.</p> <p>Network Rail also expects to see its standard Protective Provisions in a schedule to the Development Consent Order, and that the promoter will enter into any other such asset protection or other required agreements as are identified once further details regarding the works have been provided. The inclusion of the Protective Provisions in both TWAOs and DCOs is well precedented. It includes, for example, protection from compulsory acquisition of Network Rail's land, whether temporary or permanent acquisition. Invite the promoter to obtain a copy of the standard Protective Provisions from Network Rail for inclusion in the draft Development Consent Order.</p> <p>It is appreciated that further details of the scheme will be finalised in due course and these should be provided so that Network Rail can fully assess the potential impacts of the scheme on the railway. Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land. In addition security of the railway boundary will require to be maintained at all times. Network Rail's Asset Protection teams will need to be fully consulted once the promoter has completed its feasibility studies.</p>	Y	In accordance with Network Rail's formal requirements for proposals of this nature, Protective Provisions have been included in the draft DCO in a form agreed with Network Rail
S42-LA-037-01	Homes & Communities Agency	11.09.14	13.10.14	<p>While it generally falls outside the remit of the HCA to comment on such schemes, are mindful of the importance of this development to the Teesside economy and the potential new employment opportunities that will flow from the development. As a result feel that it is necessary, and important, to demonstrate support for this scheme and in particular the benefits derived from it. Having considered the documentation attached to the consultation have the following comments to make:</p> <ol style="list-style-type: none"> 1. The emerging local plan documents should make direct reference to the economic benefits and land use implications for the scheme and ensure that a recognition of the formal stages of planning, that the development will need to go through, are properly captured 2. The full impact on the environment and consideration of the environmental impact of the scheme needs to be carefully set out and mitigated as part of the development proposals. 3. The scope of the EIA makes reference to the 'socio-economics' as being one of the key topics that are to be investigated. As part of this consideration should be given to the employment potential of the scheme and notably should refer to the capture of skilled jobs, full time jobs, locally sourced jobs, the advantages of using employers within the local supply chain and the knock on effect of spending in the local economy which might result. It is difficult, at this stage, to comment any further and while it would expect this to be a scheme worthy of government support there are some difficult environmental issues to be addressed and these will inevitably form the focus of much of the consultants planning work. To reiterate, however, the HCA consider this as a project worthy of support and it would welcome further opportunity to comment on this scheme as the planning process progresses. 	Y	A meeting has been held with the Homes and Communities Agency (HCA) regarding the relationship of the proposals to some unused above ground pipelines in the service corridor. The HCA was subsequently emailed and provided with technical information on the proposed route of the mineral conveyor and associated project information. Protective provisions are included in the draft DCO to address the issues discussed.
Planning Act 2008: Section 42 - Persons with an interest in the land						
S42-ST-002-01	Colt Technology Services	11.09.14	12.09.14	Can confirm that Colt Technology Services do not have apparatus near the above location. Search is based on Overseeing Organisation Agent data supplied; Colt do not accept responsibility for O.O. Agent inaccurate data.	N	No response required.
S42-ST-003-01	BASF plc	11.09.14	15.09.14	Have just received your consultation document relating to the proposed development at Teesside. I have only been with BASF plc for a short time but was informed by a colleague that they were unsure whether BASF still had land at Teesside. From our inclusion in the consultation it would appear that your records indicate that BASF does indeed have land close to the proposed works. To enable BASF to give proper consideration to the proposals it would be a great help if you could indicate on a plan the land which appears to remain in the ownership of BASF and I will investigate further. Many thanks for your assistance.	N	See response to S42-ST-003-02
S42-ST-003-02	BASF plc	11.09.14	06.10.14	Have now learnt a little more about the site from records and agree that do need to be kept in the loop.	N	The applicant's consultant team sent a letter (by email) to BASF on 10.11.14 to thank it for its s42 response and to confirm it will be kept informed of the project as it progresses through the DCO process.
S42-ST-005-01	ENER-G Natural Power limited	11.09.14	16.09.14	ENER-G Natural Power limited currently provide gas migration control and generation activities at the Bran Sands Landfill Site (which forms part of the Wilton facilities), designated as '8' on the Land Plan. It would be interesting to understand how the proposed development will impact upon its Agreement with Akzonobel (ICI), and its ability to function during the construction and operating phase of the development.	Y	The applicant is engaging with ENER-G to discuss the relationship of the proposed Harbour Facilities with ENER-G's existing operations. A series of requests for meetings were issued during October and November. On 14.12.14, ENER-G emailed to confirm that they would be unable to meet until early 2015 but enclosed a plan identifying the route of the power cable connecting the generator to the

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						National Grid.
S42-ST-006-01	BP	11.09.14	15.09.14	As Operator of Central Area Transmission System (CATS) BP have an interest in the conveyor route options at Bran Sands and in particular your south conveyor option. This is routed close to and parallel to its CATS major hazard pipeline and consequently it will be problematic to design and construct the conveyor in compliance with its easement working restrictions and current industry safe distance guidelines for above ground structures. For this reason BP recommend that the two alternative routes that YP are considering are more suitable options from a safety perspective.	Y	The applicant's consultant team is engaging with BP to discuss the relationship of the proposed Harbour Facilities with BP's existing operations. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of BP.
S42-ST-007-01	SembCorp Utilities (UK) Limited	11.09.14	17.09.14	Background: York Potash has been in consultation with SembCorp concerning its proposal to develop a material handling facility, conveyor system and tunnel portal at Wilton International since early 2012. Through open dialogue, SembCorp acknowledges the good relationship that has been established between it and York Potash. As York Potash is aware, it has reached an advanced stage of negotiation with SembCorp. In principle, terms to enable routing of the conveyor system exist, with SembCorp continuing to working with York Potash to finalise these; although (consistent with the Summary of Proposals Document) the design and detail (including exact location) of the supports for that conveyor system are yet to be agreed. It remains SembCorp's intent to continue to work with York Potash to finalise relevant detail applicable to the project (in so far as it concerns SembCorp's land or assets and/or has the ability to impact operations at Wilton International) and to seek to resolve outstanding concerns through continued dialogue, with the target being the successful construction and operation of York Potash's proposed Harbour Facilities in a mutually beneficial and satisfactory manner. Nevertheless, SembCorp does currently have some concerns (which have yet to be resolved) and it will therefore seek to make representations as part of the DCO process (once York Potash's application is submitted). Accordingly it briefly outlines these at Appendix 1. Many of these are issues which SembCorp has previously raised with York Potash. SembCorp and Wilton International: SembCorp is a major industrial energy and integrated utilities and services provider to the process industry in the Tees Valley (which is, in turn, the largest integrated chemical complex in the UK in terms of manufacturing capacity and the second largest in Western Europe). SembCorp owns approximately 667 hectares of land at Wilton International; of which approximately 170 hectares is heavy and light industrial development plots. In addition, it holds a long term (99 year) lease of the Bran Sands corridor (linking Wilton International with the River Tees). Since 2003, SembCorp has invested over £200 million developing new assets and improving its existing facilities for businesses at Wilton International. Additionally, SembCorp continues to invest in major capital projects of its own, as evidenced by the Wilton 11 Energy from Waste Project (construction commencing in January 2014). SembCorp's land at Wilton International will be affected by the conveyor system which will be constructed between the materials handling facility and the quay structure and buildings, substantially above the Bran Sands corridor (an existing infrastructure corridor) and by the tunnel portal and by the materials handling facility (though it is acknowledged that these form part of a separate planning application, on which SembCorp will provide a discrete response). Overall: In principle, SembCorp is generally in favour of the project. As previously noted it has been in discussion with York Potash since early 2012 and recognises a number of benefits which the project will bring, including its potential to create jobs and for it to play a role in improving agricultural productivity (in response to growing demand for food). Compulsory Purchase Order: However, the aforementioned benefits of the project need to be balanced against the economic contribution of the petrochemical, speciality and other process manufacturing industries (already) at Wilton International. Wilton International is a hub of petrochemical, speciality and other process manufacturing businesses and these businesses are themselves vital contributors not only to the regional, but also the national economy. Accordingly, any development by York Potash should include appropriate mitigation, so as not to hinder or disrupt existing operations as well as to allow the York Potash project to proceed alongside other significant projects which are currently in the pipeline at Wilton International. These include the multi-million pound improvement and upgrade to SABIC's Olefins 6 plant and several which are not yet in the public domain. SembCorp notes that it is York Potash's position that it may be necessary to utilize land that is in third party ownership through obtaining a compulsory purchase order. However, for the reasons outlined above (and the risk of favouring this single project over equally valuable existing and/or future development opportunities) together with the complex (and sometimes constricted) land interests, SembCorp considers that land at Wilton International and within the Bran Sands corridor should not be subject to (a right of) compulsory acquisition. Appendix 1 <i>Concerns and Representations</i> Aside from the issue of compulsory purchase (already commented), SembCorp currently has the following concerns which it will be looking to address with York Potash: 1) Quay Structures, Dredging and the Use of the Quay – It is noted that dredging of an area of the estuary is necessary to accommodate the quay and boats. In addition, at least one new quay is to be constructed. These are in close proximity to SembCorp's (No 2) tunnel under the River Tees (which carries pipelines and other apparatus and forms part of the Wilton International to North Tees and Billingham pipeline links). SembCorp is particularly concerned that the removal of the river bed (both through dredging and/ or the scouring effect of ships propellers when manoeuvring in proximity to the Quay) will reduce the head cover above its tunnel (and may thus alter the stresses upon it from those for which it was originally designed). In more general terms, any activities (but having regard to the likely need for extensive civil excavation works/ foundations for the Quay including product transfer facilities) in close proximity to the tunnel have the opportunity to disturb it and thus the tunnel may need to be monitored and York Potash's activities carefully controlled. 2) Inclusion of Dabholme Gut within DCO Application Boundary - This is part of the consented Wilton International drainage system. Any interference with existing rights to discharge, sample and/or operate apparatus (including booms and tidal flaps) in this location would have an immediate and potentially critical impact upon Wilton International's operations. 3) Vibration from conveyor system - This will be in close proximity to existing pipeline and other apparatus (including high pressure gas pipelines and/or other major accident hazard pipelines). The design and placement of footings of the conveyor system should thus be such as to avoid vibration from damaging that apparatus. 4) Existing apparatus: Over-sailing of the conveyor system - As noted above this will be in close proximity to existing pipeline and other apparatus. The design and placement of footings of the conveyor system should thus be such as to allow ease of access to that apparatus and minimise any disruption to the inspection,	Y	See response to S42-ST-007-02
S42-ST-007-02	SembCorp Utilities (UK) Limited	11.09.14	16.10.14		Y	The applicant's consultant team is engaging with SembCorp to discuss the relationship of the proposed Harbour Facilities with SembCorp's existing operations. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of Sembcorp.

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				<p>repair and maintenance of it.5) Construction (including protection of existing apparatus during construction) - The Harbour Facilities will need to be constructed so as not to affect existing operations (including chemical and manufacturing processes) at Wilton International, nor to compromise Wilton International site security. This will extend to inter alia ensuring that: (i) (the above mentioned existing apparatus) is suitable protected and existing foundations not undermined, (ii) the design of the conveyor system is suitable to prevent or restrict its use by unauthorised individuals (for example as a means of access into Wilton International); and (iii) traffic (principally during construction) is suitably planned and managed (to avoid it blocking or restricting access along site roads and/or to and from the surrounding highways).6) Noise - This should (obviously) be minimised (during normal operation but extending during construction, maintenance and decommissioning). This is to avoid an adverse impact upon current and future uses of adjacent land, but also because, based upon its historical experience, noise issues which emanate beyond the boundaries of the site are likely to be referred back to SembCorp by the local community (in this case, by residents in Dormantown).7) Dust I Product Fines I Loss of Containment - It is noted that after the hot metal rail bridge the conveyor system will principally be of open design (except where it crosses roads) (although it will have covers -with the aim being these protect both the product from the rain and prevent dust generation). Given the already mentioned close proximity to existing pipeline and other apparatus, ensuring that these covers are adequate to prevent dust I product fines and/or any loss of containment is important (there being a continued need to safely work in the vicinity without any special measures and/or no desire for the presence of the conveyor system to give rise to a (need for a) hazardous area classification).</p>		
S42-LA-009-01	NATS Safeguarding Office	11.09.14	17.09.14	NATS anticipates no impact from the York Potash Project and has no comments to make.	N	No response required.
S42-LA-010-01	National Grid Electricity Transmission	11.09.14	18.09.14	<p>This is a response by National Grid Electricity Transmission plc (NGET). Having reviewed the section 42 documents, I would like to make the following comments:<u>National Grid Infrastructure within or in close proximity to the Proposed Order Limits</u>National Grid Electricity Transmission has a high voltage electricity overhead transmission line which lies within or in close proximity to the proposed order limits. This line forms an essential part of the electricity transmission network in England and Wales and include the following:*YYQ 275kV Overhead transmission Line-Hartlepool - Tod Point Lackenby - Tod PointThe following National Grid electricity substation is located within the proposed order limits:*Tod Point 275kV SubstationThe following points should be taken into consideration:*National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset*Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004) available at: http://www.nationalgrid.com/uk/LandandDevelopment/DDC/devnearohl_final/appendixIII/appIII-part2 *If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.* Further guidance on development near electricity transmission overhead lines is available here: http://www.nationalgrid.com/NR/rdonlyres/1E990EE5-D068-4DD6-8C9A-4D0B06A1BA79/31436/Developmentnearoverheadlines1.pdf* The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.* Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.* If a landscaping scheme is proposed as part of the proposal, request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.* Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above* Due to the scale, bulk and cost of the transmission equipment required to operate at 275kV or 400kV only support proposals for the relocation of existing high voltage overhead lines where such proposals directly facilitate a major development or infrastructure project of national importance which has been identified as such by government.Further Advice - would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus protective provisions will be required in a form acceptable to it to be included within the DCO.Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection.In order to respond at the earliest opportunity National Grid will require the following:* Draft DCO including the Book of Reference and relevant Land Plans* Shape Files or CAD Files for the order limits</p>	Y	The applicant's consultant team is engaging with National Grid to discuss the relationship of the proposed Harbour Facilities with National Grid's existing operations. The protective provisions in the draft Order are based on National Grid's standard provisions and are the subject of on-going discussions between the applicant and National Grid.
S42-ST-011-01	ESP Gas Group Ltd	11.09.14	18.09.14	ESP Gas Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by YP's proposed works. ESP are continually laying new gas and electricity networks and this notification is valid for 90 days from	N	No response required.

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				the date of this letter. If the proposed works start after this period of time, please re- submit the enquiry.		
S42-ST-013-01	Marchwood Power	11.09.14	19.09.14	The development is obviously well out of any area of concern or issue to Marchwood so shall close this enquiry down this end as there is no possible impact on its equipment it being nearly three hundred miles away.	N	No response required.
S42-ST-014-01	British Pipeline Agency Limited	11.09.14	15.09.14	This proposal will not affect BPA pipeline responsibilities. No doubt you are consulting all other pipeline operators who may have responsibilities in this area.	N	No response required.
S42-ST-015-01	McNicholas (on behalf to TATA, KPN and SOTA)	11.09.14	29.09.14	This location is NOT AFFECTED by TATA, KPN or SOTA apparatus. Please note: McNicholas, on behalf of our client, accept no liability for claims arising from inaccuracies, omissions or errors contained within your plant enquiry request.	N	No response required.
S42-ST-017-01	BT Openreach	11.09.14	23.09.14	Unfortunately due to an organisational change this team no longer deal or process Network Alteration or Diversionary enquiries or work requests. To assist in finding the correct geographic Repayment Project Office to submit your enquiry or notice please reference the web link below. http://www.openreach.co.uk/orpg/home/contactus/alteringournetwork/alterationcontacts/alterationoncontacts.do This link also contains useful information as reference, and will assist you in future submissions or applications.All enquires for Network Alteration or Network Diversions should be made via this web portal address.Important: All requests for line plant information, a C2 notice (map) should still be submitted to this office.Our web site with useful information about what BT do and FAQs is available at http://www.kh.openreach.co.uk/orpg/home/network/locatingournetwork/nnhcga/nnhcga.do This also contains links and information about BT's maps by E-mail service which for a subscription allows access to maps on demand.	N	No response required.
S42-ST-028-01	RWE Dea UK SNS Limited and Sterling Resources (UK) plc	11.09.14	15.10.14	<p>Comprises written response on behalf of RWE and Sterling. As the Breagh field licence partners, RWE and Sterling jointly own the production and transportation facilities associated with the Breagh field that facilitate the export of gas to the UK mainland from the Breagh field gas reservoir. The Breagh field is located in the southern North Sea, 65 kilometres off the north eastern coast of England and commenced first production in October 2013.</p> <p>Gas is produced and transported from the Breagh platform via a 20" gas export pipeline, together with a 3" mono ethylene glycol ("MEG") return pipeline and two fibre optic control cable ducts, (the "Breagh Pipeline") under the North Sea to Coatham Sands, Redcar, from where the Breagh Pipeline continues across Teesside (including crossing under the River Tees) to the Teesside Gas Processing Plant ("TGPP") located within the Seal Sands area of Teesside. From TGPP, gas from the Breagh field is then transported via the National Transmission System into the UK National Grid.</p> <p>The Breagh field is a significant contributor to the UK's domestic gas supply, with current daily production of in excess of 120,000,000 standard cubic feet of gas per day. Furthermore, that level of production will shortly increase as additional wells are brought on-stream and the envisaged development phases of the Breagh field are completed. Total reserves of the Breagh field are estimated at approximately 19.8 billion cubic metres, making the Breagh field one of the largest natural gas fields in the southern North Sea. RWE operates and, with Sterling, jointly owns the apparatus and other equipment forming part of the Breagh Pipeline and RWE and Sterling together are the proprietors of certain rights and interests that relate to land within and in close proximity to the land that is subject to the draft Order (the "Order Land").</p> <p>1. Nature, extent, location, depths and specifications of RWE/Sterling's Infrastructure</p> <p>The Breagh Pipeline installation is comprised of: a high pressure 20 inch diameter carbon steel Natural Gas pipeline, which is classified as a Major Accident Hazard Pipeline; a 3 inch diameter high pressure MEG pipeline; and two 3 inch diameter plastic ducts containing fibre optic communication cables. Relevant route co-ordinates and pipeline depths are as detailed in the "As Built" documentation suite of drawings which can be supplied under separate cover upon request. The Breagh Pipeline is approximately 111km long.</p> <p>2. Title Issues and other interests</p> <p>Although as part of a pre-application consultation our comments here are not intended to form a comprehensive review of the proposal and its impact on our RWE and Sterling's interests, it has nonetheless generally examined the draft book of reference and land plans and it may be useful at this stage for the following issues to be taken into account:-</p> <p>2.1 RWE and Sterling hold a number of leasehold interests in land which are either within or in very close proximity to the Order Land. The areas demised to our client varies along the route of the Breagh Pipeline and it would urge you to consider the plans attached to each of our client's leases together with the as built drawings referred to in paragraph 1 above. Although, to a large extent the Breagh Pipeline which is either within or in close proximity to the Order Land is subterranean, please note that there are some parts of the Breagh Pipeline which are above ground.</p> <p>2.2 The depth at which the Breagh Pipeline is positioned, the extent of the demise and the extent of the areas over which our client has rights varies throughout the Breagh Pipeline route. You are urged to review the leases and information which is available at the Land Registry to identify which areas are leased to our clients and which areas our client has interests in and which require protection. By way of example, our client's leases refer to protection strips which affect land above, below or within the vicinity of the areas demised. There are, for example, particular landlord covenants in our client's leases relating to construction, excavation or raising or lowering the existing level of the surface of the protection strip. The particular covenants concerning each protection strip are set out in the leases which our client holds and it would urge you to review these as these need to be complied with for the protection of the Breagh Pipeline.</p> <p>2.3 As may have been identified from your land referencing exercise, in addition to the areas of land demised to our client the leases include a number of rights which are granted over the Order Land. These rights, for example, include rights to construct within the protection strip, rights to maintain the Breagh Pipeline, rights of access to the protection strip and the</p>	Y	The applicant's consultant team is engaging with RWE Dea to discuss the relationship of the proposed Harbour Facilities with RWE Dea's existing operations and further technical information has been provided to RWE Dea on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of RWE Dea.

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				<p>Breagh Pipeline, rights to construct, rights to maintain and use above ground apparatus, rights to continuous vertical and lateral support and rights on reasonable prior notice to enter the protection strip for the purpose of walking the line of the pipeline. All of these rights in favour of our client will need to be safeguarded and it urge you to review each of the leases and the rights granted in those leases identified in the draft book of reference. From a health and safety perspective our client will need to be satisfied that the safety of their personnel is safeguarded when they are undertaking maintenance and inspection of the Breagh Pipeline.</p> <p>2.4 In the draft book of reference, in each instance in which their proprietary interests are recited you have referred to RWE and Sterling separately. Please note that RWE and Sterling are together the named tenant holding leasehold interests and rights in the Order Land. It may be more accurate to refer to our clients together particularly at Part 1 Column 4 of the draft book of reference.</p> <p>2.5 In relation to the book of reference it have the following specific comments:-</p> <p>2.5.1 In relation to plot number 2 in the book of reference, in addition to the lease which our client holds they also have a works licence with PO Teesport Limited which grants rights of access for the purpose of undertaking works. The rights granted by this works licence will need to be preserved.</p> <p>2.5.2 Pursuant to an underlease dated 29 April 2013 between (1) Northumbrian Water Limited (2) RWE DEA UK SNS Limited and Sterling Resources (UK) Limited (registered under title number CE216557), our clients have an underlease which it believe should be noted against plots 1, 2 and 11 in the book of reference. Pursuant to this lease Northumbrian Water Limited has demised to our client a small area under the NWL jetty and the NWL tank farm. Please specifically refer to the lease which is available at the Land Registry and the plans annexed to it to identify the specific areas demised by this lease. It would ask that you consider the location of the Breagh Pipeline within this area of the Order Land to ensure that the Breagh Pipeline is protected particularly during any dredging which will be undertaken.</p> <p>2.5.3 For information purposes, in relation to plot number 12, Northumbrian Water Limited holds a lease dated 21 April 1998 between (1) ICI Chemicals and Polymers Limited and (2) Northumbrian Water Limited which it believe is not noted in the Book of Reference. Their interest is registered at the Land Registry under title number CE146662. You may wish therefore refer to this interest against plot number 12.</p> <p>3. Protective Measures</p> <p>3.1 The consultation documents do not contain sufficient details about construction, operation and maintenance of the proposed conveyor and associated infrastructure for our client to properly consider the technical issues which may arise, and how these might impact on their undertaking. So that our client may have meaningful input into the current consultation exercise more information will need to be provided. As indicated above, a first step in this process would be a meeting between our respective clients at which the technical issues can be discussed. Given the nature of our client's undertaking, there will clearly be a need for continuous dialogue throughout the application, construction and operation process. It would therefore urge you to make contact with Anthony Rutherford, Breagh Onshore Project Manager (anthony.rutherford@rwe.com; T 01642 546743) in order that arrangements for an initial meeting with our client can be organised at the earliest opportunity.</p> <p>3.2 Given the potential for the proposed works to severely disrupt our clients' operations they are concerned to ensure that sufficient and adequate protective measures are in place to safeguard their undertaking. It would therefore expect that it will be necessary for our respective clients to enter into a binding legal agreement together with other forms legal of assurances (whether they are to be written into the terms of the Order itself, or otherwise) to protect and safeguard RWE/Sterling's infrastructure, rights and other interests located within or in close proximity to the Order Limits. It is hoped that agreement on these terms can be reached at the earliest opportunity and that they will extend to the reimbursement of our clients' costs associated with the proposals and a full indemnity for any damage expenses or other loss they may incur as a result of the construction and/or operation of the works to which the proposals relate. Pending agreement being reached in respect of these matters, our instructions are as follows:-</p> <p>3.2.1 Those works authorised by the Draft Order in the vicinity of the Breagh Pipeline should not commence until a scheme to protect and accommodate our client's interests as part of the authorised works has been approved by our clients and has been implemented in accordance with the timescales so approved (and the relevant industry best practice standards). Furthermore RWE/Sterling's right to retain its apparatus in situ together with the rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Limits (as proposed in the consultation) should be maintained at all times and access to inspect such apparatus should not be restricted</p> <p>3.2.2 The land and/or rights of RWE/Sterling cannot be taken without serious detriment to RWE/Sterling's undertaking, and further given the nature and extent of what is proposed in relation to our client's interests (which in the main involves an above ground conveyor), a case does not appear to have been made that it is necessary or justifiable for the Development Consent Order to contain compulsory acquisition powers in respect of those interests and rights.</p> <p>3.2.3 For the moment there does not appear to be any compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the loss that would be suffered in the event that RWE/Sterling's interests were to be acquired.</p> <p>3.2.4 Without prejudice to the above, the North Conveyor Option set out on page 10 of the Summary of Proposals Documents should be adopted in preference to the South Conveyor Route as this will limit the impact of the scheme on the Breagh Pipeline.</p> <p>3.3 Lastly, it would highlight that any accommodation of our client's interests may need to take account of other statutory safeguards regulating the use, operation and potential interference with the Breagh Pipeline (for example arising through the Pipelines Act 1962 and/or the Pipelines Safety Regulations 1996). Account may then also have to be taken of how such</p>		

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				<p>other legislative requirements may in turn impact on the detailed drafting of the proposed Development Consent Order. It note that this stage of the consultation process is intended to invite initial representations in order to influence and form the future application and it would repeat our client's desire to engage with the promoter to reach a settled position on the nature and scope of any relevant protective provisions.</p> <p>In order to safe guard the proper discharge of its statutory undertaking and other legal responsibilities, our clients reserve the right to expand upon these representations and make further submissions in any future consultation exercise or examination because if an application is submitted in substantially the form of that to which the consultation relates, it is likely our clients will wish to fully register their representations and participate as fully as possible in relation to any forthcoming preliminary meeting or examination.</p>		
S42-LA-029-01	Northumbrian Water Limited	11.09.14	15.10.14	<p>NWL have been working closely with York Potash on their proposals to date and NWL are keen to continue this engagement. Prior to the submission of the DCO application there are issues worth highlighting at this stage. The proposal for the southern conveyor could affect our access road bridge especially if it passes over the bridge. NWL will require full clearance for traffic in this location. The southern route could also affect our outfall pipe work where access will need to be retained for maintenance etc. The route proposed would be parallel to effluent pipelines coming to Bran Sands via the tunnel No2 under the River Tees and services to our jetty. Access for our jetty, jetty compound and pipelines will be required for maintenance and inspection. It should also be noted that the Northern route as it turns north around Bran Sands may impact existing pipelines coming into the site.</p>	Y	<p>The applicant's consultant team is engaging with NWL to discuss the relationship of the proposed Harbour Facilities with NWL's existing operations. Further technical information has been provided to NWL on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of the parties affected.</p>
S42-ST-030-01	SABIC UK Petrochemicals Limited	11.09.14	15.10.14	<p>SABIC owns and operates apparatus and is in the process of securing new apparatus ("the Apparatus") and is the proprietor of certain rights and interests ("the Rights") which are affected by the Proposed Application. In particular the Draft DCO, together with the Book of Reference and draft Land Plans, provide for the compulsory acquisition of the Rights within the "Order Land". The consultation documents do not contain sufficient details about the construction, operation and maintenance of the proposed conveyor and associated infrastructure for our client to properly consider the technical issues which may arise and how these might impact on their undertaking. More information will be needed before our client will be able to meaningfully input into the current consultation exercise. It is suggested that the first step in this process should be a meeting between our respective clients at which the technical issues can be discussed. Given the nature of our client's undertaking, there will clearly be a need for continuous dialogue throughout the application construction and operation process. SABIC would therefore urge you to make contact with SABIC's Legal Director, John Middleton (01642 83 4868 or John.Middleton@SABIC-Europe.com), in order that arrangements for an initial meeting with our client can be organised at the earliest opportunity.</p> <p>1. THE APPARATUS</p> <p>1.1 SABIC owns and operates Apparatus, which is affected by the Proposed Application.</p> <p>1.2 The Apparatus comprises pipelines running in an above-ground pipeline corridor owned by SembCorp. For the purposes of this discussion, the corridor is split into two sections, the first section broadly being situated on land identified on Land Plan Sheets 1 and 2 ("the First Section") and the second section being situated on land identified on the Land Plan Sheet 3 ("the Second Section").</p> <p>1.3 SABIC's assets in the First Section comprise seven operational pipelines, five of which are classed as 'Hazardous' under Schedule 2 of the Pipelines Safety Regulations 1996.</p> <p>1.4 SABIC's assets in the Second Section comprise fourteen operational pipelines, ten of which are classed as 'Hazardous' under Schedule 2 of the Pipelines Safety Regulations 1996. 1.5 SABIC is currently in the process of installing an additional pipeline though both the First Section and Second Section in connection with its new ship off-loading facility at the North Tees Works at Seal Sands. Works to install the new pipeline are programmed to be completed in March 2016.</p> <p>1.6 The pipelines transport the feed to, and the majority of products from, SABIC's Olefins 6 and Butadiene 3 plants at Wilton. In addition, key elements of the North Tees Aromatics complex's feeds and products are included.</p> <p>1.7 The consultation documentation does not contain sufficient information about the proposed route and construction methodology to allow SABIC to properly assess the effect of the Proposed Application on the Apparatus and SABIC is concerned that the construction and operation of the conveyor has the potential to disrupt and restrict with its operations.</p> <p>1.8 SABIC is particularly concerned that severance of a pipeline could result in shut down of the Olefins 6 plant, putting SABIC's entire Teesside operation at risk.</p> <p>1.9 Moreover, the proposed installation of a conveyor system will represent additional risk to the existing pipelines both during construction and operation. Of particular concern in this regard is the potential for objects (or the conveyor itself) to fall onto the pipelines from a height, as well as the effect on the vibrations induced in the pipelines due to operation of the conveyor.</p> <p>1.10 The Order Land also impacts on some vital services provisions which SABIC currently accesses as a customer, e.g. Wilton Site drainage systems and the Number 2 River Tees Pipeline Tunnel. Impact on the safety or operation of the pipeline tunnel is a particular concern during the construction phase of the proposed quay.</p> <p>1.11 In addition, the Order Land includes more than half the width of the River Tees, which is currently used by SABIC to import and export feeds and products which are transferred across jetties on both north and south sides of the river. Any restriction to traffic on the River caused by this annexation of the waterway would seriously inhibit SABIC's ability to do business on Teesside.</p> <p>2. TITLE ISSUES</p> <p>SABIC have considered the Book of Reference and the Land Plans and SABIC's Rights in the Order Land. Our comments below are not intended to from a comprehensive review of the proposal and its impact on our clients' interests, however the</p>	Y	<p>The applicant's consultant team is engaging with Sabic and to discuss the relationship of the proposed Harbour Facilities with Sabic's existing operations. Further technical information has been provided to BOC on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of Sabic.</p>

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				<p>Proposed Application will need to take the following issues into account:</p> <p>2.1 As a general point, SABIC's operates pipelines between its sites at Wilton International and the River Tees (and beyond). Its rights in respect of the Apparatus therefore extend not just to the plots shown on Land Plan Sheets 1 and 2, but also to the pipeline corridor shown on to Land Plan Sheet 3.</p> <p>2.2 SABIC has legal rights to retain numerous pipeline assets within the Order Land which both deliver feed stock to and export product from its various plants at Wilton and North Tees. Continuous and uninterrupted safe operation and access for maintenance of those are key to its various businesses. It will be critical that the applicant consults closely with SABIC to understand the location and use of each asset and the precautions required to ensure continued safe and secure use.</p> <p>2.3 The documents under which SABIC's rights arise do not have detailed drawings showing the location of apparatus but largely document generic rights either to retain existing key pipelines or grant rights to construct new pipelines within pipe corridors. You are urged to consult closely with SABIC with a view to understanding the precise location and nature of each of the pipelines. Most carry hazardous substances and are above ground. From a health and safety perspective SABIC will need to be satisfied both that the safety of their personnel conducting inspection and maintenance of their assets is guaranteed and also that the construction and operation of the proposed project will not jeopardise continued safe operation of the pipelines. Any interruption or damage to the pipelines would have significant impact financially, environmentally and from a safety perspective.</p> <p>2.4 SABIC is interested in the Order Land as the beneficiary of rights contained in a conveyance of the Olefins plant at Wilton International dated 30 June 1999. These rights related inter alia to:</p> <p>2.4.1 The Wilton/Grangemouth Ethylene Pipeline (WGEP), which is of national significance and lies between Wilton International and Ineos Works at Grangemouth; and</p> <p>2.4.2 The Trans Pennine Ethylene Pipeline (TPEP) lying between Wilton International and Castner-Kellner Site at Runcom (which is not directly affected by the Proposed Application), each lying within a protective easement strip. The WGEP pipeline extends beyond Plots Number 8, 11, 12, 13, 15, 16, 17, 18, 19, 20, 22 and 24 as shown in the Book of Reference.</p> <p>2.5 SABIC also has the benefit of the following documents (listed as affecting Plots Number 11, 12, 13, 15, 16, 17, 18, 19 but conferring rights extending beyond those plots) as follows:</p> <p>2.5.1 Covenant as contained in Deeds of Grant dated 30 June 1999:</p> <p>(a) The Book of Reference does not specify precise details of the various Deeds of Grant and only references a covenant.</p> <p>(b) There are in fact a number of deeds of grant of this date under which SABIC is a beneficiary of the rights granted including easements relating to various pipelines cables ducts and other conducting media and infrastructure benefiting SABIC's Olefins (and former Paraxylene Plants) at Wilton International and their Aromatics and North Tees Logistics Plants at North Tees. These are rights to maintain and use existing service conduits and conducting media of whatever nature and infrastructure with associated rights of access to line walk and maintain and repair the lines and also rights of support. The various apparatus and conduits are above ground and of differing specification and dimension. Most carry hazardous substances.</p> <p>(c) The landowner through whose land the easements run covenants not to undermine or damage any apparatus.</p> <p>2.5.2 Covenant contained in a deed of grant dated 29 November 2005:</p> <p>(a) These are rights and easements relating to construct and thereafter maintain and use service conduits and conducting media of whatever nature and infrastructure relating to SABIC's Polyethylene Plant at Wilton which run through prepared pipe corridors on shared or exclusive infrastructure, with associated rights of access and support.</p> <p>(b) The landowner through whose land the easements run covenants not to undermine or damage any apparatus.</p> <p>(c) SABIC understand that this apparatus is not directly affected by the Proposed Application.</p> <p>2.5.3 Rights as granted by a Deed of Grant dated 25 June 1999:</p> <p>(a) These are rights and easements relating to the WGEP to maintain the pipeline in position above and below ground and to operate use and maintain it with all appropriate access including rights of support for the pipeline.</p> <p>(b) The landowner through whose land the pipeline runs covenants:</p> <p>(i) Not to erect any buildings or structures or carry out any excavation on the strip protecting the WGEP within a lateral distance of 3 metres from a point on the surface of the land the position of which lies vertically above or below any part of the WGEP ("Easement Strip") without the pipeline owner's consent (not to be unreasonably withheld);</p> <p>(ii) Not to raise or lower the surface level of the Easement Strip;</p> <p>(iii) Not to undermine or damage the pipeline; and</p> <p>(iv) Not to carry out any blasting within 91.4m of the pipeline.</p> <p>3. EFFECT OF THE DRAFT DCO</p> <p>3.1 SABIC's Rights in the Order Land could not be taken without serious detriment to their undertaking. Set against the nature and extent of the authorised development in the Draft Order (which in the main involves an above ground conveyor), a case does not appear to have been made that it is necessary or justifiable for the Development Consent Order to contain powers of compulsory acquisition in respect of those Rights.</p> <p>3.2 There does not appear to be any compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the loss that would be suffered in the event that SABIC's interests were to be acquired.</p> <p>3.3 It follows from the above that, if the Proposed Application is to proceed, the North Conveyor Option set out on page 10 of the Summary of Proposals Document should be adopted in preference to the South Conveyor Route. This will limit the impact of the scheme on SABIC's interests along that part of the proposed route (but not the remainder of the proposed</p>		

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				<p>route).</p> <p>3.4 Road traffic flow around the Wilton site will also need to be reviewed given the apparent loss of one site entrance gate and a major site road to the DCO land. SABIC are also concerned about the potential cumulative impact of such closure in light of the proposed closure of other access roads to the south and south east of the Wilton Site in respect of the proposed Dogger Bank (Teesside A and B) Offshore Wind Farm Development Consent Order which is currently at examination.</p> <p>4.1 PROTECTIVE MEASURES</p> <p>4.1 Notwithstanding the current lack of technical detail about your client's proposals, there is clearly potential for the proposed works, and the exercise of the powers contained in the Draft DCO, to severely affect and disrupt SABIC's operations. It is clear, therefore, that the making of a development consent order would not be acceptable to our client unless and until robust protective measures are in place to safeguard their undertaking.</p> <p>4.2 SABIC note in Schedule 8 of the Draft Order your reference to Protective Provisions for the benefit of the pipeline corridor. SABIC considers the inclusion of Protective Provisions in this regard to be a vitally important element of the Proposed Application and Draft DCO, however at present you have not provided us with any detail as to what protective measures are proposed and SABIC are unable to comment further as to whether your client's proposals in this regard are acceptable to SABIC.</p> <p>4.3 In order to allay our client's concerns SABIC would expect that it will be necessary for our respective clients to enter into a binding legal agreement (together with other forms legal of assurances whether they are to be written into the terms of the Order itself, or otherwise) to protect and safeguard the Apparatus and Rights. SABIC would expect such agreement to extend to the reimbursement of our clients' costs associated with the proposals and to include a full indemnity for any damage expenses or other loss they may incur as a result of the construction and/or operation of the works to which the proposals relate.</p> <p>4.4 SABIC consider that the authorised development described in the Draft Order (in the vicinity of the Apparatus) should not commence until a scheme to protect and accommodate our client's interests has been approved by our clients and our client has adequate assurance that it will be implemented in accordance with the timescales so approved (and the relevant industry best practice standards).</p> <p>4.5 Moreover, SABIC's right to retain the Apparatus in situ, together with the rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Land (and any other rights or interests they may have in the land) should be maintained at all times and access to inspect such Apparatus should not be restricted.</p> <p>4.6 SABIC is prepared to engage with your client to explore the possibility of reaching such an agreement, and it is to be hoped that agreement on these terms can be reached at the earliest opportunity.</p> <p>SABIC note that this stage of the consultation process is intended to invite representations in order to influence and form the Proposed Application and SABIC would repeat our client's desire to engage with the Promoter to reach a settled position on the nature and scope of the relevant protective provisions.</p> <p>However in order to safeguard the proper discharge of its undertaking and other legal responsibilities, SABIC reserves the right to expand upon these representations and to make other or further submissions in any future consultation exercise or examination and to participate in any examination.</p> <p>4.4 SABIC consider that the authorised development described in the Draft Order (in the vicinity of the Apparatus) should not commence until a scheme to protect and accommodate our client's interests has been approved by our clients and our client has adequate assurance that it will be implemented in accordance with the timescales so approved (and the relevant industry best practice standards).</p> <p>4.5 Moreover, SABIC's right to retain the Apparatus in situ, together with the rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Land (and any other rights or interests they may have in the land) should be maintained at all times and access to inspect such Apparatus should not be restricted.</p> <p>4.6 SABIC is prepared to engage with your client to explore the possibility of reaching such an agreement, and it is to be hoped that agreement on these terms can be reached at the earliest opportunity.</p> <p>SABIC note that this stage of the consultation process is intended to invite representations in order to influence and form the Proposed Application and SABIC would repeat our client's desire to engage with the Promoter to reach a settled position on the nature and scope of the relevant protective provisions.</p> <p>However in order to safeguard the proper discharge of its undertaking and other legal responsibilities, SABIC reserves the right to expand upon these representations and to make other or further submissions in any future consultation exercise or examination and to participate in any examination.</p>		
S42-ST-031-01	Sahaviriya Steel Industries UK	11.09.14	15.10.14	<p>SSI's interest is as a local landowner and the owner of property rights directly each affected by the YP project, namely, the proposal that the conveyor crosses over SSI's hot metal line. Although SSI has had some dialogue with York Potash Limited (YP), SSI also wishes to ensure that the development proposals fully take account of and address any health and safety matters which arise as a result of the YP project (as explained below) and that a further analysis on how the conveyor is proposed to interact with existing infrastructure is carried out (for example, the hot metal line). Impact on SSI land and operations The draft development proposals state that the conveyor system will cross over both the A1085 and the hot metal rail line at a maximum height of 25m at the top of the conveyor. The hot metal rail line is used exclusively by SSI and transfers the hot metal (liquid iron) from the blast furnace to the steel plant. As such, the route is absolutely critical to the continued operation of the steel plant. If there is any damage to or interruption of this route, then steel production will cease almost immediately. In such circumstances, the continued production of iron at the blast furnace becomes a redundant, unnecessary and a very expensive operation. Indeed, because of the integrated nature of the whole operation, there is little point in operating the steel plant without the blast furnace or vice versa, although it is not possible to switch off the blast</p>	Y	The applicant's consultant team is engaging with SSI to discuss the relationship of the proposed Harbour Facilities with BOC's existing operations. Further technical information has been provided to SSI on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of SSI.

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				<p>furnace. Whilst the torpedo ladle cars used to transport the liquid iron can be used as capacity buffers of hot metal from the blast furnace to the steel making plant in the short term, this can only continue for as long as hot metal can be moved to the steel plant and at most for about 12 - 18 hours following the disruption to the hot metal line. Therefore, the risks posed by the development proposals to SSI's operations and the safety implications of crossing over the hot metal line route are substantial. Further, as YP is aware, both SSI and Tata Steel UK operate Control of Major Accident Hazards (COMAH) sites at Teesside. As such, the YP proposals must be such as to ensure that SSI's regulatory obligations as a COMAH site operator are not adversely affected and that the health and safety of SSI's employees and visitors is not in any way adversely impacted. Consequently, SSI would like these matters to be addressed up front and incorporated into any potential Development Consent Order application and accordingly would welcome further discussion with YP in this regard. Impact on Redcar Bulk Terminal (RBT) land. SSI notes that the development for harbour facilities also directly affects land associated with RBT. For clarity, the operator of RBT, Redcar Bulk Terminal Limited, is a company jointly and equally owned by SSI and Tata Steel UK and SSI requires further clarification on the proposed works at the harbour facility (as I am sure Tata Steel UK will). Any development proposals should not affect or adversely impact on the existing operations at RBT, including access roads, as the continued operation of RBT is critical to SSI's ability to import raw materials for its on-going manufacturing operations. These raw materials cannot be imported cost effectively by any other route. Summary - During and following any development, SSI would require that its operations and those of RBT are not impeded by the YP project, as to do so, would have a significant negative impact on SSI's business operations and viability. In particular, development over or in close proximity to SSI's land holdings and operations and the construction methods used, particularly the hot metal line, require further analysis and the detailed design of the development should take account of SSI's business requirements. SSI also requests that it be consulted prior to construction to ensure safety requirements in relation to construction works in close proximity to its operations are met and in order to explore the concerns set out above.</p>		
S42-ST-032-01	Huntsman Polyurethanes (UK) Limited	11.09.14	15.10.14	<p>The consultation documents do not contain sufficient details about the construction, operation and maintenance of the proposed conveyor and associated infrastructure for our client to properly consider the technical issues which may arise and how these might impact on their undertaking. More information will be needed before our client will be able to meaningfully input into the current consultation exercise. Huntsman would suggest that the first step in this process should be a meeting between our respective clients at which the technical issues can be discussed. Given the nature of our client's undertaking, there will clearly be a need for continuous dialogue throughout the application construction and operation process. Huntsman would therefore urge you to make contact in order that arrangements for an initial meeting with our client can be organised at the earliest opportunity.</p> <p>1. THE APPARATUS</p> <p>1.1 Huntsman owns and operates the Apparatus, which is affected by the Proposed Application.</p> <p>1.2 The Apparatus consists of two pipelines which are located within the Order Land and shown on Land Plans 1, 2 and 3. The pipelines run from the Huntsman site at Wilton to the harbour, and are used as follows:-</p> <p>1.2.1 The first pipeline is used for the purpose of transporting essential chemical raw materials from the harbour to the Huntsman production facility at the Wilton site. This is the only method of transportation by which the raw materials are transported to the production facility from the harbour. Over 250,000 tonnes of the raw materials are used annually and transportation via pipeline is recognised as both the safest and most cost effective way to transport such material.</p> <p>1.2.2 The second pipeline is used for the purpose of transporting chemicals manufactured by Huntsman from its production facility at the Wilton site to the harbour where it is transported overseas to another Huntsman facility where it is used for the manufacture of methylene diphenyl diisocyanate (MDI). Over 250,000 tonnes of chemicals are transported on a continuous basis through the pipeline. The Polyurethane products that are ultimately produced from the intermediate manufactured at Wilton as used in applications such as, high efficiency insulation products, car seating, furniture and footwear.</p> <p>1.3 The pipelines are above ground until they reach the river, at which point the raw materials run through tunnel 1 and the finished product through tunnel 2.</p> <p>1.4 Huntsman relies upon this method of transportation to ensure that it is able to manufacture its products and to supply such products in an efficient, cost effective and timely manner. The pipelines are both used on a continuous basis and without such use the production facility would be unable to manufacture products.</p> <p>1.5 The Huntsman facility at Wilton Site employs 75 associates and indirectly provides further employment opportunities via its subcontractors within its supply chain. It is a successful business operation supplying a key chemical for use in the Polyurethanes industry. As Huntsman have previously mentioned the consultation documents do not contain sufficient details about the construction, operation and maintenance of the proposed conveyor and associated infrastructure for our client to properly consider the technical issues arising from this Project. Huntsman is therefore concerned that the construction and operation of the conveyor has the potential to disrupt and restrict its operations. For example, Huntsman do not know from the information provided whether it would result in either or both pipelines being shut down for any period of time. The pipelines are used on a continuous basis as they supply a manufacturing plant which operates 24 hours a day on a 365 day per year basis. The plant only stops operation for a brief period every few years for essential inspection and maintenance work. If Huntsman were unable to use the pipeline for any period of time, production on site would come to a standstill resulting in a loss greater than £100,000 per day and this could impact upon the future viability of what is a successful business operation due to the significant expenditure that would be required to be invested in alternative infrastructure.</p> <p>1.6 In addition to the Apparatus, Huntsman also has rights which would be affected by the Proposed Application. Huntsman has the right to build new apparatus in the affected area and such rights are essential to safeguard the future of the Huntsman site from an operational perspective.</p>	Y	The applicant's consultant team is engaging with Huntsman to discuss the relationship of the proposed Harbour Facilities with its existing operations. Further technical information has been provided to Huntsman on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of Huntsman.

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				<p>1.7 Huntsman's other key concerns relate to the potential health and safety issues that arise from the proposed development and, in particular, location of the conveyor belt. Huntsman and each of its worldwide subsidiaries are committed to achieving excellence in environmental, health and safety (EHS). From a health and safety perspective, if the pipelines were in any way damaged as a result of the works to be undertaken/constructed under the Proposed Application, this could result in a significant health and safety risk to operations and operatives within the vicinity of the pipelines and an environmental issue for the Wilton site and surrounding area. Issues such as materials or parts falling from the conveyer, damage caused to the pipeline by vibration from the conveyer, and the presence of ignition sources would all be of concern; however Huntsman do not have enough information about the specifications of the scheme to provide you with a comprehensive list of our concerns at this time. Huntsman do not know to what extent the Health & Safety Executive and the Environment Agency have been consulted regarding the Proposed Application but Huntsman would consider their involvement to be imperative due to the nature of operations on the Wilton facility.</p> <p>1.8 Huntsman presume that you are aware that there are third party apparatus within the immediate vicinity of Huntsman's Apparatus. In particular, there are other pipelines operated by third parties adjacent to Huntsman operated pipelines. Huntsman receives supplies from one such pipeline and it believes that this pipeline is subject to the Pipelines Safety Regulations 1996 and as such is classified as a major hazard pipeline by the Health & Safety Executive. Huntsman presume that all third parties with operations on the Wilton Site have been consulted. Our client would be interested to know what assessment has been carried out to identify the likely impact of the Proposed Application from a health, safety and environmental perspective especially in relation to existing site operations where it would appear that the conveyor belt will be constructed over existing site structures including such pipelines.</p> <p>1.9 The Order Land includes more than half the width of the River Tees. Huntsman is concerned about this in two respects:</p> <p>1.9.1 Firstly, any restriction to traffic on the River could seriously inhibit Huntsman's ability to ship the chemical raw materials and the chemicals which pass through the pipelines to and from the Wilton site;</p> <p>1.9.2 Secondly, the Order Land impacts on some vital services provisions which Huntsman currently accesses as a customer (for example the Number 2 River Tees Pipeline Tunnel). Impact on the safety and operation of the pipeline tunnel is a particular concern during the construction phase of the proposed quay.</p> <p>2. TITLE ISSUES</p> <p>Huntsman have considered the Book of Reference and the Land Plans and Huntsman's Rights in the Order Land. Our comments are not intended to form a comprehensive review of the proposal and its impact on our clients' interests, however the Proposed Application will need to take the following issues into account:</p> <p>2.1 As a general point, Huntsman operates pipelines between its sites at Wilton International and the River Tees (and beyond). Its rights in respect of the Apparatus therefore extend not just to the plots shown on Land Plan Sheets 1 and 2, but also to the pipeline corridor shown on to Land Plan Sheet 3.</p> <p>2.2 Huntsman has legal rights to retain pipeline assets within the Order Land which transport essential chemical raw materials from the harbour to the Huntsman production facility at the Wilton site and chemicals manufactured by Huntsman in the opposite direction. Continuous and uninterrupted safe operation and access for maintenance of those pipelines are key to its business. It will be critical that the applicant consults closely with Huntsman to understand the location and use of each asset and the precautions required to ensure continued safe and secure use.</p> <p>2.3 The documents under which Huntsman's rights arise do not have detailed drawings showing the location of apparatus but largely document generic rights either to retain existing key pipelines or grant rights to construct new pipelines within pipe corridors. You are urged to consult closely with Huntsman with a view to understanding the precise location and nature of each of the pipelines. From a health and safety perspective Huntsman will need to be satisfied both that the safety of their personnel conducting inspection and maintenance of their assets is guaranteed and also that the construction and operation of the proposed project will not jeopardise continued safe operation of the pipelines. Any interruption or damage to the pipelines would have significant impact financially, environmentally and from a safety perspective.</p> <p>2.4 Huntsman is a beneficiary of rights granted under various Deeds of Grant dated 30 June 1999 including easements relating to various pipelines cables ducts and other conducting media and infrastructure, benefiting Huntsman's operational facilities at Wilton International. These are rights to maintain and use existing service conduits and conducting media of whatever nature and infrastructure with associated rights of access to line walk and maintain and repair the lines and also rights of support. Huntsman also has the right to lay new apparatus under one of the Deeds of Grant. The landowner through whose land the easements run covenants not to undermine or damage any apparatus.</p> <p>3. EFFECT OF THE DRAFT DCO</p> <p>3.1 Huntsman's Rights in the Order Land could not be taken without serious detriment to their undertaking. Set against the nature and extent of the authorised development in the Draft Order (which in the main involves an above ground conveyor), a case does not appear to have been made that it is necessary or justiciable for the Development Consent Order to contain powers of compulsory acquisition in respect of those Rights.</p> <p>3.2 There does not appear to be any compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the loss that would be suffered in the event that Huntsman's interests were to be acquired.</p> <p>3.3 It follows from the above that, if the Proposed Application is to proceed, the North Conveyor Option set out on page 10 of the Summary of Proposals Document should be adopted in preference to the South Conveyor Route. This will limit the impact of the scheme on Huntsman's interests along part of the pipeline route along that part of the proposed route (but not the remainder of the proposed route).</p> <p>3.4 Road traffic flow around the Wilton site will also need to be reviewed given the apparent loss of one site entrance gate and a major site road to the DCO land. Huntsman are also concerned about the potential cumulative impact of such closure</p>		

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				<p>in light of the proposed closure of other access roads to the south and south east of the Wilton Site in respect of the proposed Dogger Bank (Teesside A and B) Offshore Wind Farm Development Consent Order which is currently at examination .</p> <p>4. PROTECTIVE MEASURES</p> <p>4.1 Notwithstanding the current lack of technical detail about your client's proposals, there is clearly potential for the proposed works, and the exercise of the powers contained in the Draft DCO, to severely affect and disrupt Huntsman's operations. It is clear, therefore, that the making of a development consent order would not be acceptable to our client unless and until robust protective measures are in place to safeguard their undertaking.</p> <p>4.2 Huntsman note in Schedule 8 of the Draft Order your reference to Protective Provisions for the benefit of the pipeline corridor. Huntsman considers the inclusion of Protective Provisions in this regard to be a vitally important element of the Proposed Application and Draft DCO, however at present you have not provided us with any detail as to what protective measures are proposed and Huntsman are unable to comment further as to whether your client's proposals in this regard are acceptable to Huntsman.</p> <p>4.3 In order to allay our client's concerns Huntsman would expect that it will be necessary for our respective clients to enter into a binding legal agreement (together with other forms of legal assurances whether they are to be written into the terms of the Order itself, or otherwise) to protect and safeguard the Apparatus and Rights. Huntsman would expect such agreement to extend to the reimbursement of our clients' costs associated with the proposals and to include a full indemnity for any damage expenses or other loss they may incur as a result of the construction and/or operation of the works to which the proposals relate.</p> <p>4.4 Huntsman consider that the authorised development described in the Draft Order (in the vicinity of the Apparatus) should not commence until a scheme to protect and accommodate our client's interests has been approved by our clients and our client has adequate assurance that it will be implemented in accordance with the timescales so approved (and the relevant industry best practice standards).</p> <p>4.5 Moreover, Huntsman's right to retain the Apparatus in situ, together with the rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Land (and any other rights or interests they may have in the land) should be maintained at all times and access to inspect such Apparatus should not be restricted.</p> <p>4.6 Huntsman is prepared to engage with your client to explore the possibility of reaching such an agreement, and it is to be hoped that agreement on these terms can be reached at the earliest opportunity.</p> <p>Huntsman note that this stage of the consultation process is intended to invite representations in order to influence and form the Proposed Application and Huntsman would repeat our client's desire to engage with the Promoter to reach a settled position on the nature and scope of the relevant protective provisions.</p> <p>However in order to safeguard the proper discharge of its undertaking and other legal responsibilities, Huntsman reserves the right to expand upon these representations and to make other or further submissions in any future consultation exercise or examination and to participate in any examination.</p>		
S42-ST-033-01	Tata Steel UK Ltd	11.09.14	16.10.14	<p>I write in respect of the above Nationally Significant Infrastructure Project (NSIP) and have been instructed on behalf of Tata Steel UK Limited (Tata Steel) to make the following consultation response. Whilst Tata Steel has already had some initial discussion with York Potash Ltd on this project, the opportunity to engage further on the potential development project is welcomed. Tata Steel is a landowner of the Teesside Universal Beam Mill and has other land interests, including distribution facilities on land directly affected by the proposed harbour facilities. Tata Steel acknowledges the significant investment and jobs that the York Potash project can potentially generate and this is supported. However, Tata Steel does raise concern with the development proposals and its impact on Tata Steel's business operations. In addition, Tata Steel wishes to ensure that the development proposals fully take account of and address any health and safety matters which arise as a result of the York Potash project. This is further explained below. Access and Safety concerns Tata Steel has concerns with the proposed route of the conveyor system between the port terminal and the Material Handling Facility at Wilton. It is acknowledged that the concept design and proposed alignment of the conveyor system is currently being refined. However, further analysis on how the conveyor is proposed to interact with existing infrastructure is required. The proposed conveyor route crosses over road and rail infrastructure used by Tata Steel. Tata Steel has a requirement to transport oversized equipment, often of a substantial height via an access road from the Redcar Site Entrance Roundabout to the Universal Beam Mill. The use of this access is essential to Tata Steel's business, as there is no alternative access point which is capable of accommodating the vehicles transporting this equipment. Whilst the Lackenby entrance can be used for abnormal loads, this access is restricted by its width. Therefore, Tata Steel would wish to object to any development which would restrict this access in anyway. In addition to the Universal Beam Mill, this route is a right of way for PD Ports to bring abnormal loads from their Dock to the Trunk road and is also a route for abnormal loads to the Sahaviriya Steel Industries UK Limited (SSI UK) Steelmaking Plant. The draft development proposals states that the conveyor system will cross over both the A1085 and the hot metal rail route at a maximum height of 25m at the top of the conveyor. This is also a concern for Tata Steel. The hot metal rail route transfers hot metal from the blast furnace to the steel plant via Torpedo Ladles Cars (Torpedo). The Torpedo's serve as capacity buffers of hot metal to the blast furnaces and as feed buffers of hot metal to the steel making shops. Efficient co-ordination of Torpedo Ladles is of paramount importance to any steel plant for ensuring optimum supply of hot metal to the steel making shops. However, in unforeseen circumstances, a malfunction of the Torpedo could result in a breakout of liquid iron from the Torpedo, this can occur at any point along the rail line. In these events, blasts and spills which occur from the breakout can reach significant heights. In addition, the Torpedo could potentially have a derailment at any time along the rail track and this could potentially happen underneath the proposed conveyor. The Torpedo gives off extreme heat especially above it and it can take a number of hours until the Torpedo Ladle</p>	Y	The applicant's consultant team is engaging with Tata to discuss the relationship of the proposed Harbour Facilities with Tata's existing operations. Further technical information has been provided to Tata on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of Tata.

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				is set back onto the rail track. Therefore, the risk imposed by the development proposals to this operation and the safety implications of crossing over the hot metal rail route are substantial. Furthermore, as York Potash Ltd is aware, both Tata Steel and SSI UK operate Control of Major Accident Hazards (COMAH) sites at Teesside. Tata Steel would wish to ensure that its regulatory obligations as a COMAH site are not unduly affected by the proposed York Potash proposals. Tata Steel would wish for these matters to be addressed up front and incorporated into any potential Development Consent Order (DCO) application and accordingly would welcome further discussion with York Potash Ltd. Impact on Redcar Bulk Terminal (RBT) Land It is noted that the development for harbour facilities also directly affects land associated with the Redcar Bulk Terminal. For clarity, Redcar Bulk Terminal Limited (RBT) is jointly and equally owned by Tata Steel UK and SSI UK. Tata Steel requires further clarification on the proposed works at the harbour facility. Any development proposals should not affect or adversely impact on the existing operations at the RBT, including access roads. Summary During and following any development, Tata Steel would require that its operations are not impeded by the York Potash project. To do so, would have a significant negative impact on Tata Steel's business operations. In particular, development over or in close proximity to Tata Steel's land holdings and operations requires further analysis and the detailed design of the development should take account of Tata Steel's business requirements. Tata Steel would also request to be consulted prior to construction to ensure safety requirements in relation to construction works in close proximity to its operations are met. As part of the consultation process, Tata Steel would welcome detailed discussions with the York Potash Ltd in order to explore the concerns set out above further.		
S42-ST-039-01	GDF Suez	11.09.14	16.10.14	<p>GDF SUEZ can confirm an interest with respect to the potential future utilisation of existing gas infrastructure within the locality of the proposed project. In particular GDF SUEZ Teesside Limited would like to highlight the position of its gas pipeline which runs along the trench in the area known locally as Dabholme Gut, between the harbour and the potential materials handling facility, before crossing under the river Tees. Concerns in relation to the project would therefore include the potential for impact on the future operation of said pipeline as a result of the following activities;</p> <ul style="list-style-type: none"> • Construction of the conveyor system (including traffic movements and excavation activity); • Construction activities relating to re-development of the harbour facilities; • Dredging of the harbour area for both Phase 1 & 2; • Ongoing operation and maintenance of the conveyor system and associated ancillary infrastructure. <p>Your consultation has provided a large amount of detailed material for consideration within a short space of time, and therefore GDF Suez do not believe GDF Suez have had sufficient time to fully understand the potential impact on GDF SUEZ and consider possible alternatives, appropriate mitigation, and protective provisions in the DCO. Therefore it does not provide GDF Suez an opportunity to provide anything other than a high level indication of concerns by the deadline. For this consultation to be meaningful, GDF Suez would welcome the opportunity to meet in the near future so that it can properly understand the proposals.</p>	Y	The applicant's consultant team is engaging with GDF Suez to discuss the relationship of the proposed Harbour Facilities with GDF Suez's existing operations. Further technical information has been provided to GDF SUEZ on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of GDF Suez.
S42-ST-040-01	Amoco (UK) Exploration Company in its capacity as CATS operator	11.09.14	16.10.14	As Operator of Central Area Transmission System (CATS), Amoco have an interest in the conveyor route options at Bran Sands and in particular your south conveyor option. This is routed close to and parallel to our CATS major hazard pipeline and consequently it will be problematic to design and construct the conveyor in compliance with its easement working restrictions and current industry safe distance guidelines for above ground structures. For this reason Amoco recommend that the two alternative routes that you are considering are more suitable options from a safety perspective.	Y	The applicant's consultant team is engaging with Amoco to discuss the relationship of the proposed Harbour Facilities with Amoco's interests. Protective provisions have been added to the Draft DCO to protect the ongoing operations of Amoco as Operator of CATS.
Other s42 Consultees Consulted						
N/A	PD Ports	N/A	N/A	N/A	N	PD Ports did not respond to the s.42 consultation nevertheless discussions have taken place with it on the detailed drafting of the Order which is reflected in the submission version of the document. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of PD Ports.
N/A	BOC	N/A	N/A	N/A	Y	The applicant's consultant team is engaging with BOC to discuss the relationship of the proposed Harbour Facilities with BOC's existing operations. Further technical information has been provided to BOC on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of BOC.
N/A	Ineous Chlor	N/A	N/A	N/A	Y	The applicant's consultant team has engaged Ineous Chlor to discuss the relationship of the proposed Harbour Facilities with Ineous Chlor's existing operations. Further technical information has been provided to Ineous Chlor on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of Ineous.
N/A	Ensus	N/A	N/A	N/A	Y	The applicant's consultant team is engaging with Ensus to discuss the relationship of the proposed Harbour Facilities

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						with Air Products' existing operations. Further technical information has been provided to Ensus on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of Ensus.
N/A	Northern Gas	N/A	N/A	N/A	Y	The applicant's consultant team has engaged Northern Gas to discuss the relationship of the proposed Harbour Facilities with Northern Gas' existing operations. Further technical information has been provided to Northern Gas on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of Northern Gas.
Other Interest Parties Consulted						
N/A	Air Products	N/A	N/A	[NOTE - Air Products interest was not known at the time of the s42 consultation and as a result it was not formally consulted at that time; however engagement has occurred since and as soon as their interest became known to YPL and its advisors. Progress is recorded in this schedule for ease of reference]	Y	The applicant's consultant team is engaging with Air Products to discuss the relationship of the proposed Harbour Facilities with Air Products' existing operations. Further technical information has been provided to Air Products on the proposed route of the mineral conveyor and associated project information. In addition, protective provisions have been added to the Draft DCO to protect the ongoing operations of Air Products.
N/A	PWC	N/A	N/A	[NOTE – Price Waterhouse Coopers are currently operating as the administrators for Enron. Enron were formally consulted as part of the s42 process. Progress is recorded in this schedule for ease of reference]	N	Following a telephone conversation on 10.12.14, an email was set by the applicant's consultant team to PWC on the same day to confirm the position that PWC no longer act in relation to the ex-Enron pipeline and that the ownership and operation of the pipeline now falls within the control of SembCorp.
Planning Act 2008: Section 42 - Local Authorities						
S42-LA-001-01	North York Moors National Park Authority	11.09.14	12.09.14	The Officer/ Team named above will endeavour to provide you with a full response to your enquiry within ten working days, however, it should be noted that this timescale may not always be achievable due to many contributing factors such as the complexity of the development/ history of the site or in some instances the need to undertake a site visit.	N	See response to S42-LA-001-02.
S42-LA-001-02	North York Moors National Park Authority	11.09.14	16.10.14	NYMNP understand that the development would comprise construction of a quay on the Tees estuary with ship loaders and polyhalite storage bins, dredging of the berthing area, construction of a conveyor system linking the York Potash materials handling facility to the quay and associated infrastructure. The proposals form part of the wider York Potash Project, the core element of which is the development of a deep polyhalite mine within the North York Moors National Park at Dove's Nest Farm to the south of Whitby. The harbour facilities are required to enable the extracted mineral to be exported world-wide and, in assessing the application for development consent, a central consideration should be the national and local policy framework regarding major development within National Parks. The long-standing 'major development test' is set out in paragraphs 115 and 116 of the National Planning Policy Framework and is also included in Core Policy E, Minerals of the North York Moors development plan. This states that major developments in designated areas (including National Parks) should be refused except in exceptional circumstances and where it can be demonstrated that they are in the public interest. It is also important to note that Section 62 of the 1995 Environment Act requires all relevant authorities to have regard to the statutory purposes of National Parks in exercising their functions. These purposes are to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks and to promote opportunities for understanding and enjoyment of their special qualities by the public. The impact of the York Potash Project on the North York Moors National Park and its special qualities is therefore a central issue to be considered in respect of all elements of the project, including the proposed harbour facilities. There is potential for cumulative environmental impacts between the harbour development and other parts of the York Potash project as well as with other plans and projects and these must be fully assessed. As YP are aware, the cross boundary county matters planning application for the proposed minehead, mineral extraction beneath the National Park and mineral transport system (MTS) was submitted to this Authority and Redcar & Cleveland Borough Council on 30 September 2014 and is currently being considered by officers. The Environmental Statement submitted with the application includes a cumulative assessment which covers all parts of the York Potash project as well as other plans and projects but there has not been time yet for a full review of this document. However, officers are aware that there is potential for cumulative transport impacts during the construction period with HGVs travelling to and from the minehead site at Dove's Nest Farm, the three MTS intermediate shaft access sites, the materials handling facility site at Wilton and the harbour development site potentially all using the same transport links from the north. The potential impact of the harbour development on protected habitats and species is also important. An overarching HRA assessment has been submitted to the Authority with the mine and MTS planning application and the Authority will consider whether this includes a robust cumulative assessment of the impact of the whole of the York Potash project including the harbour on the protected habitats at Teesmouth, Cleveland Coast and the North York Moors. Given the distance of the harbour proposals from the National Park and the fact that they are located within an existing industrial area,	N	The applicant's consultant team sent a letter (by email) on 10.11.14 to North York Moors National Park Authority thanking it for its s42 response and providing a brief response to the points made. This confirmed that a cumulative impact assessment would form part of the Environmental Impact Assessment that would assess the other aspects of the York Potash Project and other relevant plans and projects. In addition, it confirmed that a HRA would accompany the DCO application and address the matters raised in the Council's response. At the request of PINs, the applicant's consultant team wrote to the Council on 28.11.12 to advise it of its role in responding to PINs' request for it to confirm the adequacy (or otherwise) of the consultation undertaken on the Project during the pre-application process.

Doc Ref	Consultee	Date consulted	Response date	Summary of Response	Change Y/N?	Regard had to response (s49)
				on the basis of the information currently available, NYMNP do not think that there would be any harmful impacts on the setting of the National Park.		
S42-LA-004-01	Hambleton District Council	11.09.14	15.09.14	On behalf of Hambleton District as a neighbouring Council and a neighbouring Local Planning Authority there is support for the provision of harbour facilities to handle the shipment of polyhalite by sea. Increase in the amount of freight traffic on the railway line from Middlesbrough to (and through) North Allerton has an impact upon congestion in the town of North Allerton due to the closure of level crossings to allow freight trains to pass. It is hoped that the provision of harbour facilities will overcome the need for any significant increase in the frequency of rail freight movements that result in the closure of level crossings in the town. It is considered that the congestion caused by the closure of the level crossings to pedestrian and vehicular traffic, particularly those of greater duration for the passing of freight trains is (in combination with other factors) a hindrance to the economic growth of the town.	N	The applicant's consultant team sent a letter (by email) to Hambleton District Council on 10.11.14 to thank it for its S42 response and to confirm that the Council will be kept informed of the project throughout the DCO process. At the request of PINs, the applicant's consultant team wrote to the Council on 28.11.12 to advise it of its role in responding to PINs' request for it to confirm the adequacy (or otherwise) of the consultation undertaken on the Project during the pre-application process.
S42-LA-008-01	Durham County Council	11.09.14	17.09.14	Durham County Council does not undertake planning applications for this area.	N	No response required. At the request of PINs, the applicant's consultant team wrote to the Council on 28.11.12 to advise it of its role in responding to PINs' request for it to confirm the adequacy (or otherwise) of the consultation undertaken on the Project during the pre-application process.
S42-LA-020-01	Stockton-On-Tees Borough Council	11.09.14	08.10.14	Confirmed that Stockton Borough Council have no comments that they wish to offer on this proposal.	N	The applicant's consultant team has sought to organise a meeting with Stockton on Tees Borough Council (STBC). In response to the consultant team's request for a meeting, SBC replied on 04.11.14 confirming that it was happy for Redcar and Cleveland Borough Council to oversee the proposals and had no comments to make. At the request of PINs, the applicant's consultant team since wrote to the Council on 28.11.12 to advise it of its role in responding to PINs' request for it to confirm the adequacy (or otherwise) of the consultation undertaken on the Project during the pre-application process.
S42-LA-027-01	Redcar & Cleveland Borough Council	11.09.14	15.10.14	<p>Planning Strategy colleagues have responded as follows:</p> <p>The following policies are relevant when considering the proposed development:</p> <p>NATIONAL PLANNING POLICIES - National Planning Policy Framework (NPPF). From 27th March 2013, local planning policies in existing plans (i.e. those adopted before the NPPF) should be given due weight according to their consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given) (para 215).</p> <p>REDCAR AND CLEVELAND LOCAL DEVELOPMENT FRAMEWORK:-</p> <p>CORE STRATEGY DPD - Policies CS1:Securing a Better Quality of Life; CS2: Locational Strategy; CS3: Spatial Strategy for Greater Eston; CS4: Spatial Strategy for South Tees Employment Area; CS8: Scale and Location of New Employment Development; CS9: Protecting Existing Employment Areas; CS10: Steel, Chemical and Port-related Industries; CS20: Promoting Good Design; CS22: Protecting and Enhancing the Borough's Landscape; CS23: Green Infrastructure; CS24: Biodiversity and Geological Conservation; CS25: Built and Historic Environment; CS26: Managing Travel Demand</p> <p>DEVELOPMENT POLICIES DPD – Policies DP1: Development Limits; DP2: Location of Development; DP3: Sustainable Design; DP4:Developer Contributions; DP6: Pollution Control; DP7: Potentially Contaminated and Unstable Land; DP9: Conservation Areas; DP10: Listed Buildings; DP11: Archaeological Sites and Monuments</p> <p>Minerals and Waste Core Strategy and Development Policies DPDs – Policies MWC1: Minerals Strategy; MWC10: Sustainable Transport; MPWP1: Waste Audits</p> <p>Conclusion - The above policies are considered relevant in considering the proposal.</p> <p>Policy CS10 supports development for port related activity. Consideration should be given to the impact of development on the landscape and the amenity of surrounding areas.”</p> <p>Public Rights of Way Comments:</p> <p><i>“Option 3, as described in paragraph 1.3 (page 3) and as shown in Figures 1.3 (page 6) of the Environmental Scoping Report appears likely to impact on a public right of way. Part 1 of the proposed conveyor link is shown to be in the vicinity of public right of way no. 116/9 (Redcar Bridleway No.9) which forms part of the Teesdale Way long distance path and possibly public right of way no. 116/31 (Redcar Footpath No.31).</i></p> <p><i>It is anticipated that Redcar Bridleway No.9 will be proposed to form part of a new National Trail, the England Coast Path, under the provisions of the Marine and Coastal Access Act 2009. Confirmation of this is expected in early November 2014 when NE submits its report to the Secretary of State for the Environment in relation to the coastal stretch between Filey and Middlesbrough. Clearly any subsequent National Trail status given to this path will raise its significance and importance in the public rights of way network.</i></p> <p><i>It is noted that paragraph 5.17 Recreation & Access (page 88) and Figure 5.10 (page 89) of the Environmental Scoping Report recognise the potential impact on public rights of way. As described in the report there should be further discussion with the Council on measures to mitigate any disturbance to the public right of way, whether permanent or temporary during the construction phase.”</i></p>	N	<p>RCBC has been consulted regularly throughout the Harbour pre-application process, including meetings held on 5 November and 3 December 2014.</p> <p>The response to the issues raised in its Section 42 response can be summarised as follows:</p> <p>1. The Environmental Statement that accompanies the DCO application assesses the transport, air quality, and noise and vibration effects of the Harbour Facilities proposals in accordance with the methodologies agreed with the Council.</p> <p>2. A report has been prepared by the applicant's consultants that explains the rationale and associated assessment work that underpins the designs of the over-ground mineral conveyor. This includes details of the various conveyor routing options considered and design development of the conveyor structure having regard to the existing environment in the area. (report appended to the ES [Doc Ref: 6.4] as Appendix 3.2) 3. A draft statement of common ground is in the process of being discussed.</p> <p>At the request of PINs, the applicant's consultant team wrote to the Council on 28.11.12 to advise it of its role in responding to PINs' request for it to confirm the adequacy (or otherwise) of the consultation undertaken on the Project during the pre-application process.</p>

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				<p>Highways – Development Engineer Comments: <i>"I have no transport issues. It is proposed that the conveyor will be enclosed in the vicinity of the A1085 crossing in order to minimise dust and noise. Other issues will be to ensure that the construction and operation of the conveyor do not impact on the structural integrity of the road or the safe flow of traffic."</i></p> <p>Environmental Protection Comments: <i>"Further to your consultation, I have now had the opportunity to review the following documentation submitted with the application:</i> - Summary of development - Preliminary Environmental Report (section 6: Hydrology, Hydrogeology and Land Quality; section 13: Air Quality; section 14: Noise and Vibration) <i>In response to the review of these documents my comments are as follows:</i> 1. Contaminated Land: <i>Further to consultation with the developer a Phase 1 risk assessment has been completed. It has also been agreed that should there be any requirement at a later stage to complete an intrusive site investigation Phase 2 study this will be completed and the concluding report and information will be submitted to this department for assessment and comment.</i> 2. Air Quality: <i>Further to consultation with the developer during 2013 an agreement has been reached regarding the scope for the Air Quality assessment of the proposal. The report will assess the construction phase, operational phase and impact of shipping vessel emissions upon the nearest sensitive receptors. I am in agreement with the proposed air quality assessment and would not recommend any further additional information to that specified within the Preliminary Environmental Report. Full methodology and data shall be submitted with the final EIA.</i>3. Noise and Vibration: <i>The proposed methodology for the impact of the development on noise and vibration has been discussed and agreed with this department. Identification of representative noise monitoring locations has been undertaken and the standards and guidance to which the assessment shall be based upon have been agreed. The report shall assess both the construction and operational phases of the development. A full noise mitigation scheme shall be provided with the formal EIA report which shall detail mitigation for the construction and operational phases. Full methodologies and raw data shall be provided with the EIA.</i>4. Environmental Permitting: <i>It is proposed that the operational phase of the development will have a mineral drying facility at the Wilton International Site. At present the information relating to this process is limited and I would therefore recommend as an informative that discussions take place with officers from the Environmental Protection team to ensure that the requirements of the Environmental Permitting (England and Wales) Regulations 2010 (as amended) are complied with.</i>"Other Comments: <i>The proposed development is largely within two separate industrial/port areas linked by a conveyor and this needs to cross the Trunk Road. The conveyor over the A1085 Trunk Road is a significant structure over one of the major east west routes to and from Redcar and Dormanstown. The documentation notes that 10 options for the conveyor were considered but these have not been detailed. A decision matrix should be included with the documentation to fully explain those options with justification for the option chosen. The documentation also states that RCBC has agreed the chosen option. I have been advised that:"I think that a more accurate representation of what was discussed would be that there is a known flood risk in the area so that tunnels under the road would be at risk if constructed rather than the tunnels causing the risk of flooding. It would therefore be necessary for them to weigh up the disadvantages of tunnel options v the visual impact of a conveyor bridge rather than any option being automatically unacceptable to the Council. At the meeting, they effectively took the decision that they would not pursue a tunnelled option due to the flood risk."</i> It is noted that the Draft DCO appears to be at the first draft stage with little detail</p>		
S42-LA-036-01	Hartlepool Borough Council	11.09.14	10.10.14	<p>The Council operates a system of involving all relevant departments and a number of outside agencies to give comprehensive advice on any development proposal (The One Stop Shop Initiative). The advice below is based entirely on the information you have provided.1. Planning Legislation I write to you with reference to your letter dated 11 September 2014 regarding the abovementioned development. The proposal has been considered by the Council's One Stop Shop service and the following comments have been received;</p> <p>Ecology - Would need to consider whether there would be a likely significant effect on the Teesmouth & Cleveland Coast SPA. Also the potential effects on seals from the construction process should be considered. Otherwise there are unlikely to be any adverse effects on ecological receptors in Hartlepool.</p> <p>Planning Policy - No specific issues from a policy point of view which have not already been raised by ecology - the development will need to consider the impact on the SSSI and Special Protection Area.</p> <p>Engineers - No Comments</p> <p>Economic Regeneration - No Comments</p> <p>Whilst every effort has been made to identify the consents that will be required before the project can proceed, cannot confirm that this list is exhaustive and this letter does not constitute a legal determination under any relevant legislation. The advice is given in good faith but without prejudice to the formal consideration of any future planning application. You should consider whether you need independent advice from a planning or legal consultant. YP should also note that a binding decision can only be gained by way of a planning application or an application under s192 of the Town and County Planning Act 1990 for a certificate from the Council stating that the proposed development would be lawful and would not therefore need planning permission.</p>	N	The applicant's consultant team sent a letter (by post) to Hartlepool Borough Council on 10.11.14 to thank it for its s42 response and to provide a brief response to the points it raised. This confirmed that a HRA was being carried out to enable the implications of the proposed scheme, either alone or combination with other plans and projects, on the Teesmouth and Cleveland Coast Special Protection Area to be understood. Confirmation was also provided that the Environmental Impact Assessment would also consider the potential impacts on the seal population and will assess the effects of underwater noise by the proposed pilling and dredging, and increases in suspended sediment in the water column during dredging. At the request of PINs, the applicant's consultant team wrote to the Council on 28.11.12 to advise it of its role in responding to PINs' request for it to confirm the adequacy (or otherwise) of the consultation undertaken on the Project during the pre-application process.
S42-LA-038-01	North Yorkshire County Council	11.09.14	16.10.14	No comments at this stage. Please note that this is an officer response.	N	No response required. At the request of PINs, the applicant's consultant team wrote to the Council on 28.11.12 to advise it of its role in

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						responding to PINs' request for it to confirm the adequacy (or otherwise) of the consultation undertaken on the Project during the pre-application process.

Appendix 29

Section 47 consultation schedule

Doc Ref	1. What is your overall opinion of the York Potash Project?	2. What are your views about the job creation and economic benefits of the Project?	3. What do you think about the overall environmental impact of the Project?	4. Do you feel you have enough information to comment on the proposed harbour facilities?	5. What is your general opinion of the overall impact of the proposed harbour facilities?	6. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?	7. Do you support the proposed location of the harbour facilities?	8a. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?	8b. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?	9. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?	10. What is your view on the impact of the harbour facilities during the construction period?	11. What is your view on the proposed dredging required as part of the harbour facilities?	Please use the space provided below to make any other comments specific to the proposed harbour facility.	Regard had to response (s.49)	Change Y/N?
S47-CG-001-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Undecided/don't know	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	As I am employed in the shipping and logistics industry my first reservation would be the proposed bridge over the A1085. We have in the past had to move abnormal loads along this road to gain access to the overall Teesport terminals this is due to a set of railway bridges on Teesport Road. These bridges are around the 16ft 6in mark and as such any high abnormal loads have to be re-routed along the trunk road to enable them to traverse a route through the steel works from the steel house roundabout through onto Teesport Road on the other side of the offending bridges These loads can be anything up to 20 to 25 ft high and obviously if this bridge was the normal bridge height of around 17ft it would preclude any abnormal loads being able to ship out from Teesport and cause a major problem with such moves and exports.	Noted. No response required.	N
S47-CG-002-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	I support this application as it provides new long term employment whilst improving the local economy and increasing UK exports	Noted. No response required.	N
S47-CG-003-01	Supportive	In favour	No concerns	No	Undecided/don't know	In favour	Undecided/don't know	Support	Undecided/don't know	Yes	The need for the development outweighs the temporary construction impact	Undecided/don't know	Whatever else happens with this project, it is my view that any further delays - particularly with the submission of Planning Applications - must not be delayed. Previous delays have caused much unrest with share holders and have also given any detractors of the overall project, much ammunition. Push on, no more excuses !	Noted. No response required.	N
S47-CG-004-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	This project should go ahead as soon as possible. This region needs the job opportunities that the project will provide. How anyone can object is beyond comprehension when the Fylingdales Early Warning System sticks out like a sore thumb in the very same National Park.	Noted. No response required.	N
S47-CG-005-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	THIS PROJECT & BUSINESS IS AN ABSOLUTE MUST FOR THE LOCAL ECONOMY & FOR THE UK ITSELF, LETS GET IT STARTED ASAP.	Noted. No response required.	N

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S47-CG-006-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-007-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	The north east has seen some of the worst pollution from industry over the years without health and safety restrictions in place, now with the watch-dogs from the environmentalists and restrictions in place it will never come close to the pollution levels of the past which is a positive thing, also the much need jobs and revenue that will be brought to the area is also a positive thing. If you look at the Cleveland Potash site you barely know it's there nestled on the edge of some of the most beautiful countryside in England. So i'm all for it and i've got my job application in already. Ian Blakemore	Noted. No response required.	N
S47-CG-008-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N
S47-CG-009-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	This project should get up and running for the nation. Secure jobs created for years in an area of high unemployment also producing an essential product for generations. Stop wasting time and give this project the go ahead.	Noted. No response required.	N
S47-CG-010-01	Supportive	In favour	No concerns											Noted. No response required.	N
S47-CG-011-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Undecided/don't know		Noted. No response required.	N
S47-CG-012-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N

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S47-CG-013-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	I am fully in support of this proposal and believe it will make a significant positive contribution towards the local area and the UK as a whole.	Noted. No response required.	N
S47-CG-014-01	Supportive	In favour	No concerns	No	Positive impact	In favour	Yes	Support	Support	Undecided/don't know	The need for the development outweighs the temporary construction impact	Supportive	This project must happen, we need jobs in this part of England and opportunities like this for mass employment don't come around very often.	Noted. No response required.	N
S47-CG-015-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	I think it is great for this area and will have a great impact on employment both at Teesport and Whitby.	Noted. No response required.	N
S47-CG-016-01	Supportive	In favour	No comment	Yes	Positive impact	In favour	Yes	Support	Undecided/don't know	Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N
S47-CG-017-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	Only London centric people believe the UK is properly out of recession . As a man originally from Yorkshire I know it's vital that the North Yorkshire and Teeside area be given the chance to provide full time work of a skilled and semi-skilled nature to the men & women of the area . Any short term downside to the proposed works will be paid back in benefits to the area many times over. None of the works either on Teeside or near Whitby would stop me from visiting as a tourist .I'm fairly sure that the many tin mines in Cornwall have not detracted from Cornish tourism over the years !	Noted. No response required.	N
S47-CG-018-01	Supportive	In favour	Undecided/don't know	No	Positive impact	In favour	Undecided/don't know	Undecided/don't know	Undecided/don't know	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-019-01	Supportive	In favour	No comment	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	I would say that the harbour would be in better shape after the new facility is finished and working.	Noted. No response required.	N

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S47-CG-020-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Support	Undecided/don't know	Yes	The need for the development outweighs the temporary construction impact	Supportive	This project is too important to let the opportunity slip. Job creation; increased revenue to the Exchequer; increased spending power of individuals and families and knock on jobs; exports of a key resource and a mineral that can help feed the world and for which there is considerable interest from several continents/countries. I, as a septuagenarian, look forward before I pop my clogs to say to my grandchildren 'I remember this starting. It will be good for you and your children and your children's children.'	Noted. No response required.	N
S47-CG-021-01	Supportive	In favour	No concerns	No	Undecided/don't know	In favour	Undecided/don't know	Support	Undecided/don't know	Yes	The need for the development outweighs the temporary construction impact	Supportive	I am a volunteer on the NYM Heritage Railway and am very familiar with the area, and I strongly support the Project which will benefit the Local Community as well as assist with the UK Balance of Payments deficit. John Stephenson. MICS, MEx (Grad)	Noted. No response required.	N
S47-CG-022-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	The further port development will not only bring economic benefits to Teesside but will actually look more pleasing to the eye. Working in conjunction with the appropriate authorities this can only be seen as a win win. fortunately Teesside is sufficiently close to this huge resource of Polyhalite and the method of transporting the mineral via the MTS ensures that there is no increase in heavy goods traffic no increase in trains trundling in and only some minor short term disruption during construction. The region has waited long enough for such imaginative proposals to bring highly skilled jobs and investment to the North East of England.	Noted. No response required.	N
S47-CG-023-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support		Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N
S47-CG-024-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	Good for local jobs. Used to live up there but had to move for work	Noted. No response required.	N
S47-CG-025-01	Against	No comment	Unacceptable	No	Undecided/don't know	Undecided/don't know	Undecided/don't know	Against	Undecided/don't know	No	The overall impacts will be negative	Concerned about the impact		Noted. No response required.	N

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S47-CG-026-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N
S47-CG-027-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	Fantastic opportunity for region and UK plc	Noted. No response required.	N
S47-CG-028-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Support	Undecided/don't know	Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N
S47-CG-029-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes		Support	Yes	The overall impact will be positive	Supportive	The area needs investment and jobs.	Noted. No response required.	N
S47-CG-030-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	Myself coming from a mining engineering background and then to roles in other industries fully support the project in its entirety. The area obviously for it port facility and the area has so many support and engineering companies that would be an important part of the construction and ongoing alliance once the project is complete. Creation of job is important and investment in the area will reap benefits long term	Noted. No response required.	N
S47-CG-031-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Undecided/don't know	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N
S47-CG-032-01	Supportive	In favour	Undecided/don't know	Yes	No or neutral impact	In favour	Yes	Support	Support	Undecided/don't know	The need for the development outweighs the temporary construction impact	Supportive	I would wish to see more information on likely dust generation, dust escape from the ship loaders, the conveyor systems, et.	Noted. No response required.	N
S47-CG-033-01	Supportive	In favour	No concerns											Noted. No response required.	N

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S47-CG-034-01	Supportive	In favour	No concerns											Noted. No response required.	N
S47-CG-035-01	Supportive	No comment	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-036-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-037-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Undecided/don't know	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-038-01	Supportive	In favour	No concerns											Noted. No response required.	N
S47-CG-039-01	Supportive	In favour	No concerns											Noted. No response required.	N
S47-CG-040-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	The creation of jobs for whole of this project can be beneficial to the localities as well as being extremely significant to the national economy.	Noted. No response required.	N
S47-CG-041-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Support	Support	Undecided/don't know	Undecided/don't know	Undecided/don't know		Noted. No response required.	N

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S47-CG-042-01	Supportive	In favour	No concerns	Yes	Undecided/don't know	No comment	Yes	Support	Undecided/don't know	Yes	The overall impact will be positive	Supportive	Will greatly enhance the surrounding area and bring long term benefits which are badly needed	Noted. No response required.	N
S47-CG-043-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Undecided/don't know	Whole project will contribute to the economy and local employment	Noted. No response required.	N
S47-CG-044-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N
S47-CG-045-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	This is one part of an extremely important project for the country as a whole. The recent debate about Scottish independence has highlighted the urgent need for this country to diversify from its reliance on North Sea oil as a source of revenue for the treasury. This project will also create a significant number of jobs in a part of the country where it relies primarily on Agriculture and Tourism. I believe the impact on Tourism will be minimal and it is vital that the project is given a huge amount of support at both local and national level.	Noted. No response required.	N
S47-CG-046-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	The sooner that the Planning Permission(s) are granted the better. This (overall) project is of National Importance and if there is any fillibustering by the Local Authority that should be slapped down by the intervention of Westminster, not to mention the prime importance of bringing much needed employment to a very depressed area.	Noted. No response required.	N
S47-CG-047-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes		Support	Yes	The overall impact will be positive	Supportive	This is a once in a lifetime opportunity for UK and the people of NE. The demand for fertilisers is increasing as the need for food increases. York Potash will bring immense benefits in terms of employment, contribution to UK GDP and it is being done in a way which is very supportive to the environment. Harbour facilities will open up opportunities for more Trade through the berth and maybe can be later enhanced to handle General cargo/Container ships.	Noted. No response required.	N
S47-CG-048-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Support	Undecided/don't know	Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N

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S47-CG-049-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes		Support		The overall impact will be positive	Supportive	NA	Noted. No response required.	N
S47-CG-050-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-051-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N
S47-CG-052-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	The harbour facility coupled with the MTS is part of the York Potash project which is of major national importance to the economy of the North East of England, not since the Nissan factory opened in Sunderland have we had the potential of such scale to boost employment and financial wellbeing of so many on the North East Coast of England, in my view this project cannot be underestimated. David Sidebottom.	Noted. No response required.	N
S47-CG-053-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N

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S47-CG-054-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	I feel this project will bring a much needed boost to the immediate area and the country as a whole will benefit. Also I am of the opinion that with the proposed design changes to the transport system the impact on the landscape and to wild life has been reduced to a negligible level that is now more than acceptable. The mine will benefit this generation and generations to come and will help to restore employment to what was once a thriving mining community, this will help to keep the younger generation from having to leave this beautiful area in search of employment. So instead of having holiday homes that are empty for most of the year there will be a thriving and prosperous community again.	Noted. No response required.	N
S47-CG-055-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	THIS COUNTRY NEEDS MORE JOBS THAT WILL LAST FOR A LONG TIME ,THE ABOVE IS THAT ,ALSO FOOD IS GETTING SCARSE AS THE WORLDS POPULATION GETS LARGER, IF THIS DOES NOT GO AHEAD THE UK AND ESPECIALLY PEOPLE LIVING IN THE YORKSHIRE AREA ARE GOING TO MISS A ONCE IN A LIFETIME OPPURTUNITY, THIS IS A WIN WIN PROJECT FOR THE WHOLE COUNTRY.	Noted. No response required.	N
S47-CG-056-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	All aspects of this project need to be fully discussed and all interested parties involved.It is important that all options are considered and reviewed and the best case arrived at.	Noted. No response required.	N
S47-CG-057-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-058-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	Any proposed rejuvenation of this area is to be welcomed and supported. I believe the whole York Potash proposals are to be of immense local and national benefit with their environmental considerations to be applauded.	Noted. No response required.	N

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S47-CG-059-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	This project simply has to go through. Big infrastructure spends in the North east have been lacking since before the Great War, as we've careered towards a London centric economy. There is a global demand for this product, and Teesside and North Yorkshire get to be the beneficiaries of this. It is reminiscent of the Industrial Revolution when Limestone, Iron Ore and Transport saw the evolution of Middlesbrough as a major steel town. Sadly, this was never replaced, and we're reliant on the state with an ever burgeoning youth unemployment problem. The social problems that a failure to create this facility will exacerbate are far greater than the environmental impact it will have. Give people hope, give them jobs!!	Noted. No response required.	N
S47-CG-060-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	Having worked on sites around the area proposed & knowing the existing industries that operate there, along with some now thankfully long gone. This particular operation will create jobs for many years to come, strengthen the River Tees as a major port facility & add to the economic benefit that will flow from this operation for many years to come hopefully.	Noted. No response required.	N
S47-CG-061-01				Yes	Positive impact	In favour	Yes	Undecided/don't know	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	Fully support the proposal and the long-term economic benefits it will bring	Noted. No response required.	N

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S47-CG-062-01	Supportive	In favour	Undecided/don't know	No	Positive impact	In favour	Yes	Support	Support	Undecided/don't know	The need for the development outweighs the temporary construction impact	Supportive	The publication of the Harbour Consultation documents on the YP site is very helpful. Comment on the proposed use of the existing Northumbrian Water jetty (Preliminary Environmental report part 3, description, sec 3.2.3 etc) to export first production. Royal Haskoning note a maximum vessel capacity of 5000t at this berth. From that it seems apparent that product export volume from this berth would be unable to exceed 1mt/y and shipping costs/t in this size of vessel to your prospective customers would be significantly higher than that from the main large vessel proposal. I also note RH say: 'In the first 2 years of operation it is expected that there will be a low production volume of polyhalite...' (from that I presume this will mostly be material from the initial shaft bottom road development prior to reaching the minable polyhalite beyond the footprint of the shaft pillar at ~>750m). I understand the co's desire to achieve and demonstrate first production ASAP post construction start date and the desire to retain the long held 42 month target - it will be an important determinant for prospective project lenders, but if the volumes during this ramp up are small and if the export economics for it are poor why not store	Response being prepared by the technical team	TBC
S47-CG-063-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	this project has got to be very positive for this area and surrounds, definitely needed.	Noted. No response required.	N
S47-CG-064-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Undecided/don't know	The need for the development outweighs the temporary construction impact	Supportive	We need real jobs - this project will provide them. No human activity fails to impact on the environment - we should minimise the impact, not be inactive.	Noted. No response required.	N
S47-CG-065-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive		Noted. No response required.	N

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S47-CG-066-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	No comment	The overall impact will be positive	Supportive	The project can be a catalyst to a viable long term legacy for the area both in terms of Economically and environmentally	Noted. No response required.	N
S47-CG-067-01	Undecided/don't know	Undecided/don't know	Unacceptable	Yes	Unacceptable impact	Undecided/don't know	No	Against	Against	No	More could be done to reduce the construction impacts	Concerned about the impact	Am greatly concerned regarding the onward system from MHF to Bran Sands harbour. The impact of the bridge options over the A1085 a busy route into and out of Redcar at any time are beyond belief, it appears that no thought for the surroundings or the people using this road have been considered. When so much of this project is concerned with protecting the enviroment whilst hopefully increasing the quality of life for many in the area and also the country and your company, why has this route been selected.	Response being prepared by the technical team	TBC
S47-CG-068-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	The project will be beneficial to the area, bringing new a industry and jobs to the local area and businesses.	Noted. No response required.	N
S47-CG-069-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The overall impact will be positive	Supportive	Please ensure good dust control at the at the ship loader and through all conveyors. Please check http://www.clevelandcascades.co.uk/ for possible assistance.	Noted. No response required.	N
S47-CG-070-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	The harbour is an essential link in the export of polyhalite fertilizer York Potash are proposing to mine in north yorkshire. This total project has been very carefully designed to minimize disruption to areas of natural beauty with the fantastic added bonus to boost both the local and national economies. Furthermore, the deposit of fertilizer is very large and will still be mined in 100 years +.	Noted. No response required.	N
S47-CG-071-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	The need for the development outweighs the temporary construction impact	Supportive	The development is needed for many reasons, Jobs, high grade environmentally friendly product and we all need to help produce quality food for the worlds needs.	Noted. No response required.	N

HARDCOPY

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S47-CG-072-01	Supportive	In favour	Undecided/don't know	Yes	No or neutral impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-073-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Undecided/don't know		Noted. No response required.	N
S47-CG-074-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Undecided/don't know	Overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-075-01	Supportive	In favour	No concerns	Yes		In favour	Yes	Support	Support	No	Overall impact will be positive	Supportive	The area needs new development to bring jobs for our young people.	Noted. No response required.	N
S47-CG-076-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Support	Support	Yes	Need for development outweighs temporary construction impact	Supportive	Great news for local economy and support companies.	Noted. No response required.	N
S47-CG-077-01	Supportive	In favour	No concerns	No	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	As above. I look forward to the project being completed.	Noted. No response required.	N
S47-CG-078-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Undecided/don't know	Yes	Overall impact will be positive	Supportive	Great news for Teesside. Clear information presented.	Noted. No response required.	N
S47-CG-079-01	Supportive	In favour	No concerns										Very good; well-planned, I hope this goes ahead, jobs for the local people.	Noted. No response required.	N
S47-CG-080-01	Supportive	In favour	Undecided/don't know	No		In favour	Yes							Noted. No response required.	N

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S47-CG-081-01	Supportive	In favour	Undecided/don't know	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	I am hoping local people will be given the chance of being trained for a job for life.	Noted. No response required.	N
S47-CG-082-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	It will be good for local labour in the area.	Noted. No response required.	N
S47-CG-083-01	Supportive	In favour	No concerns	No	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	Think the project is an exciting opportunity to the local community regarding jobs and a vital boost to the community. Think you may be taking 300 staff on but knowing the supply chain that will probably 5 fold. Environmentally should be no impact as below the surface, only issues will be on loading the vessel may be dust as an issue. Design of loading vessel should take this into consideration. Brilliant news should this project go ahead. 1. Airborne Dust - Health Risk? 2. Vacancies - Local skills would be great. 3. Loading Vessels - What type of cranes on loaders, stacker reclaimers? 4. Surge bins - Will there be a stock area for loading vessels? 5. Conveyor Systems - Are these rubber carrying structures with support rollers, impact rollers etc. 6. Would be better with a Powerpoint presentation and or Video to describe process and to describe environment impact or not and a specialised engineer to answer questions. 7. What is the expense of the project?	Response being prepared by the technical team	TBC
S47-CG-084-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-085-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Support	Support	Yes	Need for development outweighs temporary construction impact	Supportive	As stated previously on feedback forms I am totally for the project.	Noted. No response required.	N

Doc Ref	1. What is your overall opinion of the York Potash Project?	2. What are your views about the job creation and economic benefits of the Project?	3. What do you think about the overall environmental impact of the Project?	4. Do you feel you have enough information to comment on the proposed harbour facilities?	5. What is your general opinion of the overall impact of the proposed harbour facilities?	6. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?	7. Do you support the proposed location of the harbour facilities?	8a. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?	8b. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?	9. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?	10. What is your view on the impact of the harbour facilities during the construction period?	11. What is your view on the proposed dredging required as part of the harbour facilities?	Please use the space provided below to make any other comments specific to the proposed harbour facility.	Regard had to response (s.49)	Change Y/N?
S47-CG-086-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	Should be approved. No concerns. Good for the economy.	Noted. No response required.	N
S47-CG-087-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Undecided/don't know	Overall impact will be positive	Supportive	Re-environmental impact: Final design of plant above-ground requires more detail before any impact could be fully appreciated. 1. The Conveyor Tunnel: We understand that the design includes a liner in the 'mudstone'. 2. Trunk Road Bridge: Option 1 is my preferred proposal.	Response being prepared by the technical team	TBC
S47-CG-088-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	No comment	Yes	Need for development outweighs temporary construction impact	Supportive	Seems to be what is needed nationally (export potential, GDP). If the demand worldwide for polyhalite is there and will materialise the current plan seems to be more acceptable to local/NYM residents than previous one, on the previous plan created two camps. - environmental against/the demand for jobs for. 1. Harbour Facilities project: Just what is needed as the land is there, the river frontage is available, these used to be a shell retinay in the area with crude oil brought in to the Refinery jetty. Construction, dredging etc will not affect anybody as it is on industrial land and this is potential for this proejct and more in the future. If the York Potash project is agreed by the NYP then it will be good, especially in the Teesside area as there are no "second homes" and out of sight (tunnel) out of mine is usually acceptable to the majority of projects. Whitby/Teesside needs work and development.	Noted. No response required.	N
S47-CG-089-01	Supportive	In favour	Undecided/don't know	Yes	No or neutral impact	In favour	Yes	Support	Support	Undecided/don't know	Overall impact will be positive	Supportive		Noted. No response required.	N
S47-CG-090-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive		Noted. No response required.	N

Doc Ref	1. What is your overall opinion of the York Potash Project?	2. What are your views about the job creation and economic benefits of the Project?	3. What do you think about the overall environmental impact of the Project?	4. Do you feel you have enough information to comment on the proposed harbour facilities?	5. What is your general opinion of the overall impact of the proposed harbour facilities?	6. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?	7. Do you support the proposed location of the harbour facilities?	8a. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?	8b. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?	9. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?	10. What is your view on the impact of the harbour facilities during the construction period?	11. What is your view on the proposed dredging required as part of the harbour facilities?	Please use the space provided below to make any other comments specific to the proposed harbour facility.	Regard had to response (s.49)	Change Y/N?
S47-CG-091-01	Supportive	In favour	No concerns	No	Undecided/don't know	In favour	Yes	Undecided/don't know	Undecided/don't know	Undecided/don't know	Undecided/don't know	Undecided/don't know	Provided that there is no impact on the local/..... or local archaeology and that the employment offer is for local Teesside people. I cannot see any objections at this time.	Noted. No response required.	N
S47-CG-092-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Undecided/don't know	Supportive		Noted. No response required.	N
S47-CG-093-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Need for development outweighs temporary construction impact	Supportive	We fully support this. Please try and keep local people informed at all times! via Potash website!	Noted. No response required.	N
S47-CG-094-01	Supportive	In favour	Undecided/don't know	Yes	Positive impact	In favour	Yes	Support	Undecided/don't know	Undecided/don't know	Need for development outweighs temporary construction impact	Supportive	The materials handling facility is close to the residential areas of Dormanstown and Gotham and there may be problems with dust from the site.	Response being prepared by the technical team	TBC
S47-CG-095-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Need for development outweighs temporary construction impact	undecided/don't know	I like the Conveyor 1. picture better than No. 2 because youths will throw things up to hang from the trellis structure on No.2.	Noted. No response required.	N
S47-CG-096-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	We prefer Pic 1. of the conveyor pictures as we think people might throw objects up to the rails under the tunnel.	Noted. No response required.	N

Doc Ref	1. What is your overall opinion of the York Potash Project?	2. What are your views about the job creation and economic benefits of the Project?	3. What do you think about the overall environmental impact of the Project?	4. Do you feel you have enough information to comment on the proposed harbour facilities?	5. What is your general opinion of the overall impact of the proposed harbour facilities?	6. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?	7. Do you support the proposed location of the harbour facilities?	8a. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?	8b. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?	9. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?	10. What is your view on the impact of the harbour facilities during the construction period?	11. What is your view on the proposed dredging required as part of the harbour facilities?	Please use the space provided below to make any other comments specific to the proposed harbour facility.	Regard had to response (s.49)	Change Y/N?
S47-CG-097-01	Supportive	In favour	No concerns	Yes	No or neutral impact	In favour	Yes	Undecided/don't know	Support	Yes	Need for development outweighs temporary construction impact	Supportive	I would always support any project likely to bring jobs as long as any environmental concerns are addressed.	Noted. No response required.	N
S47-CG-098-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	I personally think providing jobs to the area is a great idea (but at what cost?). Having read the information supplied it seems that a lot of issues have already been addressed, with the main points of environmental impact, site location and local wildlife, covered to my satisfaction, so the sooner the project gets underway the better, and then we can look forward to the benefits.	Noted. No response required.	N
S47-CG-099-01	Supportive	In favour	Undecided/don't know	No	No or neutral impact	In favour	Yes	Support	Support	Undecided/don't know	Overall impact will be positive	Supportive	A good layout of presentation. Staff very helpful. Look forward to seeing its ongoing run to fruition.	Noted. No response required.	N
S47-CG-100-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	Long term benefits for the local community. Job security for the Whitby and surrounding areas. Construction jobs for local quarries and hauliers.	Noted. No response required.	N
S47-CG-101-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Need for development outweighs temporary construction impact	Supportive	Local work and benefits.	Noted. No response required.	N
S47-CG-102-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Undecided/don't know	Need for development outweighs temporary construction impact	Undecided/don't know	Exhibition and Documents very good. Told me what I wanted to know. Will bring money and jobs into the area.	Noted. No response required.	N

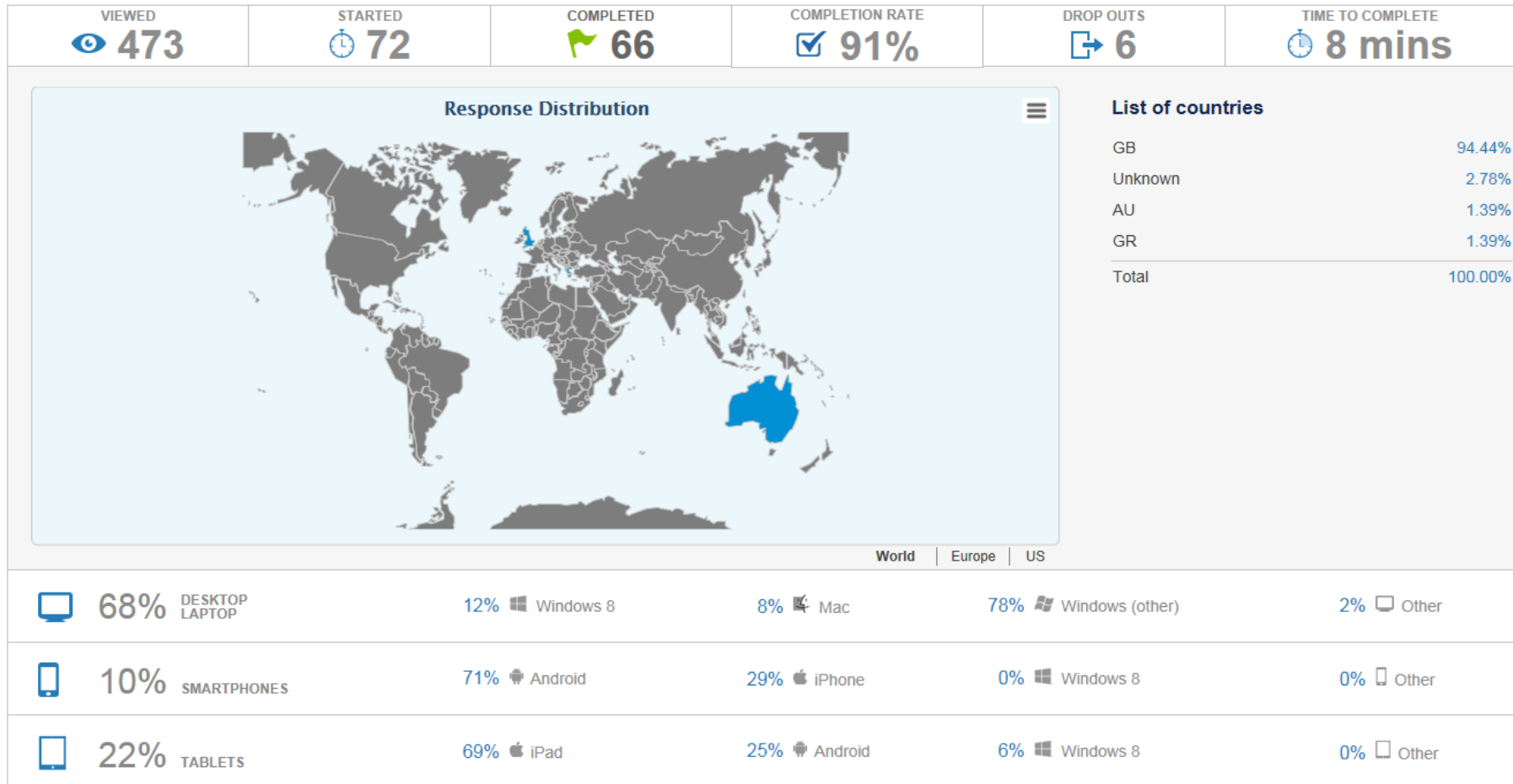
Doc Ref	1. What is your overall opinion of the York Potash Project?	2. What are your views about the job creation and economic benefits of the Project?	3. What do you think about the overall environmental impact of the Project?	4. Do you feel you have enough information to comment on the proposed harbour facilities?	5. What is your general opinion of the overall impact of the proposed harbour facilities?	6. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?	7. Do you support the proposed location of the harbour facilities?	8a. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?	8b. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?	9. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?	10. What is your view on the impact of the harbour facilities during the construction period?	11. What is your view on the proposed dredging required as part of the harbour facilities?	Please use the space provided below to make any other comments specific to the proposed harbour facility.	Regard had to response (s.49)	Change Y/N?
S47-CG-103-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	This project could be the single largest investment in this area in my lifetime. I worked at C.P.L 30 years and it provided me and my family a good life. The employment that this project creates will re-vitalise and inject money back into the local economy. It stated on TV only yesterday that the north east of England is the poorest and region with high unemployment. 1. None. Good use of a disceased facility. Access to a deep water facility. 1. Position: Good position with access to deep water port. 2. Land Used: Good use of an old derelict site Redevelopment of this site would be a positive for the community and eventually have a positive effect on wildlife. 3. Conveyor Route: As long as conveyor is covered I cannot see any problems.	Noted. No response required.	N
S47-CG-104-01				Yes	Undecided/don't know	In favour		Undecided/don't know					Should be advertised more, not in such an out of the way such as in Redcar.	Noted. No response required.	N
S47-CG-105-01	Supportive	in favour	No concerns										Your display very interesting. Could do with more advertising.	Noted. No response required.	N
S47-CG-106-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Undecided/don't know		Undecided/don't know	Undecided/don't know	Overall impact will be positive	Supportive	1. Employment: Overall the prospect of creating over 1000 jobs is excellent. 2. Environmental: The overall impact at the time mine and harbour sites appears to be minimal. The countryside (after the initial construction period) looks almost unchanged. The harbour area will be regenerated which will, I feel, improve the area.	Noted. No response required.	N
S47-CG-107-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive		Noted. No response required.	N

Doc Ref	1. What is your overall opinion of the York Potash Project?	2. What are your views about the job creation and economic benefits of the Project?	3. What do you think about the overall environmental impact of the Project?	4. Do you feel you have enough information to comment on the proposed harbour facilities?	5. What is your general opinion of the overall impact of the proposed harbour facilities?	6. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?	7. Do you support the proposed location of the harbour facilities?	8a. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?	8b. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?	9. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?	10. What is your view on the impact of the harbour facilities during the construction period?	11. What is your view on the proposed dredging required as part of the harbour facilities?	Please use the space provided below to make any other comments specific to the proposed harbour facility.	Regard had to response (s.49)	Change Y/N?
S47-CG-108-01	Supportive	In favour	Undecided/don't know	Yes	Positive impact	In favour	Yes	Support	Support	Undecided/don't know	Undecided/don't know	Supportive		Noted. No response required.	N
S47-CG-109-01	Supportive	In favour	Undecided/don't know	No	Undecided/don't know	Undecided/don't know		Undecided/don't know	Undecided/don't know	Undecided/don't know	Undecided/don't know	Undecided/don't know	As a resident of Dormanstown what most concerns me is the visual impact of the conveyor 'bridge' which will straddle the trunk road - one of the major routes into Redcar. A positive about a conveyor system is it reduces significantly the need for lorries and increased traffic. However, on the plans the 'bridge' looks an eyesore! If the project goes ahead it is very important that this bridge is made as aesthetically pleasing as possible - a positive feature that gives a good impression of Redcar to all visitors to the town. 1. Not had time to study plans in detail - after dredging to initial installation probably in the long term little impact to environment and visually. 5. Conveyor 'bridge': Further to comments made on Page 1 concerning the 'bridge' over the trunk road - if an alternative method e.g. the conveyor going underground as it is for the rest of the route from Whitby would be a far better solution than what is proposed. I fear the 'bridge' proposal would have a negative impact on Redcar - as a town which has much industry, but is also a destination for day trips to the coast, and is still considered a tourist destination.	Response being prepared by the technical team	TBC
S47-CG-110-01	Supportive	In favour	No concerns	Yes	Positive impact	In favour	Yes	Support	Support	Yes	Overall impact will be positive	Supportive	Looks like a good project for this area offering job opportunities to the Redcar and Cleveland area.	Noted. No response required.	N

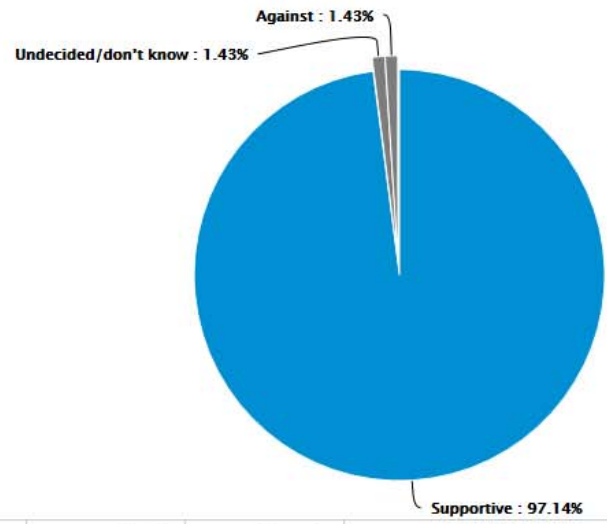
Appendix 30

Online consultation results

Survey Report: The York Potash Survey - Harbour



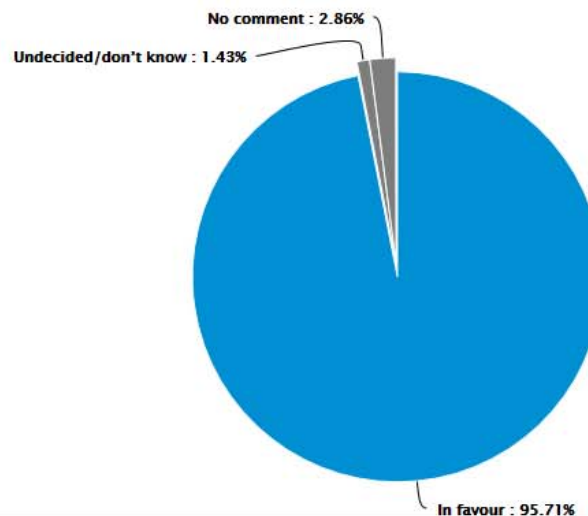
1. What is your overall opinion of the York Potash Project?



Answer	Count	Percent	
1. Supportive	68	97.14%	<div style="width: 97.14%;"></div>
2. Undecided/don't know	1	1.43%	<div style="width: 1.43%;"></div>
3. Against	1	1.43%	<div style="width: 1.43%;"></div>
4. No comment	0	0.00%	<div style="width: 0%;"></div>
Total	70	100%	

Mean: 1.043 Confidence Interval @ 95%: [0.981 - 1.105] Standard Deviation: 0.266 Standard Error: 0.032

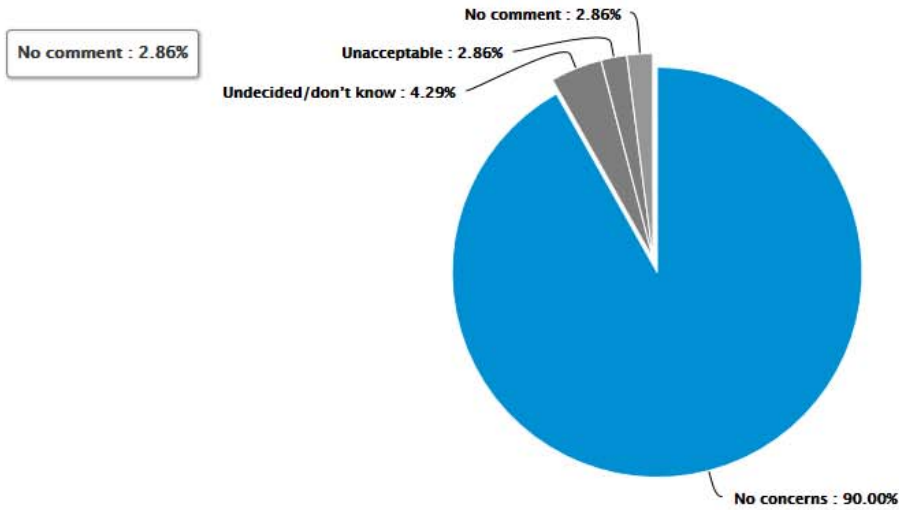
2. What are your views about the job creation and economic benefits of the Project?



Answer	Count	Percent	Progress Bar
1. In favour	67	95.71%	<div style="width: 95.71%;"></div>
2. Undecided/don't know	1	1.43%	<div style="width: 1.43%;"></div>
3. Not in favour	0	0.00%	<div style="width: 0%;"></div>
4. No comment	2	2.86%	<div style="width: 2.86%;"></div>
Total	70	100%	

Mean: 1.100 Confidence Interval @ 95%: [0.979 - 1.221] Standard Deviation: 0.515 Standard Error: 0.062

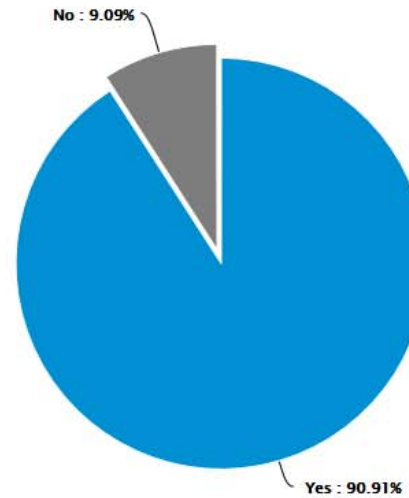
3. What do you think about the overall environmental impact of the Project?



Answer	Count	Percent	
1. No concerns	63	90.00%	<div style="width: 90%;"></div>
2. Undecided/don't know	3	4.29%	<div style="width: 4.29%;"></div>
3. Unacceptable	2	2.86%	<div style="width: 2.86%;"></div>
4. No comment	2	2.86%	<div style="width: 2.86%;"></div>
Total	70	100%	

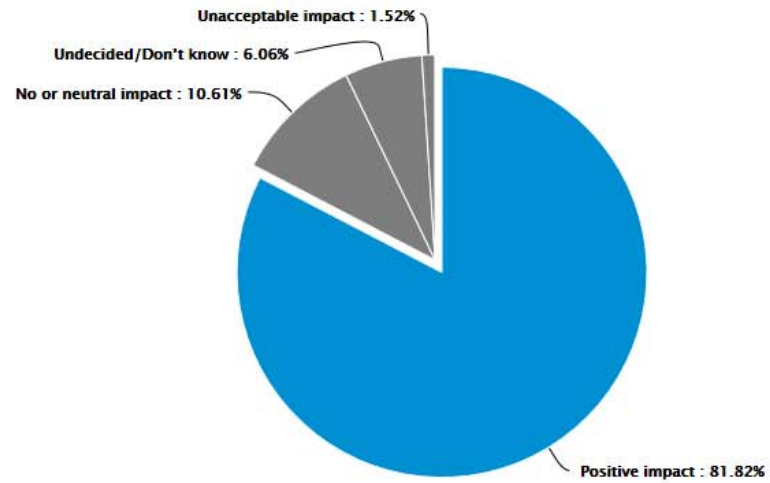
Mean: 1.186 Confidence Interval @ 95%: [1.040 - 1.331] Standard Deviation: 0.621 Standard Error: 0.074

4. Do you feel you have enough information to comment on the proposed harbour facilities?



Answer	Count	Percent	20%	40%	60%	80%	100%
1. Yes	60	90.91%					
2. No	6	9.09%					
Total	66	100%					
Mean: 1.091	Confidence Interval @ 95%: [1.021 - 1.161]		Standard Deviation: 0.290		Standard Error: 0.036		

5. What is your general opinion of the overall impact of the proposed harbour facilities?



Answer	Count	Percent	20%	40%	60%	80%	100%
1. Positive impact	54	81.82%					
2. No or neutral impact	7	10.61%					
3. Undecided/Don't know	4	6.06%					
4. Unacceptable impact	1	1.52%					
5. No comment	0	0.00%					
Total	66	100%					

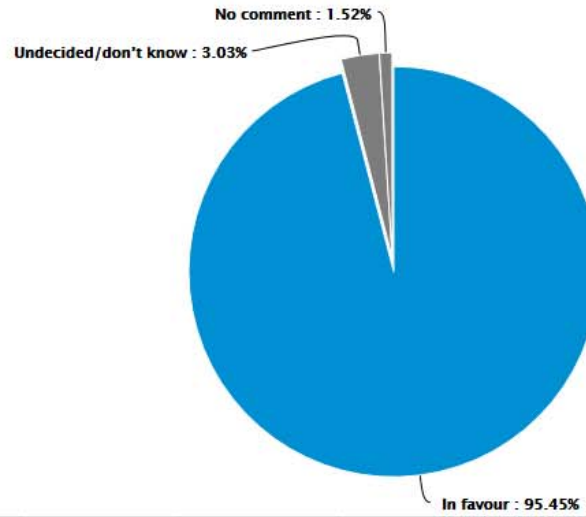
Mean: 1.273

Confidence Interval @ 95%: [1.117 - 1.428]

Standard Deviation: 0.646

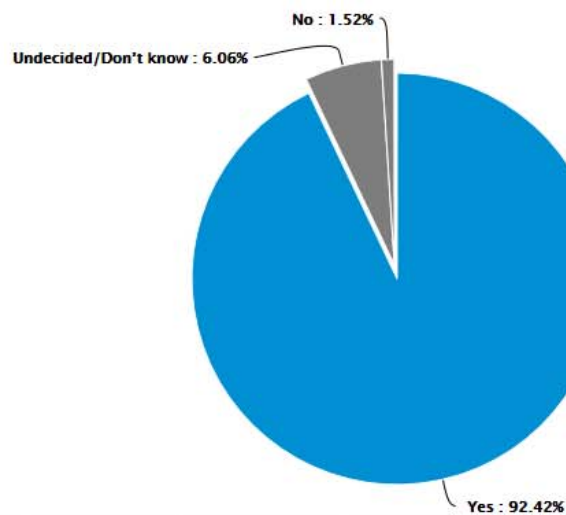
Standard Error: 0.079

6. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?



Answer	Count	Percent	20%	40%	60%	80%	100%
1. In favour	63	95.45%					
2. Undecided/don't know	2	3.03%					
3. Not in favour	0	0.00%					
4. No comment	1	1.52%					
Total	66	100%					
Mean: 1.076		Confidence Interval @ 95%: [0.978 - 1.173]	Standard Deviation: 0.404		Standard Error: 0.050		

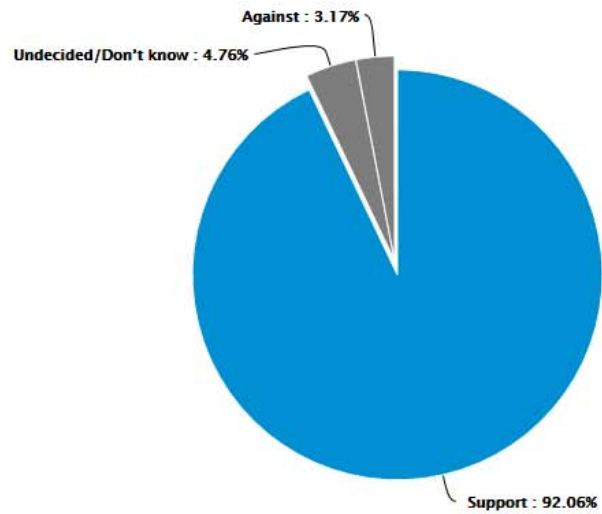
7. Do you support the proposed location of the harbour facilities?



Answer	Count	Percent	
1. Yes	61	92.42%	<div style="width: 92.42%;"></div>
2. Undecided/Don't know	4	6.06%	<div style="width: 6.06%;"></div>
3. No	1	1.52%	<div style="width: 1.52%;"></div>
4. No comment	0	0.00%	<div style="width: 0.00%;"></div>
Total	66	100%	

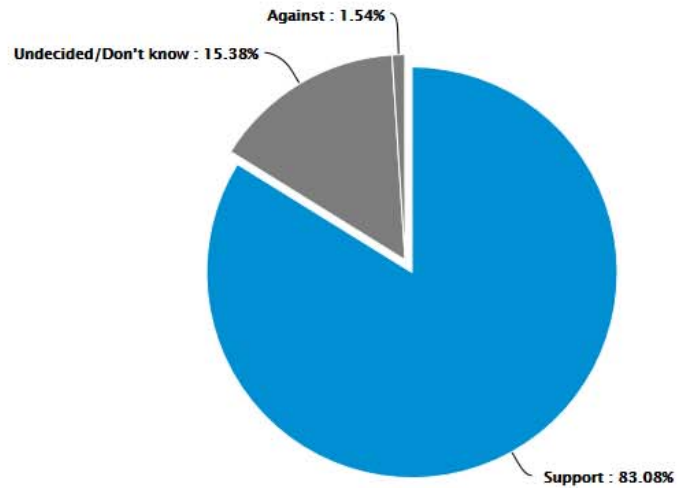
Mean: 1.091 Confidence Interval @ 95%: [1.009 - 1.173] Standard Deviation: 0.339 Standard Error: 0.042

8a. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?



Answer	Count	Percent	20%	40%	60%	80%	100%
1. Support	58	92.06%					
2. Undecided/Don't know	3	4.76%					
3. Against	2	3.17%					
4. No comment	0	0.00%					
Total	63	100%					
Mean: 1.111	Confidence Interval @ 95%: [1.011 - 1.211]		Standard Deviation: 0.406		Standard Error: 0.051		

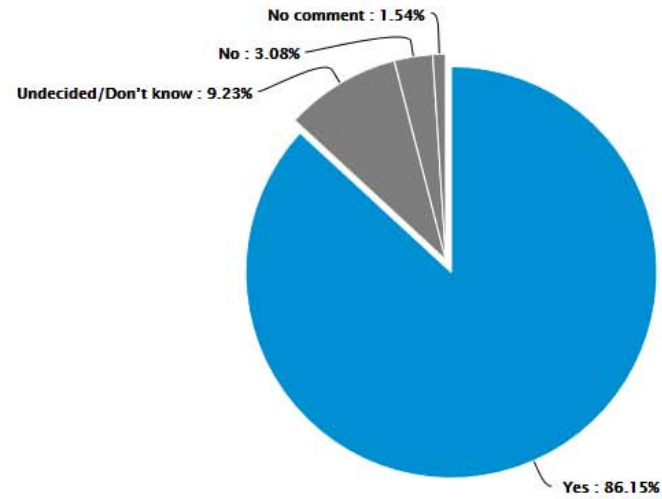
8b. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?



Answer	Count	Percent	20%	40%	60%	80%	100%
1. Support	54	83.08%					
2. Undecided/Don't know	10	15.38%					
3. Against	1	1.54%					
4. No comment	0	0.00%					
Total	65	100%					

Mean: 1.185 Confidence Interval @ 95%: [1.080 - 1.289] Standard Deviation: 0.429 Standard Error: 0.053

9. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?



Answer	Count	Percent	Bar
1. Yes	56	86.15%	<div style="width: 86.15%;"></div>
2. Undecided/Don't know	6	9.23%	<div style="width: 9.23%;"></div>
3. No	2	3.08%	<div style="width: 3.08%;"></div>
4. No comment	1	1.54%	<div style="width: 1.54%;"></div>
Total	65	100%	

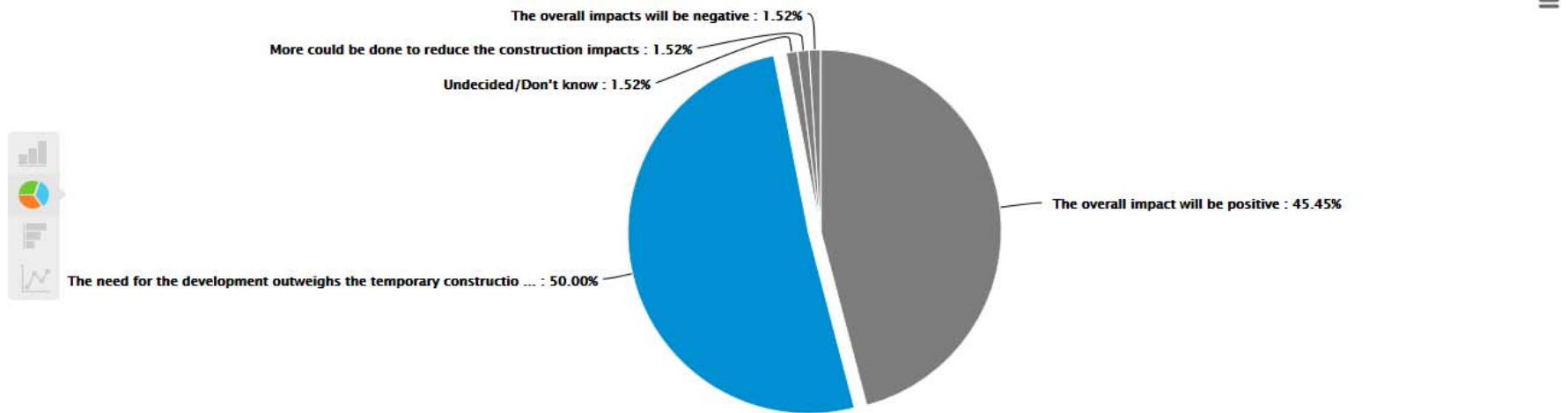
Mean: 1.200

Confidence Interval @ 95%: [1.063 - 1.337]

Standard Deviation: 0.565

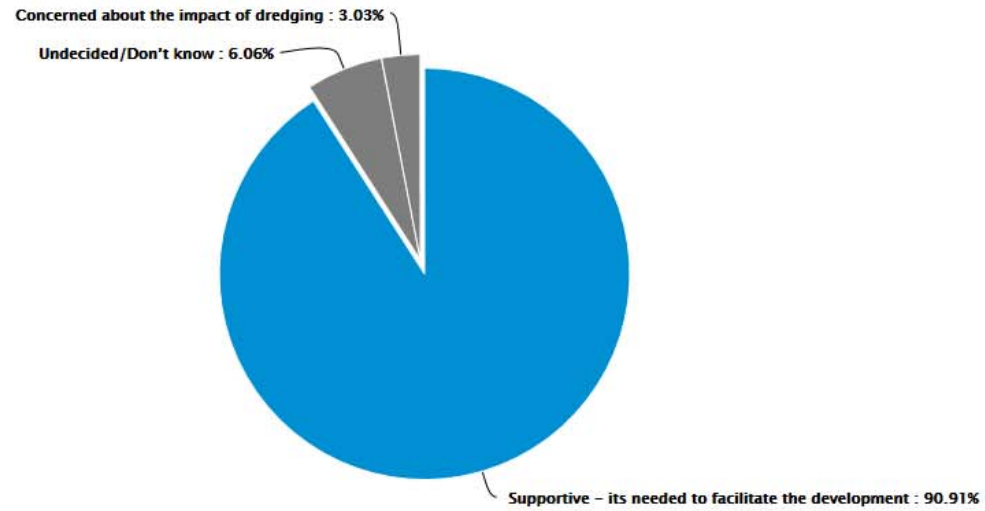
Standard Error: 0.070

10. What is your view on the impact of the harbour facilities during the construction period?



Answer	Count	Percent	20%	40%	60%	80%	100%
1. The overall impact will be positive	30	45.45%					
2. The need for the development outweighs the temporary construction impact	33	50.00%					
3. Undecided/Don't know	1	1.52%					
4. More could be done to reduce the construction impacts	1	1.52%					
5. The overall impacts will be negative	1	1.52%					
Total	66	100%					
Mean: 1.636		Confidence Interval @ 95%: [1.459 - 1.814]	Standard Deviation: 0.737		Standard Error: 0.091		

11. What is your view on the proposed dredging required as part of the harbour facilities?



Answer	Count	Percent	
1. Supportive - its needed to facilitate the development	60	90.91%	<div style="width: 90.91%;"></div>
2. Undecided/Don't know	4	6.06%	<div style="width: 6.06%;"></div>
3. Concerned about the impact of dredging	2	3.03%	<div style="width: 3.03%;"></div>
4. No comment	0	0.00%	<div style="width: 0.00%;"></div>
Total	66	100%	

Mean: 1.121 Confidence Interval @ 95%: [1.022 - 1.221] Standard Deviation: 0.412 Standard Error: 0.051

Appendix 31

Summary schedule assessing the Section 47 consultation responses received

COMMENTS ON THE YORK POTASH HARBOUR FACILITIES

1. What is your opinion of the York Potash Project?

Supportive	Against	Undecided/don't know	Total
106	1	1	108
98.15%	0.93%	0.93%	

2. What are your views about the job creation and economic benefits of the Project?

In favour	No comment	Undecided/don't know	Total
105	2	1	108
97.22%	1.85%	0.93%	

3. What do you think about the overall environmental impact of the Project?

No concerns	No comment	Undecided/don't know	Unacceptable	Total
93	2	11	2	108
86.11%	1.85%	10.19%	1.85%	

4. Do you feel you have enough information to comment on the proposed harbour facilities?

Yes	No	Total
91	12	103
88.35%	11.65%	

5. What is your general opinion of the overall impact of the proposed harbour facilities?

Positive impact	Undecided/don't know	No or neutral impact	Unacceptable impact	Total
80	7	13	1	101
79.21%	6.93%	12.87%	0.99%	

6. What is your opinion of job creation and the social and economic impact of the proposed harbour facilities?

In favour	Undecided/don't know	No comment	Total
99	3	1	103
96.12%	2.91%	0.97%	

7. Do you support the proposed location of the harbour facilities?

Yes	Undecided/don't know	No	Total
95	5	1	101
94.06%	4.95%	0.99%	

8a. What do you think about the proposed design and route of the conveyor system which will transport the minerals from the materials handling facility to the harbour facilities and including the proposed bridge crossing over the A1085?

Support	Undecided/don't know	Against	Total
89	7	2	98
90.82%	7.14%	2.04%	

8b. What are your views on the design and form of the proposed buildings, structures and two potential quay options that together comprise the harbour facilities at the Bran Sands site?

Support	Undecided/don't know	Against	No comment	Total
83	15	1	1	100
83.00%	15.00%	1.00%	1.00%	

9. Are you satisfied that the harbour facilities can proceed without harming local wildlife and ecology interests?

Yes	Undecided/don't know	No	No comment	Total
80	16	3	1	100
80.00%	16.00%	3.00%	1.00%	

10. What is your view on the impact of the harbour facilities during the construction period?

The need for the development outweighs the temporary construction impact	The overall impact will be positive	The overall impacts will be negative	Undecided/don't know	More could be done to reduce the construction impacts	Total
42	52	1	5	1	101
41.58%	51.49%	0.99%	4.95%	0.99%	

11. What is your view on the proposed dredging required as part of the harbour facilities?

Supportive	Undecided/don't know	Concerned about the impact	Total
90	9	2	101
89.11%	8.91%	1.98%	