

REPORT

Boston Alternative Energy Facility - Appendix 6

Appendix 6 Phase Four Consultation

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006
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Appendix 6
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Date: 22/03/21

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Boston Alternative Energy Facility - Appendix 6.1

Appendix 6.1 Section 42 consultee list

Client: Alternative Use Boston Projects Ltd
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Appendix 6.1 Section 42 consultee list

This appendix contains a list of the section 42 consultees during Phase Four.



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Phase Four statutory consultees

Organisation	Type of consultee
Lincolnshire Community Health Services NHS Trust	Statutory Undertaker
Lincolnshire Partnership NHS Foundation Trust	Statutory Undertaker
Scottish & Southern Electricity Networks	Statutory Undertaker
United Lincolnshire Hospitals NHS Trust	Statutory Undertaker
The Joint Nature Conservation Committee	Prescribed
The Maritime and Coastguard Agency	Prescribed
Trinity House	Prescribed

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Boston Alternative Energy Facility - Appendix 6.2

Appendix 6.2 Phase Four consultation strategy

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
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Appendix 6.2 Phase Four consultation strategy

This appendix contains a copy of the Phase Four consultation strategy.



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Boston Alternative Energy Facility

Phase 4 Consultation Strategy



Rationale

- A number of changes have been made to the Boston Alternative Energy Facility scheme since the last statutory consultation round undertaken in summer 2019. These changes, predominantly relating to the switch from a gasification facility to a traditional incineration facility, have resulted in the need to carry out a further phase of consultation with both statutory stakeholders and community consultees.
- The Planning Inspectorate (PINS) and the project team have agreed that this phase would not need to be statutory, and therefore there is no need to update the Statement of Community Consultation (SoCC).
- This additional phase would need to take into account the challenges presented by the current COVID-19 restrictions.
- The programme of activity would help ensure we reach all relevant consultees, and that the engagement exercise complies with the requirements of the SoCC already in place for the project.
- Due to the challenges and limitations presented by COVID-19, there would be no face-to-face activity as part of this phase. Instead, all consultation would be carried out online.
- Athene has sought legal advice from Richard Marsh at BDB Pitmans to ensure we continue to be compliant with consultation for the project, and on this basis have prepared the following strategy.

Statutory Consultees

- As with previous phases, consultation with statutory stakeholders would be led by Royal HaskoningDHV with Athene's support.
- Due to the project Development Consent Order (DCO) including a Deemed Marine Licence, **there would be a need to publicise the consultation via a Section 48 notice** in the Fishing Times and Lloyds List publications. Athene would work with BDB Pitmans to produce the text for the notice and arrange its placement, as well as manage responses.

Landowner Consultees

- In accordance with Section 44 of the Planning Act, **we would need to consult with landowners**. As the red line boundary of the site has changed, Terraquest will be tasked with confirming all persons with an interest in land, and the following documents will be sent to each:
 - The standard section 42 letter advising them the deadline for the receipt of their response and detailing where the PEIR can be found on the project website
 - Copy of the newsletter
 - Details of the project feedback mechanisms
- All feedback from this element of the consultation will be managed in the same way as the community consultation.

Community Consultees

- The existing **project website** would be updated with details of the revised proposals including **refreshed content, new infographics, updated Frequently Asked Question** and an **online feedback form**.
- To ensure nobody is excluded from engaging with the consultation, hard and translated copies of all materials would be available on request.
- We would arrange **two live webinars** which members of the public could join. Questions would be moderated before they 'go-live' to help manage the process effectively, and consultation materials would be available on the project website ahead of the webinars for attendees to view.
- For those without online access, or who have a number of questions or topics to discuss, we would organise a **telephone appointment surgery** with members of the project team. Hour slots would be available for individuals to have one-to-one time where they can ask questions and provide feedback on the proposals. Initially we'll offer one day but If this option proved popular we could extend it to multiple days.
- The existing **Freepost** and **email addresses**, and project **Freephone number** would remain in place so consultees can pose questions, raise concerns, register for telephone appointments and provide feedback. Response times would be the same as during previous phases; three working days for an initial holding email or call back, and 28 working days for a detailed response where required.

Community Consultees — Cont...

- In order to promote the consultation, a **newsletter** would be delivered to every home in the Boston Borough Council area (as with phases two and three). This newsletter would include a full summary of the revised proposal, details of how to engage with the consultation and a reminder of the project feedback mechanisms.
- In addition to this, **adverts** would be placed in the Boston Standard, Spalding Guardian and Lincolnshire Free Press (as with phases two and three) and **posters** displayed in the local area.
- As with previous phases of consultation, the **posters would be translated** into Portuguese, Polish, Latvian, Lithuanian and Russian and sent to major local employers with high numbers of employees who have English as a second language. The newsletter and standard English poster would also include a line in the above languages advising how to obtain translated copies.
- A **media release** including an overview of the updated proposals and details of the consultation would be produced and distributed to the media list used for previous phases. We would also utilise the project **Twitter feed** to provide updates and information.
- All feedback received would be shared with the project team as well as **logged on the project Tractivity system**. A **summary and analysis** would be produced for the consultation report and all questions raised responded to.

Councillors/community groups/parish council **Consultees**

- We would propose writing to the same individuals and groups as at Phase 3, with details of the revised proposals and further phase of consultation and an invitation to individual/round-table meetings to be held via Zoom or similar.

Timeline

- We want to complete the Phase 4 consultation as soon as possible to allow us finalise our submission, ready for Quarter 4 2020.
- If we commence with the consultation in July 2020 we estimate completion of the consultation in September 2020.

REPORT

Boston Alternative Energy Facility - Appendix 6.3

Appendix 6.3 Letters sent at Phase Four to section 42
consultees and statutory consultees

Client: Alternative Use Boston Projects Ltd
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Appendix 6.3 Letters sent at Phase Four to section 42 consultees and statutory consultees

This appendix contains a copy of the letters that were sent to section 42 consultees and statutory consultees during Phase Four.



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Letter sent to section 42 consultees

12 August 2020

Dear Sir/Madam,

**Boston Alternative Energy Facility, Riverside Industrial Estate, Boston, Lincolnshire
Statutory Consultation on a proposed application for a Development Consent Order
Section 42 of the Planning Act 2008 and Regulation 13 of the Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017**

I write to you on behalf of Alternative Use Boston Projects Ltd (the 'Applicant') who intends to submit an application under the Planning Act 2008 ('the Act') for development consent for the construction, operation and maintenance of a power-generation plant, known as the Boston Alternative Energy Facility ('the Proposed Development'), within the Riverside Industrial Estate, Boston, Lincolnshire.

The Proposed Development would comprise:

- an Energy from Waste facility comprising three thermal treatment units and steam turbine generators to generate up to 102 MW (gross) of energy;
- a wharf with cranes and berthing points;
- a storage bunker and contingency external storage area for the temporary storage of Refuse Derived Fuel (RDF) bales;
- an RDF bale shredding facility (a sealed building) to remove bale wrap and reduce the particle size;
- conveyors to transfer RDF bales and processed material
- turbine plant comprising three steam turbine engines, make-up water facility and associated piping and ductwork;
- air-cooled condenser structure, transformer pen and associated piping and ductwork;
- an on-site grid connection and substation to facilitate the export of up to 80 MW to the National Grid;
- a lightweight aggregate manufacturing plant to process the thermal treatment ash and air pollution control residues into two separate aggregate products;
- two carbon dioxide (CO₂) recovery plants, allowing a proportion of the CO₂ from two of the three thermal treatment units to be captured and converted to food grade CO₂ for off-site industrial use
- a storage area for lightweight aggregate product prior to removal (by ship) from the site; and
- associated infrastructure including a visitor centre, car parking, onsite roads, site surfacing, site security, storage and workshop facility, weighbridge, fencing, site control centre and welfare facilities.



The Proposed Application will also seek authorisation for the compulsory acquisition of interests in and rights over land, the temporary use of land, and the overriding of easements and other rights.

The Applicant is undertaking a statutory consultation on the Proposed Application in accordance with the requirements of the Act. The consultation will run from 10 August 2020 to 10 September 2020 (inclusive).

Development Consent Order Application

As the Facility will have a generating capacity of more than 50 megawatts of energy it falls within the definition of a 'Nationally Significant Infrastructure Project' in Section 15 of the Act. This means that in order to gain planning consent for the Proposed Development, the Applicant must make an application to the Secretary of State for a Development Consent Order ('DCO'). If made, the DCO will authorise the construction, operation and maintenance of the Proposed Development and would contain the powers that are necessary for the project, including powers to compulsorily purchase and use land.

The Planning Inspectorate ('PINS') handles the acceptance and examination of DCO applications on behalf of the Secretary of State. If the application is accepted for examination, PINS will appoint an examining authority comprising one or more planning inspectors to carry out an examination, up to six months in length, of the proposals on behalf of the Secretary of State. The examining authority will then make a recommendation to the Secretary of State as to whether or not the application is then made by the Secretary of State.

In accordance with Regulation 3 'Prescribed Consultees' of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, this letter informs you that the Applicant intends to apply to the Secretary of State for a DCO for the Proposed Development. The Applicant anticipates submitting the DCO application for the Proposed Development in late 2020. The application would then be examined over the course of 2021, with a decision from the Secretary of State likely to be issued in 2022.

Further details about the application and examination process and how to participate are provided on the Planning Inspectorate's National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/>

Consultation

Before the Proposed Application can be submitted, the Applicant is required to undertake consultation with a prescribed list of bodies, local authorities and those with an interest in land affected by the application in accordance with the requirements of the Act and related regulations.

You have been identified as a statutory consultee for the purposes of Section 42 of the Act and Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Information on how you can provide your comments is set out below.

By way of background, the Applicant carried out statutory consultation in relation to the Application from 25 June 2019 to 6 August 2019 but did not identify you as a statutory consultee at that time. As a result, you are now being consulted to rectify this omission.



Additionally, a statutory notice is also being published in Lloyd's List or an appropriate fishing trade journal as this was not done at the time of the previous statutory consultation as is required under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. This consultation is taking place from 10 August 2020 to 10 September 2020. In addition to this statutory consultation, the Applicant is also carrying out further non-statutory consultation during the same period.

In accordance with regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, enclosed with this letter is a copy of the notice which the Applicant will be publishing in Lloyd's List and Fishing News Weekly.

Preliminary Environmental Information

The Proposed Development is 'EIA development' for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This means that the proposed works constitute development for which an Environmental Impact Assessment is required. Accordingly, the Proposed Application will be accompanied by an Environmental Statement containing information about the likely significant environmental effects of the Proposed Development.

During the 2019 statutory consultation, preliminary environmental information was included in a Preliminary Environmental Information Report (the 'PEIR') and summarised in a non-technical summary (NTS). Since the PEIR was prepared there have been changes proposed to the project. The Applicant has therefore prepared a leaflet summarising these changes. This leaflet is available to view and download free of charge on the project website (www.bostonaef.co.uk) and a copy is attached with this letter. A copy of the leaflet can also be obtained free of charge until 10 September 2020 by contacting the Applicant using the details set out at the end of this letter.

The PEIR, together with the consultation leaflet, plans, maps and other documents, which show the nature and location of the Proposed Development (the 'consultation documents') are also available for inspection free of charge on the project website at www.bostonaef.co.uk/consultation/ from 10 August 2020 until 10 September 2020.

Electronic or hard copies of the consultation documents can be ordered using the contact details set out at the end of this letter. A reasonable copying charge may apply up to a maximum of £250 for the full set of documents and £10 for an electronic copy on CD or USB stick.

Information Events

The Applicant is holding information events but due to COVID-19 limitations on public gatherings, it is not possible to hold public exhibitions as was previously done. However, in order to ensure that people's questions can be answered, the Applicant is hosting two webinars and, for those without access to a computer, a telephone surgery. Details of when the webinars and telephone surgery are taking place are set out below. You can book a place using the contact details set out at the end of this notice.

Webinars

Each session will last between 1-2 hours, depending on the number of questions. These are taking place on:

Webinar 1: Tuesday 11 August 2020 at 12.00pm



Webinar 2: Thursday 20 August 2020 at 12.00pm

Telephone Surgery

These are 15-minute slots where people can speak directly with a member of the project team. This is by appointment only. An additional session may be arranged if this is required.

Telephone Surgery: Wednesday 26 August 2020 10.00am - 4.30pm

How to provide comments and to sign-up for the information events

The consultation period in respect of the Proposed Development will run from 10 August 2020 until 10 September 2020 (inclusive). **The deadline for receipt of your views and comments on the Proposed Development is 11.59 pm on 10 September 2020.**

You can provide your comments via the channels below:

On the project website: www.bostonaef.co.uk by completing the online comments form or the phase four online survey: <https://www.surveymonkey.co.uk/r/BostonAEF>

By email: consultation@bostonaef.co.uk

By Freepost: Boston Alternative Energy Facility, RTLY-RLGH-GKSE, FREEPOST, 25 Priestgate, Peterborough, PE1 1JL

By Freephone --: 0800 0014 050 -- where you can request a hard copy of the feedback form

You can also sign-up for the webinars or the telephone surgery by email, Freepost or Freephone - 0800 0014 050

Please ensure you include your name and address when making a response. Personal details will not be shared, but any comments made may be made public as part of the consultation.

Yours faithfully,

Kelly Linay
On behalf of Alternative Use Boston Projects Ltd

Enclosures:

- I. A copy of the leaflet summarising the changes to the proposed development
- II. A copy of a notice pursuant to Section 48 of the 2008 Act and Regulation 13 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009



Letter sent to statutory consultees

Dear Sir / Madam,

Boston Alternative Energy Facility – Phase 4 Consultation

I am writing to you on behalf of Alternative Use Boston Projects Ltd to update you about our proposal for the Boston Alternative Energy Facility (the Facility), a state-of-the-art power-generation plant located south of Boston, on the Riverside Industrial Estate, next to The Haven.

The Facility is classed as a Nationally Significant Infrastructure Project (NSIP) for which Alternative Use Boston Projects Limited will submit an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO).

As you may recall from our previous letters, we have undertaken three phases of public consultation about the proposals for the Facility. Phase 3 statutory consultation took place in June and July 2019 and since then there have been some changes proposed to the project. These are due to several reasons including a project review and ongoing iterative design work, feedback received during the earlier consultations, and input from specialist bodies. As a result of this, we are now undertaking an additional round of consultation (Phase 4) which refers to the changes made to the proposals since the Phase 3 consultation.

The proposed Facility remains an Energy from Waste (EfW) facility, although the technology used to treat the waste has now switched from gasification to traditional EfW technology. We have summarised this change and others in the attached newsletter which is being delivered to local residents and businesses. The changes are anticipated to have minor effects, resulting in an overall reduction in potential negative impacts.

We remain committed to open and honest two-way engagement and consultation. Due to the Covid-19 pandemic, we are unable to hold face-to-face meetings as we have for previous phases of consultation. Instead, we are organising online stakeholder meetings via Zoom and would be very happy to arrange a meeting with you if you would find this helpful. Please email consultation@bostonaef.co.uk if you would like us to arrange a meeting.

The newsletter also explains that instead of holding public exhibitions for this phase of the consultation, in order to ensure that people's questions can be answered, the Applicant is hosting two webinars and, for those without access to a computer, a telephone surgery. The webinars have been arranged for 12.00 pm on Tuesday 11 August and Thursday 20 August, while the telephone surgeries will take place on Wednesday 26 August. You are, of course, very welcome to join us at the webinar on 20 August or the telephone surgeries and you can book a place using the contact details set out at the end of this notice if you wish to attend.

How to provide comments and sign-up for the information events



The consultation period in respect of the proposed Facility will run from 10 August 2020 until 10 September 2020 (inclusive). **The deadline for receipt of your views and comments is 11.59 pm on 10 September 2020.**

You can provide your comments via the channels below:

On the project website: www.bostonaef.co.uk by completing the online comments form or the phase four online survey: <https://www.surveymonkey.co.uk/r/BostonAEF>

By email: consultation@bostonaef.co.uk

By Freepost: Boston Alternative Energy Facility, RTLY-RLGH-GKSE, FREEPOST, 25 Priestgate, Peterborough, PE1 1JL

By Freephone: 0800 0014 050 – where you can request a hard copy of the feedback form.

You can also sign-up for the webinars or the telephone surgery by email, Freepost or Freephone.

Please ensure you include your name and address when making a response. Personal details will not be shared, but any comments made may be made public as part of the consultation.

We welcome your feedback on the proposed changes to help us as we begin to finalise our proposal before we submit the application for a DCO later this year. Following submission of the Application there will be a further opportunity to make representations on the proposals and to engage during the Examination process.

Further information about the project can be found on our website at www.bostonaef.co.uk.

Yours sincerely,

Kelly Linay

On behalf of Alternative Use Boston Projects Ltd

REPORT

Boston Alternative Energy Facility - Appendix 6.4

Appendix 6.4 Letters received from section 42
consultees and statutory consultees

Client: Alternative Use Boston Projects Ltd
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Appendix 6.4 Letters received from section 42 consultees and statutory consultees

This appendix contains a copy of letters received during and after Phase Four from section 42 consultees and statutory consultees.



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Section 42 response from Joint Nature Conservation Committee

From:
To:
Subject: FW: S42: Boston Alternative Energy Facility
Date: 11 August 2020 11:52:17
Attachments: [image003.gif](#)
[image004.gif](#)
[image007.jpg](#)
[image008.jpg](#)
[Phase 4 S42 letter - The Joint Nature Conservation Committee.pdf](#)
[Leaflet- Boston Alternative Energy Facility.pdf](#)
[Section 48 Notice.pdf](#)

Dear Linda

Thank you for forwarding the enclosed documents.

Please note that our remit is offshore waters only and therefore we will not be providing a response.

Kind regards

Head of HR and Facilities

JNCC, Monkstone House, City Road, Peterborough, PE1 1JY

Tel:

Email:

My working days are: Monday to Friday



<http://jncc.defra.gov.uk>



25 years delivering innovative solutions to realise the value of nature.

From:
Sent: 10 August 2020 16:32
To:
Subject: S42: Boston Alternative Energy Facility

Dear ,

Please find attached a letter about the proposed Boston Alternative Energy Facility, together with attachments.

Kind regards,

Linda Elliott

On behalf of Alternative Use Boston Projects Ltd



B O S T O N

BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

YOUR REF:

Email:

OUR REF: CA/pc

Telephone:

16 September 2020

Boston Alternative Energy Facility
25 Priestgate
Peterborough
PE1 1JL

Dear Sirs

BOSTON BOROUGH COUNCIL CONSULTATION RESPONSE IN RESPECT OF PHASE 4 PUBLIC CONSULTATION ON BOSTON ALTERNATIVE ENERGY FACILITY

Thank you for enabling Boston Borough Council to engage in the Phase 4 public consultation on the Boston Alternative Energy Facility.

On behalf of the Council, may I express sincere thanks to Mr Gary Bower for supporting the Council in the development of this response with dedicated telephone and webinar facilities through which our elected members could engage directly and independently with BAEF and for attending a meeting of the Council's Environment and Performance Overview and Scrutiny Committee on the evening of 8th September 2020.

Noting that the Phase 4 consultation is focussed on changes to the development proposal since Phase 3 public consultation last year, I have attached the Council's response to Phase 3 dated 6th August 2019. Much of the Council's Phase 3 response remains relevant to Phase 4 as the Council's stance in Development Management/Planning, Waste and Economic Development policy terms is unaltered by the proposed changes to the development set out in the Phase 4 consultation process.

The Council remains broadly supportive of the BAEF proposal however there remain outstanding, some significant environmental concerns that elected members/Officers raised during this consultation phase. These concerns relate primarily to the review and re-submission of the various environmental impact assessments and mitigation proposals that were prepared for Phase 3 public consultation as follows:

- Transport/Traffic
- Noise
- Air quality/air pollution
- Light pollution
- Flora and fauna habitat and wildlife impacts



- Landscape and visual impact
- Heritage
- Public access

Disappointingly, the above environmental assessments were not available for consultation purposes during the Phase 4 consultation round or during deliberations by the Councils Scrutiny Committee on 8th September and subsequently by Cabinet on 9th September.

The Borough Council is keen to work with the applicant to contribute at this early stage to the development proposals and ensure that in the event the Secretary of State determines to approve the application, all concerns have been robustly considered to ensure maximum economic benefit to the wider community whilst protecting the environment and mitigating impacts to ecosystems, residents and businesses surrounding the proposed site.

To this end, I suggest that as soon as the environmental assessment documents listed above have been published that the Council reconvene the project team meetings involving Officers from Boston Borough Council and Lincolnshire County Council, in order to evaluate the assessments and provide further feedback to BAEF to shape and inform the final submission to PINS.

During the Scrutiny Committee hearing on the BAEF proposal Mr Bower gave a presentation and then invited questions from Committee members. The entire proceedings, including presentation and Q&A with committee members was recorded onto the Youtube platform and the full recording is available here: <https://www.youtube.com/watch?v=SZ0Z6MnQb2k>

Given the above, I shall provide only a list of the key points of concern raised by members, as an aide memoire and to augment the Youtube recording from which I understand that Mr Bower will be preparing his formal reply to the issues raised by members.

1. Air Quality, Traffic Management & Other Environmental Considerations –

Boston has declared two Air Quality Management Areas (AQMA) due to poor air quality. The main source of this poor air quality is as result of emissions from traffic. Concerns have previously been raised about the proposal and how it will impact the existing AQMA's and the wider environment.

Whilst some changes have been made to the proposal which we are advised will reduce the road traffic impact during the construction phase and shipping requirements during the operational phase there has still been no detailed air quality assessment of the impacts of the development during both these phases. We have previously requested that these assessments look at all the potential options for traffic routes for construction and operational service traffic.

There is likely to be an impact on neighbouring communities on both sides of the River Haven in respect of potential noise pollution, light pollution, off-loading/on loading of ships at night and the turning of ships in the port, but until the detailed proposals are received no detailed comment with regard to mitigation may be made.

It has been noted that an on-site concrete batching plant will be provided as part of the construction process. The location of this we understand is to be situated on Nursery Road close to the rear DCI, a local company producing ink-jet cartridges for printers. This company due to the technologies used and cleanliness required in the production process is very susceptible to dust/particulate and therefore siting the concrete batching close to this long established business is not seen as appropriate and we would request the site layout during the construction phase is amended to find a more suitable location for concrete batching away from this potentially sensitive receptor.

2. CO₂ Capture -

The quantity captured from stack emissions and the resultant impact on air quality. Members were also keen to understand if carbon capture could be increased to reduce emissions from the stack. Has greenhouse gas removals technology been considered as a carbon offset mechanism for cancelling out GHG emissions.

3. Dredging and the use of dredged material in aggregate manufacture

4. Capability to treat waste at BAEF surrendered at the LCC waste transfer station

5. Gasification v EfW – Difference in the type and volume of emissions and their control, monitoring and regulation

6. Mitigation of CO₂ emissions by planting trees

7. Development impact on The Haven

Impact on landscape vistas, river users, flora and fauna habitat and on water quality

8. Proximity to residential properties and impact

Impact of emissions plume on surrounding communities, impact on house prices, mapping and dispersal of plume, toxicity of emissions, monitoring and regulation. Odours from storage and shredding of waste.

9. Economic impacts

Risk of explosion and impact on communities adjacent to site. Number of shipping movements and impacts. Impact on labour market in construction and operation. Opportunity for apprentices and engagement with local education establishments. Marketing of ancillary products such as aggregate and CO₂. Supply chain benefits. Visitor centre in Boston and establishment of a community fund.

10. Mitigation of nuisance during construction

Piling and reducing noise impacts. Dust minimisation and mitigation. Traffic noise

11. Public rights of way around and across the site

Finally, members noted the commitment from BAEF that they will be responding formally to the letter from Sarah Mitchell of RSPB Frampton Marsh raising concerns about ecological, flora and fauna impacts and the intention of BAEF to conduct further assessments and specify mitigation actions where appropriate. BAEF also confirmed that the site would be used for processing UK derived waste only and Members were advised that this commitment would be written into the legally binding Development Consent Order, if and when issued. Secondly, a commitment was also given to remediate the site at the end of its 25 year lifespan (whilst leaving the wharf in situ to act as a flood defence), and confirmation that this commitment would be enshrined into the conditions contained in the site operating permit issued by the Environment Agency.

Conclusion

On balance, the many changes to the proposed scheme since Phase 3 consultation concluded last year, appear to be positive in their impact, however the environmental assessments that underpin these assertions have yet to be made available to the public.

Boston Borough Council has maintained a positive and constructive relationship with BAEF throughout the development of this scheme and remain committed to doing so. By working closely and collaboratively with the applicant we are seeking to ensure all issues are fully considered before the final plans are submitted to the Secretary of State. This will help to ensure that the final design of the site can fully capitalise on the economic opportunities whilst also minimising environmental impacts and the impact on our communities, both residents and business.

We are eager to receive the detailed environmental assessments following their review as a consequence of Phase 4 changes and we undertake to convene project meetings with key stakeholders at the earliest opportunity to enable comment in detail.

In the meantime we look forward to receiving your response on the matters raised above by our elected members.

Yours faithfully

Assistant Director Regulation
On behalf of Boston Borough Council

CC: Deputy Chief Executive (Place)
– Assistant Director Planning
– Leader of the Council

- Deputy Leader of the Council and Portfolio Holder for Economic Development and Planning
- Portfolio Holder for Environment



Ministry of Defence

Boston Alternative Energy Facility
Freeport 25 Priestgate
Peterborough
PE1 1JL

Your reference: BAEF
Our reference: 10046077

Defence Infrastructure Organisation

Safeguarding Department
Statutory & Offshore
Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
West Midlands
B75 7RL

Tel:

E-mail:

www.mod.uk/DIO

11 September 2020

Dear Kelly,

MOD Safeguarding

Proposal: Boston Alternative Energy Facility – Phase 4 Consultation

Location: Riverside Industrial Estate, Boston, Lincolnshire

Grid Ref: 533,259 342,498
532,889 342,749
533,776 342,815
534,177 342,265
534,108 341,653
533,211 341,675

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 11/08/2020. I can confirm the MOD has no safeguarding objections to this proposal.

In the interests of air safety, the MOD requests that any structure 50 metres or greater in height is fitted with aviation warning lighting. The structures should be fitted with a minimum intensity 25 candela omni directional flashing red light or equivalent infra-red light fitted at the highest practicable point of the structure.

Whilst we have no safeguarding objections to this application, the height of the development will necessitate that aeronautical charts and mapping records are amended. DIO therefore requests the developer should notify UK DVOF & Powerlines at the Defence Geographic Centre with the following information prior to development commencing:

- a. Precise location of development.
- b. Date of commencement of construction.
- c. Date of completion of construction.
- d. The height above ground level of the tallest structure.

e. The maximum extension height of any construction equipment. f. If the structure will be lit with air navigation warning beacons.

You can e-mail this information to UK DVOF & Powerlines at DVOF@mod.uk or post it to:

D-UKDVOF & Power Lines
Air Information Centre
Defence Geographic Centre
DGIA Elmwood Avenue
Feltham
Middlesex
TW13 7AH

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely



Marine
Management
Organisation

Alternative Use Boston Projects Ltd
26 Church Street,
Bishop's Stortford,
Hertfordshire,
CM23 2LY

T
www.gov.uk/mmo

Marine Licensing
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

Our reference: DCO/2018/00012

By email only

10 September 2020

Dear Ms ,

Boston Alternative Energy Facility – Phase 4 Consultation

Thank you for your letter dated 11th August 2020, updating the Marine Management Organisation (MMO) on “Alternative Use Boston Projects Ltd.’s” proposal for the Boston Alternative Energy Facility (the Facility). Following the Phase 3 statutory consultation which took place in June and July 2019, there have been some changes proposed to the project. As a result of this, there is now an additional round of consultation (Phase 4).

The proposed Facility will be a state-of-the-art power-generation facility located south of Boston, Lincolnshire on the Riverside Industrial Estate, next to The Haven. The Facility will generate 102 megawatts (MW) of renewable energy, of which 80MW will be exported to the National Grid, with the remainder used for the running of the Facility. The proposed Facility remains an Energy from Waste (EfW) facility, although the technology used to treat the waste has now changed from gasification to traditional EfW technology.

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 responsibilities of the MMO include the licensing of activities such as construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters within the UK Marine area by way of a marine licence. The 2009 Act defines the UK Marine area as any area which is submerged at mean high water spring (MHWS) tide up to the seaward limits of the territorial sea, any area of sea within the limits of the exclusive economic zone, along with waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area. Please refer to section 42 of the 2009 Act for full details.



In the case of Nationally Significant Infrastructure Projects (NSIPs), the Planning Act 2008 enables Development Consent Orders (DCO) for projects which affect the marine environment to include provisions which deem marine licences.

As a statutory consultee under the 2008 Planning Act, the MMO provides advice during pre-application stage on those aspects of a project that fall within the MMO's jurisdiction. The MMO considers the impacts of any construction, deposit or removal within the UK marine area on the environment, human health, other legitimate uses of the sea and any other matters considered relevant.

Where a marine licence is deemed within a DCO, the MMO is responsible for post-consent monitoring, variation, enforcement and revocation of any such deemed marine licence.

Further information on licensable activities can be found on the MMO's website. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note.

MMO comments

- The MMO has reviewed the consultation documents received on 11th August 2020. Please find the MMO's comments provided below:

1. Observations

- 1.1. In general, the changes to the proposed project are considered to be minor in regard to previous advice given. As far as the MMO are aware the advice issued 6 August 2019 has yet to be addressed. Therefore, the MMO advises that all comments raised in the advice issued 6 August 2019 is addressed in future documents.
- 1.2. The MMO observes that the previous proposal highlighted the need for high volumes of concrete to be supplied to the site in the early stages of construction. This was to be transported by road. The proposed change will have a concrete batching plant on site and the raw materials for making concrete transported there in larger quantities, thus reducing the overall number of vehicle movements.
- 1.3. To further reduce road transport movements, there will also be delivery of aggregate (for making concrete) via vessels. To make this possible, part of the wharf at the site will be constructed early to allow vessels to deliver raw material whilst the site is being constructed. It is estimated that 132 shipments of aggregate would be required over the construction period.
- 1.4. The MMO would like to highlight that whilst a reduction in the use of vehicles is generally positive, any application should contain a robust consideration of the impacts of the construction of the early part of the wharf. This should include, but should not be limited to, the implications of the additional period of construction and changed timing of works, levels of vessel traffic and impacts to coastal processes.



2. Considerations

- 2.1. The MMO would like to advise you that any application should contain assessment of the proposed project against the East Inshore Marine Plan, including consideration of the relevant policies within the Plan in relation to your application.
- 2.2. The MMO advises that any future application should contain a robust assessment of the relevant baselines, impacts and receptors. In particular, this should include any impacts which the proposed project could have upon local fisheries.
- 2.3. The MMO does not have substantial comments to make on this new update but advise that there is careful consideration of the above points. The MMO advise that these comments be addressed prior to submitting the project to the Planning Inspectorate for examination. The MMO Failure to do so may result in a delay which will pose risk to the project. We also refer back to our previous advice on this project (sent 06 August 2019) and would like to reiterate that those comments need to be addressed within the application.

The MMO reserves the right to make further comments on the project throughout the application process and may modify its present advice or opinion in view of any additional information that may subsequently come to our attention.

Your feedback

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey (<https://www.surveymonkey.com/r/MMOMLcustomer>).

If you require any further information please do not hesitate to contact me using the details provided below.

Yours sincerely,

Marine Licensing Case Officer

D

E

References

Marine and Coastal Access Act 2009, s42. Available at: <https://www.legislation.gov.uk/ukpga/2009/23/contents>

Planning Act 2008. Available at: <https://www.legislation.gov.uk/ukpga/2008/29/contents>



Date: 4 September 2020

Please reply to:

Boston Alternative Energy Facility
RTLY-RLGH-GKSE
FREEPOST
25 Priestgate
Peterborough
PE1 1JL

Planning
Lancaster House, 36 Orchard Street,
Lincoln LN1 1XX
Tel:
E-Mail:

Dear

PHASE 4 CONSULTATION REQUEST BY ALTERNATIVE USE BOSTON PROJECTS LTD FOR THE BOSTON ALTERNATIVE ENERGY FACILITY

Thank you for your letter dated 30 July 2020 and attached newsletter providing an update for the above project at Boston.

It is noted that the project has been put on pause for a number of months to allow for a project review and to reflect on feedback received during earlier consultations. It is also noted that this round of consultation is 'light touch' setting out changes to the scheme since Phase 3 consultation.

As a reminder Lincolnshire County Council responsibilities will address the following aspects of the project:-

- Minerals and Waste – as the Minerals and Waste Local Planning Authority for Lincolnshire;
- Highways and Transportation – as Local Highways Authority for Lincolnshire;
- Waste – as Lincolnshire Waste Disposal Authority;
- Public Rights of Way – as Local Highways Authority;
- Surface Water Flooding and Drainage – as Lead Local Flood Authority for Lincolnshire; and
- Heritage Conservation.

Whilst the Phase 4 consultation provides an overview of the changes and makes assertions of the impact of these it does not provide any supporting information setting out the necessary detail to substantiate these conclusions. Therefore at this stage it is not possible for the Council to provide any detailed feedback of these proposed changes to the project and the Council reserves its position until further supporting information becomes available at the formal application stage consultation.

The following initial comments are provided:-

Traffic Management during Construction – the reduction in traffic movements by road during the construction stage is welcome but further details are required to demonstrate how significant these reductions will be.

Feedstock – it is noted that the feedstock will change to residual waste from Materials Recycling Facilities and it is not proposed to source any of this feedstock from within Lincolnshire. The current Lincolnshire Minerals and Waste Local Plan has a requirement for a single energy recovery facility processing 200,000 tonnes per annum for the duration of the Plan period to 2031. This project does not make any provision for Lincolnshire waste and at 1.2 million tonnes per annum far exceeds the projected capacity shortfall for energy recovery over the Plan period. In preparation of the review of the Lincolnshire Minerals and Waste Local Plan which is due to start next year the Council will be commissioning a waste needs assessment which will provide up-to-date information for the capacity requirements for energy recovery facilities in Lincolnshire and is expected to be available once the project is submitted to the Planning Inspectorate. However, a case needs to be made to show the requirement for a facility of this size fits in with Lincolnshire's requirement for additional energy recovery facilities.

Carbon Capture - the increase in carbon dioxide capture units to two is noted.

Public Footpath - the changes to address the public footpath by the incorporation of a footbridge is noted and when further information is available will be assessed by the Council's footpaths and Heritage specialists.

The County Council looks forward to continuing to work with the applicant's project team as the project evolves further towards formal submission later this year and welcomes the opportunity to comment further as more details about the scheme becomes available.

Yours sincerely

Head of Planning



CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email:

Boston Alternative Energy Facility
By email only

04 September 2020

Dear Project Team,

**Further Section 42 Planning Act 2008: Statutory Consultation
- Boston Alternative Energy Facility**

Thank you for your letter of the 11 August 2020 regarding the Boston Alternative Energy Facility.

HSE's land use planning advice

HSE's advice is unchanged from the previous consultation under Section 42 of The Planning Act 2008 and we acknowledge the Applicant's response to these earlier comments dated 1st October 2019.

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records there are no major accident hazard sites or major accident hazard pipelines within the proposed redline boundary of the allocated waste area and the indicative boundary for the Boston Gasification Plant for this nationally significant infrastructure project. This is based on the indicative red line boundary as illustrated in, for example, the phase three public information booklet.

HSE would not advise against this proposal.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably 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 2015.

Hazardous Substances Consent would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

HSE has no comment to make, as there are no licensed explosive sites in the vicinity.

Electrical Safety

No comment from a planning perspective.

Please note that any further electronic communication on this project should be sent directly to the HSE designated e-mail account for NSIP applications the details of which can be found at the top of this letter.

HSE cannot currently accept hard copy responses, as our buildings are closed. Please could all future correspondence be sent by e-mail.

Yours sincerely

CEMHD4 Policy

Land and Acquisitions

DCO Liaison Officer
Land and Property

Direct tel:

SUBMITTED ELECTRONICALLY:

www.nationalgrid.com

02 September 2020

Dear Sir/Madam

**BOSTON ALTERNATIVE ENERGY FACILITY, RIVERSIDE INDUSTRIAL ESTATE, BOSTON,
LINCOLNSHIRE**

PHASE 4 CONSULTATION

This is a response on behalf of National Grid Electricity Transmission PLC and National Grid Gas PLC. I refer to your letter dated 11th August 2020 regarding Phase Four Consultation on changes made to the above proposed Application.

Having reviewed the consultation documents, I confirm that our comments remain the same as those in our letter dated 3rd July 2019.

Electricity Transmission

National Grid Electricity Transmission has no assets within or in close proximity to the proposed order limits.

Gas Transmission

National Grid Gas has no gas transmission apparatus located within or in close proximity to the proposed order limits.

If you require any further information, please do not hesitate to contact me.

Yours faithfully

DCO Liaison Officer, Land and Acquisitions

From:
To:
Subject: FW: S42: Boston Alternative Energy Facility [SG30132]
Date: 22 September 2020 15:07:00
Attachments: [image005.png](#)
[image002.png](#)
[image004.png](#)
[image007.png](#)
[image009.png](#)
[image011.png](#)
[Leaflet- Boston Alternative Energy Facility.pdf](#)
[BAEF - Phase 4 - Letter to NATS Safeguarding.pdf](#)

From:
Sent: 01 September 2020 11:16
To: consultation@bostonaef.co.uk
Cc:
Subject: RE: S42: Boston Alternative Energy Facility [SG30132]

Dear Sirs, I refer to the Phase 4 consultation for the Boston Alternative Energy Facility. NATS operates no infrastructure within 10km of the site and anticipates no impact from the proposal. Accordingly, it has no comments to make on the application.

Regards

NATS Safeguarding Office



ATC Systems Safeguarding Engineer

D:

E:

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk





Historic England

Direct Dial: 01216256827

Our Ref: PL00438544

Alternative Use Boston Projects Ltd
25 Priestgate
Peterborough
PE1 1JL

20 August 2020

Dear Ms Linay

Thank you for your letter of 11th August 2020 regarding further information on the proposal for the Boston Alternative Energy Facility. On the basis of this information, we do not wish to offer any further comments at this stage.

It is not necessary for us to be consulted on the application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely



Assistant Inspector of Ancient Monuments
E-mail:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone
HistoricEngland.org.uk



REPORT

Boston Alternative Energy Facility - Appendix 6.5

Appendix 6.5 Minutes from meetings with statutory
consultees

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act
Reference: 2008 PB6934-ATH-ZZ-XX-RP-Z-3006.5
Status: Final/0.0
Date: 23 March 2021





Appendix 6.5 Minutes from meetings with statutory consultees

This appendix contains the minutes from meetings during and after Phase Four with statutory consultees.



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Minutes

HaskoningDHV UK Ltd.
Industry & Buildings

Present: (Lincolnshire County Council), (Boston Borough Council),
Project Manager), (Royal HaskoningDHV EIA Co-ordination)
(Athene Communications)

Apologies: [Click to enter "Apologies"](#)

From: Abbie Garry

Date: 19 May 2020

Location: Teleconference

Copy:

Our reference: PB6934-RHD-ZZ-XX-MI-Z-1055

Classification: Project related

Enclosures:

Subject: Boston Alternative Energy Facility Update Meeting with the Boston Borough Council and Lincolnshire County Council

No.	Details	Action
1	Project Update	

Following discussions, the client has decided to move away from gasification to Energy from Waste (EfW) as the gasification technology supplier made the decision to divest their business away from gasification. This has the benefit that there are more reference plants for EfW, as opposed to gasification plants. This is also beneficial from an investment perspective.

Construction

Previous Scheme Detail: concrete was needed for six large silos for storing processed RDF which were to be constructed by slip-form concrete. This requires a high number of vehicle movements during construction. This was a concern for some consultees.

Current Scheme Detail: There will be a concrete batching plant on site. The raw materials for making concrete can be transported in larger quantities, thus reducing vehicle movements. Furthermore, there will be aggregate delivery via ship during construction due to early construction of part of the wharf.

Outcome: Overall there will be a reduction in the volume of concrete necessary as silos are no longer required. There will be a reduction of construction vehicle movements associated with concrete supply.

The calculation of the reduction in traffic movements has not been completed but this can be sent when complete.

The overall construction timeline is the same as with the previous scheme detail, with a 4 year construction time period.

No.	Details	Action
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RDF Supply

Previous Scheme Detail: Main supplier was N&P however they changed their business priorities to 'subcoal' and SRF. Previously the RDF was coming from 3 UK ports.

Current Scheme Detail: The client has engaged with a company called Totus. These have a wider range of ports (11 UK ports) which will lead to a more widespread distribution of source material. Some suppliers will have different bale sizes which could impact on the number of bales per ship. Due to these different sizes there will be consideration of the number of bales per stockpile stored on site to maintain compliance with the 450m³ limit in EA Fire Prevention Plan guidance.

Previous Scheme Detail: Gasification technology had a very specific RDF specification required, hence 1.5 million tonnes of RDF was needed as worst case to cope with potential variation in calorific value and quality and to ensure that sufficient material was available following processing in the RDF Processing building (see below).

Current Scheme Detail: Conventional Energy from Waste (EfW) facilities can cope with wider variances in calorific value and RDF quality, hence the worst case can be reduced to 1.2 million tonnes of RDF.

Therefore, the worst case quantity is reduced by 300,000 tones, leading to approximately 120 less ships are required annually.

The RDF supply will still come from the UK only – not Europe or the Republic of Ireland.

NM asked if we are moving away from black bag waste and whether that would impact on taking supply from the transfer station at Slippery Gowt Lane, which currently transfers waste to the EfW at North Hykeham.

It is the view of the Project team that it is unlikely to impact this. The main source of RDF that Totus will supply is residual recycling material. The calorific value and specification of the local waste would have to be considered to identify whether any further processing would need to be assessed as would other factors that would need to be considered in any procurement decision by Lincolnshire County Council (as waste disposal authority) in this regard.

RDF handling (wharf)

Previous Scheme Detail: One crane at each berth. Cranes offloaded bales and these were removed to the external bale storage area by trailer. Approximately 4 days of supply was anticipated to be stored at the wharf in an area of approximately one hectare.

No.	Details	Action
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Current Scheme Detail:

- Two cranes per berth.
- Automated cranes offloading the ships and moving the bales from the stockpiles to the conveyors.
- Bales can be directly loaded onto the conveyors to be shredded and stored in the EfW bunker.
- Bunker has 4 days of supply.
- External storage area has approximately 1-2 days of supply and which means less storage area is required (between 25 and 50% of previous storage requirements).

Outcome: Reduction in the impacts associated with external storage of bales in a larger area. Increased efficiency in offloading the bales. Reduced health and safety and nuisance risks.

In addition the red line boundary (RLB) has been amended (by contracting the boundary) to exclude a main sewer line, as discussed with Anglian Water.

RDF Pre-Processing

Previous Scheme Detail: Large RDF processing facility involving eight shredding lines and automated segregation of ferrous metal, non-ferrous metal, fine inert material, hard plastic and medium to heavy density inert material. This was required due to the sensitivity of the gasification process. EfW does not require this level of pre-processing.

Current Scheme Detail:

- Increased space and less compact layout by removing this large building and the six 48,000 m³ silos required to store the processed RDF.
- Simplified layout works more efficiently and allows for construction flow to be optimised.
- No pre-processing or segregation, therefore no vehicle movements associated with removal of inert materials or metals off site from the RDF pre-thermal treatment.
- Has allowed for repositioning of the air cooled condenser (ACC) and turbine building to a central point to potentially reduce noise impact from the site.

Thermal Treatment*Previous Scheme Detail:*

- Gasification technology, three line system.
- One combined stack with three cores within, one for each line – approximately 5m width.

No.	Details	Action
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- High level of screening and segregation of metals and inert materials prior to processing etc.

Current Scheme Detail:

- Energy from Waste technology (still three lines).
- Three lines but one individual stack per line, these stacks will be the same height but narrower than the combined stack in the previous design.
- Plant is slightly taller (approximately 4-6m taller)
- There will also be more cladding around this facility which could reduce the noise impact.
- Greater amount of ash and ash processing – ash will be ground and sent to the Lightweight Aggregate (LWA) Facility as previously. Around 10% more aggregate would be produced.
- Metal will be screened from the ash and sent for offsite recycling (but there will be a reduction in the number of lorries compared to previously).

Outcome: There will be an updated Landscape and Visual Impact Assessment with the Zone of Theoretical Visibility checked.

Emissions for the EfW will be required to comply with the new BAT Waste Incineration document issued in December 2019 – this would be the same for gasification – there are no different standards. The emissions of the three separate stacks as opposed to one would be modelled but are unlikely to exceed previous scheme levels.

Other Changes

The red line boundary has been reduced at the southern end, however there is still space for laydown associated with construction of the facility. The operational boundary will likely be reduced to exclude some of this area. This will be represented by the construction and parameter plans produced for the DCO application.

The power output will be the same as previous, as the agreement with Western Power has not changed.

Previous Scheme Detail:

- One carbon dioxide capture unit.
- The Roman Bank (also known as 'Sea Bank') embankment running through the site and a public footpath follows the route. There is a gap in it currently and the previous plan was to route pedestrians down across the gap, which be across a road leading from the main gasification plant to the Lightweight Aggregates Plant and back up the bank (making sure to consider safe passage where this crosses the site road).

Current Scheme Detail:

- Adding another CO₂ capture unit, so two in total. The capacity for further CO₂ units in the future.

No.	Details	Action
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- Amended red line at the wharf storage area.
- Footbridge over the gap in the bank. As this bank has heritage significance this will be discussed with the Lincolnshire County Council heritage team.

MG suggested viewing platforms, improving access etc. Suggested including as part of consultation.

MG asked whether the bale conveyors were open. The conveyor is open near to the external bale storage at the site of the wharf, but then becomes enclosed for the majority of its length. It will have access points from the sides and top via hinged flaps.

Regarding job opportunities, post construction (during operation), there will be around the same number of jobs estimated (around 125). Although there is more automation there will still need to be operators for the cranes etc. With no automation it was estimated there would be around 130-140 jobs.

Heat will be a by-product of the lightweight aggregate facility however there is no opportunity for export of heat and this was not included previously. Instead the heat is used within the lightweight aggregates process.

2 Consultation

The current general arrangement of the site now represents the frozen scheme design and we are not anticipating changes of plant within the boundary. We are still waiting to confirm vehicle movements, parameters plans and elevations, then we can begin consultation.

We have had a preliminary discussion with the Planning Inspectorate. They were content that we didn't need to have a formal consultation process, however the Project team identified that there is a need to inform stakeholders.

For regulators and statutory stakeholders we will plan meetings, hold webinars and send information via email.

We will engage with the public but cannot hold public exhibitions.

We are proposing a 4 week consultation period where we notify members of the public. We propose to undertake a maildrop in the Boston Borough area with a summary of the proposed changes and an opportunity to provide comment with a 28 day consultation window and then a 2 week period where we will consider those comments.

We will also update the website.

As we have already undertaken formal consultation, we are not proposing to update the Statement of Community Consultation (SoCC), as this would

No.	Details	Action
	<p>significantly increase the timescales needed. BBC agreed in the approach to not changing the SoCC and requested that we inform them of when we are ready to go with consultation and provide them with a Briefing Note to outline the changes and proposed consultation strategy that can be distributed to Members.</p> <p>It was suggested that for public and parish councils engagement a webinar could be hosted using an appropriate platform (Facebook live or other social media platform). There is also more access to video calls now, so these could be used such as using Zoom etc which could incorporate a Q&A element.</p> <p>We will also set up calls and digital round table discussions with consultees we have previously been in contact with.</p> <p>We will not be able to produce plant design visuals as 3D images as part of the mail drops but we will update this for the LVIA work as part of the assessment process prior to submission.</p>	<p>Project team to inform BBC and LCC of the beginning of consultation</p> <p>Project team to provide Boston BC and Lincolnshire CC with a briefing note</p>
3	<p>Timescales</p> <p>Aiming for early Q4 submission.</p> <p>It was noted that we should manage expectations by giving stakeholders an idea of timescales.</p>	
4	<p>AOB</p> <p>Noted that there were action/ discussion points from the previous meeting which need highlighting. Pauline to review and highlight the key points.</p> <p>We will have another catch up meeting to discuss any outstanding points during the consultation period.</p> <p>NM asked if there would be contaminated material and metals in the feedstock from the MRF facilities.</p> <p>GB stated that there will be a reduction in the amount of metal captured because the majority of recycle (including metal) would have been removed in the materials recycling facility before the RDF is supplied to the Boston facility, however there would still be some. There would be a screening of metals from the ash.</p> <p>Although there is less material being taken off site for recycling than previously, the material has already been subject to recycling and the current facility is considered a recovery facility (this is the same as for gasification).</p>	<p>PC to circulate previous action points</p>



Minutes

**HaskoningDHV UK Ltd.
Industry & Buildings**

Present: (Natural England (NE)),
(Environment Agency (EA)),
(Lincolnshire Wildlife Trust), (RSPB) (Royal
HaskoningDHV (RHDHV), EIA Project Manager), (RHDHV EIA Co-
ordination), (Terrestrial Ecologist, RHDHV), (Marine and
Coastal Ecology, RHDHV), (Athene Communications)

Apologies: (NE), (RSPB)

From: Abbie Garry
Date: 16 June 2020
Location: Teleconference
Copy:
Our reference: PB6934-RHD-ZZ-XX-MI-Z-1056
Classification: Project related
Enclosures:

Subject: Boston Alternative Energy Facility Update Meeting with Natural England, Environment Agency, Lincolnshire Wildlife Trust and RSPB

No.	Details	Action
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1	Project Update	
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Following discussions with the relevant technology providers, the Applicant has decided to change the thermal treatment technology from gasification to Energy from Waste (EfW). One of the reasons behind this is that the proposed the gasification technology supplier made the decision to divest their business. This has positive outcomes in that are more large-scale reference plants for EfW compared to gasification plants. This is also beneficial from an investment perspective because EfW is proven bankable technology at this scale.

Construction

Previous Scheme Detail: very large amounts of concrete was needed for six large silos (used for storing processed RDF) which were to be constructed by slip-form concrete. This requires a high number of vehicle movements during construction, with more than 10 traffic movements per hour for 26 separate weeks over the construction process, with a peak of 42 traffic movements per hour.

Current Scheme Detail: There will be a concrete batching plant on site. The raw materials for making concrete can be transported in larger quantities, thus reducing vehicle movements. Furthermore, there will be aggregate delivery via ship during construction due to early construction of part of the wharf. This will result in only two separate weeks in the construction period with greater than 10 movements per hour with a peak of 15 movements per hour; and also noting that only 43% of movements will be outside the local area.

No.	Details	Action
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Outcome: Overall there will be a reduction in the volume of concrete necessary as silos are no longer required. There will be a significant reduction of construction vehicle movements associated with concrete supply. Although there will be ships arriving during the construction period, which is a change from previous, there will be an overall net reduction in anticipated number of shipments per year.

The overall construction timeline is the same as with the previous scheme detail, with a 4 year construction time period.

RDF Supply

Previous Scheme Detail: Main supplier was N&P however they changed their business priorities to 'subcoal' and SRF. Previously the RDF was coming from 3 UK ports.

Current Scheme Detail: The client has engaged with a company called Totus. These have a wider range of ports (11 UK ports) which will lead to a more widespread distribution of source material. Some suppliers will have different bale sizes which could impact on the number of bales per ship (but with the same overall gross tonnage approximately 2,500 tonnes). Due to these different sizes there will be consideration of the number of bales per stockpile stored on site to maintain compliance with the 450m³ limit in EA Fire Prevention Plan guidance.

Previous Scheme Detail: Gasification technology had a very specific RDF specification required, hence 1.5 million tonnes of RDF was needed as worst case to cope with potential variation in calorific value and quality and to ensure that sufficient material was available following processing in the RDF Processing building (see below).

Current Scheme Detail: Conventional Energy from Waste (EfW) facilities can cope with wider variances in calorific value and RDF quality, hence the worst case can be reduced to 1.2 million tonnes of RDF.

Therefore, the worst case quantity is reduced by 300,000 tones, leading to an annual reduction of up to approximately 120 less ships.

The RDF supply will still come from the UK only – not Europe or the Republic of Ireland.

RDF handling (wharf)

Previous Scheme Detail: One crane at each berth. Cranes offloaded bales and these were removed to the external bale storage area by trailer. Approximately four days of supply was anticipated to be stored at the wharf in an area of approximately one hectare (42 potential stockpiles of bales).

No.	Details	Action
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Current Scheme Detail:

- Two cranes per berth (still three berthing points along the wharf).
- Automated cranes offloading the ships.
- Bales directly loaded from ship onto the conveyors to be shredded and stored in the EfW bunker, with a contingency arrangement for outside storage at the wharf when the bunker is full.
- Bunker has 4 days of supply.
- External storage area has approximately 1-2 days of supply and which means less storage area is required (between 25 and 50% of previous storage requirements).
- Slope protection has been added to the berthing pocket.

GB to confirm offload timings of the ships.

Outcome: Reduction in the impacts associated with external storage of bales in a larger area. Increased efficiency in offloading the bales. Reduced health and safety and nuisance risks.

There will be no change to the dredging requirements.

HD asked the time taken to offload the ships – GB to confirm.

In addition the red line boundary (RLB) has been amended (by contracting the boundary) to exclude a main sewer line, as discussed with Anglian Water, in order to allow Anglian Water access to the sewer line without coming onto the Facility's secure site.

RDF Pre-Processing

Previous Scheme Detail: Large RDF processing facility involving eight shredding lines and automated segregation of ferrous metal, non-ferrous metal, fine inert material, hard plastic and medium to heavy density inert material. This was required due to the sensitivity of the gasification process. EfW does not require this level of pre-processing.

Current Scheme Detail:

- Increased space and less compact layout by removing this large building and the six 48,000 m³ silos required to store the processed RDF.
- Simplified layout works more efficiently and allows for construction flow to be optimised.
- No pre-processing or segregation, therefore no vehicle movements associated with removal of inert materials or metals off site from the RDF pre-thermal treatment.
- Has allowed for repositioning of the air cooled condenser (ACC) and turbine building to a central point to potentially reduce noise impact from the site.

No.	Details	Action
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Thermal Treatment

Previous Scheme Detail:

- Gasification technology, three line system.
- One combined stack with three cores within, one for each line – approximately 5m diameter.
- High level of screening and segregation of metals and inert materials prior to processing etc.

Current Scheme Detail:

- Energy from Waste technology (still three lines).
- Three lines but one individual stack per line, these stacks will be the same height but narrower than the combined stack in the previous design.
- Plant is slightly taller (approximately 4-6m taller)
- There will also be more cladding around this facility which could reduce the noise impact.
- Greater amount of ash and ash processing – ash will be ground and sent to the Lightweight Aggregate (LWA) Facility as previously. Around 10% more aggregate would be produced.
- Metal will be screened from the ash and sent for offsite recycling (but there will be a reduction in the number of lorries compared to previously).

Outcome: There will be an updated Landscape and Visual Impact Assessment with the Zone of Theoretical Visibility checked.

Emissions for the EfW will be required to comply with the new BAT Waste Incineration document issued in December 2019 – this would be the same for gasification – there are no different standards. The emissions of the three separate stacks as opposed to one would be modelled but are unlikely to exceed previous scheme levels.

Other Changes

The red line boundary has been reduced at the southern end, however there is still space for laydown associated with construction of the facility. The operational boundary will likely be reduced to exclude some of this area. This will be represented by the construction and parameter plans produced for the DCO application.

The power output will be the same as previous (80 MWe), as the agreement with Western Power has not changed.

Previous Scheme Detail:

- One carbon dioxide capture unit.
- The Roman Bank (also known as 'Sea Bank') embankment running through the site and a public footpath follows the route. There is a gap in it currently and the previous plan was to route pedestrians down across the gap, which be across a road leading from the main gasification plant

No.	Details	Action
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to the Lightweight Aggregates Plant and back up the bank (making sure to consider safe passage where this crosses the site road).

Current Scheme Detail:

- Adding another CO₂ capture unit, so two in total.
- Amended red line at the power generation area at the southern end of the site.
- Reduced site footprint with red line which fits the requirements of plant on site.
- Footbridge over the gap in the bank. As this bank has heritage significance the design of the footbridge will be discussed with the Lincolnshire County Council heritage team.

2 Consultation

The current general arrangement of the site now represents the frozen scheme design and we are not anticipating changes of plant within the boundary.

We have had a preliminary discussion with the Planning Inspectorate and with Boston Borough Council and Lincolnshire County Council. They were content that we didn't need to have a formal consultation process, however the Project team identified that there is a need to inform stakeholders.

For regulators and statutory stakeholders we will plan meetings, hold webinars and send information via email.

We will engage with the public but cannot hold public exhibitions.

We are proposing a four week consultation period where we notify members of the public. We propose to undertake a maildrop in the Boston Borough area with a summary of the proposed changes and an opportunity to provide comment with a 28 day consultation window and then a two week period where we will consider those comments.

We will also update the project website, hold webinars/ teleconference opportunities, public phone in sessions and will notify the local press.

As we have already undertaken formal consultation, we are not proposing to update the Statement of Community Consultation (SoCC), as this would significantly increase the timescales needed.

Some of the EIA chapters will not be updated but there will be changes such as for vehicle movements, air quality, landscape and visual impacts etc.

3 Timescales

Aiming for Q4 2020 submission.

No.	Details	Action
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It was noted that we should manage expectations by giving stakeholders an idea of timescales.

4 Ornithological Potential Impacts

For the PEIR, bird data was reviewed and habitats assessed for potential bird use. Bird data was collated from BTO (core count data was available) and was included in the initial analysis. Data from the Boston Barrier Scheme was looked at.

There was a previous site meeting with the RSPB at Frampton Marshes.

Have undertaken surveys for roosting birds and feeding birds. Overwintering bird counts commenced in October 2019 and ran monthly until March 2020. These were undertaken by Anthony Bentley who was recommended by the RSPB.

There were two counts each month, one at low tide and one at high tide.

These were undertaken for two sites Section A (the wharf area) and Section B, towards the Wash.

These surveys have shown the following:

- Overall, 49 bird species were recorded across both sections between October 2019 March 2020;
- 19 species appear on the amber list and 11 are on the red list. Most birds do not occur in significant numbers.
- However, both Redshank and Ruff were shown to occur in locally significant numbers.
- Redshank was recorded in all visits, with the peak count for section A being 162 roosting birds, 2.84% of the estimated winter Wash population.
- Ruff were recorded on eight visits, with a peak count of six roosting birds, estimated to be 8.1% of The Wash population.
- Both counts are significant when the size of the site is taken into consideration and compared to the size of The Wash.

At the entrance to the Haven the following bird survey data was found:

- Counts were undertaken to establish the actual impact of vessel movement in through the mouth of The Haven
- There were high numbers of birds taking flight as larger vessels, or smaller vessels that are moving fast, move past the entrance
- Some of the birds fly around and settle again but many fly off to different roost sites
- It appears that once a certain number of disturbance episodes have been made, the birds have all moved off to alternative sites.

Breeding bird surveys are also ongoing with monthly counts being undertaken by Anthony Bentley covering April to June with two counts per month. These are

No.	Details	Action
	<p>being done following BTO Common Bird Census Instructions. The initial results showed no breeding birds in large quantities. Redshank was not found to be breeding in the area. There has been standard breeding of expected terrestrial species in terrestrial areas.</p> <p>We are still looking at the data and the peak and average numbers. We will look to see if there is a particular habitat which is specific to this site or if there is a similar habitat adjacent. We will also identify whether these areas are important to Frampton Marshes or whether capacity can increase at Frampton Marshes.</p>	
	<p>Questions</p> <p>Q. Will there be a change in feedstock coming from a greater number of sources? A. The type of feedstock (RDF) is not anticipated to change. This is the residual waste element out of materials recycling facilities.</p> <p>Q. Will there be an issue with odour from this plant? A. The sealed bunker will reduce odour as the air will be in a controlled air feed into the thermal process and be treated at 850°C.</p> <p>Q. Can bales be accessed from the covered conveyor? A. There will be flap access to lift the cover off if needed.</p> <p>Q. What is the risk of wind blown debris? A. Bales will be wrapped and if any are damaged they will be re-wrapped on site. There is also a bale quarantine zone for any damaged bales.</p> <p>Q. How long will bales be stored in the external storage area? A. Working on a maximum of five days which will remain. There will be a first in, first out principle.</p> <p>Q. Could two ships be unloaded at once? A. Yes this could happen, ships will come in at high tide.</p> <p>Q. How will you know how long a bale has been baled? Will there be contractual requirements in terms of the quality of bales? A. Bales will be labelled when they are first baled, so we will know when they were baled and where they came from. Time between transfer will be kept at a minimum. It will be within the contract that bales will only be accepted under a specific amount of time since baling.</p> <p>Q. Will each individual line have CEMS monitoring? A. Yes each line will be continually monitored.</p> <p>Q. Has net gain been considered? Are there any additional thoughts with regards to Freiston Shore?</p>	

No.	Details	Action
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A. Once we have all of the data available we will look at the assessment of impacts and consider mitigation. We would look for like to like net gain. If there are any net gain initiatives, opportunities, drivers etc, please can we be advised of these.

Q. RSPB is keen to be involved with the discussions around mitigation and compensation – is there a timeline for this?

A. This will probably around late summer around August / September time.

Q. Will there be any noise bunds or landscaping?

A. We will need to re-do the construction and operational noise assessment. Where there is a need for noise reducing structures these will be implemented.

Q. Will ports where the ships are coming from be assessed?

A. As the main impacts is a local level impact of vessels all coming to the Haven, this is assessed but from the individual ports this is unlikely to be significant.

4 AOB

There are some reports which might be useful to our assessments:

- SMRU Wash Report – new haul out sites within the Wash for Harbour Seals.
- Flyover Report for 2017/18 of Frampton Marsh June/ July time. (the 2019 and 2020 reports are not available).

CA to check reports and data used.

Chris Adnitt to check which reports have been included, if we have not used the SMRU report Amanda Jenkins will send the link.

Present

- , Head of Environmental Operations – Boston Borough Council (Chair)
- , Growth Manager – Boston Borough Council
- , Planning Policy Office – Boston Borough Council
- , Principal Environmental Health Officer – Boston Borough Council
- , Head of Planning - Lincolnshire County Council
- , Assistant Director for Communities – Lincolnshire County Council
- , Head of Waste - Lincolnshire County Council
- , Principal Highways Office – Lincolnshire County Council
- , Trainee Planning Officer – Lincolnshire County Council
- , EIA Project Manager - Royal HaskoningDHV (GB)
- , Director of Community Engagement - Athene Communications

Apologies

- , Executive Assistant - Boston Borough Council
- Economic Development Manager – Boston Borough Council
- , EIA Coordinator - Royal HaskoningDHV
- Boston Borough Council
- , Director of Group and Deputy Chief Executive – Boston Borough Council

1. Notes of the last meeting dated 19 May 2020 / matters arising

No comments

2. Project update from Gary Bower

There has been a lot of work going on in the background, getting the consultation ready and sorting some technical details. We now have a design freeze as of the end of June 2020. GB went through the presentation that documents the changes that have been made since the project pause. The main areas of change are around construction, supply of RDF, how we off-load and store the RDF and the change to thermal technology.

Construction – our main focus has been to reduce transport movements during the construction phase. This has been implemented by including a concrete batching plant on site and we plan to have early construction of part of the wharf, which means we'll be able to bring construction raw materials in by ship. Other aspects are largely unchanged. We are estimating 46-48 months construction, this includes the building and commissioning phase.

Supply – the original supplier wants to move to supply higher grade (calorific value) fuel, so we have identified a new supplier. The new supplier has a wider distribution network. Previously there were three ports, however, this new supplier has access to eleven ports all within the UK. The type of material is residual household waste that has been processed through Materials Recycling Facilities (MRFs) so there is no change to the specification of the supplied refuse derived fuel RDF.

Technology – moving from gasification to conventional thermal treatment by Energy from Waste (EfW). This technology is less sensitive to variances in RDF composition and calorific value so we can reduce the 'worst case' amount of supply.

Wharf – the bales were previously going to be off-loaded by mobile crane and placed onto a mobile trailer which would then remove the bales to an external storage area. Bales would be removed

from the storage area on a first in first out basis and loaded onto a conveyor to be taken for processing. Under the revised proposal the bales will be loaded directly from the ship onto the conveyor and then transferred to a bale splitter and RDF bunker. This reduces double handling. The bunker will have four days' supply, however, there may be the need for contingency storage in the outside storage area at the wharf. This will reduce the number of bales in storage at the wharf by 50%. This will reduce potential nuisance impacts. The number of cranes has increased to two cranes per berth.

Processing of RDF – the reduced sensitivity of the new technology means we now don't need to pre-process the RDF before it goes into the Facility. We don't need to have the ability to separate metals and glass. In the previous proposal we were taking out 300,000 tonnes of potential recyclate but now we don't need to do this which means we are able to manage the layout of the site more effectively. This also has an effect in reducing the number of operational HGV movements that would be required to remove the 300,000 tonnes of separated material from the site.

Thermal changes – we have changed the scheme to have a more linear layout making the plant more efficient and safer to build. The previous layout had the stack from each of the three lines combined into one wide chimney which was 5 metres in diameter. The current proposal has a stack per line, which means they will be much thinner in diameter. The new technology provider's plant is mainly enclosed. This will have some benefits in reducing noise and the revised layout allows the air-cooled condensers to be moved to a more central position and will be further away from residential receptors. With the new process there will be more ash at the back end. This is because there is no pre-processing and separation of material from the RDF before thermal treatment. There will be some screening of the ash. The ash will be ground down into residue and the sent to the on-site aggregate plant.

CO2 capture - We are introducing two CO₂ capture units, which is doubling the capacity compared to the previous scheme.

Changes to the Red Line Boundary (RLB) – the RLB has been amended at the north of the site beyond the extent of the RDF bale contingency storage area so that it doesn't include the line of the main sewer. This means that Anglian Water don't need to come on the site to do any work to the sewer. The redline is also changed at the southern boundary of the site because the revised layout means that there is less space required. The revised redline boundary will run more closely to the area required for the power export substation.

We have now created more of an option for potential landscaping and screening of the site in the south-western corner and are investigating this further.

There is no change to the proposed 80MW power output or the turbine technology, nor any changes to the lightweight aggregate technology. However, more ash will be produced, therefore more aggregate will be produced.

Footbridge - We are looking to put a footbridge across a gap in the Roman Bank (Sea Bank) along the public footpaths at no point do pedestrians have to access to the site. This is still being discussed.

Consultation - These changes are largely positive so will reduce the footprint of the site, and potentially reduce transport and reduce impacts. There are some potential negative issues e.g. moving from one wide stack to three individual stacks for the EfW is a change that needs to be

assessed. The plant will also be slightly taller; changing from 38 to 44 metres high. This still needs to be assessed, however, most topics will remain unchanged.

We have spoken to the Planning Inspectorate (PINS) about the approach to consultation and we proposed an informal approach over a 28-day period. PINS were supportive, however, required that the project find ways of engaging with the public. As we cannot meet face to face we're using a newsletter and are hosting two webinars and a telephone surgery. We anticipate submission in November 2020, however, are mindful there could be some outcomes from the consultation that changes this but we don't anticipate any.

Questions / comment invited:

MG - is a resident who received the newsletter and it is very clear explaining the changes. He has spoken to friends who have also commented about how good it is.

CA - said his portfolio holder has received the newsletter and her invite to a stakeholder meeting.

ND – you speak about reducing transport but has that been quantified. GB – yes this is being worked on. Numbers are less and there are fewer instances of busy weeks.

ND – have you decided on traffic routes. We spoke in the early days about the Spirit of Endeavor roundabout and making sure the town is avoided. What alternatives have been looked at? GB - we have looked at traffic numbers based on where the movements will be. We looked inside the industrial estate and local roads within one mile and also those coming from wider. The Construction Traffic Management Plan (CTMP) will identify the optimum routes. ND – would prefer the traffic coming in from the south, rather than west or north. GB – we share that preference. Note that the Transport assessment will feed into the air quality and noise assessments.

NM – in terms of the info supporting the consultation, there isn't a lot behind it, where they can look at the details to say whether they think they're acceptable. When will this information be available, will it be at submission or will there be another round of consultation? GB – this round is solely about notifying the public and the PEIR represents the worst-case position. This is purely a consultation to inform that there is a change. BBC and LCC will see early sight of the EIA work. There is an interim period prior to submission where draft assessment findings can be shared with relevant stakeholders. This is likely to be in September. NM - will this be formal? GB – no, this is purely for comment, but it is useful to gather your input before we submit.

CA – as you have previously hosted exhibitions are you using the website to share wider information? GB – the newsletter is on the website and the links to the PEIR remain visible.

JS – learning from experience with other big projects in the area (for example Triton Knoll), the CTMP states that vehicles will display a prominent logo clearly identifying they're working as part of the project. Can this be incorporated in? GB – this is something that will be included. We will also recommend routes and tracking using a cab GPS system.

JS – it would be good to know where the source materials are from. He wasn't aware until recently that some of the road on the Riverside Industrial Estate were private roads.

MG - we need to consider the McMillan Way and the public footpath and the opportunities this creates in relation to tourism. Assume previous comments will be picked up e.g. the views from the RSPB nature reserve and the impact on 'the Stump' as a Grade I listed building. It would be good to have early site of the LVIA and heritage work. He can help set up early meetings. GB –The footpath will be improved as part of the project and a meeting with heritage stakeholders will be welcome.

ND – on the traffic movements, will part of the CTMP be to avoid peak traffic hours? GB - Yes

ND – are you using a turning circle in the Haven or the port. Has there been any further discussion?

GB – the port wants to retain the right to choose. They will dictate by shipment. It will take approximately 10-15 minutes to turn at the knuckle and 30 minutes to turn the port. ND – there is a potential for using both so if there were problems then we could speak nicely to the port.

ND – there could be potential for complaints from a local company called DCI (manufacture recycled ink, inkjet cartridges and toner) about the dust from the concrete batching plant impacting their equipment. Can the concrete batching plant be moved elsewhere? Can it be switched with the construction area? GB – will see if it can be switched.

Traffic Movement – GB - this was a priority issue last year. Lots of design changes have reduced the traffic movements. GB – this chapter is likely to be available first (hopefully 3rd week of August) and it will be good to have a transport specific meeting. HGV information relating to waste vehicle movements at Slippery Gowt Transfer Station has been fed to the transport team giving an indication of movements. We now have a wider package of info for transport numbers. ND – how soon after the transport chapter will the air quality chapter be available? GB – this will follow about a week or so behind. The latest annual screen assessment has been sent to DEFRA **Action – ND to provide a copy to GB.**

MG – where has the project team got in their discussions in relation to the Southern access (the haul road)? He believes this has been discounted but says BBC is still looking at it via alternative schemes. Is there a strategy for people travelling to work on the site and will there be collection of workers from Boston town-centre car parks? There are also potential opportunities to improve cycling and the people strategy. GB - we moved away from a minibus collection from the town centre. Instead, there will be two contractor car parks. A minibus will be used to transport workers from the contractor car parks to specific points of work on site.

Waste Processing – GB - previous concerns were about the recyclables coming out of the facility. We carried out some investigative work at the time and Mick George agreed to take a large proportion of the segregated recyclable material from the RDF Processing facility. However, with the design change the amount of segregated material will be significantly reduced (from 300,000 tonnes to 5,000 tonnes) and can be dealt with locally.

NM – we are looking to review our minerals and waste local plan and wants to look at the capacity gap they have and examine if the Facility can be available to deal with Lincolnshire household waste, and municipal-like commercial and industrial instead of sending it abroad. They will bring this to the attention of the examiner at the examination waste stage. GB – are there any studies that can be shared? NM – This was last updated in 2015 and is public document so can be shared. **Action – NM to share info with GB.** The latest info will be available before we get to examination.

MG – confidence in the carbon capture – so this is a real positive. The agri-food sector is keen to see this

Consultation – CA – BBC is hosting GB at the scrutiny committee on 8 September. ND – LCC still need to identify at what stage they'll take it to committee. They're not sure they have the information yet to be able to do this. It may be a bit premature at this stage. The next stage is when the DCO starts properly. It will probably be at this stage as NSIPs usually go to the planning and regulation committee, but they'll have some internal discussions which the relevant committee is. GB – Our recent experience with PINS has identified that the pre-examination stage is stretching out to around 6 months. So there is plenty of opportunity pre-examination to get the points agreed and clarified. ND – LCC will provide a response but it will be caveated that they can't make a definitive

view at this stage (i.e. before submission) as they don't have all the information. It is too premature to give a firm commitment to whether they support the Facility or not.

Design – GB – we spoke previously about how the wharf will evolve and we now have some outline information. GB to share after the meeting the high-level designs to give an ideal of the layout.

Action – *GB to share high-level design of the wharf.*

Air Quality / Noise Pollution / Light Pollution / Noise Assessment – ND - we need to wait to see the assessment now. It's not worth discussing anything further. Concerns have been raised previously so GB is aware. The good news is that the changes have made it likely to be less noisy, so hopefully this is a bonus but they need to see facts and figures. GB – we will review noise and air quality assessment. We are guided by PINS' Scoping Opinion on the light assessment. ND – major area of concern is the unloading process as this is likely to be 24-hour process. Housing is across the river. Need to see the impacts. GB – we're conscious of this and it is useful to us to inform our work.

Fire Prevention Plan – GB - the client has a fire prevention advisor on his team. This will be a major document to inform the environmental permit for the site and we also propose to submit an outline fire prevention plan with the DCO application

Market Place Visitors Centre – CA – is it still the intention to have a visitor centre in the Market Place and on site? – GB – definitely on site. This hasn't been ruled out in the town and will be discussed nearer the time. MG – it would be a good tick box to have it in the town. Opportunities for engagement will be greatly increased. GB – particularly in the construction phase is advantageous, so we will look at this.

Heritage Impacts – GB – we had a meeting with heritage stakeholders, and they wanted confidence about what we don't know. We have done a lot of desktop work and they've appreciated this. They wanted to know about any potential hidden assets, so we're doing geophysical surveys of the area where the thermal treatment facility will be (which is landward of the original path of the River Witham before it was canalised in the early 19th century) MG – what public benefits can be squeezed out of this? CA- a visitor centre on site will be a good opportunity for this to identify any heritage significance.

Economic Developments – CA – discussed at end of last year to coordinate briefings or seminars with CO₂ users. MG – this happened and led to the change in the scheme. There is a demand locally. It would be good to build the links with the college, particularly in relation to apprenticeships.

Local Community Fund – GB – the client is positive about having a community led fund and this is on the horizon.

- **Apprenticeship Scheme** – still a project commitment to this
- **Tourism** – Haven Countryside Park – previous minutes stated it was managed by Boston Woods Trust – PU says this isn't the case and isn't correct. MG – BBC recently approved a piece of artwork near the Pilgrim Fathers Memorial Stone. Could the Project do anything similar? Would like to have this discussion at the appropriate time as to what can be done. PU – is the visitor centre just before construction? – GB – the main focus is afterwards. **Action** – *Boston Borough Council to confirm who is responsible for the management of Havenside Country Park and amend 1st paragraph of page 13 of the 'BAEF OUTSTANDING ACTIONS 22 05 2020.doc' accordingly and circulate an updated version*

AOB

GB – we have met with the EA drainage board and Lead Local Flood Authority

JS – where does the power get connected into the grid? GB – we will build a substation on the southern edge of site that we will connect into the pylon. No underground cable route (e.g. to the substation at Bicker Fen) is required.

MG – can we talk about PPA arrangements in terms of the examination process? As things move forward we'd like to have that conversation. GB – we'll pick that up in the pre-examination stage.

NM – PPA was mentioned very early on. We'd like to have that discussion.

CA – MS has been trying to organise a meeting to meet with the landowner. GB – not aware of this.

MG – this links to the southern access route conversation. **ACTION - GB to contact Alan and ask him to get in contact with Michelle.**

GB – We need to set up meetings to discuss transport data and then air quality and noise. MG – suggested a full day session CA -this would be good to tie in with the scrutiny panel.

ND – ideally it would be good to have a meeting about all three as they are so interlinked. GB – happy with this as an approach.

JC – how much heat is produced during the power generation? GB – we don't know the amount but the heat we do produce will be reused within the scheme and there is no plan to distribute heat externally.

CA - to circulate the minutes once they are ready.

Meeting with Port of Boston – 10 September 2020

Via Teams

Present:

(RW), Port of Boston Harbour Master

(NH), NAH Consulting (official representative of the Port of Boston)

(GB), RHDHV – Boston Alternative Energy Facility project

(LE), Athene Communications – Boston Alternative Energy Facility project

1. GB provided an update on the project, in particular the background to the decision to move away from using gasification technology to more traditional thermal treatment energy from waste technology. He explained how this will reduce the potential number of HGV movements but will see the introduction of the use of ships during the construction phase as well as during the operation of the Facility. Previously the proposal had been to only use ships during the operation of the Facility.
2. GB also provided an update on the timing of the project and how it is proposed that a Development Consent Order (DCO) will be submitted to the Planning Inspectorate at the end of November. The Environmental Statement, which will be submitted with the DCO, will include a chapter on Navigation. Work will continue during the examination process on navigational risk assessment work and the project will work with the Port of Boston on this.
3. The session then opened for questions. Key issues raised were:
 - the fundamental reason why the project had targeted gasification in the first instance. GB explained that gasification from a plant perspective is more efficient and that there had been a desire to use gasification as it was a newer technology and offered the potential for the Facility to be the flagship gasification project in the UK. Ultimately, however, there was too much risk with being able to secure a supplier and so the decision had been made to move to thermal treatment energy from waste technology.
 - whether Phil Callen is still leading the project and, if so, whether his intention is to develop the Facility and then to sell it onto an operator. GB confirmed that Phil is still leading the project and that he intends to retain significant involvement in the project once the Facility has been constructed.
 - the likely reduction in shipping during the operation phase. GB explained that there would be around 130/132 ship movements during the two- year construction period and around 50 fewer ship movements (per year) than had previously been estimated during operation. The figures are currently being reviewed as part of producing the Navigation Chapter and GB will circulate them to the Port of Boston as soon as they are available – possibly within the next two weeks. Also agreed to send a copy of the Navigation

Chapter with changes highlighted and a “clean copy” without track changes. **Action – GB to share updated shipping figures and Navigation Chapter with Port of Boston**

- whether the fact that ships would be coming from a larger number of ports means that there will be more variety in the shipping travelling to the Facility. GB explained that the project was looking for consistency in the types of ships that would be used and offered to send NH and RW a list of ports that would be used. **Action – GB to send Port of Boston a list of ports**
 - RDF packaging does not appear to fair well. How will the Facility ensure that plastic waste does not go into the river? GB explained that contracts will be clear that damaged bales should not be put onto ships in the first place. If the bales are damaged while on a ship they will be secured and then sent to a re-baling facility on site. Any overheating bales would be sent to the quarantine area and dealt with.
 - Whether the shipping parameters would be the same under the revised proposals. GB confirmed that they would and agreed to send his presentation to NH and RW. **Action – GB to share presentation with Port of Boston**
4. NH also highlighted an underlying issue regarding the need to formalise a legal agreement on some key matters such as turning vessels in the river. NH had had initial discussions with Phil Callen about this building on the approach which had been used for the Boston Barrier where an agreement was signed with the Environment Agency. He said these were not contentious issues but there had been no progress on getting the agreement in place. He explained that at the point the DCO application is submitted the pathway becomes prescribed and the Port of Boston’s current position is that it will object in the absence of a legal agreement.
5. NH said that he would drop Phil Callen a note to reinforce the Port of Boston’s support for the scheme in principle but that it would have to object to the application if no agreement is in place at the point that it is consulted about the proposal. GB said that he would also contact Richard Marsh at BDB Pitmans about this and pass NH’s contact details to Richard. **Action – GB to raise with Richard Marsh and pass NH’s contact details to him**

Minutes

**HaskoningDHV UK Ltd.
Industry & Buildings**

Present: (RSPB)
and (RHDHV)
Apologies: Click to enter "Apologies"
From:
Date: 13 October 2020
Location: Teleconference
Copy:
Our reference: PB6934-RHD-ZZ-XX-MI-Z-1062
Classification: Project related
Enclosures:

Subject: Boston Alternative Energy Facility Meeting with RSPB

No.	Details	Action
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1	RSPB have no comments on the updates to the scheme.	
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Update on assessment

Have identified a potential major adverse significance for disturbance to birds as a function of the wider site due to a number of impacts in combination (loss of habitat and disturbance at development site and by vessels at the mouth of The Haven. There is a high water roost at the mouth of the Haven.

There is potential for vessel movements to have an impact on roosting. The monitoring surveys showed that disturbance did occur when large vessels went by. The monitoring showed how far away and where birds flew to when disturbed by vessel traffic on the Haven (up to 800 m away).

There is potential to mitigate the loss of feeding and roosting habitat through provision of similar habitat elsewhere.

There are currently around 11,000 vessels in the Wash per year, the Facility will introduce an additional 580 vessels. There wouldn't be more than two vessels at any one point in time. There will be approximately 12 vessels a week which will only be able to access the site at around high tide. This frequency will be maintained throughout the year.

RSPB mentioned that offshore wind farms have affected red throated diver.

2 Habitat creation options and discussion

Options were discussed which could form a mitigation package: habitat creation at Freiston Shore and habitat improvement at Frampton Marshes.

Initial ideas included looking to support Frampton Marshes and Freiston Shore through creating additional habitat for roosting birds.

No. Details**Action**

One idea was for Freiston where there is breach in the seawall creating habitat already. There are two islands created by the breaches and these could be improved in terms of the habitat they could provide, through the placement of cockle shell or shingle which could be better for roosting, particularly if the profile was lowered and sloped. However, there may be issues with this approach in relation to Natural England's use of the area and it could be difficult to get to and manage. The mid-point of the crest of the bank is the boundary of the Site of Special Scientific Interest and Special Protection Area. If the bank was to be adjusted this may impact on the saltmarsh and Natural England would have to be consulted.

There is also an existing saline lagoon at Frampton Marshes which is used by roosting redshank, this could be improved to make conditions more favourable and is closer to the site than Freiston. This is used by oyster catchers, turnstone and dunlin.

The RSPB has planning permission and a permit for an additional shallow saline lagoon which would provide feeding, roosting and breeding habitats. This will be a 19 hectare lagoon with a suite of islands for roosting and breeding waders. This site could provide habitat for several species, including ruff. The site is not as popular for redshank but could provide some habitat for them as mitigation.

They are breaking ground to satisfy planning by March. They will run water through a culvert into the lagoon to provide habitat for stickleback for feeding. This will be shallower than the existing lagoon, around 40 cm in depth.

Another option discussed was for vegetation clearance and general management to maintain a feeding habitat for waders such as golden plover, lapwing and redshank at Frampton Marshes as succession is causing creation of a fen / reedbed which is less suitable for feeding waders. Shallow drains also require an ongoing maintenance programme.

Overall it was concluded that there was potential that support for these projects could provide mitigation for the impacts on birds but would require additional work to determine the overall approach and the amount of habitat that could be provided.

3 Terrestrial Ecology

There will be removal of hedgerows in the proposed development sites but there are no schedule 1 species present.

Mitigation measures will include vegetation removal outside the breeding bird season. There will be replanting around the edges of the site. There will be enhancement or improvement of retained hedgerows.

No.	Details	Action
4	<p>It was mentioned that we could contact the Boston woods trust for wood, meadow and hedgerows.</p> <p>AOB</p> <p>A follow up meeting was proposed to be held with RSPB and NE to further discuss options, and meetings will continue following submission of the DCO application.</p> <p>The Marine Ecology and Terrestrial Ecology chapters and HRA will be sent to RSPB pre-application.</p>	<p>RHDHV to send chapters and HRA to RSPB</p>



HaskoningDHV UK Ltd.
Industry & Buildings

Minutes

Present: (RSPB), (Natural England),
and (RHDHV)
Apologies: (Lincolnshire Wildlife Trust)
From: Abbie Garry
Date: 22 October 2020
Location: Teleconference
Copy:
Our reference: PB6934-RHD-ZZ-XX-MI-Z-1063
Classification: Project related
Enclosures:

Subject: Boston Alternative Energy Facility Meeting with NE and RSPB

No.	Details	Action
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1 Marine Ecology

CA gave a summary of the discussion with the RSPB (on the 13th October) regarding the potential options for habitat creation. This included the potential for improvement of island habitat at Freiston and maintenance at Frampton Marshes developing these options further. The most likely option being for lagoon creation and maintenance work at Frampton Marshes.

It was agreed that RHDHV would work with RSPB to develop the mitigation and to keep Natural England informed. **RHDHV**

RHDHV will be looking at a net gain calculation – RD mentioned she would be happy to review this. **RHDHV and RD**

More details on the assessment of impacts on seals have been added into the Environmental Statement which includes noise and disturbance. The conclusion of the assessment has been a minor impact with best practice measures in place.

RD mentioned the ‘Natural England the Wash Marine Mammals’ good practice which she could send to us. **RD**

2 Terrestrial Ecology

Water vole

In response to previous comments from Natural England and RSPB, a re-survey effort of all ditches within the Site for water voles has been undertaken in 2019. No evidence of water voles had been noted and therefore this species remains to be considered absent. However, CS advised that a pre-construction survey for water voles of all previously surveyed ditches will be undertaken. Natural England and RSPB agreed to this conclusion and approach.

Bats

No.	Details	Action
	<p>CS advised that no potential bat roosting habitat had been recorded within the Site. However, the linear features such as hedgerows and the river had been assessed as suitable to support foraging and commuting bats. Therefore, a suite of monthly activity transect surveys were undertaken between June and September 2019, the findings of which have been used to inform the ecological impact assessment of the ES chapter.</p> <p>The monthly activity transect surveys recorded a number of foraging/commuting bats, albeit in low numbers. The highest number of bat passes was 10 and this was recorded during the July survey visit. The foraging/commuting bats recorded during the surveys were concentrated along the hedgerow and flood bank adjacent to the river, with the key species being common and soprano pipistrelles.</p> <p>There will be a requirement to remove hedgerows, however the landscape mitigation planting proposals includes the replacement of removed hedgerows and/or enhancement of retained hedgerows (i.e. through in-filling of gaps and/or increasing species composition). All proposed mitigation planting will be within the order limits.</p> <p>Landscape planting for shrubs will be proposed to be species which would be suitable for species of bird and bat, such as berries and nectar, and to encourage invertebrates.</p> <p><i>Birds</i></p> <p>The breeding bird survey was undertaken and concentrated on the landside of the development this year (2020) between April and June. There were three visits which ranged between 19 – 28 species.</p> <p>There were no schedule 1 species or schedule 1 habitats recorded.</p> <p>There were birds of conservation concern in terms of the amber and red listed species but these were noted as using the site for foraging/loafing rather than as a nesting site.</p> <p>There were no birds nesting within the site but the site was used for foraging, loafing and singing.</p> <p>Similar to bats there will be a requirement to remove habitat and scattered and dense scrub.</p> <p>Embedded mitigation measures will include removal of vegetation outside of the core breeding bird season over winter. If this is not possible, there will be pre-clearance checks 24 hrs before.</p>	

No.	Details	Action
	<p>There are some opportunities for replacement bird habitat through the implementation of the landscape mitigation planting proposals.</p> <p>SM noted that this approach was sensible. Mentioned that improving existing areas is a good idea.</p> <p>Requested any plans to where the mitigation planting might be.</p> <p>CS – the ecological mitigation will be linked in with the landscaping work.</p> <p>Bird and bat boxes will be considered but also we don't want to increase future maintenance licencing.</p> <p>SM mentioned that of the species mentioned she didn't think bird boxes would be a must, but that she would go over the surveys and check.</p>	SM
3	<p>AOB</p> <p>Once we have finalised the legal comments on the chapters and HRA we would be able to send them back. We would not be looking for comments on these chapters.</p> <p>RSPB team are going through due diligence checks. Sarah or another RSPB team member will ask any questions.</p> <p>We suggested we should arrange another meeting with RSPB.</p> <p>The net gain document may also be provided.</p>	Send all ecology chapters and HRA when legal comments are addressed.

From:
To:
Cc:
Subject: RE: Boston AEF project
Date: 03 November 2020 08:12:30

Hi Ros

Thank you for the email.

We will still send them anyway, but we understand the issue.

Kind regards
Gary

Gary Bower BSc (Hons), CRWM, MCIWM
Associate Director
Environment Group
Industry & Buildings – Europe

T: | Mobile: | E:

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P Please consider the environment before printing this e-mail

From:
Sent: 02 November 2020 18:29
To:
Subject: Boston AEF project

Hi Gary

It was good to catch up with you and your team on 22nd October. At that meeting we discussed the possibility of reviewing some draft chapters of the Environment Report before submission. After discussing this point with my colleagues it is unlikely that we would be able to provide feedback to draft versions at this stage due to challenges with our staff resourcing. However we look forward to viewing the complete documents when you submit the application to the Planning Inspectorate at the end of November.

Kind regards
Ros

Senior Adviser

Minutes

**HaskoningDHV UK Ltd.
Industry & Buildings**

Present: (Carter Jonas, agent for The Crown Estate) (GH), (PS) and
(Royal HaskoningDHV) (AG), (SR) and
(BDB Pitmans) (RM)

Apologies:

From: Abbie Garry

Date: 18 January 2021

Location: Video conference via Teams

Copy:

Our reference: PB6934-RHD-ZZ-XX-MI-Z-1066

Classification: Project related

Enclosures:

Subject: Boston Alternative Energy Facility TCE Meeting

Number	Details	Action
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1	Update on Boston Alternative Energy Facility (BAEF)	
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PS and AG gave a brief explanation of the proposed scheme and wharf/dredging (to -3.5m OD) component along with explanation of the previously discussed Order Limit and the proposed (updated) Order Limit. The previous Order limits extended to Mean High Water (MHW) but to take into account a more realistic account of the bed levels the Order limit is now proposed to be moved to the centre of the river (i.e. beyond MHW in to Crown land). There will be no structures below MHW, only capital and maintenance dredging. Additionally, the Order limit to the south of the wharf has been extended to cover any requirement for scour protection.

Changes to the Order Limit are shown on the plan emailed in advance of the meeting.

PS confirmed that the amount of dredge material has not changed since the previous information, however we can re-send these volumes if required.

AG explained that dredged sediments would not be disposed of offshore but used as a binder within the lightweight aggregate plant (i.e. removed from the estuary and used within the Boston AEF).

The Port of Boston already dredge the river and the maintenance dredge for the berthing pocket will be included as part of their routine maintenance dredge campaign.

Number	Details	Action
2	Property rights required for capital and ongoing maintenance dredging	
	<p>GH confirmed that as there are no structures to be built on the Crown Land a lease would not be required.</p>	
	<p>Previously the Crown was taking a view that where structure was not on Crown land, there would be some sort of agreement in place where there is beneficial use of dredging.</p>	
	<p>GH explained that in a change to the previous position, and The Crown Estate would potentially seek to levy an annual frontage charge for development. GH explained that this has recently been required for the York Potash DCO scheme on the Tees Estuary. This annual payment is based on the value of the hinterland behind the frontage per linear metre. RM asked if there was any TCE documentation / policy setting out further detail of this new policy. GH stated that he did not have this but it would be set out in correspondence back to the Boston AEF team.</p>	<p>GH to confirm the position regarding the frontage charge, identifying what the charges would be and the underpinning requirement/policy. (01/02/21).</p>
	<p>RM stated that the Applicant is keen to submit the DCO application as soon as possible. It would be useful to show the Planning Inspectorate that we are aware of the 'end goal' and that sufficient progress has been made towards that goal. It was noted that the York Potash frontage charge agreement was negotiated outwith the York Potash DCO process.</p>	<p>GH to ask The Crown Estate if they can supply a letter setting out this principle. (01/02/21).</p>
	<p>RM stated that it would be useful to have a document from The Crown Estate which evidences TCE's agreement in principle to BAEF and acknowledging that the compulsory acquisition of rights / interests in respect of the Haven is not required. This would allow the DCO to progress with the application but with negotiations continuing in parallel with the DCO Examination.</p>	<p>GH to confirm stance on compulsory acquisition.</p>
	<p>PS confirmed that the DCO would be resubmitted in Q1 2021.</p>	
	<p>It was suggested that funding could be discussed and agreed through examination or after permission has been granted.</p>	
	<p>It was noted that there would be nothing additional needed for the DCO in relation to The Crown Estate.</p>	
	<p>PS outlined that the Deemed Marine Licence would include the dredging. GH added that a landlord's consent to do the</p>	

Number	Details	Action
	works would be required covering the rights to dredge Crown land, and this would be separate to MMO licencing.	
	GH to consider who will be the party to the agreement and whether any guarantees are required.	GH to consider questions around parties to agreement (01/02/21).
3	<p>Statement of Common Ground (SoCG)</p> <p>Previously GH has only come across a statutory notice rather than a SoCG. PS suggested it could be quite simple and include dates of meetings and consultation. GH to consider the necessity of a SoCG and respond. PS agreed it may not be necessary but would appreciate The Crown Estate's view on the matter.</p>	GH to discuss and consider the necessity of a SoCG (01/02/21).
4	<p>The Crown Estate Costs</p> <p>GH to send email of estimated budget figure for the DCO consultation from The Crown Estate based on recovery of the agent's costs (GH at £185/hr + VAT and assistant at £105/hr + VAT) and legal costs. The billing schedule would be every quarter or six months, depending on what's reasonable.</p>	GH to provide a cost estimate for this cost recovery element.
5	<p>AOB</p> <p>GH noted that during March/April he will be largely unavailable</p> <p>The revised draft Deemed Marine Licence (DML) will be sent to GH for comment.</p> <p>AG stated that the project description and marine chapters of the Environmental Statement can also be provided if required.</p>	<p>BDB Pitmans to send draft DML once updated.</p> <p>RHDHV to send any relevant chapters.</p>

Minutes

**HaskoningDHV UK Ltd.
Industry & Buildings**

Present: (Carter Jonas, agent for The Crown Estate) (GH), (PS) and
(Royal HaskoningDHV) (AG), (SR), (RM)
and (RH) (BDB Pitmans) and (PK) (Terraquest).

Apologies:

From: Abbie Garry

Date: 01 February 2021

Location: Video conference via Teams

Copy:

Our reference: PB6934-RHD-ZZ-XX-MI-Z-1067

Classification: Project related

Enclosures:

Subject: Boston Alternative Energy Facility The Crown Estate (TCE) Meeting 2

Number**Details****Action**

1

Previous Meeting Actions.

PS ran through previous meeting minutes for actions. GH confirmed he hadn't been able to complete his actions yet but will liaise with Gary at The Crown Estate for a response. GH also confirmed he would review the minutes from the meeting on the 18.01.21.

It was confirmed that the key action would be to have an agreement in principle to the scheme from a consultation perspective, rather than finalising the commercial negotiation.

GH confirmed that with regards to the frontage charge which has been implemented on previous schemes where there is sterilisation or prevention of the Crown from granting any other rights on the river, that this was not based on a policy.

It was confirmed that the DCO submission is expected to be w/c 15th February and therefore an agreement in principle would be preferable as soon as possible.

It was mentioned that a Statement of Common Ground may be required to include details of correspondence with TCE. But this wouldn't be required until after the application submission.

Costs – GH would aim to keep these simple based on the predicted meetings.

GH to review previous actions and minutes from meeting on 18.01.21.

GH to consult with The Crown Estate and provide a response in advance of the 15/02/21 if possible

Number	Details	Action
2	<p data-bbox="395 412 975 450">Change in Mean High Water Springs (MHWS)</p> <p data-bbox="395 483 1161 551">AG mentioned that following dredging there would be a change in MHWS to be under the wharf.</p> <p data-bbox="395 584 1161 786">GH confirmed that the Crown's land ownership does not change if the location of MHWS changes due to anthropogenic causes. Therefore land ownership will stay as at present following the capital dredge and there is no need to reflect change in MHWS on any dredge co-ordinate plan for The Crown Estate.</p> <p data-bbox="395 819 1161 965">It was confirmed that the BDB Pitmans would be able to send out a draft deemed Marine Licence in the next few days to GH to review. An updated plan of the dredge co-ordinates would also be supplied.</p>	<p data-bbox="1219 725 1425 860">BDBP to send updated deemed Marine Licence</p> <p data-bbox="1219 898 1425 999">RHDHV to send updated dredging plan.</p>
3	<p data-bbox="395 999 639 1037">Unregistered Land</p> <p data-bbox="395 1070 1161 1137">PK mentioned there is some unregistered land which is required for the scour protection.</p> <p data-bbox="395 1171 1161 1238">GH mentioned that in some cases the Crown has registered unregistered land by a royal prerogative.</p> <p data-bbox="395 1272 1161 1308">PK noted he would send GH an email separately on this point.</p>	<p data-bbox="1219 1173 1425 1272">PK to email GH on unregistered land.</p>

Minutes

**HaskoningDHV UK Ltd.
Industry & Buildings**

Present: (CA), (PS), (AG) and (BH)
(RHDHV), (SW), (RW) (AUBP),
(RM) and (SR) (BDB Pitmans), (RD),
(LD), (LB), (RG) and (DD) (Natural
England), (PP), (JB), (AD) (RSPB),
(SF) (Lincolnshire Wildlife Trust).

Apologies:

From: Abbie Garry
Date: 08 February 2021
Location: Teams
Copy: All attendees
Our reference: PB6934-RHD-ZZ-XX-MI-Z-1069
Classification: Project related
Enclosures:

Subject: Boston Alternative Energy Facility RSPB, NE and LWT Meeting

Number	Details	Action
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1

Description of the Boston Alternative Energy Facility

PS gave a brief overview of the scheme, key points below:

- Energy from Waste development with generating capacity of 102 megawatts electric (MWe) delivering 80 MWe to the National Grid;
- Refuse Derived Fuel (RDF) dispatched from UK ports;
- RDF bales (wrapped in plastic) will arrive via The Haven and are unloaded directly onto a conveyor for transfer to the bale shredding facility. There is also a temporary external storage area for contingency when the bunker is at capacity;
- Bales are split open in the bale shredding facility and RDF is transferred to a bunker;
- The feedstock is converted into energy using thermal treatment;
- There are two carbon dioxide (CO₂) recovery plants which will recover a proportion of the CO₂ to be used offsite in a range of industries such as food grade CO₂;
- 80 MWe will be exported to the National Grid via an onsite grid connection and substation;
- Ash and air pollution control residues are produced as a by-product of the thermal treatment process and will be transferred to the Lightweight Aggregate plant where it will produce aggregate, using dredged river sediment as a binder, or clay where this is not available; and
- The lightweight aggregate product will be removed by ship.

It was noted that the Applicant has been in consultation with the Port of Boston on navigational arrangements.

2

DCO Process Summary

A DCO application was made on 30th November 2020. Feedback was received from the Planning Inspectorate (PINS) that noted a few areas of the application needed strengthening. This included the compensation/ mitigation and consultation aspects of the Habitats Regulations Assessment (HRA). In addition PINS noted the funding statement and The Crown Estate consultation as other key areas. PS confirmed these latter points have been addressed.

It was noted that the aim for DCO re-application was w/c 15th February with continued consultation through the pre-examination period and into examination.

Post meeting note: the deadline for DCO re-application has been extended to the 1st March.

PP would have expected more meetings to look at data and survey information including technical groups looking at this information to inform on future/ additional surveys. PP also mentioned quick turnaround between the meeting and submission date and noted that there was outstanding information to be provided and reviewed and that more time would be more useful.

LB also surprised on submission next week and would have anticipated draft documents to review prior to the meeting and would have found it helpful to see the Planning Inspectorate's (PINS) concerns and had them chairing the meeting. Feedback from PINS on other projects have been that if there is still debate on whether there is an adverse effect on integrity they will not accept applications without a compensation package. Information needs to be shared as part of consultation.

PS noted these comments would be taken on board. CA confirmed that the meeting would cover these points such as the survey work and the additional work which has been done through further interpretation of the data previously supplied to the attendees. CA also noted that we have had a number of previous meetings to provide updates on the data which has been collected over time, to discuss the data and provide the survey reports.

HRA Update

The need for the HRA update was to:

- Discuss ornithological input to clarify the potential effects and the role of the habitat proposals including where they fall within the mitigation hierarchy; and
- Uncertainty on how the mechanisms would be delivered.

Since the DCO has been withdrawn the Applicant has:

- Looked at the individual sources of effects on birds within the HRA (had previously linked them together) pulling out the potential effects individually and cumulatively; and
- Reviewed potential effects on a species specific level for SPA species and as the SPA assemblage .

Bird Surveys

Originally used WeBS counts, previous data for example for the Boston Barrier Project and collating the view of local ornithologists. Through discussions with RSPB/NE/LWT it was noted that more data was required. Therefore both overwintering and breeding bird surveys were undertaken for 2019/2020.

Through discussions with the RSPB it was noted that there could be disturbance at the mouth of the Haven, surveys were therefore also commissioned to monitor behavioural responses of birds to disturbance in this area. Results were provided to RSPB/NE/LWT and were summarised in the Environmental Statement. A presentation of the survey results was also provided to RSPB/NE/LWT on the results of the bird data.

AD had a query on whether surveys had been carried out on disturbance events at a high tide roost in the vicinity of the development. CA noted that counts were done at high tide and low tide to see roosting and feeding birds and that notes were made of disturbance events.

Construction and Operational Phase Effects on Birds

The HRA splits out potential effects on birds:

- Disturbance on site due to construction noise;
- Habitat loss due to wharf development;
- Lighting during construction and operational phases; and
- Vessel presence during construction and operation.

Summary of potential for effects on SPA populations during the construction phase

Construction Phase – Disturbance

- Potential for disturbance at the construction site due to noisy activities;
- Overwintering birds associated with the SPA do use the site for feeding and roosting;
- The breeding bird survey did not find breeding SPA species in this area;
- The disturbance due to construction works on SPA populations can be mitigated through avoidance of overwintering periods for noisy activities such as piling works, which could be scheduled to take place during the summer months;
- Additional measures, such as mitigation and monitoring that was undertaken by the Environment Agency during Groundwork Investigations (in 2019) concluded that they would not undertake noisy activities if more than an agreed number of birds were present within an agreed distance of the works. They started off with an area of 500m and reduced this to 250m as there was very little disturbance. This measure could also be used to mitigate any effect if necessary

PP asked how comparable the EA works would be to the Facility. CA noted that the mitigation used by the EA could be undertaken either for the whole of the construction period or just the noisy periods, but that it is noted in the ES that this should be agreed in more detail. Noted that the piling would be the most disturbing activity, which would not have an impact due to seasonal restrictions but would have to look into detail for the lesser noisy activities.

With the mitigation proposed, there would not be expected to be any effects on SPA birds using the site; and

- Concluded no adverse effect on integrity

AD noted in the comments that they would expect that detail to be provided on mitigation up front so can be fully discussed.

Construction phase – Habitat Loss – low water counts

- For the development of the wharf there is loss of saltmarsh (0.85ha) and mudflat (1.36ha) outside the SPA through creation of the wharf facilities
- For low tide counts, for feeding populations, most birds using the two count sectors were present in low numbers <1% of SPA population
- Redshank and ruff were present in higher numbers for the area >1%

- Redshank (a named SPA species) occurred in <1% of the latest WeBS 5 year average (2013/14 to 2017/18) on count sector A (proposed wharf area) but reached 1.01% in Area B (adjacent area, not area of habitat loss)
- Ruff (not a named component of the SPA but within the assemblage) were present in the sectors at low tide but only one individual was recorded in Area A and between 1 and 6 (6 representing 8.1% of The Wash Population) for Area B
- Area B would still be available for feeding birds at low tide, also note that counts were inclusive for both sides of the river so the opposite side would not be affected by habitat loss.

Construction Phase Habitat Loss – high water counts

- For high tide counts, the peak count (on one occasion) of redshank in Area A was 162 which represented 2.8% and in Area B 1.6%, of the latest WeBS data 5 year summary for The Wash population. It was noted that the 162 count was an anomaly, however JB suggested that due to the limited number of counts it wouldn't be considered an anomaly.
- The remainder of the counts (5) for redshank in Area A were between 13 and 29 individuals (between 0.23 and 0.51% of the latest WeBS population).
- In Area B the counts for redshank were >1% but <2% for 3 out of 6 counts
- Ruff were counted as 1 bird in Area A and 1 to 4 in Area B. When counted as part of the assemblage the numbers were very low
- Area B saltmarsh would still be available to provide roosting habitat and the opposite side of The Haven in Areas A and B would still provide roosting habitat

CA noted that there is a difference between Area A and B, Area A is a thin strip of saltmarsh which is the area which is being removed and has been looked at for the monitoring of the Boston Barrier and in both occasions has been concluded to be in poor condition, but it is being used by some of the bird species. Area B is much larger roosting habitat for the birds, which will not be removed. Both areas are affected by the presence of debris and a footpath that runs along the back of the site.

AD stated that birds will go where they want to go and don't always take notice of the habitat quality. Therefore looks like they are exhibiting a preference for Area A. Understanding the importance of Area A and B as a habitat roost for species that is

site faithful will be very important. And noted the importance of peak counts.

CA mentioned that looking at type of habitat which is there is important and what the adjoining habitat is.

CA to discuss with JB area A and B size and habitat quality.

PP noted we need to understand why there is a high tide roost in this area and if birds are displaced, are they moving into suboptimal areas? Need to consider what it is which is making this site important.

In general, higher numbers of birds use area B, which is a wider area of saltmarsh. CA mentioned it would be useful to have a conversation with JB on this in terms of the area and size of habitat/ quality.

JB mentioned that species may find an area of importance even if the quality is low and noted that more counts there would be enlightening. As it is not used as much at low tide but is at high tide. JB suggested it could be used as a high tide roost area and suggested it could be disproportionately important for the redshank which are very site faithful and would question if it is the most important roost site in the area.

CA mentioned it is something that has been looked at which is supported by the monthly counts that have been, and are being, undertaken. Could work with the ornithologist who undertakes the survey work to look at a comparison between Area A and B and the area on the opposite site of the Haven. The count data shows the difference between Area A and B for bird usage which is summarised above. *Post meeting note: The HRA also looks in more detail at roosting behaviour in The Wash and movement between roosts, this is included in the HRA update. Redshank appear to move between roost sites within given areas.*

PP stated they would have expected more of a review of the data and if there is any additional data required. CA noted the data that has been re-assessed was presented previously and relevant reports sent in September 2020. PP noted there should have been time to comment on HRA and ES chapters.

Loss of habitat during construction phase – conclusion

- Bird numbers seem to fluctuate widely with the same bird species using Area A and B;
- Very similar habitat all along The Haven which is expected to support the same species – mudflats are narrow along The Haven;

- The saltmarsh in Area A is considered to be in poor condition, as concluded by surveys undertaken for the Environment Agency;
- Area B much larger area of saltmarsh;
- It is concluded that although the mudflat and saltmarsh habitat does seem to provide a functionally connected habitat for some SPA species the loss of this small area would not constitute an adverse effect on the integrity for the species associated with the SPA/Ramsar site. The adjacent habitat in the wider area (such as Area B and in the opposite area across the Haven) would be able to support feeding and roosting birds affected by the proposed Facility, with no negative effect on the supporting function that habitats within The Haven contribute to the structure and function of the SPA and Ramsar site.

CA to discuss bird usage of area A and B with bird surveyor.

AD noted the statement that there is plenty of available habitat along The Haven but will rely on information to demonstrate that the birds are making use of other areas for example for high tide roosting, this is particularly important for the redshank as they are site faithful and this topic would require further discussion. CA noted that redshank are using Area B as much as if not more generally than they use Area A, but CA will speak to the bird surveyor to see his opinion. *Post meeting note: Results of research on redshank roosting behaviour in The Wash has also been added to the HRA to show that redshank do move between roost sites within certain areas.*

LB noted that an engagement plan from the Applicant going forward would be useful to understand the process and what is expected.

Lighting during construction and operation

CA explained that the lighting would be localised and focussed and only used when needed e.g. if a vessel requires unloading at night. Therefore there is not likely to be much of an impact.

Research has shown some water birds may feed nocturnally and take advantage of artificial light sources.

Therefore, this is not considered to be an adverse effect on integrity and potentially could be beneficial to some birds.

Vessel Disturbance during construction and operation

As the construction phase has a much lower number of vessels, the operational phase was looked at. An additional 580 vessels per year for the project. Three scales have been considered:

- The Wash
- The navigation channel that approaches The Haven
- Within and at the mouth of The Haven

Within The Wash and the navigation channel to the mouth of The Haven the increase in vessels is very small (0.75% and maximum of 5%) as there is estimated to be 77,441 vessels per year (MMO data) in The Wash and estimated at a minimum of 11,000 vessels using the navigation channel (tracking data) that approaches The Haven.

Within The Haven approximately 420 vessels transit per year currently with an extra 580 vessels predicted once the Facility is operational, but vessel disturbance would only occur at high water as the large vessels can only move into The Haven at and around high water, so not disturbing during feeding periods.

Through the HRA process, RHDHV has investigated the potential for increased disturbance due to vessel numbers at the mouth of The Haven around high water using the data available from the survey work undertaken during winter of 2019/20.

Bird count analysis for disturbance at the mouth of The Haven

- Further detail has been analysed for this data which looks at every disturbance event and recurring events for each high tide period for baseline conditions.
- Recorded vessel type, number of each species disturbed and what the behavioural response was for each species.
- 24 species altered their behaviour due to the vessels
- This was mostly small numbers but some were > 1% of The Wash population based on the WeBS 5 year average between 2013/14 and 2017/18.
- Results showed that most species fly to an alternative roost site after one disturbance event.
- Tables showing effect on behaviour show that for the SPA and Ramsar species there were initial disturbances that affected >1% of the SPA population for that species, but that the birds then flew to an alternative roost site and were not subsequently disturbed again that day.
- Other species that make up the assemblage, but are not named SPA species, were disturbed on recurrent occasions in one day, including golden plover and lapwing who appear to return to the same roosting site even after 3 disturbance events. The numbers affected

in terms of the total for the SPA assemblage were <1%. RHDHV have looked at energy usage calculations for these two species.

CA presented survey result analysis including where >1% of SPA species were affected:

- November 2019 – no significant (>1%) disturbance.
- December 2019 - Lapwing and golden plover returned to same area after disturbance. Lapwing was disturbed three times and then eventually displaced after the repeated flight. Black tailed godwit had a high disturbance number but they flew off to a separate roost and were not disturbed again that day.
- January 2019 - Black tailed godwit twice in one event but only five individuals had been disturbed at the earlier event against 200 at the second event.
- Feb/March – no repeat disturbances of >1%.

PP – “no behavioural responses in significant numbers” – would be useful to see these numbers. CA mentioned that the tables sent out with the agenda included all of the data and that the original survey data had been supplied in September 2020.

JB noted that we are looking at the right area of The Haven mouth. If birds are being disturbed and not coming back this might be negative if we consider the loss of roosting area. If they are disturbed more frequently they may be less likely to come back or roost there in the first place. JB has had a look through the data and every large ship movement (except one 20 mins after another) caused disturbance to >1% of the SPA species count for the latest WeBS five year summary data for at least one but up to five species in The Wash. With regards to the 1% level, out of 15 species impacted, 8 were above 3%, including 23% of the black tailed godwit population for The Wash disturbed in one event. Need to clarify if 580 is in each direction or in total and must note a pilot boat for each ship. This would be an 138% increase in the Haven.

JB to provide feedback on 2% energy usage.

PS noted the vessels would be clarified – but that it would be 580 vessels into and out of the Haven.

CA mentioned that the energy usage calculation for the assemblage birds that were repeatedly disturbed showed less than 2% energy usage for four subsequent disturbance events. JB noted he would look to see if there is comparable data elsewhere and how significant that data would be.

CA mentioned it would be useful if JB could look through and feedback on this.

JB noted that the proximity of the larger vessels is the impact rather than ship wash. Therefore slowing vessels down might not be a useful measure and may not be possible due to minimum speeds required.

CA confirmed most disturbance is by the presence of the vessels rather than their wash but not all i.e. pilot boats.

JB noted that if increasing vessels will increase the number of pilot boats, reducing the speed limit could be useful. CA stated that the baseline data shows that the first vessel disturbance displaces the majority of birds such that subsequent events do not seem to be disturbing the majority of species. This level of disturbance does not appear to be having an effect on numbers of birds in the SPA. The subsequent disturbance to golden plover and lapwing who do repeatedly return to the same roost site will be using energy reserves. However, the energy usage from even four subsequent disturbances was quite low, most probably due to the short flight distances that these birds undergo after any disturbance. Therefore we could conclude no adverse effect on integrity to SPA birds and the assemblage of birds using the area.

Net Gain Measures

There are mitigation measures built into some of the potential effects, including the avoidance of particularly noisy activities during overwintering periods. If no adverse effect is concluded the project is still looking at measures of net gain for the habitat loss, but these would be under the biodiversity net gain feature. These measures would also provide a benefit to the SPA birds as well as providing the net gain for the habitat loss at the proposed development site.

LB mentioned we need to fully understand whether there is an adverse effect on integrity before defining mitigation measures. Also, a discussion on alternatives is required, a discussion on IROPI and compensation if that route is necessary. If there is not an effect on integrity there are still residual concerns, such as loss of supporting areas which are priority habitats and should be ensuring there are sufficient habitats to provide a function of these areas which the specific species of birds have a preference for. Need to ensure there is no loss of priority habitat/ supporting habitat which allows the birds to function.

CA mentioned that the HRA update has specifically considered these areas and will feed in the bird surveyor's feedback on whether he thinks Area A is of particular importance to these features.

JB mentioned that the previous HRA came to very different conclusions.

CA – The work completed on the update to the HRA has looked in much more detail at the individual responses of the birds to vessel disturbance and the roosting areas for redshank. The tables that were provided with the meeting agenda (providing detailed analysis of the survey data supplied to all attendees organisations in September 2020) with regards to disturbance look in detail as to whether birds were disturbed by the baseline levels of disturbance and flew off to alternative roost sites or whether they were returning and undergoing subsequent disturbance events. It appears that the majority of birds (and all SPA named species) are disturbed to alternative roosting areas nearby after just one vessel movement and therefore the additional impact on top of baseline is much less than previously thought.

Cumulative / In-combination Projects and Plans

CA requested feedback on how far out into The Wash to consider cumulative projects, as the increase in the number of vessels is small within The Wash. LB noted that if the ships are sticking to navigational routes in The Wash, there wouldn't be a concern in the wider Wash area.

Survey Work Update

It was noted that additional bird counts were completed in January and CA asked for any requirements for further survey work.

AD – energy usage information would need feedback from scientist to see if 2% would be significant. Also, could a survey can be progressed in The Haven to see how redshank respond to when the vessels move through. CA noted this would be fed onto the survey works. The previous survey did note any disturbance events. *Post meeting note: the high and low counts are being continued for February and March, together with surveys of disturbance behaviour at the mouth of The Haven and at the proposed development site in the Haven.*

PP – noted that their previous comments should have been “surveys for 1 year and then confirm if any further surveys are needed.”

Conclusions

CA noted that a further meeting could be planned once information has been reviewed.

LB mentioned that clarity was needed on next steps in terms of an engagement strategy.

PS noted we would get back on the next steps in terms of on an engagement plan.

PS (RHDHV) to provide an engagement strategy.

PP noted lots of DCO projects going on at the moment and pressure on time and so need sufficient time for meaningful feedback.

Additional Comments

SF noted that: "Lincs Wildlife Trust will also need more information about the noise impact on Harbour Seals and haul out sites in The Wash and how this has been considered." CA responded that this is detailed within the HRA document.

LD: "We would recommend at least 2 years survey data. When we originally highlighted missing data we said even 1 year would be valuable but missed several opportunities"

Minutes

**HaskoningDHV UK Ltd.
Industry & Buildings**

Present: (PS) and (AG) (RHDHV), (RM) and
(SR) (BDB Pitmans), (LM) and (KB) (MMO)

Apologies:

From: Abbie Garry

Date: 09 February 2021

Location: Teams

Copy:

Our reference: PB6934-RHD-ZZ-XX-MI-Z-1068

Classification: Project related

Enclosures:

Subject: Boston Alternative Energy Facility MMO Update Meeting

Number	Details	Action
1	Boston Alternative Energy Facility Description	

AG gave a brief overview of the scheme, key points below:

- Energy from Waste development;
- Refuse Derived Fuel (RDF) supply from Materials Recycling Facility (MRF) residues dispatched from UK ports;
- RDF bales (wrapped in plastic) arrive via The Haven and are unloaded directly onto a conveyor for transfer to the bale shredding facility. There is also a temporary external storage area for contingency when the bunker is at capacity;
- Bales are split open in the bale shredding facility and RDF is transferred to a bunker;
- The feedstock is converted into energy using thermal treatment;
- There are two carbon dioxide (CO₂) recovery plants which will recover a proportion of the CO₂ to be used offsite in a range of industries such as food grade CO₂;
- 80 megawatts electric (MWe) will be exported to the National Grid via an on site grid connection and substation;
- Ash and air pollution control residues are produced as a by-product of the thermal treatment process and will be transferred to the Lightweight Aggregate (LWA) plant where it will produce aggregate, using dredged river sediment as a binder, or clay where this is not available; and
- The lightweight aggregate product will be removed by ship.

Number	Details	Action
2	<p>It was confirmed that consultation has been ongoing with the Port of Boston and that the vessels would be turning in the Port and that the Facility would not be a Harbour Authority.</p> <p>It was noted by LM that if sampling for contaminants is required then this would need to be considered. AG to confirm from the Estuarine Processes and Marine Water and Sediment Quality chapters.</p> <p><i>Post-Meeting Note: It is confirmed from review of the Estuarine Processes and Marine Water and Sediment Quality chapters that no additional sampling will be required.</i></p> <p>LM asked if there was a Waste Sourcing Statement. AG identified that a Fuel Availability and Waste Hierarchy Assessment had been completed and would be supplied with the DCO application.</p> <p>Timescales for reviewing Deemed Marine Licence (DML)</p> <p>MMO confirmed they would prefer to review the DML pre-submission and would allocate this to the case manager for a review by 19th February.</p> <p>RM noted that the Port of Boston had put in a licence variation for further disposal at sea and reiterated that there will be no disposal at sea of the sediment dredged as part of the Project.. LM mentioned she would double check if the licence variation would cause an impact.</p> <p>It was noted that the DML review should be on a broad basis and to include review of enforceable parameters.</p> <p>Noted that AG should provide an update of the figure of the DML co-ordinates.</p> <p>Next steps</p> <p>Mentioned that we have not yet started the Statements of Common Ground (SoCG) process and would like to start this as soon as the application is submitted.</p> <p>MMO confirmed they would be happy to use the Applicant's SoCG template.</p> <p><i>Charges</i></p> <p>MMO noted they have provided a small fee estimate for the meetings and actions.</p>	<p>MMO to review DML by 19th February.</p> <p>AG to provide updated DML co-ordinates figure</p>

Number	Details	Action
	<p>The DCO fee estimate for pre-application and application is estimated to be 200 MMO hours at £120 per hour, a total of £24,000 and 100 Cefas hours at £86 per hour, a totals of £8,600. However only the time used would be charged.</p>	
	<p>The time as part of their statutory function would not be charged.</p>	
	<p>Time would be billed monthly in arrears and would notify us if it needed increasing.</p>	
	<p>It was noted by BPB Pitmans they were happy to meet MMO at any point to discuss the DML.</p>	
	<p>SR asked if in particular the MMO could confirm if the Navigational Management Plan within Schedule 2 of the DCO should be within the DML.</p>	<p>MMO to confirm in their response</p>
	<p>It was noted by MMO that there should have been consultation with Trinity House and the Maritime and Coastguard Agency. <i>Post-Meeting Note: to confirm both parties were sent a Section 42 letter but neither responded.</i></p>	
	<p>MMO confirmed they would come back to us with information about internal staffing and the identity of the new Case Manager for the project but LM and KB will continue to be involved. AG offered to provide Project Description ES Chapter to assist with briefing the new Case Manager.</p>	<p>AG to provide Project Description ES Chapter</p>



Minutes

**HaskoningDHV UK Ltd.
Industry & Buildings**

Present: (CA), (PS), (AG) (RHDHV),
(RM) (BDB Pitmans), (SW) (AUBP), (RD),
(LB) (Natural England), (PP), (JB) (RSPB),
(SF) (Lincolnshire Wildlife Trust).

Apologies:

From: Abbie Garry
Date: 26 February 2021
Location: Teams
Copy:
Our reference: PB6934-RHD-ZZ-XX-MI-Z-1070
Classification: Project related
Enclosures:

Subject: Boston Alternative Energy Facility RSPB NE LWT Meeting

Number	Details	Action
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1	Natural England Response	
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RD summarised NE's response on the HRA (summarised from the letter attached to these minutes).

Currently revised HRA and supporting evidence doesn't present sufficient ornithological data to conclude beyond reasonable scientific doubt that there would be no Adverse Effect on Integrity of the Wash Special Protection Area (SPA). Although RD noted that we are working towards this.

Precautionary Compensation Package Process

LB noted that in recent DCO cases where there is a difference in opinion on the potential for Adverse Effect on Integrity, between the Applicant and the Regulator, that as a precautionary measure there should be a detailed compensatory package provided with the DCO application.

LB mentioned examples of the Thames Tidal Works and offshore wind farms in examination and determination phase. In the Hornsea Three decision letter it is clear that where there is doubt there should be a full compensation package provided up front submitted with the HRA to support the Appropriate Assessment decision. This should include:

- DCO and deemed Marine Licence (dML) conditions;
- agreements with landowners; and
- a design plan for any compensation.

Number	Details	Action
	<p>LB noted that if it wasn't provided then the next phase (examination) would not be entered into until compensation was provided.</p> <p>East Anglia ONE North and TWO are not going into determination phase until this compensation is agreed.</p> <p>LB confirmed that this is a process which has now been adopted by the Planning Inspectorate (PINS) which doesn't depend on the scale of the project.</p> <p>RM noted the position with the potential for using RSPB reserves for compensation and that it shouldn't take very long to come to a conclusion on the proposals.</p> <p>PP mentioned Lower Thames Crossing as another example. And noted that the scale of impact will reflect the scale of compensation which is required. Understanding the baseline in terms of the numbers of birds and the shipping impacts will help towards this.</p> <p><i>Further NE Response</i></p> <p>RD noted the redshank population at the proposed development site and the possible issues with regard to the loss of roosting site, and NE have included in their HRA red flag letter some points to look at further. She also noted potential for effect at the mouth of the Haven and the additional vessel movements and more information would be required on the baseline situation.</p> <p>RD noted the impact on seals, but that appropriate mitigation could be implemented.</p> <p>NE have provided suggestions for compensation within their HRA red flag letter. The previously proposed net gain at the RSPB reserves would provide saltmarsh habitat, but this might not address the compensation need specifically for redshank.</p> <p>CA noted this and has spoken to the bird surveyor in terms of improving habitat at Area B (south of the proposed wharf) which could provide additional roosting and feeding habitat for the birds already using this area. Data has also now been collected for the January and February bird survey counts, which will be provided week commencing 1st March.</p>	

Number	Details	Action
	<p><i>RSPB Vessel Movement Concerns</i></p>	
	<p>JB noted that at the mouth of the Haven it is the size and proximity of the vessels which produce the most disturbance, and highlighted that for every large ship movement there was disturbance of >1% of the Wash population of at least one species. There was particular disturbance of black tailed godwit and noted significant bird usage in that area. He also mentioned there wasn't evidence of birds finding alternative adequate roost sites and there was an impact of birds made to fly regularly as a result of the vessel movements. He noted that a RSPB conservation scientist will review the bird energy usage information in the draft HRA for golden plover and lapwing, the species that undergo repeated disturbance events.</p>	
	<p>CA mentioned that the baseline impact is what is causing the initial movement of >1% of the SPA populations and that this needs to be differentiated from the additional movements due to the proposed increase in vessel numbers. There is >1% of birds effected by the baseline situation and there was not a disturbance of >1% of named SPA species at subsequent events even with large vessels. There was subsequent disturbance for lapwing and golden plover so those species were explored in greater detail. CA noted it would therefore be useful if the RSPB scientist could look at whether 2% energy usage is an issue (which is the energy usage for a worst case of 4 vessels causing disturbance in one day). Low tide importance – noted that vessels will only use the high tide to move into the Haven.</p>	
	<p>JB mentioned still unclear on vessels movements per day but it could reach a threshold point where birds no longer roost in the area.</p>	
	<p>PP mentioned that more WeBS sectors could be impacted by the vessel movements which should be looked at. Although there are existing pressures it was noted that if declines are already occurring, adding additional pressures would make the situation worse and mentioned SPA objectives need to be achieved including the distribution of species and overall population numbers.</p>	<p>CA to update engagement plan with specific actions and timescales.</p>
	<p>CA – the bird surveyor did look for where they are flying off to and this information is included in the HRA. The bird surveyor recorded how far the birds were flying when disturbed.</p>	

Number	Details	Action
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PP noted that as more data is being collected it would be useful to know timescales for when they would be able to review the data, this should be included in the engagement plan. He noted that effort could be put into reviewing multiple sets of information and having to revise conclusions due to the additional data.

CA noted that January and February counts have now been taken and will be emailed as soon as possible. She also mentioned that the February counts had been low and therefore have not changed the assessment.

PS noted that the engagement plan would be updated with more detailed actions and timescales. And noted that a Statement of Common Ground wouldn't be appropriate at this stage.

NE Final Points – Passage Birds

LB mentioned that SPA features include over wintering, non-breeding birds and passage. Passage birds are classed and designated through to May, and it would be challenging not to have this data. Therefore, if the application did go forward, it would have to be a worst-case scenario approach including a compensatory package. IROPI would need to be included if putting together a derogation case. *Post meeting note: the breeding bird survey included counts in the proposed development area during April, May and June 2020 and that CA has spoken to the bird surveyor who says that he would have noted if any passage species were present at the site. The breeding bird data was supplied towards the end of 2020.*

Area B Mitigation Measures

CA asked if there were measures which could be undertaken at Area B to reduce the impact on roosting and foraging birds, would that be mitigation or compensation?

LB confirmed this could be mitigation, but noted that it would have to bring the impact down to an acceptable level. Although NE currently cannot confirm no adverse effect on integrity, further survey data and appropriate mitigation could shift this to confirmation of no adverse effect on integrity. It was noted that unless there was a full set of survey data there would be scientific doubt which would lead to a derogations case.

Number	Details	Action
2	<p data-bbox="395 412 612 443">RSPB Response</p> <p data-bbox="395 483 1161 651">JB noted the importance of assessing the first boat movement on the tide and subsequent boat movements. Would be good to confirm if there are large vessels on every tide as a baseline. Then could consider whether any further measures are necessary to form a compensatory package.</p> <p data-bbox="395 692 1161 893">PP noted that wintering redshank are resident birds and part of the breeding population and there are declines in the redshank breeding population which requires an increase in productivity or recruitment into the population. It is unclear that if the roost was lost there would be enough birds being added to the population to offset the impact.</p> <p data-bbox="395 934 1161 1066">Additional WeBS sectors should be included because the whole shipping route could be affected due to the presence of the ships and the ships' zone of influence. RSPB have included a map as part of the response including critical areas.</p> <p data-bbox="395 1106 1161 1238">PP also noted that although the England Coast Path runs along the site there is more disturbance on the opposite bank. The bank adjacent to the site is below the flood bank in a sheltered area, therefore aspect for roost sites are important.</p> <p data-bbox="395 1279 1161 1341">PP mentioned Slippery Gowt Pits could do with an investigation of what could be done there, close to the existing roost site.</p> <p data-bbox="395 1382 1161 1478">CA stated that BAEF's bird surveyor noted there is a bund around it so it might not be as good for redshank in terms of their vision.</p> <p data-bbox="395 1518 1161 1825">CA mentioned that a conversation with the bird surveyor had identified the potential to improve Area B by putting rocks from the frontage of Area A along the front of the saltmarsh in Area B. The redshank use these rocks for roosting and this would therefore provide additional roosting habitat in the same area. In addition, shallow pits could be implemented to provide additional feeding habitat in that area. She noted that BAEF's bird surveyor suggested that a few shallow pits could take the amount of birds feeding in Area A.</p> <p data-bbox="395 1865 1161 1928">PP agreed a suitable option close to the site would be good and would talk through it with CA once it has been worked up.</p>	<p data-bbox="1219 483 1414 616">CA to confirm the baseline for large vessels per day.</p> <p data-bbox="1219 1727 1414 1928">CA to discuss mitigation package with RSPB once details are worked out.</p>

Number	Details	Action
3	<p data-bbox="395 414 598 452">LWT Response</p> <p data-bbox="395 481 1161 654">Harbour seals are an 'amber flag' (in terms of piling) as there is a national decline in harbour seals. Are awaiting comments from the marine specialist including ensuring that the latest thresholds have been used for the underwater noise assessment.</p> <p data-bbox="395 689 1161 788">Query about seal haul out and pupping at Friskney Sand, are we using the latest data including close to the mouth of the Haven?</p> <p data-bbox="395 824 1161 963">In terms of shipping movements, seal pups can get sucked into the propellers of the vessels. Measures should be put in place to ensure that pups will not be killed, which links into the decline of harbour seals.</p>	LWT providing further response following comments from marine specialist.

REPORT

Boston Alternative Energy Facility - Appendix 6.6

Appendix 6.6 Letter sent at Phase Four to section 44
consultees

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.6
Status: Final/0.0
Date: 23 March 2021





Appendix 6.6 Letter sent at Phase Four to section 44 consultees

This appendix contains a copy of the letter sent at Phase Four to section 44 consultees.



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Boston Alternative Energy Facility
RTLY-RLGH-GKSE
FREEPOST
25 Priestgate
Peterborough
PE1 1JL

7 August 2020

Dear

Boston Alternative Energy Facility - Phase 4 Consultation

I am writing to you on behalf of Alternative Use Boston Projects Ltd to update you about our proposal for the Boston Alternative Energy Facility (the Facility), a state-of-the-art power-generation plant located south of Boston, on the Riverside Industrial Estate, next to The Haven.

The Facility is classed as a Nationally Significant Infrastructure Project for which Alternative Use Boston Projects Limited will submit an application to the Planning Inspectorate for a Development Consent Order (DCO).

We are writing to you about the proposals because you have been identified as a party with an interest in land and/or property, or have rights over land, which is within or in close proximity to the proposed development area. Land referencing company TerraQuest has been appointed by Alternative Use Boston Projects Ltd to research land ownership and undertake land referencing work. They will have already contacted you to confirm the details of your interest in land in connection with the Facility.

As you may recall from our previous letters, we have undertaken three phases of public consultation about the proposals for the Facility. Phase 3 took place in June and July 2019 and since then there have been some changes proposed to the project. These are due to several reasons including a project review and ongoing iterative design work, feedback received during the earlier consultations, and input from specialist bodies. As a result of this, we are now undertaking an additional round of consultation (Phase 4) which refers to the changes made to our proposals since the Phase 3 consultation.

The proposed Facility remains an Energy from Waste (EfW) facility, although the technology used to treat the waste has now switched from gasification to traditional EfW technology. We have summarised this change and others in the enclosed newsletter. The changes are anticipated to have minor effects, resulting in an overall reduction in potential negative impacts.



Information events

The newsletter also explains that due to Covid-19 limitations on public gatherings it is not possible to hold public exhibitions as was previously done. However, in order to ensure that people's questions can be answered, we will be hosting two webinars and, for those without access to a computer, a telephone surgery. Details of when the webinars and telephone surgery are taking place are set out below.

Webinars

Each session will last between 1-2 hours, depending on the number of questions. These are taking place on:

Webinar 1: Tuesday 11 August 2020 at 12.00pm

Webinar 2: Thursday 20 August 2020 at 12.00pm

Telephone Surgery

These are 15-minute slots where people can speak directly with a member of the project team. This is by appointment only. An additional session may be arranged if this is required.

Telephone Surgery: Wednesday 26 August 2020 10.00am - 4.30pm

How to provide comments

The consultation period in respect of the proposed Facility will run from 10 August 2020 until 10 September 2020 (inclusive). The deadline for receipt of your views and comments is 11.59 pm on 10 September 2020.

You can provide your comments via the channels below:

On the project website: www.bostonaef.co.uk by completing the online comments form or the phase four online survey: <https://www.surveymonkey.co.uk/r/BostonAEF>

By email: consultation@bostonaef.co.uk

By Freepost: Boston Alternative Energy Facility, RTLY-RLGH-GKSE, FREEPOST, 25 Priestgate, Peterborough, PE1 1JL

How to sign-up for the information events or request hard copy documents

You can sign up for the webinars or telephone surgery by completing an online form on our website, emailing, writing to our Freepost address us or calling our Freephone: 0800 0014 050. This is a



voicemail service that is checked during working hours. If you would like us to send you a hard copy of our newsletter or feedback form, please leave a message and we will send this out to you.

We welcome your feedback on the proposed changes to help us as we begin to finalise our proposal before we submit the application for a DCO later this year. Following submission of the application there will be a further opportunity to make representations on the proposals and to engage during the Examination process.

For further information on Boston Alternative Energy Facility, please visit www.bostonaef.co.uk.

Kind regards,

Kelly Linay

On behalf of Boston Alternative Energy Facility

consultation@bostonaef.co.uk

REPORT

Boston Alternative Energy Facility - Appendix 6.7

Appendix 6.7 Section 48 notices

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.7
Status: Final/0.0
Date: 23 March 2021





Appendix 6.7 Section 48 notices

This appendix contains the section 48 notices published at Phase Four.



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PUBLIC NOTICE

ALTERNATIVE USE BOSTON PROJECTS LTD

SECTION 48, PLANNING ACT 2008

REGULATION 4 INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009 (THE 'REGULATIONS')

BOSTON ALTERNATIVE ENERGY FACILITY

NOTICE PUBLICISING A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER

Alternative Use Boston Projects Ltd (the 'Applicant') of 26 Church Street, Bishop's Stortford, Hertfordshire, England, CM23 2LY (Company Number 11013830), published a Notice in June 2019 publicising a proposed application for a Development Consent Order and advising of its intention to make an application (the 'Proposed Application') to the Secretary of State for Business, Energy and Industrial Strategy under Section 37 of the Planning Act 2008 (the '2008 Act') for a Development Consent Order ('DCO') authorising the construction, operation and maintenance of a power-generation plant, known as the Boston Alternative Energy Facility, within the Riverside Industrial Estate, Boston, Lincolnshire (the 'Proposed Development').

Summary of Proposed Development

The Proposed Development would comprise:

- an Energy from Waste facility comprising three thermal treatment units and steam turbine generators to generate up to 102 MW (gross) of energy;
- a wharf with cranes and berthing points;
- a storage bunker and contingency external storage area for the temporary storage of Refuse Derived Fuel (RDF) bales;
- a RDF bale shredding facility (a sealed building) to remove bale wrap and reduce the particle size;
- conveyors to transfer RDF bales and processed material;
- turbine plant comprising three steam turbine engines, make-up water facility and associated piping and ductwork;
- air-cooled condenser structure, transformer pen and associated piping and ductwork;
- an on-site grid connection and substation to facilitate the export of up to 80 MW to the National Grid;
- a lightweight aggregate manufacturing plant to process the thermal treatment ash and air pollution control residues into two separate aggregate products;
- two carbon dioxide (CO₂) recovery plants, allowing a proportion of the CO₂ from two of the three thermal treatment units to be captured and converted to food grade CO₂ for off-site industrial use;
- a storage area for lightweight aggregate product prior to removal (by ship) from the site; and
- associated infrastructure including a visitor centre, car parking, onsite roads, site surfacing, site security, storage and workshop facility, weighbridge, fencing, site control centre and welfare facilities.

The Proposed Application will also seek authorisation for the compulsory acquisition of interests in and rights over land, the temporary use of land, and the overriding of easements and other rights.

Consultation

The Applicant carried out statutory consultation in relation to the Application from 25 June 2019 to 6 August 2019 but did not publish the statutory notice in Lloyd's List or an appropriate fishing trade journal as required under the Regulations. This Notice is being published in Lloyd's List and Fishing News Weekly to rectify this omission and to seek representations from those who may not have had an opportunity to respond earlier. This consultation is taking place from 10 August 2020 to 10 September 2020. In addition to this statutory consultation, the Applicant is also carrying out further non-statutory consultation during the same period.

Preliminary Environmental Information

The Proposed Development is 'EIA development' for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This means that the proposed works constitute development for which an Environmental Impact Assessment is required. Accordingly, the Proposed Application will be accompanied by an Environmental Statement containing information about the likely significant environmental effects of the Proposed Development.

During the 2019 statutory consultation, preliminary environmental information was included in a Preliminary Environmental Information Report (the 'PEIR') and summarised in a non-technical summary of the PEIR. Since the PEIR was prepared there have been changes proposed to the project. The Applicant has therefore prepared a leaflet summarising these changes. This leaflet is available to view and download free of charge

on the project website (www.bostonaef.co.uk). A copy of the leaflet can also be obtained free of charge until 10 September 2020 by contacting the Applicant using the details set out at the end of this notice.

The PEIR, together with the consultation leaflet, plans, maps and other documents, which show the nature and location of the Proposed Development (the 'consultation documents') are also available for inspection free of charge on the project website at <https://www.bostonaef.co.uk/consultation/> from 10 August 2020 until 10 September 2020.

Electronic or hard copies of the consultation documents can be ordered using the contact details set out at the end of this notice. A reasonable copying charge may apply up to a maximum of £250 for the full set of documents and £10 for an electronic copy on CD or USB stick.

Information Events

The Applicant is holding information events but due to COVID-19 limitations on public gatherings, it is not possible to hold public exhibitions as was previously done. However, in order to ensure that your questions can be answered, the Applicant is hosting two webinars and, for those without access to a computer, a telephone surgery. Details of when the webinars and telephone surgery are taking place are set out below. Please book your place using the contact details set out at the end of this notice.

Webinars

Each session will last between 1–2 hours, depending on the number of questions from the public. These are taking place on—

Webinar 1: Tuesday 11 August 2020 at 12.00pm

Webinar 2: Thursday 20 August 2020 at 12.00pm

Telephone Surgery

These are 15 minute slots where you can speak directly with a member of the project team. This is by appointment only. An additional session may be arranged if this is required. Please check the project website for the latest information.

Telephone Surgery: Wednesday 26 August 2020 10.00am–4.30pm

Responding to the Consultation

Any person may comment on the Proposed Development or otherwise respond to this publicity. Responses must be received by 11.59pm on 10 September 2020. When providing your response, please include your name and address or, if you would prefer your comments to be anonymous, your postcode only. Please also confirm the nature of your interest in the project.

Responses can be submitted in the following ways—

Website: By completing a Comments Form on the project website at www.bostonaef.co.uk

Email: By emailing consultation@bostonaef.co.uk

Freepost: In writing to Freepost RTLY-RLGH-GKSE, Boston Alternative Energy Facility, 25 Priestgate, Peterborough, PE1 1JL

The Applicant will have regard to all consultation responses before submitting its application for a DCO to the Secretary of State.

Copies of your comments may be made available to the Planning Inspectorate, the Secretary of State and other relevant statutory authorities so that your comments can be noted. Personal details are not placed on the public record and will be kept confidential. Your personal details will be kept securely by the Applicant and any appointed agent of the Applicant in accordance with data protection legislation and will be used solely in connection with the consultation process and the Proposed Application. Your personal details will not be passed to any third parties except as noted above. Respondents do not have to provide any personal information, but this information will help the Applicant to understand the range of responses, and to provide updates about the project and the outcome of the consultation.

Please note that the deadline for receipt of consultation responses on the Proposed Application is 11.59pm on 10 September 2020.

Contacting the Applicant

The project website (www.bostonaef.co.uk) contains all relevant and current information about the consultation and the Proposed Application.

If you have any questions about the consultation, Proposed Development, Proposed Application or wish to request copies of any of the consultation documents, please contact the Applicant using the following details:

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Post: Freepost RTLY-RLGH-GKSE, Boston Alternative Energy Facility, 25 Priestgate, Peterborough, PE1 1JL

Telephone: 0800 0014 050

Alternative Use Boston Projects Ltd

6 August 2020

FISHING NEWS
THE VOICE OF THE INDUSTRY SINCE 1913

U10 E-CATCH REPORTING SOON
Pilot Me – 12m Cougar catamaran for Fleety owners

NEW UK 2018 CATCH RECORD
Record £1,004m catch value by UK fleet in 2018

UK Fisheries Minister George Eustice resigns

Our quality has been catching since 1983

Gael Force
BAITING EQUIPMENT

Douglas Bowman 07760 330213
Stuart Corbett 07861 520060

NEWBORN: Aylesham, Essex 01464 810000
SOUTHAMPTON: Southampton, Hampshire 07000 000000
GLASGOW: Glasgow, Scotland 0141 961 9611

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BREXIT STOCKS
TUNN TO PAGE 2 FOR THE FULL REPORT

SEA SAITHE CHOKES FEARS
Nichola of Ladram arrives at Brixham

EXIT MELTDOWN
TUNN TO PAGE 2 FOR THE FULL REPORT

White Eagle launched at Portman for Western Isles

Taits arrives at Fraserburgh

We continue to work closely with our customers to understand the demands and challenges of modern fishing, something we are proud to have done for over 35 years.

Our quality has been catching since 1983

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THE BEIRUT PORT DISASTER:

Blast may have devastating impact on Lebanon's trade flows

Beirut explosion hits container links

Stored ammonium nitrate cargo link to Beirut blast

ANALYSIS:

Cost of repatriation is deterring crew changes, say seafarers

Container port capacity growth to contract with declining trade

MARKETS:

Freight volumes show signs of recovery

K Line to cut 52 vessels amid harsh business environment

Baltic Dry Index gets lift from capesize and panamax segment

IN OTHER NEWS:

Full impact of pandemic on dry bulk cannot be predicted, says Safe Bulkers

ITF secures repatriation of 250,000 cruise sector seafarers

Kanfer Shipping plans for LNG bunkering quartet

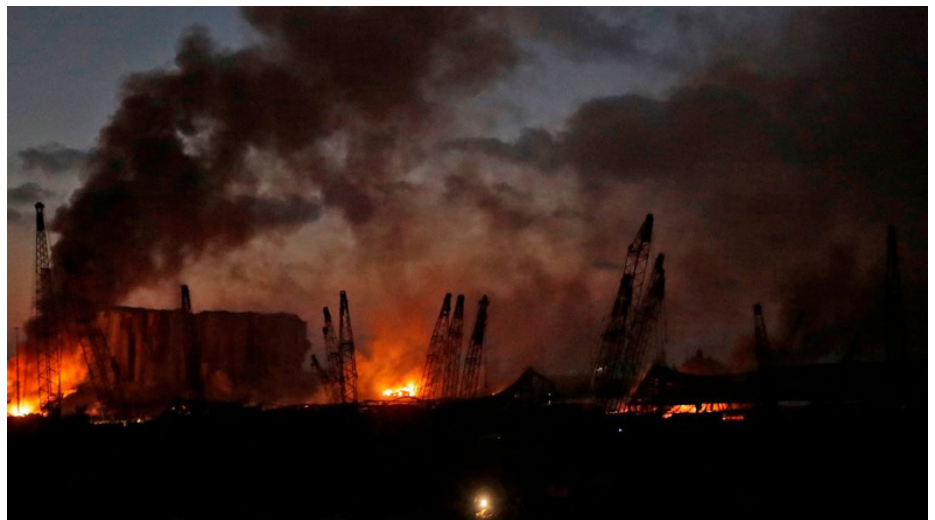
Salvage operation starts to refloat grounded capsized

Autonomous ships platform project launched

Greece move prompts GasLog Partners leadership change

Seanergy eyes 'full-blown recovery' for capesizes

Blast may have devastating impact on Lebanon's trade flows



THE PORT OF BEIRUT is vital to Lebanon's economy and Lloyd's List Intelligence data reveals why the devastating blast will likely have such an impact beyond the immediate aftermath.

Whatever the source of the explosion, operational consequences will be significant, with the likelihood that Lebanon's second port of Tripoli – believed to be operating at just 40% capacity due to the health crisis – now set to become the main gateway for emergency supplies and normal trading.

Beirut is by far the most significant import gateway for Lebanon and Tripoli is not set up to increase operations overnight.

The blast which shook the port late on Tuesday will have severe repercussions for food and goods supplies in the country. A grains silo was damaged in the series of explosions, which were linked to a store of ammonium nitrate, a commodity used in fertilisers.

Lebanon's reliance on imports is greater than its exports, leaving it with a deficit. The country's total value of imports was \$14.2bn last year, while its exports totalled \$3bn.

Damaged grain facilities

The port's container terminal handled 1.2m teu in 2019 and will struggle to replace that capacity at alternative ports.

Lebanon also typically imports 1.2m tonnes of wheat and 900,000 tonnes of corn each year. Barley imports amounted to 70,000 tonnes

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Alternative Use Boston Projects Ltd

6 August 2020

REPORT

Boston Alternative Energy Facility - Appendix 6.8

Appendix 6.8 Example of letter sent to local political
representatives at Phase Four

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.8
Status: Final/0.0
Date: 23 March 2021





Appendix 6.8 Example of letter sent to local political representatives at Phase Four

This appendix contains a copy of the letter that was sent to local political representatives at Phase Four.



This page is intentionally blank.



Example letter sent to local political representatives

Dear xxx

Boston Alternative Energy Facility- Phase 4 Consultation

I am writing to you on behalf of Alternative Use Boston Projects Ltd to update you about our proposals for Boston Alternative Energy Facility, a state-of-the-art power-generation plant located south of Boston, on the Riverside Industrial Estate, next to The Haven.

The Facility is classed as a Nationally Significant Infrastructure Project (NSIP) for which Alternative Use Boston Projects Limited will submit an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO).

As you may recall, we have undertaken three phases of public consultation about the proposals. Phase 3 took place in June and July 2019 and since then there have been some changes proposed to the project. These are due to several reasons including a project review and ongoing iterative design work, feedback received during the earlier consultations, and input from specialist bodies. As a result of this, we are now undertaking an additional round of consultation (Phase 4) which refers to the changes made to the proposals since the Phase 3 consultation.

The proposed Facility remains an Energy from Waste (EfW) facility, although the technology used to treat the waste has now switched from gasification to traditional EfW technology. We have summarised this change and others in the attached newsletter which is being delivered to local residents and businesses over the next couple of weeks. The changes are anticipated to have minor effects, resulting in an overall reduction in potential negative impacts.

We remain committed to open and honest two-way engagement and consultation. Due to the Covid-19 pandemic, we are unable to hold face-to-face meetings as we have for previous phases of consultation. Instead, we are organising online stakeholder meetings via Zoom and would like to invite you to attend a meeting on **5 August 2020 at 10.00 am**. The meeting will be an opportunity for us to explain the changes that have been made to the proposals, to answer your questions and take your feedback. If you'd like to attend the meeting, please email consultation@bostonaef.co.uk and we will send you a link to the meeting.

The newsletter also explains that instead of holding public exhibitions for this phase of the consultation, we will be holding two webinars and telephone surgeries about the proposals. The webinars are scheduled to take place at 12.00 pm on Tuesday 11 August and Thursday 20 August, while the telephone surgeries will take place on Wednesday 26 August. Details about how people can sign-up for these and provide feedback are included in the newsletter. You are very welcome to join us at any of these sessions, especially if you are unable to attend the meeting on 5 August.



We welcome your feedback on the proposed changes to help us as we begin to finalise our proposal before we submit the application for a DCO later this year. Following submission of the Application there will be a further opportunity to make representations on the proposals and to engage during the Examination process.

Further information about the project can be found on our website at www.bostonaef.co.uk.

Yours sincerely,

Kelly Linay

On behalf of Alternative Use Boston Projects Ltd

REPORT

Boston Alternative Energy Facility - Appendix 6.9

Appendix 6.9 Minutes from Phase Four meetings with
local political representatives

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.9
Status: Final/0.0
Date: 23 March 2021





Appendix 6.9 Minutes from Phase Four meetings with local political representatives

This appendix contains a copy of the minutes from Phase Four meetings with local political representatives.



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Boston Alternative Energy Facility Phase Four Stakeholder Meeting with Boston Borough Council

Meeting Date: 5th August 2020

Attendees: Kelly Linay, Gary Bower, Alison Austin, Richard Austin, Christian Allen

Points of Discussion	Notes
Update on the project and Phase Four	GB showed attendees the presentation for Phase Four and updated on what has changed since Phase Three consultation.
Question and Comments	<p>AA – please can you show where the batching plants will be on a map? GB – showed a map on screen of where the batching plant will be located</p> <p>AA – now that the Mick George site is vacant, will you use it? GB – no, the boundary will remain as it was during Phases One through Three</p> <p>RA – we would like to expand the economy in Boston through visitor attractions. It would be good to have a visitor centre during and after construction GB – the visitor centre has two purposes, one for construction and another for the facility running. Will be visual processing elements and opportunity to have tours around the site</p> <p>RA – why is the visitor centre on site, can it be in the town? GB – this is something that we can investigate. We wanted something for construction on site, but the town centre presence isn't something that's been ruled out.</p> <p>RA – is it the same size as North Hykeham plant? GB – BAEF is 1m tonnes, so about 6x bigger in terms of capacity.</p> <p>AA – Is each stack fed by a different line? GB – previously three stacks were combined, now they will be individual and much narrower than the combined one. This will affect the skyline but this will be assessed with the landscape assessment</p> <p>AA – is it possible to operate one or two of the lines at the same time and conduct routine maintenance? GB – Yes, each line will operate 8,000 hours a year. Leaving 33 days' worth of downtime. The plan is that only one line will be down at once.</p> <p>RA – what is the national pressure for this scheme to be completed? GB – as part of overall energy security commitment for the UK, the national policy statement for renewable energy outlines a policy demand for increasing security in terms of alternative energy demand paired with commitments under Climate Change Act.</p>

	<p>RA – Is the Port of Boston happy with level of activity that this will generate and that it will not disrupt current or future plans for the port trade?</p> <p>GB – yes, the Port of Boston will always be included in any changes that involve the port. We have conducted a navigation risk assessment which will be referenced in application. We are in conversation with both the Port and fisheries and they are aware of the volume of shipping proposed. The proposed changes will slightly reduce ships brought in on operational basis year on year, and the design of the wharf has been considered to ensure traffic on river can pass while vessels are docked.</p> <p>RA – can you say that the emissions will be no more than the gasification proposal, or even less?</p> <p>GB – they will have to be no more than what gasification was proposed to emit. Emission standards are more restrictive so the facility will have to operate at a tighter control compared to what we had proposed before</p> <p>RA – Other energy from waste facilities have from time to time experienced ammunition in their bales, are you confident that the screening processes in place before it's on site will flag and can cope with that problem?</p> <p>GB – we are dealing with household waste, and it will go through a second screening process to ensure there's no recycling in it. There will be a residual amount of output which comes to us and goes through shredding. There will be plenty of opportunity to intervene to reduce prohibited materials and ensure it won't get into the thermal facility</p> <p>RA – what about Lincolnshire County Council waste? Will any be used?</p> <p>GB – we've spoken to the Lincolnshire County Council and Boston Borough Council, and we welcome the opportunity to take material into our facility. This would have to be baled to ensure it goes into the facility without causing any odour issues. This is also subject to a procurement agreement between the council and operator of facility. We can't say definitively yes but it can't be ruled out at this stage.</p> <p>AA – will it need to be baled or unbaled?</p> <p>GB – it would be a project requirement to be baled. So then it's a question of who would need to bale it.</p> <p>RA – is the output governed by availability that lines could take, does that still apply?</p> <p>GB – there's a contract between Western Power Distribution and the client to deliver 80MW to the grid. This allows Western Power Distribution to calculate the total capacity of that line but also sets maximum capacity. It sets a benchmark for power distributed to the grid and allows them to know what capacity the grid line is and have other potential input opportunities to the line and manage their own distribution.</p> <p>RA – are you going to be digging into the medieval bank? There is lots of interest in the date of construction etc</p> <p>GB – the bank will have some excavation and we are aware that some of</p>
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	<p>the stakeholders would welcome this to see what the profile of the bank is. Not anticipating on significantly excavating it. GB shared screen – as part of some excavation work we can take some slices through the bank for archaeological brief to identify construction of it, including how and when</p> <p>RA – during 13/14th century, we were exporting fleece of sheep through Boston. Remains of ships have been found in Holland, but none in Boston. It may be that you find some which would be exciting</p> <p>GB – as part of pre submission work, a geophysical and magnetic survey will look at part of the area where the lightweight aggregate facility is for any below-surface items. This will see if there’s anything there so we will pick this up on the water side of the old river line and on land side too for potential settlements.</p> <p>AA – is the overall decision up to Secretary of State? GB – yes, will be submitted then go into statutory planning process. Secretary of State considers the application and determines if it’s complete or not. They then communicate with interested parties, gathering any data associated with their regulatory stakeholders, local council, county council etc, ward parishes all the way through to individuals.</p> <p>The examination process will conclude in early January, then three-month process for interested parties, then goes into examination which takes up to 6 months. Then another 6 months after that where Secretary of State determines the application. So it will be 16 months total</p> <p>AA – once it gets to consultations does it go to our planning department as consultees? GB – yes</p> <p>AA – does it go up to Lincolnshire County Council for a similar decision? GB – no they will act parallel to Boston Borough Council. Either will be independent consultees, but the ultimate decision is made by Secretary of State, not at county level. Either county or borough responsible for signing off the completion of various requirements</p> <p>AA – By the time 16 months has gone by, where will we have got to on timescale? GB – June 2022</p> <p>AA – windfarm clients make their own contributions to the community. Will there be some community trade off / fund? GB – yes there will be</p>
<p>Next Steps</p>	<p>KL – to send braille version to residents</p>

Boston Alternative Energy Facility Stakeholder Meeting

Meeting Date: 7 August 2020

Attendees: Kelly Linay, Gary Bower, Bryan Reeves

Points of Discussion	Notes
Update on the project and Phase Four	GB showed BR the presentation for Phase Four and updated on what has changed since Phase Three consultation.
Question and Comments	<p>BR – when the wharf is built, will there still be access for a footpath around it? GB – not down the front. The footpath that currently exists splits off, and the line which followed the old river is still there. We’ve spoken to County Footpath Officers, and it won’t be safe to walk so we’ve agreed that it will be closed, rerouted and improved. It will reconnect to the existing footpath further down but won’t go back onto the Haven Bank. It’s currently not being used at all as the Environment Agency are carrying out a Haven Bank improvement project to raise the level of it.</p> <p>BR – will you be recycling the plastic from the bales too? GB – plastic will go straight into the thermal facility. It will form part of the fuel.</p> <p>BR – on the site, from the river toward the plant itself, what’s the change in elevation? GB – ranges from 6.3/6.4 metres to 4 metres above ordinance data. We’re going to raise the height of the flood protection element to 7.2 metres. Behind that, the ramp will sit behind the flood wall and the ground behind that will be raised 0.8m above what it is now. There won’t be too much change in height</p> <p>BR – is the external bale store going to be at the same height? GB – the ramp is downwards. The blue dashed line on the map represents the edge of the elevated wharf area which is a footpath. It will sit lower and will be on the ground as it is now.</p> <p>BR – so the conveyor belt will take it down a slope? GB – we’re going to be swinging bales straight from the crane onto a conveyor. The conveyor is 2m above the ground but will be lower than the wharf platform. The bale piles will be a 450-cubic metre stockpile which is no more than 4m high due to restrictions on height.</p> <p>BR – from the brochure, there is an expected plan to lower noise emissions. What are the figures for this?</p>

	<p>GB – we’re trying to anticipate the benefits, and we’re doing more work to assess the impact of the facility as a whole. There will be more work carried out to confirm that this is the case with reduced noise emissions. We are anticipating that there will be beneficial impact on the noise. The air-cooled condenser building may have had issues with noise, but as part of the new plans, will move it more east and the nearest noise receptor is now further away. Another benefit from the proposed move away from a busy and compact layout is that we now have space for more screening and landscaping opportunities to be able to shield noise and put ecological barriers in too.</p> <p>BR – there’s lots of development in this area, with an additional residential site and another in the pipeline nearby for 32 dwellings. A lot of these aren’t going to have an input in the consultation. The landscape assessment should take into account how it will look from those areas. With four years of construction, the roads in the area is poor and not wide enough, so HGVs on daily basis may be an issue. It’s a great facility otherwise</p> <p>GB – from this perspective, as part of environmental assessment we look at cumulative schemes. We’ve liaised with Boston Borough Council to identify anything in the planning process and will have covered those two developments, plus quadrant development plus any in Sutterton, Triton Knoll and Viking Interconnector route which may affect vehicle movements in the area. So we’d to take these onboard to see what the cumulative impacts of our scheme will be as well as those others. On a traffic perspective, from a construction basis, we prepare a construction traffic management plan where we identify specific routing for vehicles visiting the facility. Other measures such as preventing vehicles from going down inappropriate routes, such as avoiding A52 and cutting through the roundabout. We can use in-cab tracking systems and card systems to ensure compliance, and make sure all HGVs have a logo so that any member of public can identify where it’s going. Those are some of the proactive ways to deal with this. We can also manage delivery times to avoid peak transport traffic issues.</p>
<p>Closing Remarks</p>	<p>BR was reminded to send any questions to the consultation inbox – BR asked if he could share it on social media locally</p>

REPORT

Boston Alternative Energy Facility - Appendix 6.10

Appendix 6.10 Phase Four maildrop flyer, envelope
and list of postcodes

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.10
Status: Final/0.0
Date: 23 March 2021





Appendix 6.10 Phase Four maildrop flyer, envelope and list of postcodes

This appendix contains a copy of the flyer, the envelope and list of postcodes it was sent to.



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BOSTON ALTERNATIVE ENERGY FACILITY

PROJECT UPDATE – JULY 2020



Welcome to this update on the Boston Alternative Energy Facility.

THE SCHEME

The proposed Boston Alternative Energy Facility (the Facility) will be a state-of-the-art power-generation facility located south of Boston, Lincolnshire on the Riverside Industrial Estate, next to The Haven.

The Facility is classed as a Nationally Significant Infrastructure Project (NSIP) for which Alternative Use Boston Projects Limited (the Applicant) will submit an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO).

The Facility will generate 102 megawatts (MW) of renewable energy, of which 80MW will be exported to the National Grid, with the rest used for the running of the Facility. This energy will be generated by processing approximately one million tonnes of refuse derived fuel (RDF – derived from non-recyclable waste) per year. This will generate power that is equivalent to the annual power demand of more than 206,000 homes (roughly 66% of the number of households in Lincolnshire).

PROJECT UPDATE AND YOUR VIEWS

We last undertook public consultation (Phase 3) on the proposals in June and July 2019. Copies of the documents provided for that consultation, including the Preliminary Environmental Information Report (PEIR), are available on the project website: www.bostonaef.co.uk.

Since the Phase 3 consultation there have been changes proposed to the project. These are due to several reasons including; a project review and ongoing iterative design work, the feedback received during earlier consultations, and input from specialist bodies. Because of this we are undertaking an additional round of consultation (Phase 4), of which this newsletter forms part of.

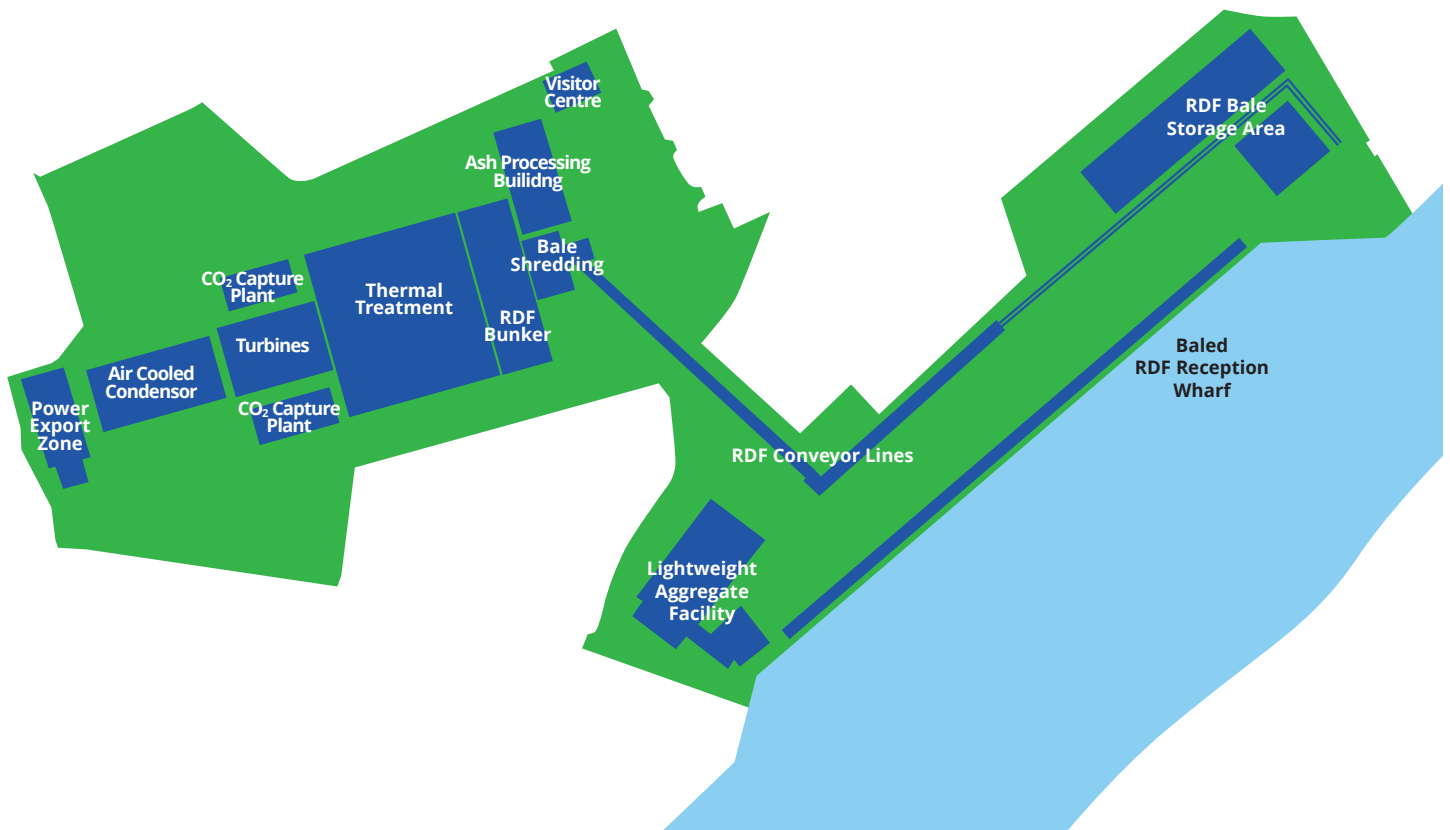
This newsletter provides an overview of the changes made since the previous consultation and provides preliminary information on the impact of those changes. The Phase 4 consultation only refers to the changes made to the proposal since the Phase 3 consultation.

The Facility remains an Energy from Waste (EfW) facility, although the technology used to treat the waste has now switched from gasification to traditional EfW technology. We have summarised this change and others later on in this document. The changes are anticipated to have minor effects, resulting in an overall reduction in potential negative impacts.

We welcome your feedback on these changes to help us as we begin to finalise our proposal before we submit the application for a DCO later this year. We also welcome any questions you might have on the changes to the proposed scheme. We detail how you can ask questions and share feedback at the end of this newsletter.

Following submission of the Application there will be a further opportunity for any person to make representations on the proposals and to engage during the Examination process.

Site Layout



CHANGES DURING CONSTRUCTION

Previous Proposal

CONCRETE TRANSPORTED BY ROAD

High volumes of concrete were needed to be supplied to the site in the early stages of construction to construct the six large silos (each were 48,000m³) for storing processed RDF.

This was to be transported by road. The predicted construction traffic comprised 26 separate weeks where the number of HGV movements would exceed 10 per hour (all within the first 18 months of construction), this included 15 weeks where the number exceeded 15 per hour and seven weeks exceeding 20 per hour. The peak was at 41 movements per hour at the beginning of the second year of construction.

Project Change

CONCRETE BATCHING PLANT ON SITE

The six concrete silos are no longer required because there is no need to process and store the RDF before the EfW thermal treatment process.

There will be a concrete batching plant on site. The raw materials for making concrete can be transported in larger quantities, thus **reducing vehicle movements**. The predicted construction traffic comprises only two separate weeks where the number of HGV movements exceeds 10 per hour, peaking at 15 movements per hour mid-way through year two of construction.

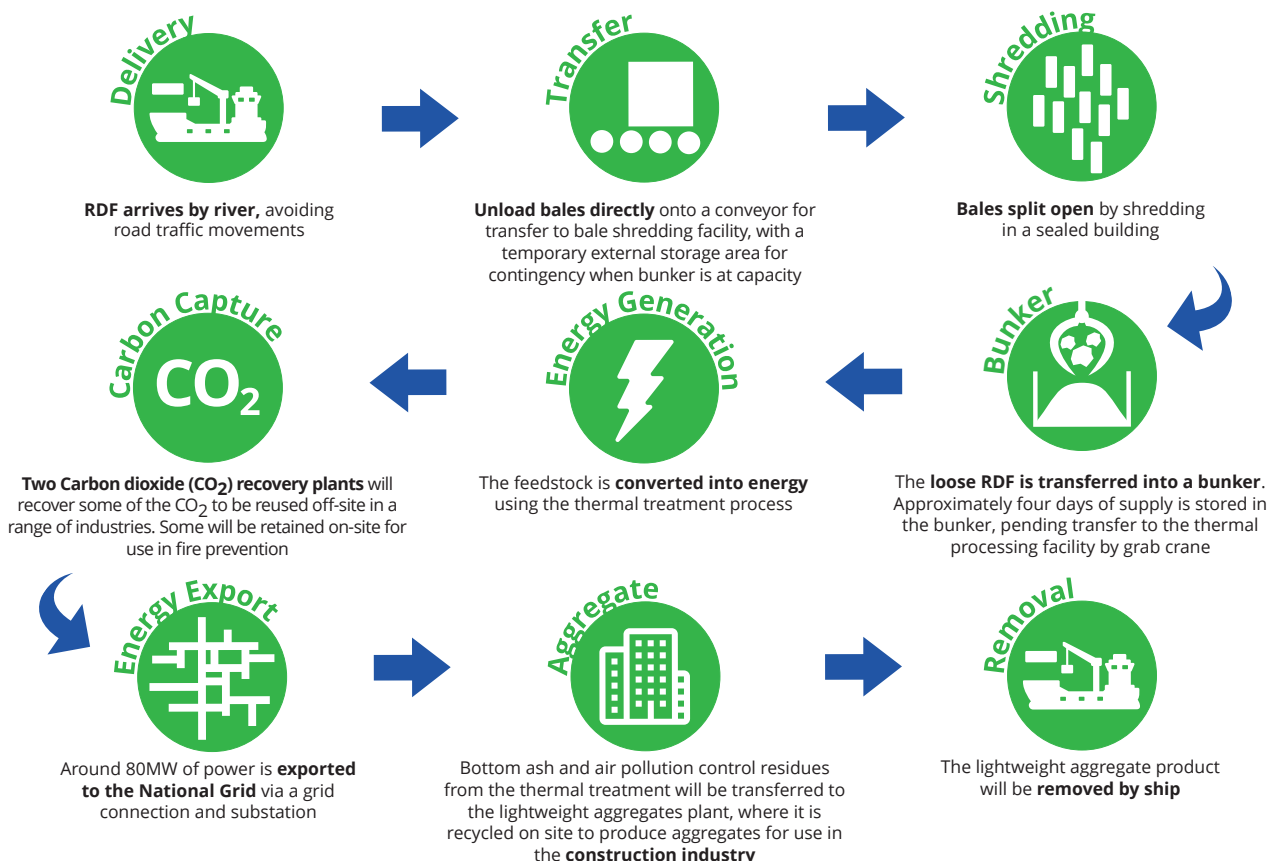
However, 40% of these movements in the peak week will be within the site boundary; 17% will be movements on local private roads next to the site within the industrial estate and 43% of movements outside the local area.

To reduce road transport movements, there will also be delivery of aggregate (for making concrete) via ship. To make this possible, **an early part of the wharf** at the site will be constructed to allow ships to deliver raw materials whilst the site is being constructed.

It is estimated that 132 shipments of aggregate would be required over the construction period.

CHANGES DURING OPERATION

The process is as follows:



SUPPLY OF FEEDSTOCK (RDF)



Previous Proposal

QUANTITY

A worst-case estimate required 1.5 million tonnes of RDF to be supplied to the Facility. This was required to allow for wide variations in the calorific value of the incoming RDF. Gasification facilities require input material to be within a very narrow specification range, hence the previous requirement to have a large RDF processing plant on site to process material to the required specification and remove material such as metals, glass and stone for off-site recycling or recovery.

SOURCE

Previously the RDF was to be largely sourced from facilities that process household and other municipal type waste to remove potential recyclate. The residual non-recyclable output from these facilities is processed into RDF.

All RDF was to be supplied in bales.

RDF SUPPLY FROM THREE PORTS

Previously the RDF was expected to be transported (by ship) from three UK ports, on the east coast.

Project Change

QUANTITY

A worst-case estimate requires 1.2 million tonnes of RDF to be supplied to the Facility. This reduction is possible because conventional EfW is less sensitive to wide variations in the calorific value of the incoming RDF. Therefore, the EfW facility does not need to have a large RDF processing plant on site.

The reduction will mean the number of RDF shipments to site could be reduced by up to 120 per year.

SOURCE

The RDF will still be sourced from residual waste from materials recycling facilities. The specification for the RDF remains unchanged.

All RDF will be received by ship in bales.

RDF SUPPLY FROM SEVERAL PORTS

The RDF supply is now expected to come from a wider range of UK ports (approximately 11 from across the UK – none of the waste received will be sourced from outside the UK).



Example EfW facility already constructed using the proposed EfW technology provider

RDF HANDLING



Previous Proposal

BALES OFFLOADED FROM SHIPS ON TRAILERS AND TRANSPORTED TO A STORAGE AREA AT THE WHARF

There was one crane at each berth for offloading RDF bales.

Cranes were to offload bales and these were to be removed to the external bale storage area by trailer.

Approximately four days of supply (just over 12,000 tonnes) was anticipated to be temporarily stored at the wharf in an uncovered area of approximately one hectare.



Example EfW facility already constructed using the proposed EfW technology provider

RDF PROCESSING

Previous Proposal

LARGE RDF PROCESSING FACILITY

A large RDF processing facility (135m x 94m x 20m high) was required for separating out items that were not suitable for the gasification process but were potentially recyclable.

These recyclable items (approximately 300,000 tonnes per annum) were segregated into recyclable waste streams (ferrous and non-ferrous metal, glass, medium and high-density inert material, such as stones). These materials were to be transported off-site by HGV.

Processed RDF stored in six large 48,000m³ silos pending gasification.

Project Change

BALES WILL BE DIRECTLY OFFLOADED FROM SHIPS ONTO A CONVEYOR FOR TRANSFER TO A BUNKER.

Some contingency storage is required at the wharf, but a reduced area of external storage is required.

Two cranes per berth to **reduce the time taken** to offload the bales.

Automated cranes will be used for offloading the ships to reduce operator fatigue.

Bales will be **directly loaded** onto the conveyors for transfer to the bunker building.

- The RDF bunker has approximately four days of supply.
- A temporary external storage area will still be required at the wharf for contingency for when the bunker is full. This will contain approximately two days of supply thus reducing the number of bales stored outside (and the storage area) by around 50%.



Project Change

BALE SHREDDING FACILITY, NO PRE-PROCESSING

Bales will be conveyed to a small shredding facility (footprint 8m x 15m) to remove the bale wrap and reduce the particle size.

- No silos are required.
- There will be no segregation prior to thermal treatment.
- There is no requirement for HGV movements to remove segregated material off site.
- There is increased space on site by removing the RDF processing building, which delivers a simpler and more efficient layout and allows for safer construction.

KEY MESSAGES AND OUTCOMES



RDF SUPPLY

All RDF supplied will be from UK based sources; this has not changed. This reduces the amount of RDF to be exported to Europe or taken to landfill.

The amount of RDF required is less compared to gasification because the EfW system is not as sensitive to variations in the calorific value of the RDF. This means fewer ship movements are required each year.



RDF STORAGE AND ODOUR

The amount of RDF stored outside will be reduced to between 25% and 50% of the previous requirement.

The internal bunker storage is a fully enclosed building with the air over the shredded RDF continually extracted and fed into the thermal treatment process for use as combustion air. Therefore, all odours will be treated at a high temperature (850°C) and will not be released.



VEHICLE MOVEMENTS

During construction – a concrete batching plant on site and deliveries of aggregate via ship has reduced road vehicle movements.

During operation - vehicle movements are significantly reduced because there is no need to segregate material before the thermal process and take it off site.

THERMAL TREATMENT



Previous Proposal

GASIFICATION TECHNOLOGY

- Gasification technology was proposed.
- Three individual gasification units formed the total thermal treatment system ('a three line' system).
- Each line had a stack, but this was combined in one large stack approximately 5m in width with three cores within, estimated to be 70m in height.

Project Change

THERMAL TREATMENT (ENERGY FROM WASTE) TECHNOLOGY

- Thermal Treatment (Energy from Waste) technology (still three lines). See enclosed images for typical EfW facilities.
- Emissions for the EfW will have to comply with the same standards as for Gasification. New (more stringent) standards were issued in December 2019. The EfW facility will have to comply with these standards which will be controlled through an environmental permit issued by the Environment Agency.
- The reconfiguration has allowed for repositioning of the air cooled condenser (ACC) and turbine buildings to a central point which could **reduce noise impact** from the site.
- Three lines but one individual stack per line, these stacks will be the same height (currently estimated to be 70m) but narrower than the previous design.
- The EfW building is slightly taller (by approximately 4-6m).
- There will also be more cladding around the main EfW building which is likely to **reduce the noise impact**.
- A greater amount of ash (and therefore ash processing) will be ground and sent to the on-site Lightweight Aggregate (LWA) Facility. **Around 10% more aggregate would be produced and transported off-site via ship for use in the construction industry.**

CARBON CAPTURE



Previous Proposal

Project Change

ONE CARBON DIOXIDE CAPTURE UNIT

TWO CARBON DIOXIDE CAPTURE UNITS

KEY MESSAGES AND OUTCOMES



LANDSCAPE ASSESSMENT

There will be an updated Landscape and Visual Impact Assessment to account for the change in scheme design.



AIR QUALITY

The EfW will be required to comply with the same stringent industry standard limits on emissions as the gasification facility.

Twice as much carbon dioxide will be captured, thus lowering emissions.



VEHICLE MOVEMENTS

There will be a reduction in the number of HGV movements in operation compared to previously because the facility does not need to segregate metals and inert material from the RDF before thermal treatment.



POWER OUTPUT

Power output will remain the same.

A typical Thermal Treatment (Energy from Waste) facility



OTHER PROJECT CHANGES

PUBLIC FOOTPATH

A public footpath currently runs along the Roman Bank embankment running through the site. At present there is a gap within the embankment. Previously, the

plan was to route pedestrians down across the gap safely and back up the bank. Instead we are now proposing a footbridge over the gap in the bank.

UPDATED TIMESCALES

Boston timeline

- 1 SEPTEMBER 2018 – PHASE 1**
Informal, non-statutory, pre-application consultation introducing the project and seeking feedback
- 2 FEBRUARY 2019 – PHASE 2**
Informal, non-statutory, pre-application consultation updating on progress on the project, inviting further feedback
- 3 JUNE TO AUGUST 2019 – PHASE 3**
Formal, statutory consultation. The Preliminary Environmental Information Report (PEIR) was presented and further feedback was invited
- 4 JULY – AUGUST 2020 – PHASE 4**
Informal, non-statutory, pre-application consultation, updating on changes to the project and inviting feedback
- 5 Q3 – Q4 2020**
Review feedback from pre-application consultation before submitting an application for a Development Consent Order (DCO) to the Planning Inspectorate
- 6 AFTER THE APPLICATION IS ACCEPTED,** there will be a further opportunity for any person to register as an interested party and make representations on the proposals and to engage during the examination process. Following the examination, the Planning Inspectorate will report on the examination of the application, taking into consideration all relevant matters including representations from interested parties and make a recommendation to the Secretary of State for Business, Energy and Industrial Strategy about whether to grant or refuse the DCO
- 7 THE SECRETARY OF STATE FOR BUSINESS, ENERGY AND INDUSTRIAL STRATEGY** is responsible for making the final DCO decision

WE
ARE
HERE

As this is a complex decision-making process, it can take 16 months or more from acceptance of the DCO application to the final decision. Following approval, the Facility will take approximately four years to construct and commission.

The construction period will begin when the relevant pre-construction requirements have been completed. These will be identified in the decision made by the Secretary of State.

WEBINARS

Due to the Covid-19 pandemic, we're unable to hold public exhibitions as we have for previous phases of consultation. Instead we're hosting two webinars and for those without access to a computer we are offering a telephone surgery. As for phases 2 and 3 we have delivered this newsletter to all homes and businesses in the Boston Borough Council area. Details of when the webinars and telephone surgery are taking place are detailed below. Please book your place using the feedback mechanisms listed below.

WEBINARS

Each session will last between 1-2 hours, depending on the number of questions from the public. These are taking place on:

WEBINAR 1	WEBINAR 2
Tuesday	Thursday
11 August at 12pm	20 August at 12pm

TELEPHONE SURGERY

These are 15 minute slots where you can speak directly with a member of the project team. This is by appointment only. An additional session will be arranged if this date becomes fully booked.

WEDNESDAY 26 AUGUST

10am until 4.30pm

HOW TO CONTACT US

By email: consultation@bostonaef.co.uk

By telephone: 0800 0014 050

By Freepost:

Boston Alternative Energy Facility
RTLY-RLGH-GKSE
Freepost
25 Priestgate, Peterborough, PE1 1JL

To review further information about the Facility, please visit our project website:

www.bostonaef.co.uk



IMPORTANT INFORMATION

about **Phase Four** of our consultation



The Occupier

COLOURS	: CYAN
	: MAGENTA
	: YELLOW
	: KEY (BLACK)

List of postcodes Phase Four maildrop was sent to

Area	District	Sector
PE	22	9
PE	21	9
PE	21	0
PE	20	1
PE	21	6
PE	21	7
PE	21	8
PE	22	0
PE	20	2
PE	20	3

REPORT

Boston Alternative Energy Facility - Appendix 6.11

Appendix 6.11 Phase Four poster and locations where it was displayed

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.11
Status: Final/0.0
Date: 23 March 2021





Appendix 6.11 Phase Four poster and locations where it was displayed

This appendix contains the poster displayed to advertise Phase Four and a list of where it was displayed.



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Boston Alternative Energy Facility

Phase Four Consultation

Alternative Use Boston Projects Ltd is proposing to develop a **state-of-the-art power generation plant** at the Riverside Industrial Estate in Boston. The Facility would generate approximately 102 megawatts of renewable energy from refuse derived fuel (RDF – derived from non-recyclable household waste).

Phase Four of the consultation will update people about proposed changes to the scheme, in particular a proposal that the Facility will use conventional thermal treatment energy from waste technology rather than gasification.

Due to the Covid-19 pandemic, it is not possible to hold public information days as has been the case previously. Instead, we are hosting two webinars as well as a telephone surgery, giving local communities the chance to find out more and provide feedback.



The WEBINARS will be held on the following dates:

- TUESDAY 11 August at 12pm
- THURSDAY 20 August at 12pm



The TELEPHONE SURGERY will take place on:

- WEDNESDAY 26 August 10am - 4.30pm

There will be 15-minute appointments available where people can speak directly with a member of the project team.

Możemy dostarczyć te informacje w innych językach i formatach.

Mēs arī varam sniegt šo informāciju citās valodās un formātos.

Мы можем предоставить эту информацию на других языках и форматах.

Podemos facultar-lhe esta informação noutras línguas e também noutros formatos.

You can sign-up for the webinars and the telephone surgery as follows:

By email: consultation@bostonaef.co.uk

By telephone: 0800 0014 050

By Freepost: Boston Alternative Energy Facility
RTLY-RLGH-GKSE
Freepost
25 Priestgate, Peterborough, PE1 1JL

If you would like further information about Boston Alternative Energy Facility, please visit:

www.bostonaef.co.uk



List of venues where posters were displayed

Posters

Posters were placed on **31 July 2020** within the Boston Borough Council area in the following locations:

Coop Kirton	Cooplunds
Jhay Stores, Kirton	Café Nero
Swineshead Coop	Deli Alta
Cost cutter, Wrangle, Post Office	Tatry Store
The Bricklayers Arms, Old Leake	New Taste Café
Old Leake Community Centre	Boston College
Co-op Old Leake	Coop Skirbeck
Traveller's rest café Leverton	St Nicholas Community Centre, Skirbeck
TH Clements, Bennington	Tesco Superstore
Freiston Post Office	Coop Wyberton
One Stop, Esatwood Road	British Heart Foundation
Costa	Bus Stop Café
Wilkinsons	Churches Coffee Shop
Greggs	Captain Cod Fish and Chips
Poundland	Debs n Hair
Boston Post Office	Red Cow Inn
Swineshead Village store	Acorn Taxi

REPORT

Boston Alternative Energy Facility - Appendix 6.12

Appendix 6.12 Phase Four copies of adverts placed in newspapers

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.12
Status: Final/0.0
Date: 23 March 2021





Appendix 6.12 Phase Four copies of adverts placed in newspapers

This appendix contains copies of the adverts placed in newspapers during Phase Four.



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FLO GAS

FLOGAS, HORNCastle, BOSTON ROAD, INDUSTRIAL ESTATE HORNCastle, LN9 6SB

FOR ALL YOUR BOTTLED CYLINDER GAS WITH FREE LOCAL DELIVERY MONDAY - FRIDAY TELEPHONE 01507 522280

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Wednesday, July 29, 2020 £1.10



SIGN UP ... and join our campaign to turn the tables on litter louts

Pages 18 & 19



COME ON LADS!

All eyes will be on York Street this Saturday as the Pilgrims attempt to reach the National League - see page 36

ENJOY Summer SAFELY

Your guide to great staycations

4-page supplement inside

WHAT NOW?

FEARS FOR TOWN CENTRE AFTER OLDRIDS' CLOSURE

By **MATTY HEWITT AND PAUL WHITELAM**
news@targetseries.co.uk
@LincsLive

SHOPPERS fear the worst for Boston town centre after Oldrids announced plans to close down for good. Loss of trade during lockdown has proven to be the final nail in the coffin for the department store, which has not returned a profit for several years. It has long been seen as a marquee attraction in Boston, drawing shoppers from across the county and boosting trade at nearby businesses for a staggering 216 years.



But bosses say the store faces "insurmountable challenges" and admit the proposals have been drawn up with a "heavy heart".

Diane Green, 69, of Marian Road in the town, said: "The closure of Oldrids is a sign of the town dying. "It was a great place for cards, presents, clothes and everything. We've lost Masons, the shoe shop and M&S, and now Oldrids." Phyllis Chambers, 76, of Hospital Lane, said: "I'm devastated. Oldrids was the heart of the town. "All the ladies used to meet there for coffee. M&S has already gone and it's an empty shell and I think Oldrids will be the same. "I did think it would have opened after lockdown and I was surprised when it wasn't and now it has closed. I feel sorry for

Turn to Page 2

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WESTERN UNION WU
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Broken unwanted jewellery.. Earrings, chains, rings with stones in, (or missing, (stones), chains, foreign coin, sovereigns, etc

SILVER
Broken unwanted jewellery.. Earrings, chains, rings with stones in, (or missing stones) chains. Coin Collections Pre. 47 coins, tea services, cutlery, Trophies Cigarette cases War Medals.

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Boston Alternative Energy Facility

Phase Four Consultation

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Phase Four of the consultation will update people about proposed changes to the scheme, in particular a proposal that the Facility will use conventional thermal treatment energy from waste technology rather than gasification.

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Mēs arī varam sniegt šo informāciju citās valodās un formātos.

Мы можем предоставить эту информацию на других языках и форматах.

Podemos facultar-lhe esta informação noutras línguas e também noutros formatos.

You can sign-up for the webinars and the telephone surgery as follows:

By email: consultation@bostonaef.co.uk

By telephone: 0800 0014 050

By Freepost: Boston Alternative Energy Facility
RTLY-RLGH-GKSE
Freepost
25 Priestgate, Peterborough, PE1 1JL

If you would like further information about Boston Alternative Energy Facility, please visit:

www.bostonaef.co.uk



Boston Alternative Energy Facility

Phase Four Consultation

Alternative Use Boston Projects Ltd is proposing to develop a **state-of-the-art power generation plant** at the Riverside Industrial Estate in Boston. The Facility would generate approximately 102 megawatts of renewable energy from refuse derived fuel (RDF – derived from non-recyclable household waste).

Phase Four of the consultation will update people about proposed changes to the scheme, in particular a proposal that the Facility will use conventional thermal treatment energy from waste technology rather than gasification.

Due to the Covid-19 pandemic, it is not possible to hold public information days as has been the case previously. Instead, we are hosting two webinars as well as a telephone surgery, giving local communities the chance to find out more and provide feedback.



The WEBINARS will be held on the following dates:

- **TUESDAY 11 August at 12pm**
- **THURSDAY 20 August at 12pm**



The TELEPHONE SURGERY will take place on:

- **WEDNESDAY 26 August 10am - 4.30pm**

There will be 15-minute appointments available where people can speak directly with a member of the project team.

Możemy dostarczyć te informacje w innych językach i formatach.

Mēs arī varam sniegt šo informāciju citās valodās un formātos.

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Boston Alternative Energy Facility

Phase Four Consultation

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Phase Four of the consultation will update people about proposed changes to the scheme, in particular a proposal that the Facility will use conventional thermal treatment energy from waste technology rather than gasification.

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RTLY-RLGH-GKSE
Freepost
25 Priestgate, Peterborough, PE1 1JL

If you would like further information about Boston Alternative Energy Facility, please visit:

www.bostonaef.co.uk



REPORT

Boston Alternative Energy Facility - Appendix 6.13

Appendix 6.13 Phase Four media release

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.13
Status: Final/0.0
Date: 23 March 2021





Appendix 6.13 Phase Four media release

This appendix contains the media release sent for Phase Four.



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Media Release

10 August 2020

Local people invited to virtual consultation to find out about changes to the proposed renewable energy plant in Boston

The fourth round of consultation is being held for the proposed Boston Alternative Energy Facility; a state-of-the-art power generation plant located at the Riverside Industrial Estate in Boston which will use residual household waste to generate renewable energy.

The first round of consultation events for the proposed Facility was held in September 2018 and the second round of events was held in February 2019. The third round of consultation focused on the potential environmental impacts of the proposed Facility and included the Preliminary Environmental Information Report (PEIR).

Phase four of the consultation, which will run until 6 September 2020, provides an opportunity to update stakeholders, residents and businesses about proposed changes to the scheme, in particular, a proposal that the Facility will move away from using gasification technology to more traditional thermal treatment energy from waste technology.

The Facility will use thermal treatment energy to generate power from more than one million tonnes of refuse-derived fuel (RDF), which is sourced from residual 'black bag' household waste. The proposed site is adjacent to The Haven and the RDF will be transported to the Facility by ship from UK ports.

The proposed changes are anticipated to have minor effects, resulting in an overall reduction in potential negative impacts. These include a reduction in the number of road vehicle movements during construction and the operation of the Facility, a reduction in the amount of RDF required to be delivered to site, a reduction in RDF storage and a reduction in the amount of CO₂ being released.

Due to the Covid-19 pandemic, it is not possible to hold public information days as has been the case for the previous phases of consultation. Instead, the project team is hosting two webinars as well as telephone surgeries for those without access to a computer.

The webinars will be held on the following dates:

- **Tuesday 11 August** at 12 pm
- **Thursday 20 August** at 12 pm

The telephone surgeries will take place on **Wednesday 26 August** between 10 am and 4.30 pm. There will be 15-minute appointments available where people can speak directly with a member of the project team.

People can sign-up for the webinars and the telephone surgeries as follows:

- By email: consultation@bostonaef.co.uk
- By telephone: 0800 0014 050



- By Freepost:
Boston Alternative Energy Facility
RTLY-RLGH-GKSE
Freepost
25 Priestgate, Peterborough, PE1 1JL

Rachel Wild, Spokesperson for the Boston Alternative Energy Facility, said:

“We would like to thank everyone who has provided feedback during the first three rounds of consultation about the proposed Facility. The feedback received to date has been largely positive and has helped to shape the proposals as they progress.”

“This fourth phase is an informal consultation about the changes that have been made to the proposals and we’d like to encourage as many people as possible to find out more and share their feedback. While it is not possible to run face-to-face public information days as we have for previous consultation phases, we hope people will take the opportunity to get involved and sign-up for the webinars and telephone surgeries.”

Boston Alternative Energy Facility will lead the way in land-based renewable power across the UK, generating energy in a secure, clean and affordable way. The project will create approximately 300 jobs during construction and around 80 jobs once operational. It will also generate power equivalent to the annual energy demand of 206,000 homes, the equivalent of 66% of Lincolnshire’s households.

All comments must be submitted before the consultation ends on 6 September 2020.

You can find out more about the proposals at www.bostonaef.co.uk

END

Editor’s Notes

Contact: Rachel Wild, Athene Communications (rachel@athene-communications.co.uk)
Kelly Linay, Athene Communications (kelly@athene-communications.co.uk)

REPORT

Boston Alternative Energy Facility - Appendix 6.14

Appendix 6.14 Example of letters sent to people who had signed up for updates

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.14
Status: Final/0.0
Date: 23 March 2021





Appendix 6.14 Example of letters sent to people who had signed up for updates

This appendix contains examples of letters sent to those who had signed up to receive project updates.



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Dear Sir / Madam,

Boston Alternative Energy Facility – Phase 4 Consultation

I am writing to update you about the proposal for the Boston Alternative Energy Facility (the Facility), a state-of-the-art power-generation plant located south of Boston, on the Riverside Industrial Estate, next to The Haven.

The Facility is classed as a Nationally Significant Infrastructure Project (NSIP) for which Alternative Use Boston Projects Limited will submit an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO).

As you may recall, we have undertaken three phases of public consultation about the proposals for the Facility. Phase 3 statutory consultation took place in June and July 2019 and since then there have been some changes proposed to the project. These are due to several reasons including a project review and ongoing iterative design work, feedback received during the earlier consultations, and input from specialist bodies. As a result of this, we are now undertaking an additional round of consultation (Phase 4) which refers to the changes made to the proposals since the Phase 3 consultation.

The proposed Facility remains an Energy from Waste (EfW) facility, although the technology used to treat the waste has now switched from gasification to traditional EfW technology. We have summarised this change and others in the attached newsletter which has been delivered to local residents and businesses. The changes are anticipated to have minor effects, resulting in an overall reduction in potential negative impacts.

We remain committed to open and honest two-way engagement and consultation. Due to the Covid-19 pandemic, we are unable to hold Public Information Days as we have for previous phases of consultation. Instead, we have organised webinars and one-to-one telephone surgeries so that people can find out more and ask questions. The project website has also been updated to include details about the changes to the proposals. The telephone surgeries are due to take place on **Wednesday 26 August**. Please let us know if you would like us to organise a telephone surgery for you.



How to provide comments and sign-up for the telephone surgeries

The consultation in respect of the proposed Facility is running until 10 September 2020. **The deadline for receipt of views and comments is 11.59 pm on 10 September 2020.**

You can provide your comments via the channels below:

On the project website: www.bostonaef.co.uk by completing the online comments form or the phase four online survey: <https://www.surveymonkey.co.uk/r/BostonAEF>

By email: consultation@bostonaef.co.uk

By Freepost: Boston Alternative Energy Facility, RTLY-RLGH-GKSE, FREEPOST, 25 Priestgate, Peterborough, PE1 1JL

By Freephone: 0800 0014 050 – where you can request a hard copy of the feedback form.

You can also sign-up for the telephone surgery by email, Freepost or Freephone.

Please ensure you include your name and address when making a response. Personal details will not be shared, but any comments made may be made public as part of the consultation.

We welcome your feedback on the proposed changes to help us as we begin to finalise our proposal before we submit the application for a DCO later this year. Following submission of the Application there will be a further opportunity to make representations on the proposals and to engage during the Examination process.

Further information about the project can be found on our website at www.bostonaef.co.uk.

Yours faithfully,

Linda Elliott

On behalf of Alternative Use Boston Projects Ltd



Dear

Boston Alternative Energy Facility – Phase 4 Consultation

I am writing to update you about the proposal for the Boston Alternative Energy Facility (the Facility), a state-of-the-art power-generation plant located south of Boston, on the Riverside Industrial Estate, next to The Haven.

The Facility is classed as a Nationally Significant Infrastructure Project (NSIP) for which Alternative Use Boston Projects Limited will submit an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO).

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How to provide comments

The consultation in respect of the proposed Facility is running until 10 September 2020. **The deadline for receipt of views and comments is 11.59 pm on 10 September 2020.**

You can provide your comments via the channels below:

On the project website: www.bostonaef.co.uk by completing the online comments form or the phase four online survey: <https://www.surveymonkey.co.uk/r/BostonAEF>

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We welcome your feedback on the proposed changes to help us as we begin to finalise our proposal before we submit the application for a DCO later this year. Following submission of the Application there will be a further opportunity to make representations on the proposals and to engage during the Examination process.

Further information about the project can be found on our website at www.bostonaef.co.uk.

Yours sincerely,

Linda Elliott

On behalf of Alternative Use Boston Projects Ltd

REPORT

Boston Alternative Energy Facility - Appendix 6.15

Appendix 6.15 Presentation given at the webinars

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.15
Status: Final/0.0
Date: 23 March 2021





Appendix 6.15 Presentation given at the webinars

This appendix contains the presentation that was given during the webinars.



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Boston Alternative Energy Facility

Project Update – Webinar

August 2020
Project related

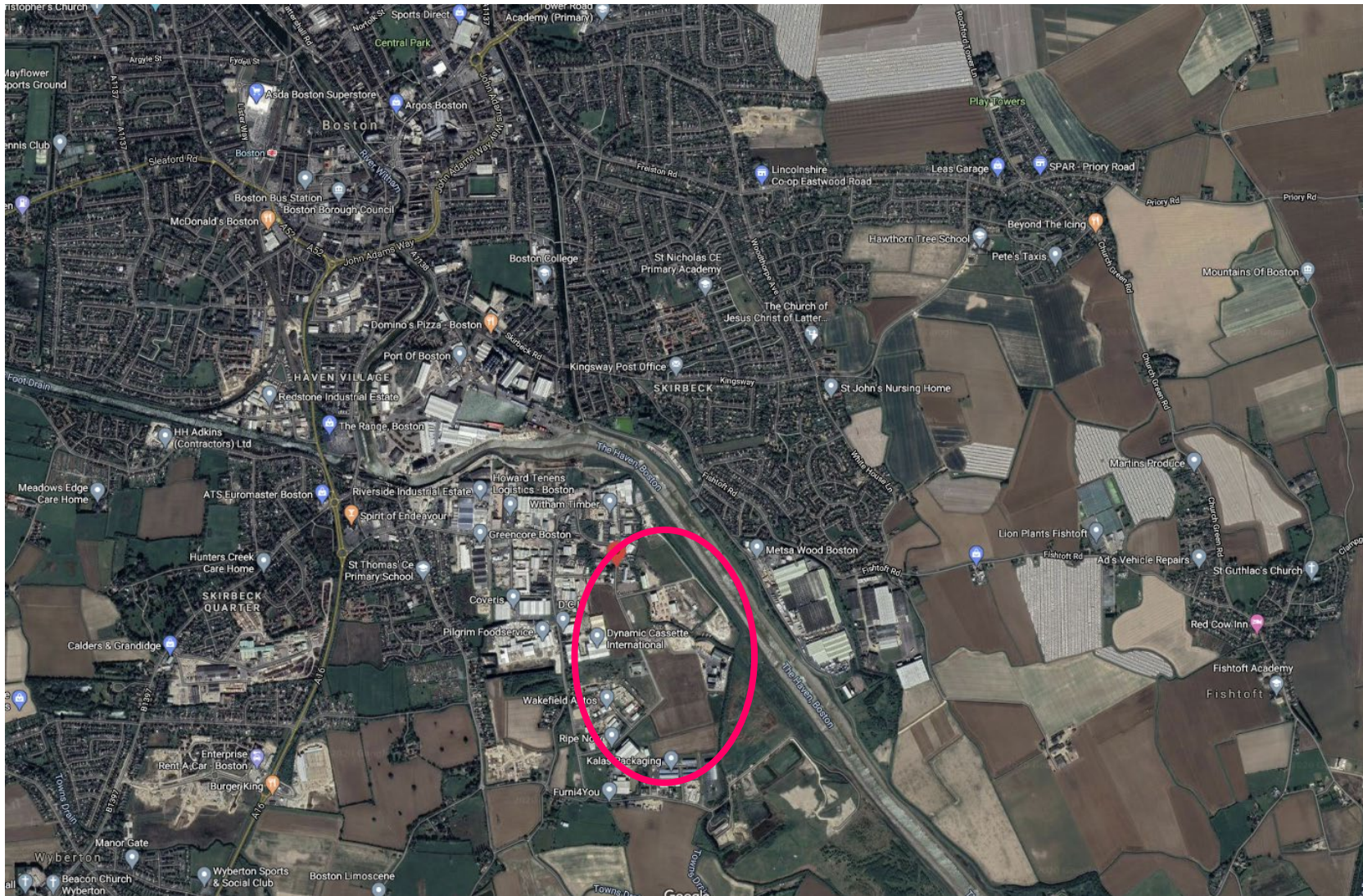


Boston Alternative Energy Facility – changes

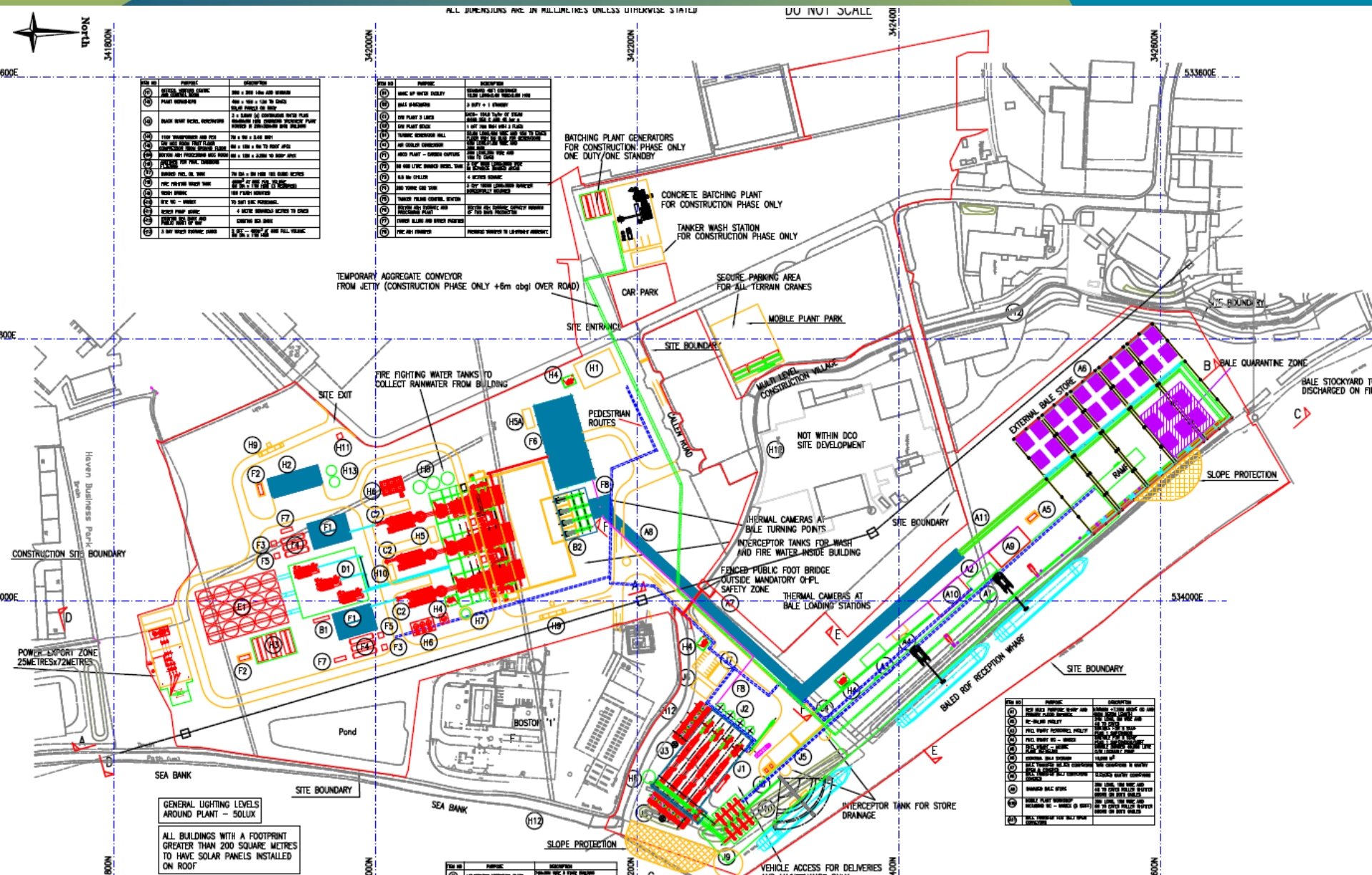
Discussion points:

- Project technology changes:
 - Construction
 - RDF supply
 - RDF offloading and storage
 - RDF pre-processing
 - Thermal technology
 - Other changes, including Carbon capture
- Consultation
- Impact on timescale









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GENERAL LIGHTING LEVELS AROUND PLANT - 50LUX

ALL BUILDINGS WITH A FOOTPRINT GREATER THAN 200 SQUARE METRES TO HAVE SOLAR PANELS INSTALLED ON ROOF

Construction

Key changes

- Concrete batching plant on-site
- Early part of wharf constructed to allow aggregate delivery by ship
- Temporary aggregate conveyor
- Significant reduction in concrete requirements by loss of silos

Likely effect:

- Significant reduction to construction traffic
- New ship movements required during construction to offset deliveries by vehicle

Unchanged

- Approximate length of construction 46-48 months
- Type/Amount of mobile plant and equipment

RDF supply

Key changes

- Change to supplier
- Bales likely to vary in size from different departure points (but will be the same on each shipment)

Likely effect

- Fewer ships required because the worst-case maximum supply quantity is reduced from 1.5Mtpa to 1.2Mtpa
- Wider access to more UK ports

No change: source is processed municipal waste, so will have been pre-screened prior to supply

No anticipated change to required RDF specification

BUT - EfW technology is more tolerant of Calorific Value variability and RDF composition compared to gasification

RDF handling (wharf)

Key changes

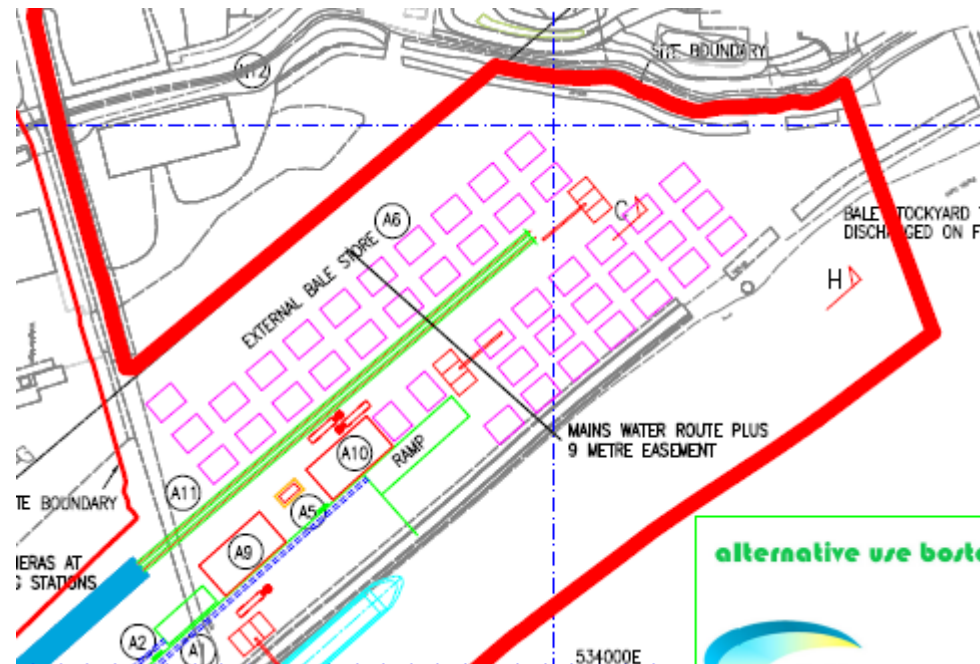
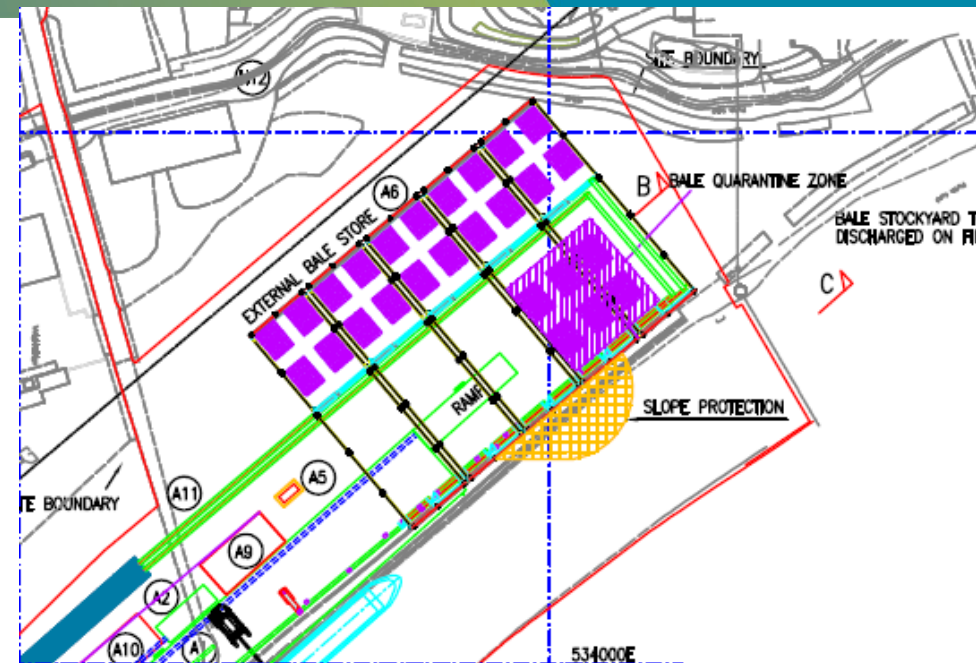
- Two cranes per berth
- Greater automation
- Conveyors directly from wharf side to bale shredder/bunker – minimising amount required for storage @wharf
- Amended redline at the wharf storage area

Likely effect

- Less space required for storing RDF bales
- Increased efficiency and speed in removing bales from ships

No change:

- Two berths for RDF; one berth for aggregate
- Dredged area remains the same



RDF pre-processing

Key changes

- No large RDF shredding facility
- No silos required for processed RDF
- No segregation of metals, inerts from RDF for recycling

Likely effect

- More space required for distributing plant around the site – offers opportunities for optimising layout
- Reduced concrete
- Reduced HGVs



Thermal treatment - EfW

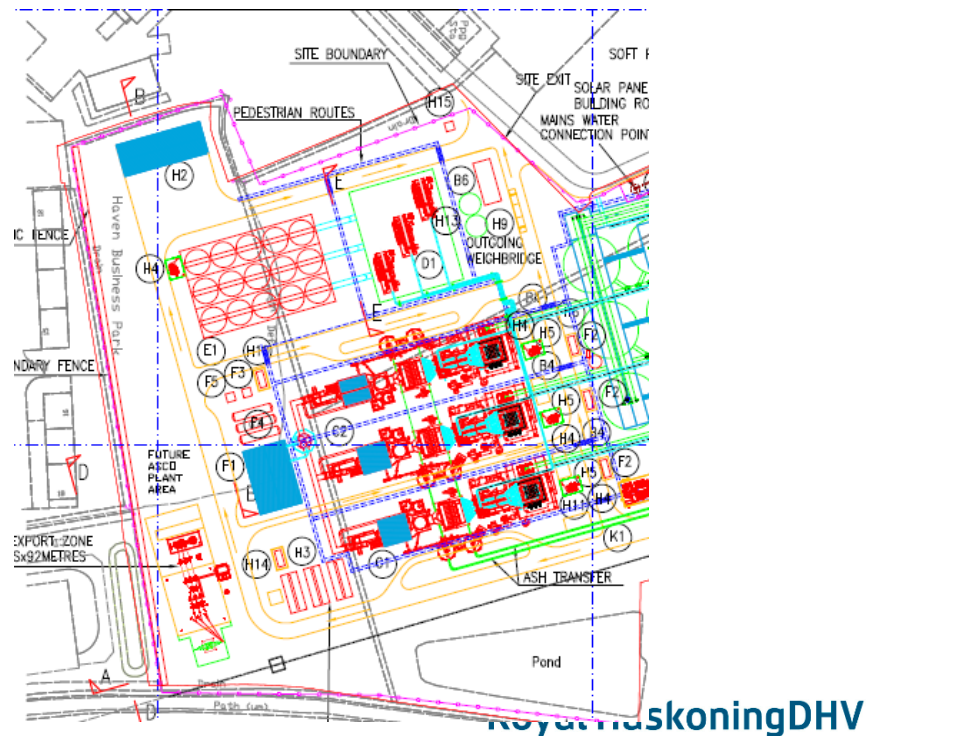
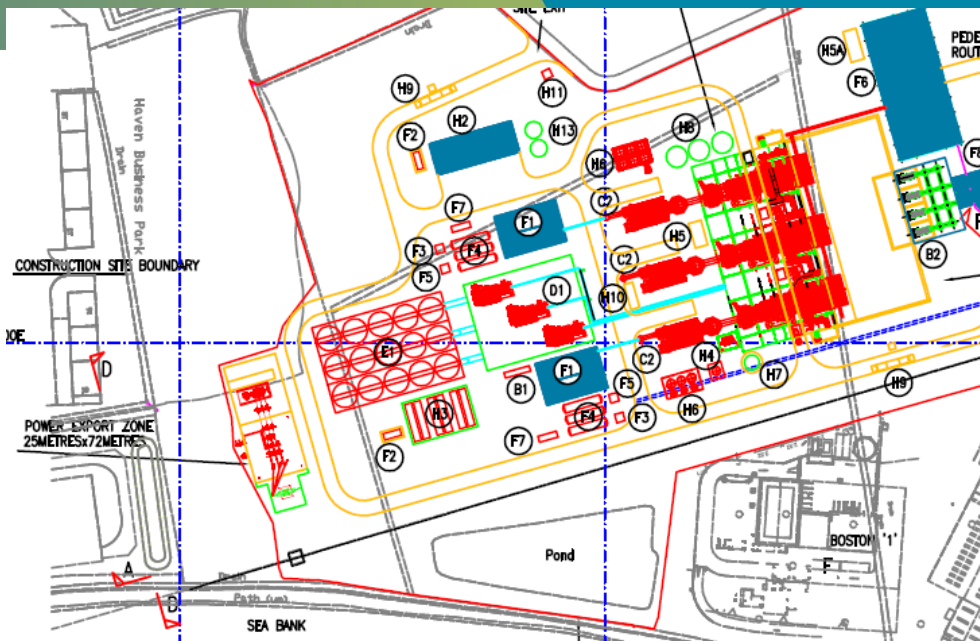
Key changes

- EfW
- ACC / Turbines moved to centre of site
- More ash processing
- Increased number of CO₂ capture units from one to two
- Increased lightweight aggregate production (more ash)
- Amended redline at southern boundary

No change – emissions will have to be compliant with new Waste incineration BREF Dec 2019.

Likely effect

- Less compact layout (simplifies construction)
- Increased ash processing
- Greater CO₂ capture, reduce CO₂ emissions
- More lightweight aggregate, therefore will slightly increase ship numbers (but overall net reduction in shipping)



Thermal treatment - EfW

Key changes

- Three separate stacks
- Taller plant
- More enclosed building

Likely effect

- Noise (TBC)
- Landscape and visual

No proposed changes to turbine technology / ACC technology / power export (still 80MWe)



Footbridge

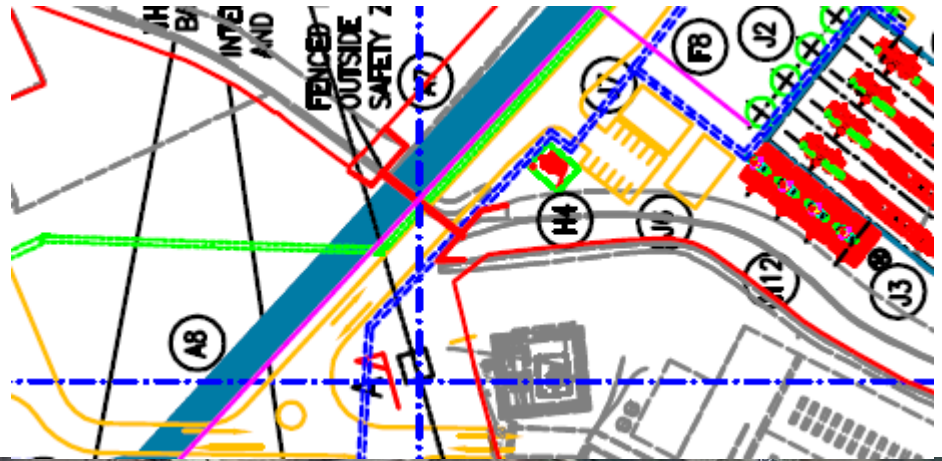
Key changes

- Footbridge

Likely effect

- Footbridge means increased pedestrian safety, but will have heritage impact to Sea Bank footpath

Gap in the Sea (Roman) Bank
Footbridge will span the gap



Consultation

Consideration:

- Interaction with Stakeholders required
- Changes largely positive (from an impact perspective) from PEIR (which represents previous worst-case position)
- Some topic chapters are not affected

Proposed:

- Informal consultation to notify stakeholders about the **changes**
- No amendment to Statement of Community Consultation required
- Summary of changes sent to key stakeholders
- 28 day opportunity for consideration and questions
- Webinar / teleconference with stakeholders
- Public informed by update to external website, direct email to subscribers, maildrop

Boston Alternative Energy Facility – timescale

- Scheme changes confirmed and design freeze implemented – June ✓
- Maildrop newsletter and website being prepared for consultation in July ✓
- Delivery of newsletter by Royal Mail commenced end-July ✓
- Consultation to formally start 10 August 2020 ✓

- Environmental Statement updated and completed (October 2020)
- DCO Programme is being updated accordingly
 - Current anticipated consent application submission **early-Q4 2020**
 - Third party comments could influence this (but considered unlikely)

Thank you for your time

- **Any Questions?**

REPORT

Boston Alternative Energy Facility - Appendix 6.16

Appendix 6.16 Phase Four online feedback form

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.16
Status: Final/0.0
Date: 23 March 2021





Appendix 6.16 Phase Four online feedback form

This appendix contains a copy of the online feedback form for Phase Four.



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Boston Alternative Energy Facility Phase Four Consultation Feedback Form

Alternative Use Boston Projects Ltd is progressing plans for its proposed Boston Alternative Energy Facility, a state-of-the-art power generation plant which will use household waste (refuse derived fuel) to generate renewable energy.

We are currently undertaking the Phase Four consultation for the Facility which aims to update people about proposed changes to the scheme, in particular a proposal that the Facility will use thermal treatment energy from waste technology and not gasification technology. We are also undertaking some further statutory consultation to seek feedback via the Lloyd's List and Fishing News Weekly.

Your feedback is important to us and is essential in helping us to finalise our plans in the lead up to our Development Consent Order application seeking consent for the construction and operation of the Facility.

The Phase Four consultation ends at 11.59 pm on Thursday 10 September 2020 and it is important that all feedback and comments are received before the closing date.

*** 1. In what capacity are you providing comments on the proposed Facility? (please tick one)**

- Local resident
- A community or residents' group
- Parish council representative
- Local councillor
- Statutory stakeholder
- Other (please specify)

*** 2. Which event(s) did you attend?**

- Webinar - Tuesday 11 August
- Webinar - Thursday 20 August
- Telephone surgery - Wednesday 26 August
- Stakeholder meeting
- None of the above
- Other (please specify)

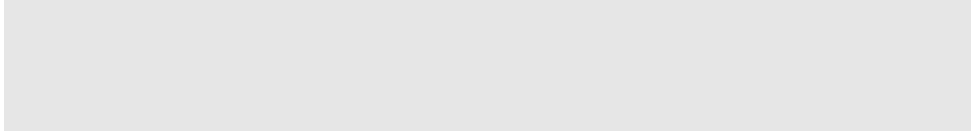
*** 3. How did you hear about the consultation?**

- Newsletter through the door
- Advert in local newspaper
- Article in local newspaper
- Council or Parish Council
- Project website
- Social media
- Poster
- Word of mouth
- Section 48 notice published in the Lloyd's List/Fishing News Weekly
- Other (please specify)

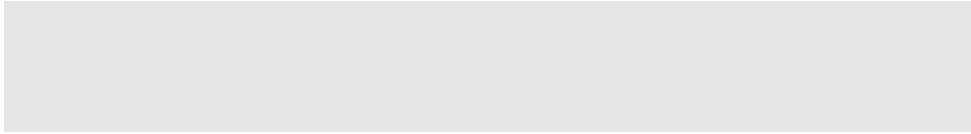
4. Did you find the event(s) you attended helpful?

- N/A
- Yes
- No
- If yes or no, please let us know why

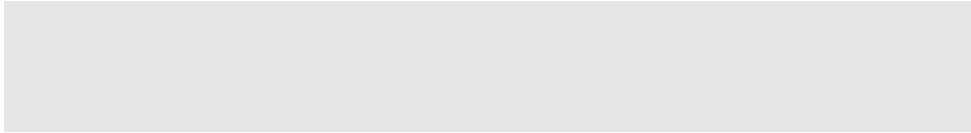
5. Please tell us your views on the proposed facility



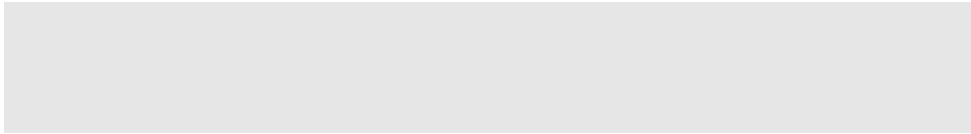
6. Please tell us your views on the proposed technology change to more conventional thermal treatment energy from waste technology.



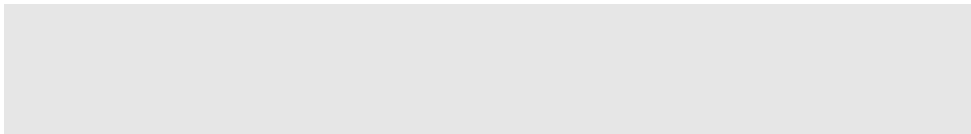
7. Do you have any comments on the other proposed minor changes set out in the newsletter / consultation materials?



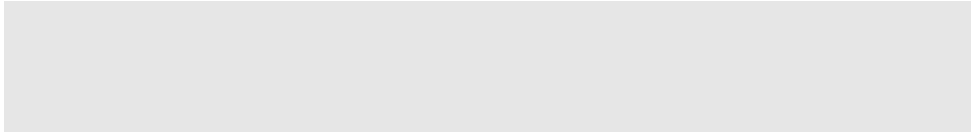
8. Is there anything you think we should consider in relation to the management of the construction period?



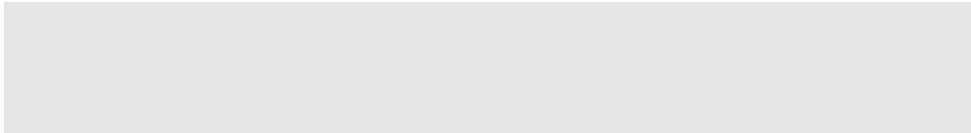
9. Do you have any comments on the information provided in the Preliminary Environmental Information Report, the Non-technical Summary and/or consultation leaflet which summarises the minor changes made since the PEIR was prepared?



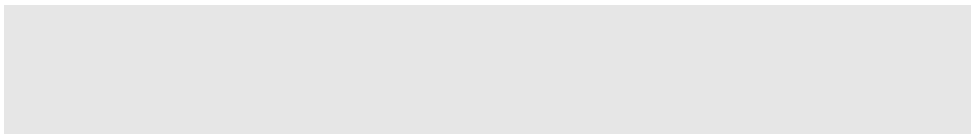
10. Do you have any comments on the suggested mitigation of potential environmental, operational or visual impacts during construction or operation of the proposed facility?



11. Do you have any comments on the design of the proposed facility?



12. Please use the space below to provide any additional comments about the Phase Four consultation or the proposed Boston Alternative Energy Facility.



13. Please tick here if you would like us to contact you to answer a question and if you are happy for us to store your details for this purpose.

Yes

14. Please tick here if you would like us to keep you updated about the project and if you are happy for us to store your details for this purpose.

Yes

15. You are under no obligation to give us your contact details but if you would like us to contact you please leave your email or postal address here:

It would also be helpful if you could give us your postcode so that we have an idea where people who have taken part in the consultation live. You are, however, under no obligation to provide us with this information.

Name

ZIP/Postal Code

Email Address

**If you would like further information about Boston Alternative Energy Facility, please visit:
www.bostonaef.co.uk**

Contact us via email: consultation@bostonaef.co.uk

Phone: 0800 0014 050

Or mail using our freepost address:

Boston Alternative Energy Facility

RTLY-RLGH-GKSE

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Please contact consultation@bostonaef.co.uk if you need this document in another language.

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REPORT

Boston Alternative Energy Facility - Appendix 6.17

Appendix 6.17 Summary of feedback received at Phase
Four via the online feedback form

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.17
Status: Final/0.0
Date: 23 March 2021





Appendix 6.17 Summary of feedback received at Phase Four via the online feedback form

This appendix contains a summary of the feedback received at Phase Four via the online feedback form.



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REPORT

Phase 4 Feedback Summary

Boston Alternative Energy Facility

Client: Alternative Use Boston Projects Ltd.

Reference: PB6934-RHD-ZZ-XX-RP-Z-1005

Status: Final/P01.01

Date: 03 February 2021





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Document title: Phase 4 Feedback Summary

Document short title: Phase 4 Feedback Summary
Reference: PB6934-RHD-ZZ-XX-RP-Z-1005
Status: P01.01/Final
Date: 03 February 2021
Project name: Boston Alternative Energy Facility
Project number: PB6934
Author(s): Kelly Linay

Drafted by: Linda Elliott

Checked by: Kelly Linay

Date: 23 November 2020

Approved by: Paul Salmon

Date: 03 February 2021

Classification

Project related

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1 Introduction

Phase Four consultation for the proposed Boston Alternative Energy Facility (the Facility) took place between 10 August 2020 and 10 September 2020. This phase of the consultation was undertaken following changes to the proposed development, in particular a decision to change the proposed technology from gasification to traditional combustion-based Energy from Waste technology.

Due to Covid-19 restrictions and the necessary limitations on public gatherings, this phase of the consultation included online stakeholder briefings, two webinars and a proposed telephone surgery instead of in-person Public Information Days, as in previous phases.

The consultation was publicised via:

- a maildrop of a newsletter with an update on the Facility including changes to the proposals sent to every home and business in the Boston Borough Council area;
- adverts in the Boston Standard, Boston Target, Lincolnshire Free Press and Spalding Guardian newspapers;
- posters displayed across Boston;
- updates on the Facility website; and
- social media posts on the project's Twitter profile.

The feedback received as part of the Phase Four consultation has been considered by the project team where relevant. The team have taken comments received into account for the final proposals, where appropriate, or will explain the reasons why comments have not been accommodated. These responses will be summarised in a comprehensive Consultation Report, which will be submitted with the Development Consent Order (DCO) application.

2 Attendance

A total of three people attended the webinars. Details of the webinars are provided in **Table 1** below.

Table 1 Phase Four consultation webinar schedule

	Date	Time	Attendees
Webinar 1	Tuesday 11 August 2020	12.00 pm	2
Webinar 2	Thursday 20 August 2020	12.00 pm	1

Both webinars comprised of a presentation from the project team about the changes to the Facility since the previous (Phase Three) consultation, followed by a question and answer session. Attendees at the webinars were encouraged to share their feedback on the proposals and to complete the online survey available via the project website.

The telephone surgery was organised for 26 August 2020. Slots were available for individuals to have a one-to-one discussion with a member of the project team where they could ask questions and provide feedback on the proposal. One telephone surgery slot was booked to take place on 26 August but this was subsequently cancelled and rescheduled for 1 September as the attendee was going on holiday. The consultee subsequently re-arranged again and a discussion was held with a member of the project team. However, it was noted that the question from the consultee was regarding potential opportunities for funding the scheme.

3 Online survey responses

A total of five people completed the online survey. The responses received are summarised below.

1) In what capacity are you providing comments on the proposed Facility?

The first question asked in which capacity the respondent was providing comments on the proposed Facility. Options were local resident; a community or residents' group; parish council representative; local councillor; or 'other'. All five respondents identified themselves as a local resident.

2) Which event(s) did you attend?

The second question asked people which consultation events they had attended. Options were either of the webinars; the telephone surgery; a stakeholder meeting; none of the events; or 'other'. One respondent said that they had attended the webinar on 11 August 2020 and the other four respondents said that they had attended none of the consultation events.

3) How did you hear about the consultation?

Question 3 provided a section for respondents to identify how they found out about the consultation. The breakdown of information provided is summarised below in **Figure 1**. Please note, some respondents selected more than one answer. The respondent who gave "other" as their reply stated that they had heard about the consultation via an email.

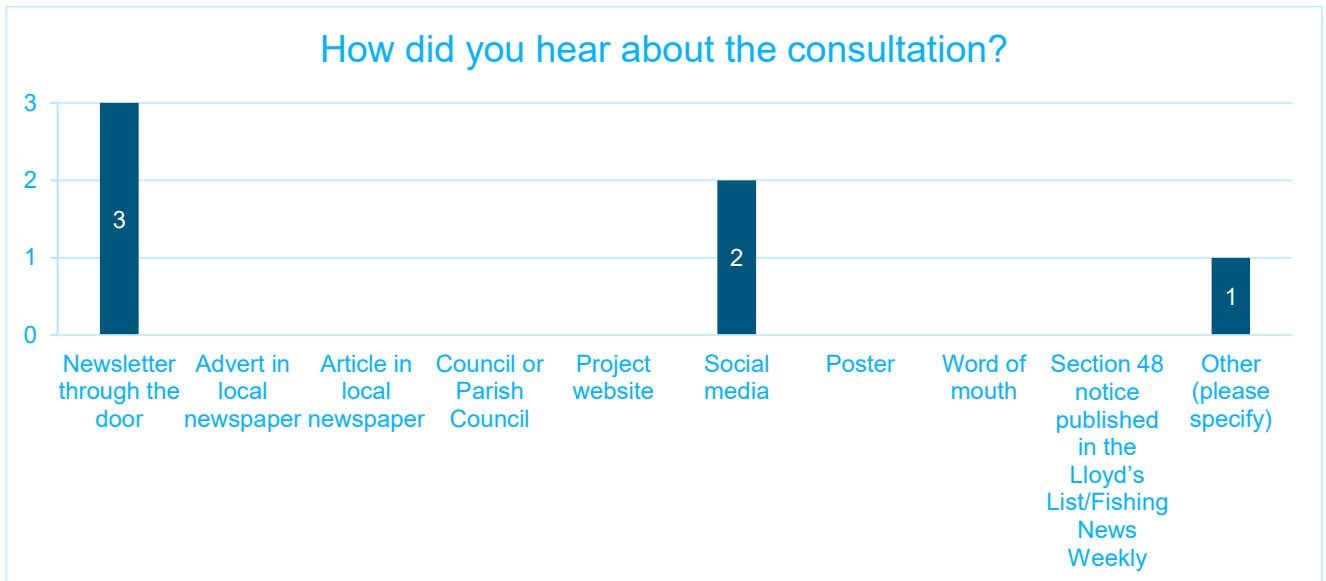


Figure 1 How people found out about the consultation

4) Did you find the event(s) you attended helpful?

Question 4 asked people if they had found the event/s they had attended helpful. Options included yes; no; and non-applicable. There was also an option for people to leave the reason why they had selected either yes or no. Five respondents answered this question. Four respondents said that the question was non-applicable, while one respondent provided a comment that they were awaiting answers to questions raised at the webinar¹ and that the presenter at the webinar had done “a wonderful PR job”. They did not, however, specify whether they had found the webinar helpful or not.

5) Please tell us your views on the proposed Facility

Question 5 was an open text question which gave respondents the opportunity to provide their general views on the proposed Facility. A total of five respondents left an answer to this question. The most numerous comments made were in favour of the Facility. A breakdown of responses is shown in **Table 2** below. Please note that some respondents' answers contained more than one comment.

Table 2 Breakdown of respondents' views on the proposed Facility

Theme	Count
Positive comment about proposals	2

¹ One of the questions raised at the webinar was regarding which UK ports the refuse-derived fuel (RDF) that will supply the proposed Facility will come from. This could not be answered on the day as the information requested was not yet available. Once the information was available, an email was sent to the respondent to answer this question. The information was also added to the Frequently Asked Questions page of the project website. The respondent also raised a concern at the webinar that they had not received an update about the Phase Four consultation prior to its commencement, despite having signed up for updates. The same point was made by the respondent in answer to question 12 - please see below.

Theme	Count
Beneficial to Boston and the environment if the consultation is listened to	1
Fantastic for the town and the environment	1
Opposed to the proposal	1
Revised proposal not as environmentally friendly as gasification	1
Concern for marine environment from damaged RDF bales during automatic delivery – plastic entering the waterways	1
Concern regarding impact on the marine environment from storing RDF bales outside	1
Concern regarding grinding of waste and ash and the impact on air quality and river	1

6) Please tell us your views on the proposed technology change to more conventional thermal treatment energy from waste technology

Question 6 was also an open text question which gave respondents the opportunity to provide their views on the proposed technology change. A total of four respondents answered this question. A breakdown of responses to this question is shown in **Table 3** below. Please note that some respondents' answers contained more than one comment.

Table 3 Breakdown of respondents' views on the proposed technology change

Theme	Count
Positive about proposed change	2
Just a PR description of an incinerator	1
The applicant was forced to make the change as Outotec left the energy sector	1
Feel could have been misled in earlier stages but thermal treatment offers some small advantages	1
Potential to produce a greater amount of electricity from the same amount of RDF overall, therefore a larger capacity power station	1

7) Do you have any comments on the other proposed minor changes set out in the newsletter / consultation materials?

Question 7 was also an open text question which asked respondents for their comments on the other proposed minor changes as set out in the newsletter and other consultation materials. Four respondents answered this question, and a breakdown of responses is set out in **Table 4** below. Please note that some respondents' answers contained more than one comment.

Table 4 Breakdown of respondents' views on other proposed minor changes

Theme	Count
Welcome improvement to the footpath	1
Welcome reductions in road transport	1
Awaiting remodelling figures to see what effects changes will have on residents	1
Would it be sensible and more cost-effective to remove the carbon dioxide from the site by ship as more is being captured?	1
Referred to response to question 5 highlighting support for the proposal but concerns for marine environment from damaged RDF bales during automatic delivery and whilst stored outside. Also, concern regarding grinding of ash and impact on air quality and the river	1

8) Is there anything you think we should consider in relation to the management of the construction period?

Question 8 asked respondents for their views on anything that should be considered about the management of the construction period. This was an open text question. Five respondents answered this question and their responses are summarised in **Table 5** below. Some respondents' answers contained more than one comment.

Table 5 Breakdown of respondents' views on issues to consider in relation to the management of the construction period

Theme	Count
Ensure contractors' contact details are available for local residents	1
Try to use Lincolnshire companies	1
Offer jobs to local residents	1
Ensure local residents are involved / given feedback	1

Theme	Count
Referred to response to question 5 highlighting support for the proposal but concerns for marine environment from damaged RDF bales during automatic delivery and whilst stored outside. Also, concern regarding grinding of ash and impact on air quality and the river	1

9) Do you have any comments on the information provided in the Preliminary Environmental Information Report, the Non-technical Summary and/or consultation leaflet which summarises the minor changes made since the PEIR was prepared?

Question 9 provided an opportunity for respondents to comment on the Preliminary Environmental Information Report (PEIR), the Non-technical Summary and / or the consultation leaflet. This was an open text question. Four respondents answered and their responses are summarised in **Table 6** below. Some respondents' answers contained more than one comment.

Table 6 Breakdown of respondents' views on the PEIR/ Non-technical Summary or consultation leaflet

Theme	Count
Positive comments about the design / proposed changes	2
An updated PEIR report is required to enable any comments as the proposed technology has been changed	1
Information provided and consultation so far has been excellent	1
Referred to response to question 5 highlighting support for the proposal but concerns for marine environment from damaged RDF bales during automatic delivery and whilst stored outside. Also, concern regarding grinding of ash and impact on air quality and the river	1

10) Do you have any comments on the suggested mitigation of potential environmental, operational or visual impacts during construction or operation of the proposed facility?

Question 10 was an open text question which sought respondents' comments on the suggested mitigation of potential impacts during either the construction or operation of the Facility. Three respondents answered this question and their responses are summarised in **Table 7** below. Some respondents' answers contained more than one comment.

Table 7 Breakdown of respondents' views about the suggested mitigation of potential impacts

Theme	Count
Any reduction in traffic is welcome and will reduce the chance of delaying construction	1
Making as much use of the harbour facilities as possible should be a focus – will reduce traffic, noise and road damage plus lower costs	1
Designing the exterior facade of the facility and surrounding the site with trees will help improve the visual appearance	1
Do not feel mitigation will work as your company will no longer be involved	1

11) Do you have any comments on the design of the proposed facility?

Question 11 was an open text question which sought respondents' comments on the proposed Facility's design.

Two respondents answered this question. One stated that the height of the chimneys in relation to the Boston Stump remained a concern, while the other said that the design seemed fit for purpose and they had nothing else to add.

12) Please use the space below to provide any additional comments about the Phase Four consultation or the proposed Boston Alternative Energy Facility

Question 12 provided an opportunity for respondents to provide any further comments about either the consultation or the proposed Facility. This was an open text question. Two respondents answered and their responses are summarised in **Table 8** below.

Table 8 Breakdown of additional comments about the consultation or the proposed Facility

Theme	Count
Any way in which the Facility can help the viability of the port is welcome.	1
Concern about the Phase 4 consultation in terms of contacting those who had registered an interest in the project and availability of the feedback form on the website.	1

The concern expressed is expanded upon further. The comment on this was *“Communications about phase 4 have been very poor. What is the point of having a database of interested people who have requested to be kept up to date yet remain uninformed directly, and have to constantly check the website if they have access. This was brought to the attention of Gary and Rachel Wild, but still remains a problem that has not been addressed, for example the feedback form has just appeared on the website and closes tomorrow. Perhaps I shall have to bring these points up at the examination process with the planning inspectorate in due course.”*

This point is raised regarding the commitment to send responses to members of the public who had signed up to receive updates on the website. Updates were delayed in Phase 4. This was flagged with the project team and is mentioned in the Consultation Report. It was caused because there was a delay in the emails/ letters to those who had signed up for updates going out due to illness in the project team. In terms of the online survey, this was available on the website from the start of the consultation. However, there were a couple of additional links on the website to the survey which were not working – this was corrected just before the end of the consultation.

4 Conclusion

The feedback received during this phase of the consultation has been relatively limited. The responses received via the online survey generally demonstrated support for the proposed Facility and the change in the proposed technology.

The main positive comments included the benefits of using the river and wharf leading to a reduction in traffic movement, the design changes and improvement of the footpath.

The main concerns raised related to the potential impact on the environment, including traffic, noise, river pollution, air quality and visual impacts. Regard to relevant responses will be included as part of the Consultation Report and taken into account as part of the DCO application.

REPORT

Boston Alternative Energy Facility - Appendix 6.18

Appendix 6.18 Phase Four consultation responses and
the Applicant's response

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.18
Status: Final/0.0
Date: 23 March 2021





Appendix 6.18 Phase Four consultation responses and the Applicant's response

This appendix contains a summary of the feedback received during Phase Four and the Applicant's response.



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Phase Four Consultation

Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
Project Need	<p>National need</p> <ul style="list-style-type: none"> What is the national pressure for this scheme to be completed? 	Local political representative.	1	<p>Chapter 2 Project Need of the Environmental Statement (ES) (document reference 6.2.2) describes the 'need' that exists for new power generating infrastructure. National Policy Statements (NSP) EN-1 and EN3 establish an urgent and substantial need for new energy generation infrastructure (and EN-3 specifically included energy from waste (EFW) facilities), with the desire for it to be renewable or low carbon, to achieve climate change targets established and made legally-binding under the Climate Change Act 2008. The proposed Facility will have a generating capacity of 102 MWe (gross), 80 MWe (net) and is aimed at supplying power at a UK level.</p> <p>The Fuel Availability and Waste Hierarchy Assessment (document reference 5.8) identifies that the Facility is set to serve the UK's residual waste stream. This is to help manage approximately 2.9 million tonnes of waste derived fuel are exported from England alone, to northern continental Europe for energy recovery by incineration. Therefore, in line with the proximity principle, the proposed Facility seeks to move the recovery of energy to closer to the point of production and ensure that England is more self-sufficient in managing its own waste.</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
Site Selection and Alternatives	<p>Rationale for proposed change in technology</p> <ul style="list-style-type: none"> • Enquiries about reasons for the change in process. • Why did the gasification tech firm pull out – was it because of the more stringent standards introduced in December 2019? • You were forced to change it because Outotec exited the energy sector. 	Local political representative / local community members.	6	During the Phase Four consultation webinars, the reasons for the changes in technology were explained. The reasoning for the changes are also explained within Chapter 4 Site Selection and Alternatives of the ES (document reference 6.2.4). The gasification technology provider was divesting their business, hence the reason for the change to a different technology provider.
	<p>Concerns over change of technology</p> <ul style="list-style-type: none"> • The proposed thermal plant seems to be an old fashioned and dirty technology – not as environmentally friendly as gasification. • Opposed to the proposal. • Concern about loss of clean, green technology. • Where is the evidence that the thermal technology meets the more stringent standards introduced in December 2019? • Concern about “burning process”/ is the “burning process” as safe as gasification? • Will the emissions be no more than the gasification proposal or less? • Need great care to ensure gases produced through “burning” are not toxic, as the feedstock will be the fuel rather than the gases produced by heating the fuel. What assurances can you give that no toxic gases will be emitted into the atmosphere, thereby placing Boston’s residents at risk? 	Local political representatives/ Local community members.	10	<p>These comments have been noted. It was explained in the Phase Four consultation newsletter and during the consultation webinars that “emissions for the EfW will have to comply with the same standards as for gasification. New (more stringent) standards were issued in December 2019. The EfW Facility will have to comply with these standards and the combustion process will be controlled through an Environmental Permit issued by the Environment Agency.”</p> <p>Chapter 14 Air Quality of the ES (document reference 6.2.14) assesses impacts of air quality during the construction and operation of the Facility. The Chapter also identifies mitigation measures that will be implemented to reduce impacts. An on-line Continuous Emission Monitoring System (CEMS – one per line) would provide continual monitoring of the exhaust gases to ensure the overall system is running within the</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<ul style="list-style-type: none"> That's just a PR description of an incinerator. Feel could have been misled in earlier stages but thermal treatment offers some small advantages. 			Industrial Emissions Directive (IED) emission limits. The height of the three stacks has been provisionally determined to be 80 m to ensure effective dispersion.
	<p>Change in port locations for Refuse Derived Fuel (RDF) supply</p> <ul style="list-style-type: none"> Enquiry about increase of import sites and extra tonnage involved. Why do we need more ports supplying RDF when the overall tonnage required has been reduced? 	Local community members.	2	The reason for the increased number of UK ports for RDF supply is due to a change in supplier from the previous phases of consultation. The supplier has a wider distribution network to allow material to be dispatched to site from more locations. There is no extra tonnage and the proposed amount of material to be received was reduced from previous consultation phases.
	<p>Preliminary Environmental Information Report (PEIR) update</p> <ul style="list-style-type: none"> An updated PEIR report is required to enable any comments as the proposed technology has been changed. Why is there no PEIR report to support such radical changes to the proposal? Awaiting remodelling figures to see what effects changes will have on residents. 	Local community members.	3	The changes made to the project delivered, on balance, a slight reduction in the impacts of the project. Hence, following discussion with the Planning Inspectorate and following consultation with Lincolnshire County Council and Boston Borough Council, a short informal consultation phase was used to promote the changes to the project and an update to the PEIR and subsequent formal consultation was not considered necessary.
Project Description	<p>Efficiency and Waste Heat</p> <ul style="list-style-type: none"> Enquiry about the net efficiency of the system converting heat to electricity and how the waste heat is harnessed. 20MW to run the plant seems a huge amount. 	Local political representative/ Local community members.	3	The Facility will require >20MW of power for internal use, because there are large and complex components associated with the Facility that require power, significantly, the conveyor systems. Part of the heat generated is used by the Facility, including the CO ₂ plant and the lightweight aggregates plant. A Combined Heat and Power

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<ul style="list-style-type: none"> Concern that large amount of heat going to waste and why it's not being used for a district heating system or agriculture. Is the proposed Facility's output governed by availability that grid lines could take? 			Assessment is provided as part of the Development Consent Order (DCO) application (document reference 5.7). This assessment concluded that there is limited potential for external heat demand as it is not economically and commercially feasible and there is limited existing heat demand. However, although the Facility will not be developed to export heat outside of the Order limits from the outset, the Facility will be developed as "CHP Ready" (CHP-R). The term "CHP-R" in this context represents a plant which is initially configured to generate electrical power only (apart from heat supply to the CO ₂ capture facility) but is designed to be ready, with minimum modification, to supply heat in the future.
	<p style="text-align: center;">Aggregate Production</p> <ul style="list-style-type: none"> Where is the value in producing 10% more aggregate when the process produces a greater amount of ash, none of which appears to be recyclable? 	Local community member.	1	The processing of ash into aggregate is a recycling process. This is explained within Chapter 4 Site Selection and Alternatives and Chapter 5 Project Description of the ES (document reference 6.2.4 and 6.2.5). Around 10% more aggregate would be produced and transported off-site via ship for use in the construction industry. This is better than the ash requiring landfill disposal.
	<p style="text-align: center;">Carbon dioxide capture</p>	Local community member.	2	The amount of CO ₂ that is being generated is not in large enough quantities to distribute via ship. The CO ₂ that is captured will be purified to be 'food grade' and will be greater than 99.9% pure,

Phase Four Consultation

Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<ul style="list-style-type: none"> • Would it be sensible and more cost-effective to remove the carbon dioxide from the site by ship as more is being captured? • Request for evidence regarding the revised proposal capturing twice as much carbon dioxide, how much will be captured, how it will be measured and what percentage of “hazard to health type toxins” will it contain? 			<p>therefore, <0.1% will be impurities or contaminants. The plant will capture 5,000 kg per hour per line. There are two lines capturing CO₂ and each will run for 8,000 hours per year. As described in Chapter 5 Project Description of the ES (document reference 6.2.5), the recovery plants will only recover CO₂; any remaining gases will be directed to the 80 m stack to ensure effective dispersion. An on-line CEMS – one per line – would provide continual monitoring of the exhaust gases to ensure the overall system is running within the IED emission limits The Facility will utilise a number of flue gas treatment technologies to remove pollutants prior to discharge to atmosphere.</p>
	<p style="text-align: center;">RDF bales</p> <ul style="list-style-type: none"> • Will you be recycling the plastic from the bales too? • Why are you using RDF bales? Offer to supply RDF using pelletising or briquetting. 	<p>Local political representative/local community member.</p>	<p>2</p>	<p>The plastic from the bales will be processed within the Facility to produce energy. The RDF bales will be wrapped in plastic in order to reduce odour rather than loose RDF.</p>
	<p style="text-align: center;">RDF material</p> <ul style="list-style-type: none"> • What measures are in place to prevent hazardous waste being shipped into Boston? • Concern about bringing rubbish from other parts of the country and environmental impact of transporting it to Boston. 	<p>Local political representatives/local community members.</p>	<p>4</p>	<p>As described in Chapter 5 Project Description of the ES (document reference 6.2.5), the RDF will be sourced from UK suppliers and comprise of Materials Recycling Facility (MRF) residues. This waste will be residual household waste and similar municipal-type waste that has been through the MRF and had all potential recycle and</p>

Phase Four Consultation

Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<ul style="list-style-type: none"> Other energy from waste facilities have from time to time experienced ammunition in their bales, are you confident that the screening processes in place before it's on site will flag and can cope with that problem? Will waste being brought to site need to be baled and unbaled? 			<p>contaminants (for example hazardous wastes) removed. All RDF to the site will be received in bales. This is to limit odour and pollution potential and to make handling easier. However, there will need to be a step in the process to shred open the bales before the RDF is received in the bunker. This will take place in a sealed building. No RDF will be delivered loose to the site by ship.</p>
	<p>Public footpath / footbridge</p> <ul style="list-style-type: none"> Welcome proposed footbridge but who will ensure its construction and maintenance will comply with all safety regulations? Welcome improvement to the footpath. When the wharf is built, will there still be access for a footpath around it? 	<p>Local political representative/ community members.</p>	<p>3</p>	<p>It will be a legal requirement that the footbridge complies with relevant standards and this will be enforced by the local authority. The Operator of the Facility will be required to maintain it. As described in Chapter 5 Project Description of the ES (document reference 6.2.5), during operation of the Facility the Public Right of Way (ProW) that follows the crest of the primary flood bank that routes in parallel to The Haven will be closed. The diversion for these route closures would follow the route of an existing footpath, which follows the route of Roman Bank (also known as 'Sea Bank') along footpath sections BOST/14/11 and BOST/14/9. A fenced public footbridge will be provided across the existing gap in the Roman Bank which will allow for increased pedestrian safety.</p>
	<p>National grid connection and substation</p> <ul style="list-style-type: none"> Enquiry about the location of the national grid connection and substation. 	<p>Local community members.</p>	<p>2</p>	<p>As described in Chapter 5 Project Description of the ES (document reference 6.2.5), a grid connection point would be located within the Application Site to facilitate the net export of 80</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				MWe (and also an import of 5 MW) of electricity. The connection point and substation will be located in the south-east corner of the site. The grid connection infrastructure would include a primary substation to convert the site-produced power into the local 132 kV line. An additional overhead tower located in the south-east corner of the site may need to be constructed (by Western Power Distribution) to manage the connection to the grid system.
	<p>Local waste supply</p> <ul style="list-style-type: none"> • Will Boston and Lincolnshire waste be processed at the site? / No mention of local waste being processed at the site. • Enquiry about whether the Facility would be able to use a local business's wood waste. • Enquiry about whether the Facility would be able to use a local business's high calorific waste. 	Local political representative/ local community members.	5	<p>The Facility requires approximately 1,200,000 tonnes of RDF per year. All of the RDF that is transported to the Facility will come from UK sources, and the supply is driven by the UK waste sector. No RDF will be imported from abroad.</p> <p>In response to feedback received during consultation phases, the potential acceptance of local waste has been discussed with the relevant local authorities. There is a willingness on behalf of both the Applicant and the Waste Disposal Authority (Lincolnshire County Council) and the relevant local authorities to consider this when the waste becomes available. This waste is currently subject to Lincolnshire County Council procurement arrangements and any change would be subject to a new contract in accordance with the County's procurement rules. (Hence the acceptance of local waste material does not form part of the DCO application).</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<p>Boston Alternative Energy Facility - name</p> <ul style="list-style-type: none"> The name Boston Alternative Energy Facility is mis-leading and gives the impression of something like solar or wind. 	Local community member.	1	The Facility is called 'Boston Alternative Energy Facility' because it provides an alternative to sending waste to landfill. Furthermore, the Facility will be unique in capturing CO ₂ as well as using ships for the import of the feedstock and the export of the aggregate product that is generated from the ash and Air Pollution Control Residues (the latter is often landfilled as hazardous waste).
Consultation	<p>Consultation in general</p> <ul style="list-style-type: none"> Information provided and consultation so far has been excellent. 	Local community member.	1	The Applicant has noted these responses.
	<p>Newsletter</p> <ul style="list-style-type: none"> The leaflet sent out was very interesting. Enquiry about how many languages the newsletter was produced in as English is not the first language of nearly a third of Boston residents. 	Local community members.	2	The Applicant has noted these responses. Posters were translated at previous consultation phases into three other languages at Phase One and Phase Two and five other languages at Phase Three and sent to a number of local businesses to display to staff. These languages were determined after consultation with Boston Borough Council who advised on the commonly spoken languages in the area. Sentences were added to the English version of the poster explaining how to request translated versions of materials.
	<p>Webinar</p> <ul style="list-style-type: none"> Awaiting answers to questions raised at the webinar. The presenter at the webinar did "a wonderful PR job". 	Local community member.	1	Questions asked in the webinar were answered during the webinar or followed up afterwards. One query relating to the how the event was advertised was raised and the project team looked into this and responded following the webinar event to the individual concerned. Any additional questions

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				could be asked through the project email address, telephone number or freepost address.
	<p>Project updates</p> <ul style="list-style-type: none"> Concern about the Phase Four consultation in terms of those who had registered an interest in the project receiving updates. 	Local community members.	3	<p>A newsletter with updates on the Facility, in particular the changes to the proposal and details of the Phase Four consultation, was sent to 32,210 residential and business addresses in the Boston Borough Council area via Royal Mail between 27 July 2020 and 7 August 2020. This newsletter included details of the upcoming webinars and the offer of a telephone surgery.</p> <p>There was a delay to the emails and letters being sent to those who had subscribed to updates due to an unexpected absence resulting from illness within the project team. The emails were, however, sent on 21 August and the letters were sent on 24 August by first class post.</p>
	<p>Online survey</p> <ul style="list-style-type: none"> Concern about the availability of the feedback form on the website. 	Local community member.	1	The online feedback survey was available on the project website consultation page from 30 July. There were, however, a couple of additional links to the survey on the website which were not working and this was corrected just before the end of the consultation.
	<p>Enquiries</p> <ul style="list-style-type: none"> Where will the batching plants be located? Is the proposed Facility the same size as the North Hykeham plant? 	Local political representatives, local community members.	41	These enquiries were raised during the webinars, on the online feedback form or via email or letter. In compliance with General Data Protection Regulation (GDPR), individual responses were drafted to these specific questions and sent to

Phase Four Consultation

Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<ul style="list-style-type: none"> • Is each stack fed by a different line? • Is it possible to operate one or two of the lines at the same time and conduct routine maintenance? • What is the change in elevation on the site from the river toward the plant itself? • Enquiry about the height of the external bale store. • Enquiry about whether the conveyor belt at the wharf will take RDF bales down a slope. • How many berths are required on site? Two automated cranes at each berth off-loading RDF in a confined space raises concerns about accidents. Is this why you have removed employees from operating the cranes rather than fatigue? • Enquiry about the figures relating to the likely reduction in noise impact. • Now that the Mick George site is vacant, will you use it? • Enquiry about the the Development Consent Order process. • Who is providing the new EfW technology? • Amount of RDF – the PEIR doesn't match the 1.5 million tonnes you mention in your presentation? • Not longer recycling materials as with gasification therefore not as environmentally friendly? • By going automated will there be fewer employees? 			<p>each consultee who made the query. Questions were also added to the FAQs of the website, where appropriate.</p>

Phase Four Consultation

Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<ul style="list-style-type: none"> • How much CO₂ will be released into the atmosphere? • No email updates to stakeholders registered an interest in the project? • How can you be sure no odour will be released in the new system proposed? • Thermal treatment – does that mean incinerator? • How will we know when the figures/data has been updated? • Can I have a copy of your presentation? Or can it be put on your website? • Why did the notes from your 28 April meeting with the Planning Inspectorate mention Riverside Energy Park? • When will you let us know about the 11 ports? • Concerned about the source of the RDF. How can you prevent hazardous waste that residents may add to their black bins entering the Facility? • Why is the Facility being built on the site? It is the wrong location in an historic town centre and in a double-cropping agricultural region. • When the Facility is operational, how many ships will be bringing the material in? • Will emissions pose a risk to human health and local agricultural produce? • Is the RDF storage now all undercover, removing potential for odour? • If you aren't processing the RDF, now that the project is no longer using gasification 			

Phase Four Consultation

Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<p>technology, are you incinerating more material?</p> <ul style="list-style-type: none"> • How can the Facility incinerate stones and glass? • What is thermal treatment and why don't you say incineration or burning? • Why was gasification chosen in the first place? Is combustion now an inferior method? • Why is the worst-case feedstock estimate 1.2 million tonnes when it was previously 1.5 million tonnes? • Will the public be able to view the visual impact information? • Is there a heritage team involved in this? • Why can't the Facility be located further down the Haven away from the town? • Will your estimates that you mention in terms of environmental impact be what happens in reality? • Who polices the quality of the RDF materials used? • Are there monitors on the stacks which show what is being emitted? • Will there be any smoke or smell from stacks? • Did you look at locating the Facility elsewhere – at Kings Lynn, for example? 			
	<p>Supportive comments</p> <ul style="list-style-type: none"> • Encouraged to see the proposed use of water freight for bringing in RDF and to take out the ash product. Echoes of the Riverside Energy 	Local community members.	10	The Applicant has noted these responses.

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<p>plant at Belvedere, north Kent, on the Thames. We think what you are doing is so right and absolutely in tune with the times.</p> <ul style="list-style-type: none"> • We have attended all stages of consultation until now and believe the Facility beneficial to Boston and the environment if consultation is listened to. • The technology change sounds positive. • Very good idea / fit for purpose. • I think it's fantastic for the town and more importantly the environment. • In favour of proposals. • The changes appear positive. • Hope the project will be successful. • Hope you can get approved and operational ASAP. Badly needed. • Potential to produce a greater amount of electricity from the same amount of RDF overall, therefore a larger capacity power station. 			
Cultural Heritage	<p>Archaeological finds</p> <ul style="list-style-type: none"> • Are you going to be digging into the medieval bank? There is lots of interest in the date of construction. • During 13/14th century, fleece of sheep was being exported through Boston. Remains of ships have been found in Holland, but none in Boston. It may be that you find some which would be exciting. 	Local political representatives.	2	<p>Chapter 8 Cultural Heritage of the ES (document reference 6.2.8) is supported by a Cultural Heritage Technical Geophysical Survey Report (Appendix 8.2 Geophysical Survey Report: Boston Alternative Energy Facility, document reference 6.4.4), which provides all the relevant information and figures for the geophysical survey that was conducted in August 2020.</p> <p>The DCO application is supported by the Outline Written Scheme of Investigation (OWSI) (document reference 7.3) which is a separate</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				standalone document that sets out the proposed approaches and commitments to archaeological survey and investigation to be put in place for the Facility.
Landscape / visual	<p style="text-align: center;">Impact on the landscape</p> <ul style="list-style-type: none"> Note Alternative Use Projects is not based in Boston and won't be affected by the blight that this Facility will bring. The landscape assessment should take into account how the Facility will look from the areas where new residential developments are planned. The height of the chimneys in relation to the Boston Stump remains a concern. 	Local political representative /community members.	3	<p>A Landscape and Visual Impact Assessment (LVIA), Chapter 9 of the ES (document reference 6.2.9), has been undertaken which considers the predicted landscape and visual effects that would result from the development of the Facility.</p> <p>The LVIA was undertaken by a qualified landscape architect using publicly accessible viewpoints that were agreed with the relevant local authorities following the appropriate guidance for conducting the assessment.</p> <p>In order to ensure effective dispersion of emissions, the stacks have been provisionally determined to be 80 m; this is lower than the height of the Stump. This height is necessary to ensure effective dispersion of the exhaust gases.</p> <p>The Facility lies within the existing Riverside Industrial Estate, on land designated under local plans as a Proposed / Existing Employment Area and an Allocated Waste Area. As such the site, surrounding landscape and associated views are strongly influenced by existing large industrial buildings, busy roads, commercial vessels using</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				The Haven and other features, including very tall electricity pylons that often dominate local views.
	<p>Mitigation measures</p> <ul style="list-style-type: none"> Designing the exterior facade of the Facility and surrounding the site with trees will help improve the visual appearance. 	Local community member.	1	An Outline Landscape and Ecological Mitigation Strategy (document reference 7.4) has been presented with this DCO application. This document sets out the indicative landscaping proposals for the site. A visual representation is shown within the Illustrative Landscape Plans (document reference 4.4).
Noise	<p>Noise impacts</p> <ul style="list-style-type: none"> Concern about noise. The use of bunds and barriers for noise is reassuring. 	Local community member.	1	<p>Chapter 10 Noise and Vibration of the ES (document reference 6.2.10) assesses potential noise and vibration impacts associated with the Facility and identifies mitigation measures that will be implemented to reduce impacts.</p> <p>Construction noise will be minimised by implementation of a Code of Construction Practice (CoCP) (an Outline CoCP (document reference 7.1) is provided within this application) in line with the requirements detailed in BS 5228:2009+A1:2014.</p> <p>Construction activities would take place six days a week (Monday to Saturday) between 8am and 8pm (with an option of 7am to 7pm), with no bank holiday or public holiday working. There may be short periods of 24-hour working where concrete is being poured.</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				The Application Site will operate and be managed by adhering to DCO requirements at the site, applying the principles of Best Available Techniques (BAT) when designing the Facility and for any sound emitting mobile and fixed plant. The principle of BAT ensures that suitable mitigation measures are embedded into the design and operation of the installation. Additional mitigation measures such as altering the design of specific site elements, such as adding cladding, may also be incorporated where relevant, as outlined in Chapter 10 of the ES.
Surface Water, Flood Risk and Drainage Strategy	<p>Impact on marine environment</p> <ul style="list-style-type: none"> • Concern for marine environment from damaged RDF bales during automatic delivery – plastic entering the waterways. • Concern regarding impact on the marine environment from storing RDF bales outside. • Concern regarding grinding of waste and ash and the impact on river. 	Local community members.	3	<p>Chapter 13 Surface Water, Flood Risk and Drainage Strategy of the ES (document reference 6.2.13) assesses the potential for accidental release of contaminants to the river and identifies mitigation measures that will be implemented to reduce impacts.</p> <p>Bales will be tightly wrapped in plastic, which reduces odour but will also prevent any wind-blown litter entering the river. Any bale that is damaged, will be immediately re-baled using the on-site baling facility.</p> <p>During operation, a sealed surface water drainage system will be built behind the primary flood defence to manage any increase in surface water runoff. This will only provide drainage to elements of the project, including the contingency bale</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				<p>storage area, that lies between the primary and secondary flood defences. The water collected will predominantly be used to supply the lightweight aggregate facility which has a significant water demand, with only a minimal amount being discharged under an Environmental Permit. These measures will help to control the release of surface waters from the permanent development and prevent changes to surface runoff and flood risk; it also prevents the discharge of leachate from bales into the river.</p> <p>No waste will be subject to grinding at the Facility other than the ash. This will take place in a sealed building, therefore will not impact the river.</p>
Air Quality	<p>Air pollution</p> <ul style="list-style-type: none"> Concern regarding grinding of waste and ash and the impact on air quality. How much carbon will be emitted? / no mention of how much carbon will be emitted in newsletter. 	Local community members.	2	<p>Chapter 14 Air Quality of the ES (document reference 6.2.14) assesses impacts of air quality during the construction and operation of the Facility and identifies mitigation measures that will be implemented to reduce impacts where necessary. 609,649 tonnes of carbon dioxide will be emitted per annum.</p> <p>No waste will be subject to grinding at the Facility other than the ash. This will take place in a sealed building, therefore, will not cause air quality impacts on external receptors.</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<p style="text-align: center;">Odour</p> <ul style="list-style-type: none"> • Oppose the proposal – concern about smell already from the existing small site. • How will the “fully enclosed bunker” remain odour free when maintenance suggests there must be some form of access to inspect internally? 	Local community members.	3	The Facility has been designed to prevent significant odour impacts from occurring; RDF conveyors will be enclosed other than at the loading point, and the RDF shredding and bunker buildings will be enclosed with the air extracted and sent to the thermal treatment plant for combustion. Fast-acting roller shutter doors will be in place to minimise the time that doors are open when the building is accessed for maintenance and the building would be operated under negative pressure so air will flow in rather than out.
Navigational Issues	<p style="text-align: center;">Port/ use of river</p> <ul style="list-style-type: none"> • Enquiry about the deadweight tonnage the ships will be able to carry. • Encouraged to see the proposed use of water freight for bringing in RDF and to take out the ash product. Echoes of the Riverside Energy plant at Belvedere, north Kent, on the Thames. • Making as much use of the harbour facilities as possible should be a focus – will reduce traffic, noise and road damage plus lower costs. • Any way in which the Facility can help the viability of the port is welcome. • Is the Port of Boston happy with level of activity that this will generate and that it will not disrupt current or future plans for the port trade? 	Local political representative/ community members.	5	<p>As described in Chapter 18 Navigational Issues of the ES (document reference 6.2.18), the anticipated size of vessels used for the handling of materials to / from the proposed Facility will be similar to the cargo and commercial vessels that currently use The Haven and visit the Port of Boston. The ships will have the capacity for approximately 2,500 tonnes of RDF and up to 3,000 tonnes for aggregate.</p> <p>The Applicant has noted these responses with regards to use of the river and a reduction in road traffic movements. The Applicant considered delivery of construction materials to the Port; however, this will cause additional traffic movements between the Port and the Application Site, which could increase impacts on the route, including Leyland Way/Marsh Lane and the A52</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				<p>roundabout with Marsh Lane, which are sensitive road links. Therefore, it was decided to only deliver construction materials by ship directly to the Facility once the wharf was constructed to be able to receive these materials.</p> <p>The Facility will contribute to the Port by using its facilities to turn vessels, furthermore, each vessel that visits the Facility will require a pilot to navigate The Haven, which will be supplied by the Port.</p> <p>Consultation with the Port of Boston has been ongoing throughout the pre-application phase, as detailed within Chapter 18. It was confirmed during this consultation that the Port of Boston has previously managed the level of traffic proposed by the Facility.</p>
Socio-Economics	<p>Local community benefits (Mitigation)</p> <ul style="list-style-type: none"> Enquiry about a Community Grant Fund/ community benefits. 	Local political representatives.	2	This will be confirmed at a later stage in the DCO process following negotiation with Lincolnshire County Council and Boston Borough Council.
	<p>Visitor centre and communication</p> <ul style="list-style-type: none"> It would be good to have a visitor centre during and after construction. Can it be in the town? Ensure contractors' contact details are available for local residents. Ensure local residents are involved / given feedback. 	Local political representative/ local community members.	3	<p>The Applicant intends to keep local community stakeholders updated throughout the construction of the Facility, as detailed in the CoCP secured by the requirements and conditions set out within the DCO. This will include making the contractors' contact details available for local residents.</p> <p>The Site will include a visitor centre with associated parking during operation.</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
	<p style="text-align: center;">Employment</p> <ul style="list-style-type: none"> Two automated cranes at each berth off-loading RDF will lead to a loss of employment opportunities. Try to use Lincolnshire companies. Offer jobs to local residents. 	Local community members.	3	<p>Chapter 20 Socio-Economics of the ES (document reference 6.2.20) considers the potential employment levels from the Facility during construction and operation.</p> <p>The Facility is expected to support, at its peak, approximately 250-300 direct construction jobs. It is expected that a large number of construction workers will be sourced from within the local area.</p> <p>The Facility is expected to support an estimated 108 gross direct full time employment (FTE) jobs during operation. The aim will be to increase the proportion of workers sourced from the local area over time once the necessary training capability has been embedded within the site's workforce and operating model.</p>
Traffic and Transport	<p style="text-align: center;">Reduced vehicle movements</p> <ul style="list-style-type: none"> Welcome reductions in road transport. Any reduction in traffic is welcome and will reduce the chance of delaying construction. 	Local community members.	2	The Applicant has noted these responses.
	<p style="text-align: center;">Connection to roads</p> <ul style="list-style-type: none"> Enquiry about the location and connection to Boston roads - no mention in the newsletter. 	Local community member.	1	Chapter 19 Traffic and Transport of the ES (document reference 6.2.19) assesses the impact of construction and operational traffic associated with the Application Site and identifies mitigation measures that will be implemented to reduce effects, including routes taken by construction traffic.

Phase Four Consultation

Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				<p>Commitments are contained within an Outline Construction Traffic Management Plan (outline CTMP) (document reference 7.2) submitted with the DCO to reduce transport impacts. The CTMP will be updated after submission prior to construction in accordance with requirement 12 of the DCO (document reference 2.1).</p> <p>Two car parks will be provided at the Facility. The northern car park will be the main construction car park, accessed / egressed from Nursery Road. The southern car park will be the over-spill car park accessed via an 'entry only' access off Marsh Lane and exit provided on Nursery Road.</p> <p>The operational access strategy consists of two accesses. A main site access on Nursery Road for employees and HGVs and an 'Exit Only' access is provided on Bittern Way leading to Marsh Lane for HGVs. This strategy reduces HGV conflicts at the main site entrance and along Nursery Road, increasing site safety and reducing traffic delay.</p>
	<p>Road quality and construction traffic</p> <ul style="list-style-type: none"> The roads in the area are poor and not wide enough, so HGVs on daily basis during construction may be an issue. 	<p>Local community member.</p>	<p>1</p>	<p>Chapter 19 Traffic and Transport of the ES (document reference 6.2.19) assesses the impact of construction and operational traffic associated with the Application Site and identifies mitigation measures that will be implemented to reduce effects, including routes taken by construction traffic.</p>

Phase Four Consultation				
Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				Commitments are contained within an Outline Construction Traffic Management Plan (outline CTMP) (document reference 7.2) submitted with the DCO to reduce the impacts on driver delay associated with single occupancy vehicle travel with measures designed to increase more sustainable forms of travel. The CTMP will be updated after submission prior to construction in accordance with requirement 12 of the DCO (document reference 2.1)
Health	<p style="text-align: center;">Health</p> <ul style="list-style-type: none"> The previous plan was already ten times larger than any existing ones and these had caused serious problems regarding human health. 	Local community member.	1	<p>Chapter 22 Health of the ES (document reference 6.2.22) includes conclusions of the assessments of noise and vibration; contaminated land, land use and hydrogeology; surface water, flood risk and drainage; air quality; traffic and transport; and socio-economics and it concludes that there will be no significant health effects.</p> <p>Chapter 14 Air Quality of the ES (document reference 6.2.14) assesses impacts of air quality during the construction and operation of the Facility.</p>
Mitigation measures	<p style="text-align: center;">Mitigation</p> <ul style="list-style-type: none"> Do not feel mitigation will work as your company will no longer be involved. 	Local community member.	1	Mitigation measures outlined within the ES and documents such as the CoCP) must be complied with as a Requirements of the DCO (the draft DCO is provided as document reference 2.1 of this application). These conditions must be imposed on consent of the Facility. The contractor

Phase Four Consultation

Topic	Feedback	Stakeholders	Number of times feedback received	Regard had to Response (Section 49)
				will be required by law to adhere to the Requirements of the DCO.

REPORT

Boston Alternative Energy Facility - Appendix 6.19

Appendix 6.19 Phase Four consultation feedback from statutory consultees and section 42 consultees and the Applicant's response

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.19
Status: Final/0.0
Date: 23 March 2021





Appendix 6.19 Phase Four consultation feedback from statutory consultees and section 42 consultees and the Applicant's response

This appendix contains a summary of the issues raised by statutory consultees and section 42 consultees and the response provided by the Applicant.



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Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
N/A	N/A	Boston Borough Council	Disappointingly, the above environmental assessments (Transport/Traffic; Noise; Air quality/air pollution; Light pollution; Flora and fauna habitat and wildlife impacts; Landscape and visual impact; Heritage; Public access) were not available for consultation purposes during the Phase 4 consultation round or during deliberations by the Councils Scrutiny Committee on 8th September and subsequently by Cabinet on 9th September.	Although it was not necessary to provide an update PEIR at Phase Four consultation, key chapters of the Environmental Statement (ES) - Traffic and Transport, Air Quality and Noise were sent to Boston Borough council on the 6th November 2020. A meeting was held with Boston Borough Council and Lincolnshire County Council on the 18th November to discuss the outcome of these impact assessments.
N/A	N/A	Boston Borough Council	The Borough Council is keen to work with the applicant to contribute at this early stage to the development proposals and ensure that in the event the Secretary of State determines to approve the application, all concerns have been robustly considered to ensure maximum economic benefit to the wider community whilst protecting the environment and mitigating impacts to ecosystems, residents and businesses surrounding the proposed site. To this end, I suggest that as soon as the environmental assessment documents listed above have been published that the Council reconvene the project team meetings involving Officers from Boston Borough Council and Lincolnshire County Council, in order to evaluate the assessments and provide further feedback to BAEF to shape and inform the final submission to PINS.	
14/19	Air Quality, Traffic Management & Other Environmental Considerations	Boston Borough Council	Whilst some changes have been made to the proposal which we are advised will reduce the road traffic impact [in terms of AQMAs] during the construction phase and shipping requirements during the operational phase there has still been no detailed air quality assessment of the impacts of the development during both these phases. We have previously requested that these	

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
			assessments look at all the potential options for traffic routes for construction and operational service traffic.	
14/19	Air Quality, Traffic Management & Other Environmental Considerations	Boston Borough Council	There is likely to be an impact on neighbouring communities on both sides of the River Haven in respect of potential noise pollution, light pollution, off-loading/on loading of ships at night and the turning of ships in the port, but until the detailed proposals are received no detailed comment with regard to mitigation may be made.	<p>These points have been noted and Chapter 10 Noise and Vibration of the ES (document reference 6.2.10) was provided to Boston Borough Council on the 6th November for their review. With regards to lighting, specific mitigation measures are outlined within the Outline Code of Construction Practice (document reference 7.1), in addition an Outline Lighting Strategy (document reference 7.5) has been provided which considers the external operational lighting required for the Facility, these documents will be submitted with the DCO application.</p> <p>Mitigation measures with regards to Navigation are detailed within Chapter 18 Navigation of the ES (document reference 6.2.18) and include a Navigation Management Plan (NMP) will be produced in conjunction with the Port of Boston to manage navigational safety. The NMP will set out the procedures to be followed and aids to navigation to be provided to mitigate risks to navigation arising from the construction and operation of the Facility.</p>
5	Project Description	Boston Borough Council	It has been noted that an on-site concrete batching plant will be provided as part of the construction process. The location of this we understand is to be situated on Nursery Road close to the rear DCI, a local company producing ink-jet cartridges for printers. This company due to the technologies used and cleanliness required in the production process is very susceptible to dust/particulate and therefore siting the concrete	Following this feedback the Concrete Batching Plant was relocated towards the centre of the site and away from DCI. The location of the concrete batching plant is shown on the Figure 5.1 of the ES (document reference 6.3.2).

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
			batching close to this long established business is not seen as appropriate and we would request the site layout during the construction phase is amended to find a more suitable location for concrete batching away from this potentially sensitive receptor.	
14	Air Quality	Boston Borough Council	CO2 capture - The quantity captured from stack emissions and the resultant impact on air quality. Members were also keen to understand if carbon capture could be increased to reduce emissions from the stack. Has greenhouse gas removals technology been considered as a carbon offset mechanism for cancelling out GHG emissions.	The requirement of the Facility to capture carbon is something the Applicant wanted from the outset and is not in response to any off-setting requirement. The Applicant doubled the CO2 capture potential when the project was changed.
5	Project Description	Boston Borough Council	Dredging and the use of dredged material in aggregate manufacture	Noted; no further response required.
23	Waste	Boston Borough Council	Capability to treat waste at BAEF surrendered at the LCC waste transfer station	The potential acceptance of local waste has been discussed with the relevant local authorities. There is a willingness on behalf of both the Applicant and the Waste Disposal Authority (Lincolnshire County Council) and the relevant local authorities to consider this when the waste becomes available. This waste is currently subject to Lincolnshire County Council procurement arrangements and any change would be subject to a new contract in accordance with the County's procurement rules. (Hence the acceptance of local waste material does not form part of the DCO application)

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
14	Air Quality	Boston Borough Council	Gasification v EfW – Difference in the type and volume of emissions and their control, monitoring and regulation	<p>Chapter 14 Air Quality of the ES (document reference 6.2.14) was provided to Boston Borough Council upon request.</p> <p>During operation, emissions from the Facility will be at the relevant Best Available Techniques Associated Emission Levels (BAT-AELs), thereby the emissions abatement systems which will be a necessary component of the Facility design for those Limits to be met, will be in place (and will be required for the Environmental Permit for the site).</p> <p>An on-line Continuous Emission Monitoring System (CEMS – one per line) would provide continual monitoring of the exhaust gases to ensure the overall system is running within the Industrial Emissions Directive (IED) emission limits. The height of the three stacks has been provisionally determined to be 80 m to ensure effective dispersion.</p>
14/12	Terrestrial Ecology/Air Quality	Boston Borough Council	Mitigation of CO2 emissions by planting trees	An Outline Landscape and Ecological Mitigation Strategy (document reference 7.4) has been presented with this DCO application, this documents sets out the indicative landscape planting proposals for the site. A visual representation is shown within the Illustrative Landscape Plans (drawing reference 4.4).
17/18/15	Marine and Coastal Ecology/Navigational Issues/Water Quality	Boston Borough Council	Development impact on The Haven	Impacts on the Haven in terms of navigation are provided in Chapter 18 Navigational Issues of the ES (document reference 6.2.18). Further impacts are considered in Chapter 15 Marine Water and Sediment Quality (document reference 6.2.15), Chapter 16 Estuarine Processes (document reference 6.2.16) and Chapter 17 Marine and Coastal Ecology (document reference 6.2.17) of the ES.

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
17/18/15	Marine and Coastal Ecology/Navigational Issues/Water Quality	Boston Borough Council	Impact on landscape vistas, river users, flora and fauna habitat and on water quality	<p>An assessment of impacts on landscape are considered in Chapter 9 Landscape and Visual Impact Assessment (document reference 6.2.9), impacts on river users are considered in Chapter 18 Navigational Issues (document reference 6.2.18), impacts on ecology are presented in Chapter 12 Terrestrial Ecology (document reference 6.2.12) and Chapter 17 Marine and Coastal Ecology (document reference 6.2.17) and an assessment of impacts on water quality are provided in Chapter 15 Marine Water and Sediment Quality (document reference 6.2.15) of the ES.</p>
22/14/20/23	Human Health/Air Quality/Socio-Economics/Waste	Boston Borough Council	Proximity to residential properties and impact - Impact of emissions plume on surrounding communities, impact on house prices, mapping and dispersal of plume, toxicity of emissions, monitoring and regulation. Odours from storage and shredding of waste.	<p>Chapter 14 Air Quality of the ES (document reference 6.2.14) was provided to Boston Borough Council upon request. A meeting was held on the 18th November to discuss the air quality assessment (along with transport and noise).</p> <p>During operation, emissions from the Facility will be at the relevant Best Available Techniques Associated Emission Levels (BAT-AELs), thereby the emissions abatement systems which will be a necessary component of the Facility design for those Limits to be met, will be in place (and will be required for the Environmental Permit for the site).</p> <p>An on-line Continuous Emission Monitoring System (CEMS – one per line) would provide continual monitoring of the exhaust gases to ensure the overall system is running within the Industrial Emissions Directive (IED) emission limits. The height of the three stacks has been provisionally determined to be 80 m to ensure effective dispersion.</p>

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
				<p>The Facility has been designed to prevent significant odour impacts from occurring; RDF conveyors will be enclosed other than at the loading point, and the RDF shredding and bunker buildings will be enclosed with the air extracted and sent to the thermal treatment plant for combustion. Fast-acting roller shutter doors will be in place to minimise the time that doors are open when the building is accessed for maintenance.</p>

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
20/26	Socio-Economics/Accidents and Risk Management	Boston Borough Council	<p>Economic impacts - Risk of explosion and impact on communities adjacent to site. Number of shipping movements and impacts. Impact on labour market in construction and operation. Opportunity for apprentices and engagement with local education establishments. Marketing of ancillary products such as aggregate and CO2. Supply chain benefits. Visitor centre in Boston and establishment of a community fund.</p>	<p>An assessment of major accidents and risks is provided in Chapter 24 Accidents and Risk Management of the ES (document reference 6.2.24). An Environmental Permit will be required for the Facility. The Environmental Permit application will include an Accident Prevention and Management Plan and Contingency Plans to minimise and prevent impacts. A Fire Prevention Plan will also be included alongside the Environmental Permit. The Environmental Permit application will follow after the DCO application has been submitted.</p> <p>Mitigation measures with regards to Navigation are detailed within Chapter 18 Navigation of the ES (document reference 6.2.18) and include a Navigation Management Plan (NMP) will be produced in conjunction with the Port of Boston to manage navigational safety. The NMP will set out the procedures to be followed and aids to navigation to be provided to mitigate risks to navigation arising from the construction and operation of the Facility.</p> <p>Chapter 20 Socio-Economics of the ES (document reference 6.2.20) considers the potential employment levels from the Facility during construction and operation. The Facility is expected to support, at its peak, approximately 250-300 direct construction jobs. It is expected that a large number of construction workers will be sourced from within the local area. The Facility is expected to support an estimated 108 gross direct FTE jobs during operation. The aim will be to increase the proportion of workers sourced from the local area over time once the necessary training capability has been</p>

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
				<p>embedded within the site's workforce and operating model.</p> <p>Boston College has expressed an interest in providing bespoke apprenticeship schemes related to the Facility as part of the college's expansion to engineering sector education and further discussion between the Applicant and Boston College will continue post-submission to evolve the potential for direct apprenticeship schemes.</p> <p>The site will include a visitor centre with associated parking during operation.</p> <p>It is anticipated that local community funding will be provided. This will be confirmed at a later stage in the consent negotiation phase.</p>

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
10	Noise and Vibration	Boston Borough Council	Mitigation of nuisance during construction - Piling and reducing noise impacts. Dust minimisation and mitigation. Traffic noise	Chapter 10 Noise and Vibration of the ES (document reference 6.2.10) includes details of noise mitigation measures. Chapter 14 Air Quality of the ES (document reference 6.2.14) includes details of dust mitigation measures. These chapters were provided to Boston Borough Council upon request and a meeting was held to discuss any specific concerns.
8	Cultural Heritage	Boston Borough Council	Public rights of way around and across the site	As described in Chapter 5 Project Description of the ES (document reference 6.2.5) regarding access to the riverbank, footpaths BOST14/4 and BOST14/5 are existing footpaths that follow the crest of the primary flood bank that routes in parallel to The Haven. The diversion for these route closures would follow the route of an existing footpath, which follows the route of Roman Bank (also known as 'Sea Bank') along footpath sections BOST/14/11 and BOST/14/9. A fenced public footbridge will be provided across the existing gap in the Roman Bank which will allow for increased pedestrian safety.
N/A	N/A	Boston Borough Council	Finally, members noted the commitment from BAEF that they will be responding formally to the letter from Sarah Mitchell of RSPB Frampton Marsh raising concerns about ecological, flora and fauna impacts and the intention of BAEF to conduct further assessments and specify mitigation actions where appropriate.	Noted; consultation is ongoing with the RSPB to design appropriate mitigation measures.
23	Waste	Boston Borough Council	BAEF also confirmed that the site would be used for processing UK derived waste only and Members were advised that this commitment would be written into the legally binding Development Consent Order, if and when issued.	Noted; no further response required. This is identified in the Waste Hierarchy Statement

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
N/A	N/A	Boston Borough Council	Secondly, a commitment was also given to remediate the site at the end of its 25 year lifespan (whilst leaving the wharf in situ to act as a flood defence), and confirmation that this commitment would be enshrined into the conditions contained in the site operating permit issued by the Environment Agency.	<p>As described in Chapter 5 Project Description of the ES (document reference 6.2.5), to facilitate assessment in the ES, an assumption has been made that the Facility will have an operational lifetime of 25 years, which is a typical assumption for such facilities. A decision would be made at the appropriate time as to whether it would be 're-powered' after 25 years based upon an investment decision considering the market conditions and technical requirements prevailing at that time. If the operating life were to be extended the Facility would be upgraded and re-permitted in line with the legislative requirements at that time.</p> <p>At the end of its working life, the Facility would be decommissioned and removed and the site reinstated to an agreed condition.</p> <p>As required by the draft DCO (document reference 2.1) details of a scheme for the restoration and aftercare of the land must be submitted to and approved by the local planning authority and in consultation with the Environment Agency.</p>
N/A	N/A	Boston Borough Council	On balance, the many changes to the proposed scheme since Phase 3 consultation concluded last year, appear to be positive in their impact, however the environmental assessments that underpin these assertions have yet to be made available to the public.	The changes made to the project delivered, on balance, a slight reduction in the impacts of the project. Hence, following discussion with the Planning Inspectorate and following consultation with Lincolnshire County Council and Boston Borough Council, a short informal consultation phase was used to promote the changes to the project and an update to the PEIR and subsequent formal consultation was not considered necessary.

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
N/A	N/A	Boston Borough Council	Boston Borough Council has maintained a positive and constructive relationship with BAEF throughout the development of this scheme and remain committed to doing so. By working closely and collaboratively with the applicant we are seeking to ensure all issues are fully considered before the final plans are submitted to the Secretary of State. This will help to ensure that the final design of the site can fully capitalise on the economic opportunities whilst also minimising environmental impacts and the impact on our communities, both residents and business.	Noted; no further response required.
N/A	N/A	Boston Borough Council	We are eager to receive the detailed environmental assessments following their review as a consequence of Phase 4 changes and we undertake to convene project meetings with key stakeholders at the earliest opportunity to enable comment in detail.	Following this request key chapters of the ES - Traffic and Transport, Air Quality and Noise were sent to Boston Borough council on the 6th November 2020. A meeting was held with Boston Borough Council and Lincolnshire County Council on the 18th November to discuss the outcome of these impact assessments.
N/A	N/A	Ministry of Defence	I can confirm the MOD has no safeguarding objections to this proposal.	Noted; no further response required.
N/A	N/A	Ministry of Defence	In the interests of air safety, the MOD requests that any structure 50 metres or greater in height is fitted with aviation warning lighting. The structures should be fitted with a minimum intensity 25 candela omni directional flashing red light or equivalent infra-red light fitted at the highest practicable point of the structure.	Noted; no further response required.

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
N/A	N/A	Ministry of Defence	<p>Whilst we have no safeguarding objections to this application, the height of the development will necessitate that aeronautical charts and mapping records are amended. DIO therefore requests the developer should notify UK DVOF & Powerlines at the Defence Geographic Centre with the following information prior to development commencing:</p> <ul style="list-style-type: none"> a. Precise location of development. b. Date of commencement of construction. c. Date of completion of construction. d. The height above ground level of the tallest structure. e. The maximum extension height of any construction equipment. f. If the structure will be lit with air navigation warning beacons. 	Noted; no further response required.
N/A	N/A	Ministry of Defence	<p>You can e-mail this information to UK DVOF & Powerlines at DVOF@mod.uk or post it to:</p> <p>D-UKDVOF & Power Lines Air Information Centre Defence Geographic Centre DGIA Elmwood Avenue Feltham Middlesex TW13 7AH</p>	Noted; no further response required.
N/A	N/A	Anglian Water	<p>We note that it is proposed to develop a concrete batching plan for the construction phase of the above project. If connection(s) to the water supply and public sewerage networks are required, we would recommend that pre-planning advice is sought from Anglian Water at the earliest opportunity about any requirements so that we can identify feasible solutions to supply water and drain flows effectively.</p> <p>Further details of our pre-planning service are available to view at the following address: https://www.anglianwater.co.uk/developers/development-services/pre-planning-services/</p>	Noted; no further response required.

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
N/A	N/A	Anglian Water	We note that several changes are proposed to the operation of the site. The proposed changes to the operation of the site do not appear to raise issues for Anglian Water. Therefore, we have no comment to make in relation to these changes to the project.	Noted; no further response required.
N/A	N/A	Anglian Water	The proposed change to existing footpath does not appear to raise issues for Anglian Water. Therefore, we have no comment to make in relation to this change to the project.	Noted; no further response required.
N/A	N/A	Anglian Water	We understand that the application for the above proposals is expected to be submitted to the Planning Inspectorate in early Q4 2020. In advance of this we would wish to discuss and agree the Draft DCO wording relevant to Anglian Water prior to submission. If you wish to suggest changes to our standard protective provisions, we would be grateful if these could be shared with us for comment.	Anglian Water's protective provisions have been sent to the project and included within the DCO
N/A	N/A	Anglian Water	The Planning Inspectorate recommends the use of Statements of Common Ground as good practice to inform the examinations of national infrastructure projects. Anglian Water would welcome the opportunity to discuss and agree a Statement of Common Ground in relation to this project setting out the outcome of our engagement to date on this project.	Noted; no further response required.
N/A	N/A	MMO	In general, the changes to the proposed project are considered to be minor in regard to previous advice given. As far as the MMO are aware the advice issued 6 August 2019 has yet to be addressed. Therefore, the MMO advises that all comments raised in the advice issued 6 August 2019 is addressed in future documents.	Noted. Comments received during Section 42 consultation (August 2019) have been fully considered and addressed within the relevant ES chapters.
19	Traffic and Transport	MMO	The MMO observes that the previous proposal highlighted the need for high volumes of concrete to be supplied to the site in the early stages of construction. This was to be transported by road. The proposed change will have a concrete batching plant on site and the raw materials for making concrete transported there	Noted; no further response required.

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
			in larger quantities, thus reducing the overall number of vehicle movements.	
19	Traffic and Transport	MMO	To further reduce road transport movements, there will also be delivery of aggregate (for making concrete) via vessels. To make this possible, part of the wharf at the site will be constructed early to allow vessels to deliver raw material whilst the site is being constructed. It is estimated that 132 shipments of aggregate would be required over the construction period.	Noted; no further response required.
17/19/16	Marine and Coastal Ecology/Traffic and Transport/Estuarine Processes	MMO	The MMO would like to highlight that whilst a reduction in the use of vehicles is generally positive, any application should contain a robust consideration of the impacts of the construction of the early part of the wharf. This should include, but should not be limited to, the implications of the additional period of construction and changed timing of works, levels of vessel traffic and impacts to coastal processes.	These changes have been fully assessed within Chapter 18 Navigational Issues (document reference 6.2.18) and Chapter 16 Estuarine Processes of the ES (document reference 6.2.16) of the ES .
17	Marine and Coastal Ecology	MMO	The MMO would like to advise you that any application should contain assessment of the proposed project against the East Inshore Marine Plan, including consideration of the relevant policies within the Plan in relation to your application.	Chapter 17 Marine and Coastal Ecology (document reference 6.2.17) includes reference to the East Inshore Marine Plan (paragraph 17.2.7) and states that the vision of the Marine Plan has been considered within the ES chapter.
17/20	Marine and Coastal Ecology/Socio-Economics	MMO	The MMO advises that any future application should contain a robust assessment of the relevant baselines, impacts and receptors. In particular, this should include any impacts which the proposed project could have upon local fisheries.	Noted; consultation has been ongoing with the Boston and Fosdyke Fishing Society and Eastern Inshore Fisheries and Conservation Authority throughout pre-application and impacts have been considered within Chapter 18 Navigational Issues of the ES (document reference 6.2.18).

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
N/A	N/A	MMO	The MMO does not have substantial comments to make on this new update but advise that there is careful consideration of the above points. The MMO advise that these comments be addressed prior to submitting the project to the Planning Inspectorate for examination. The MMO Failure to do so may result in a delay which will pose risk to the project. We also refer back to our previous advice on this project (sent 06 August 2019) and would like to reiterate that those comments need to be addressed within the application.	Noted; the above comments have been considered and comments received during Section 42 consultation (August 2019) have been fully considered and addressed within the relevant ES chapters.
N/A	N/A	Lincolnshire County Council	Whilst the Phase 4 consultation provides an overview of the changes and makes assertions of the impact of these it does not provide any supporting information setting out the necessary detail to substantiate these conclusions. Therefore at this stage it is not possible for the Council to provide any detailed feedback of these proposed changes to the project and the Council reserves its position until further supporting information becomes available at the formal application stage consultation.	Although it was not necessary to provide an update PEIR at Phase Four consultation, key chapters of the Environmental Statement (ES) - Traffic and Transport, Air Quality and Noise were sent to Boston Borough council on the 6th November 2020 with a request for them to send them onto Lincolnshire County Council. A meeting was held with Boston Borough Council and Lincolnshire County Council on the 18th November to discuss the outcome of these impact assessments.
19	Traffic and Transport	Lincolnshire County Council	Traffic Management during Construction – the reduction in traffic movements by road during the construction stage is welcome but further details are required to demonstrate how significant these reductions will be.	
2	Project Need	Lincolnshire County Council	Feedstock – it is noted that the feedstock will change to residual waste from Materials Recycling Facilities and it is not proposed to source any of this feedstock from within Lincolnshire. The current Lincolnshire Minerals and Waste Local Plan has a requirement for a single energy recovery facility processing 200,000 tonnes per annum for the duration of the Plan period to 2031. This project does not make any provision for Lincolnshire waste and at 1.2 million tonnes per annum far exceeds the projected capacity shortfall for energy recovery over the Plan period. In preparation of the review of the Lincolnshire Minerals and Waste Local Plan which is due to start next year the Council will be commissioning a	The Facility is not being constructed to purposefully serve Lincolnshire's waste. It is a UK-scale facility. The feedstock for the Facility will be UK sourced according to prevailing market conditions at the time of contracts. Contracts for the Facility will be negotiated post-consent, which is common for these types of facility. Some of the waste sourced for the Facility may be Lincolnshire waste, but this cannot be confirmed at this stage. The case for the development against the revised waste needs

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
			waste needs assessment which will provide up-to-date information for the capacity requirements for energy recovery facilities in Lincolnshire and is expected to be available once the project is submitted to the Planning Inspectorate. However, a case needs to be made to show the requirement for a facility of this size fits in with Lincolnshire's requirement for additional energy recovery facilities.	assessment will be made when the assessment has been completed.
5	Project Description	Lincolnshire County Council	Carbon Capture - the increase in carbon dioxide capture units to two is noted.	Noted; no further response required.
8	Cultural Heritage	Lincolnshire County Council	Public Footpath - the changes to address the public footpath by the incorporation of a footbridge is noted and when further information is available will be assessed by the Council's footpaths and Heritage specialists.	Noted; no further response required.
N/A	N/A	Lincolnshire County Council	The County Council looks forward to continuing to work with the applicant's project team as the project evolves further towards formal submission later this year and welcomes the opportunity to comment further as more details about the scheme becomes available.	Noted; no further response required.
N/A	N/A	HSE	HSE's advice is unchanged from the previous consultation under Section 42 of The Planning Act 2008 and we acknowledge the Applicant's response to these earlier comments dated 1st October 2019.	Noted; no further response required.
26	Accidents and Risk Management	HSE	Will the proposed development fall within any of HSE's consultation distances? According to HSE's records there are no major accident hazard sites or major accident hazard pipelines within the proposed redline boundary of the allocated waste area and the indicative boundary for the Boston Gasification Plant for this nationally significant infrastructure project. This is based on the indicative red	Noted; no further response required.

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
			line boundary as illustrated in, for example, the phase three public information booklet. HSE would not advise against this proposal.	
26	Accidents and Risk Management	HSE	Hazardous Substance Consent The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably 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 2015. Hazardous Substances Consent would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in schedule 1 of these Regulations. Further information on HSC should be sought from the relevant Hazardous Substances Authority.	A Hazardous Substance Consent is unlikely to be required due to the nature, amounts and concentrations of substances stored on site. A comparison of the proposed hazardous substances on Site with the regulatory thresholds will be made prior to construction. A Hazardous Substances Consent application will be prepared for submission to Boston Borough Council prior to operation if required.
26	Accidents and Risk Management	HSE	Explosives sites HSE has no comment to make, as there are no licensed explosive sites in the vicinity.	Noted; no further response required.
26	Accidents and Risk Management	HSE	Electrical Safety No comment from a planning perspective.	Noted; no further response required.
N/A	N/A	National Grid	Having reviewed the consultation documents, I confirm that our comments remain the same as those in our letter dated 3rd July 2019.	Noted; no further response required.
N/A	N/A	National Grid	Electricity Transmission National Grid Electricity Transmission has no assets within or in close proximity to the proposed order limits.	Noted; no further response required.

Chapter no.	Relevant chapter / Group of Chapters	Stakeholder	Stakeholder Response	DCO Project team response
N/A	N/A	National Grid	Gas Transmission National Grid Gas has no gas transmission apparatus located within or in close proximity to the proposed order limits.	Noted; no further response required.
N/A	N/A	NATS Safeguarding	NATS operates no infrastructure within 10km of the site and anticipates no impact from the proposal. Accordingly, it has no comments to make on the application.	Noted; no further response required.
N/A	N/A	Historic England	Thank you for your letter of 11th August 2020 regarding further information on the proposal for the Boston Alternative Energy Facility. On the basis of this information, we do not wish to offer any further comments at this stage.	Noted; no further response required.
N/A	N/A	Historic England	It is not necessary for us to be consulted on the application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.	Noted; no further response required.
N/A	N/A	Joint Nature Conservation Committee	Thank you for forwarding the enclosed documents. Please note that our remit is offshore waters only and therefore we will not be providing a response.	Noted; no further response required.

REPORT

Boston Alternative Energy Facility - Appendix 6.20

Appendix 6.20 Pre-Phase Four consultation feedback
from Royal Society for the Protection of Birds (RSPB)

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.20
Status: Final/0.0
Date: 23 March 2021





Appendix 6.20 Pre-Phase Four consultation feedback from Royal Society for the Protection of Birds (RSPB)

This appendix contains a letter received pre-Phase Four from RSPB.



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Lincolnshire
PE20 1AY

Tel:

Alternative Use Boston Projects Ltd
By email only to consultation@bostonaef.co.uk

27 July 2020

Dear Sir/Madam,

Boston Alternative Energy Facility, Development Consent Order application – The RSPB’s outstanding concerns

In August 2019, the RSPB responded to the Preliminary Environmental Information Report (PEIR) for the Boston Alternative Energy Facility to which we received a reply on 1 October 2019. As you are aware, where the environmental impacts of a proposed scheme are likely to be unacceptable, we will object, but our preference is to work with developers to address and mitigate any impacts so that they can be avoided.

Since that time, we have endeavoured to maintain an open dialogue with yourself via Royal Haskoning DHV, along with colleagues from Natural England and the Lincolnshire Wildlife Trust. To this end we met with yourselves and Royal Haskoning DHV in September 2019, with follow-up correspondence on 2 December 2019 and emails sent to request project updates on 3 April 2020, 20 May 2020, and 22 July 2020.

We consider such dialogue to be essential in order to ensure the full range of potential impacts from the project will have been appropriately assessed and measures to address impacts identified and secured ahead of the Development Consent Order (DCO) submission. This must include assessments of the impact of the proposal on nearby protected sites, namely, The Wash Special Protection Area (SPA), The Wash and North Norfolk Coast Special Area of Conservation (SAC) and The Wash Ramsar, as well as other sites that support them e.g. The Wash Site of Special Scientific Interest (SSSI), Havenside Local Nature Reserve (LNR) along with our own RSPB reserves at Frampton Marsh and Freiston Shore. This information must be submitted in a form that would allow a robust Habitats Regulations Assessment to be completed, including a full suite of mitigation measures needed to demonstrate beyond reasonable scientific doubt that adverse effects on integrity (AEOI) of The Wash SPA, SAC and Ramsar will be avoided. Where AEOI will not be avoidable, a fully developed derogations case will also need to be submitted with the DCO application, as has recently been clarified by the recent decision on the Norfolk Vanguard offshore wind farm by the Secretary of State for Department for Business, Energy and Industrial Strategy (BEIS).¹

¹ See paragraph 5.2 (pp.31-32) of the decision letter at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010079/EN010079-004278-SoS%20decision%20letter.pdf>

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The RSPB is part of BirdLife International, a partnership of conservation organisations working to give nature a home around the world.

Despite our willingness to explore the potential impacts of the scheme and identify measures to avoid or mitigate any impacts, the level of engagement has been disappointing. We are particularly concerned that there are still significant gaps in the evidence required to demonstrate the proposed project would not adversely affect the integrity of The Wash SPA, The Wash and North Norfolk Coast SAC, The Wash SSSI and The Wash Ramsar site. The meeting with Royal Haskoning DHV on 16 June 2020 did not address the outstanding issues. Worryingly, we understand it is your intention to submit the DCO application in Q3/Q4 2020. Whilst we understand you intend to provide revised scheme design and additional supporting information to demonstrate the project would be acceptable, we are yet to see this information and are increasingly concerned that there will not be sufficient time to give meaningful comment on new information and address the numerous outstanding issues prior to the planned submission. This is particularly important should any significant data gaps remain to allow robust conclusions about the potential impacts of the project to be made.

The purpose of this letter is to set out our outstanding concerns, request clarity on the project timescales and identify additional information that we consider needs to be provided prior to DCO submission. Our concerns are detailed below and reflect comments that have also been made by Natural England and the Lincolnshire Wildlife Trust at the meeting of 16 June 2020 and via email thereafter on 16, 17 and 23 June 2020.

1. Scope and timings of continued consultation.

Since the 16 June 2020 meeting, the RSPB and other stakeholders have enquired whether the opportunities for further consultation will cover the entire project or only the scheme design changes reported at the meeting. Since the PEIR consultation in 2019 there remain outstanding issues that have not been addressed to date, namely:

- No assessment has been made on the potential impact of the planned wharf on the intertidal habitat and birdlife.
- Although bird disturbance caused by vessel movements along the Haven has been acknowledged as part of winter bird surveys, no assessment of the full impact or possible mitigation measures has been undertaken.
- Full bird survey data has not been made available to stakeholders (see point 2).
- The narrow range of issues covered in the Habitats Regulations Assessment provides insufficient evidence to enable an accurate determination of impacts to be made.
- The lack of mitigation or (if AEOI cannot be ruled out) compensation plans to address the permanent loss of intertidal habitat.

Consequently, we request clarity on the timescale for additional consultations, what the consultations will cover and when you propose to submit the DCO application.

2. Failure to release wintering and breeding bird survey data for interested parties to review.

- The PEIR was not supported by any bird surveys to understand the potential importance of the application site or the shipping routes that will be used during construction and operation of the Alternative Energy Facility. This was identified as a significant failing when interested parties reviewed the PEIR in July/Aug 2019.
- At a meeting with the RSPB in Sept 2019, we outlined the need for ornithological surveys to be undertaken and their necessity to inform any DCO applications. As a result of that meeting, ornithological surveys were commissioned for the wintering and breeding seasons.
- At a meeting on 16 June 2020, summary winter bird data was shared with stakeholders. This showed that during the 2019/20 winter period, 2.84% of The Wash SPA/Ramsar site wintering

redshank population and 8.1% of The Wash SPA/Ramsar site wintering ruff population were recorded within the application boundary.

- Although the RSPB, Natural England and Lincolnshire Wildlife Trust have received summary findings of the winter bird survey, interested parties cannot provide meaningful comments without sight of the full wintering bird report. The same applies for the breeding bird surveys completed in June, as we are not able to confirm what was found and consider any implications.
- The reports need to be reviewed prior to the DCO application to:
 - Ensure survey timings were appropriate and will provide a reasonable understanding of the ornithological importance of the application site.
 - Determine that there are no substantial knowledge gaps remaining.
 - Understand the potential importance of the site to support key features of The Wash SPA/Ramsar and SSSI. The summary winter bird survey data clearly shows the international and national importance of the development site and surrounding area.
 - Consider the potential scale of impact that may be created by the Alternative Energy Facility.
 - Consider the appropriateness of any mitigation measures that have been offered.
 - Assess whether additional measures may be required to avoid adverse effects on the integrity of The Wash SPA/Ramsar site.
- Whilst stakeholders have put forward mitigation suggestions throughout this process, the scale and nature of mitigation measures that will be required remains unclear. Whilst there is a willingness to work to identify options, we are concerned that the summary survey information indicates substantial mitigation may be required and the DCO application may require a derogation case to be submitted at the same time should impacts be such that adverse effects on the integrity of The Wash SPA/Ramsar (and underlying SSSI) cannot be avoided. This highlights the need for the bird surveys to be made available as soon as possible to ensure further dialogue is possible in a suitable timeframe.
- In addition to the survey data, we are also increasingly concerned that stakeholders will not have sufficient time to review the updated Environmental Statement and associated assessments regarding potential impacts on the nearby protected sites. This should include a report to inform a Habitats Regulations Assessment, as well as an assessment on The Wash SSSI. There is a real risk that data gaps or adverse effects will be identified that will need further time to work through with all interested parties and which may not be resolved in time for a Q3/Q4 DCO submission.
- We therefore request clarity on when the full survey reports, the revised Environmental Statement and other associated assessments will be made available to interested parties for comment.

3. Lack of robust environmental data to assess wider ecological impacts of the project.

- We are pleased that bird surveys have now been conducted to assess the Haven's importance to SPA features and populations. However, there remain important gaps in understanding the wider ecological context of the development site. For example, in our August 2019 letter we highlighted the proposed wharf and the potential for this new structure to alter the dynamics of the river and ultimately, to cause the loss of intertidal habitat. In addition, the wharf will allow vessels to moor in areas they have not previously. To our knowledge, this impact has not been assessed fully.
- Similarly, we are aware that Lincolnshire Wildlife Trust has queried the appropriateness of the methodology used to assess the noise impact on harbour seal, with no response to date.
- The Planning Inspectorate, on behalf of the Secretary of State, must decide whether or not the DCO application meets the standards required to be accepted for examination. We do not

consider this will be possible until robust assessments are carried out to ensure the full ecological context of the proposed site is accurate and that all potential impacts have been robustly assessed. This includes consideration of mitigation proposals to ensure that they will address the potential impacts adequately. This will also be essential should the evidence suggest a derogation case may need to be prepared to accompany the DCO application.

We remain willing to work constructively with you and look forward to hearing from you.

Please do not hesitate to contact me should you require any clarification or further information.

Yours sincerely,

For the RSPB

The Wash and North Norfolk Coast Conservation Officer

Tel:

Email:

- cc. Gary Bower, Royal Haskoning DHV
Roslyn Deeming, Louise Denning, Gillian Fisher, Natural England
Amanda Jenkins, Lincolnshire Wildlife Trust
Tracey Williams, The Planning Inspectorate
Boston Borough Council
Lincolnshire County Council

REPORT

Boston Alternative Energy Facility - Appendix 6.21

Appendix 6.21 Post-Phase Four correspondence
with Natural England, RSPB and Lincolnshire
Wildlife Trust

Client: Alternative Use Boston Projects Ltd
Planning Inspectorate Reference: EN010095
Document Reference: 5.1
Pursuant to: Section 37(3)(c) of the Planning Act 2008
Reference: PB6934-ATH-ZZ-XX-RP-Z-3006.21
Status: Final/0.0
Date: 23 March 2021





Appendix 6.21 Post-Phase Four correspondence with Natural England, RSPB and Lincolnshire Wildlife Trust

This appendix contains copies of correspondence with Natural England, RSPB and Lincolnshire Wildlife Trust regarding the Ornithology and Marine Ecology Stakeholder Engagement Plan and the Habitats Regulations Assessment (HRA).



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From:

To:

Cc:

Subject: Boston Alternative Energy Facility - Engagement Plan

Attachments: [BAEF Ornithology and Marine Stakeholder Engagement Plan.docx](#)
[PB6934-RHD-ZZ-XX-MI-Z-1069 BAEF RSPB, NE and LWT 08.02.21.docx](#)

Hi all,

As requested at the meeting of 8th Feb, an ornithology and marine stakeholder engagement plan has been produced for your review (attached). Please can we have comments by 3rd March. Chris Adnitt will lead this activity from the Applicant side so please copy us both in on any response.

I've also attached the meeting minutes from 8th Feb, please can we also have any comments for finalisation by 3rd March.

As previously communicated we hope you are able to supply your red flag review comments on the HRA to us by 25th March and we would like to have a call on Friday 26th March to discuss the responses – you will see this is Action 2 on the Action Tracker (see Table 1). The next steps for the Applicant depends on your responses and a call would be very valuable on this day. Please can one person from each organisation confirm availability for a call on this date.

Many thanks and regards,

Paul.

Technical Director, Industry and Buildings

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| **M** +44

| **E**

| **W** www.royalhaskoningdhv.com

HaskoningDHV UK Ltd., a company of Royal HaskoningDHV | Marlborough House, Marlborough Crescent, Newcastle upon Tyne, NE1 4EE, United Kingdom

Registered Office: Rightwell House, Bretton, Peterborough PE3 8DW | Registered in England 1336844

2019-06-06_19



Note / Memo

**HaskoningDHV UK Ltd.
Industry & Buildings**

To: Natural England, RSPB and Lincolnshire Wildlife Trust
From:
Date: 17 February 2021
Copy: BAEF, BDB Pitmans, Athene
Our reference: PB6934-RHD-ZZ-XX-NT-Z-0001
Classification: Project related
Checked by: Paul Salmon

Subject: Boston Alternative Energy Facility – Ornithology and Marine Ecology Stakeholder Engagement Plan

1 Introduction

This document sets out the engagement strategy for the key ornithology and marine ecology stakeholders that have been involved in further discussions with Royal HaskoningDHV and the Applicant on these subjects to date, namely, Natural England (NE), Royal Society for the Protection of Birds (RSPB) and Lincolnshire Wildlife Trust (LWT) in relation to the Boston Alternative Energy Facility (BAEF) Development Consent Order (DCO). The rationale for discussing these topics jointly is their inclusion within both the Habitats Regulations Assessment (HRA) for the proposed development as well as Chapter 17 of the Boston AEF Environmental Statement (ES).

The aim of the plan is to ensure that the ornithology and marine ecology aspects of the DCO are discussed in a structured manner, so that a consensus between all parties on any key issues that require to be addressed is developed. All parties included within this plan will engage pro-actively and constructively in the process and adhere to agreed timelines developed as part of the plan.

The engagement plan process is voluntary and this plan will form a non-legally binding record of the agreements and disagreements between the Applicant¹ and the interested parties (and a record of the discussions). It is hoped that the associated plan log which will be used to record agreements and disagreements between the Applicant and the interested parties will help to inform Statements of Common Ground (SoCG) such as may be required by the Examining Authority.

It is noted that an Evidence Plan Process has not been adopted for this DCO application to date but, by bringing the above named consultees in to a single engagement forum, effectively it is proposed to create an Ornithology and Marine Ecology Technical Panel. We propose that the panel meets on an agreed basis which could include an element of regular calls/meetings and an element related to key milestones.

Appendix 1 sets out the consultation undertaken to date on this topic.

This evidence plan outlines an iterative process and may therefore be updated as the process progresses. If updates are required to this plan they will be made in agreement with all parties.

¹ Boston Alternative Energy Facility Ltd.

2 The Technical Panel

It is proposed that a regular forum is set up to reduce uncertainty and agree elements of the EIA and HRA including: baseline data, impacts, assessment methods, mitigation/compensation measures and net gain. The format of this would be a Technical Panel which will identify, through dialogue, the key impacts of greatest concern, which may lead to further work/assessment to reduce or even remove those concerns.

All documents prepared for meetings will normally be available one week prior to the meeting although all efforts will be made to issue the documents as soon as available in advance of the meetings. Meeting minutes will be taken for each meeting and decisions clearly stated; these will be circulated following the meeting and should be agreed, or comments provided, within two weeks. Should the person attending the meeting not have authority to make such a decision, minutes should endeavour to be ratified by the relevant person or organisation within two weeks of the meeting. Minutes will then be finalised and submitted to all attendees for their records.

2.1.1 Organisational Representatives and Panel Members

It is proposed that the Technical Panel is made up of:

- Chris Adnitt (Royal HaskoningDHV) – lead technical contact for the Applicant team
- Paul Salmon (Royal HaskoningDHV) – EIA Manager for the Application
- Natural England – **to be confirmed**
- RSPB - **to be confirmed**
- Lincolnshire Wildlife Trust – **to be confirmed**
- Sam Williams – Boston Alternative Energy Ltd
 - o Richard Woosnam as a stand-in if Sam is unavailable

In the interest of managing the forum we would request that attendance is restricted to a Case Officer/Manager plus any technical experts who would make a significant contribution.

2.2 Scope of the Panel

The Technical Panel will be formed of the Applicant, the Applicant's consultant and experts from relevant organisations with a clear statutory role or non-statutory interest in the topics to be considered. They will have the following responsibilities:

- Comment on the final scope of the EIA, the impacts considered and the approach taken in terms of proportionality;
- Discuss the appropriateness and sufficiency of data used for the assessments;
- Discuss the assessment and analysis methods for the EIA and HRA;
- Discuss the outcomes of the assessments and, if significant adverse issues are present following assessments, discuss and agree the measures required to avoid or reduce adverse effects; and
- Discuss and agree the biodiversity net gain measures to be put in place.

Given the situation regarding coronavirus Technical Panel engagement will take place remotely using MS Teams. One exception to this would be any safe site visit (see Table 1).

Organisation of the technical panel meetings will be undertaken by Royal HaskoningDHV² and **Table 1** sets out a schedule of engagement. The initial technical group meeting will be used to determine a frequency of meetings moving forward and the key milestones for agreement. The agenda for the first meeting will be based on the Red Flag review of the HRA.

2.3 General Principles

This engagement plan process will abide by the following general rules:

- Meetings will always be scheduled with adequate advance warning to maximise attendance;
- All documents prepared for meetings will normally be available one week prior to the meeting although all efforts will be made to issue the documents as soon as available in advance of the meetings;
- All documents, guidance and advice provided should be as comprehensive as possible, be clear and unambiguous;
- Deadlines for responses will be realistic and agreed by participants, it is noted that some participants may require longer to respond if they need to consult with advisors, however once set, the deadlines should be met, or alternate timescales agreed; and
- Participants of meetings are expected to be fully prepared for meetings, having read the required information, in order to facilitate an efficient meeting.

2.4 Evidence Log

An evidence log will be produced which will document areas of consensus and concern, and ultimately identify areas of agreement and disagreement; summaries of agreed meeting minutes will be used as a basis to produce the log, and the log will be circulated for agreement with the relevant Technical Panel members. A template for the log is provided in **Appendix 2**.

The evidence log will be used as a basis for the Statement of Common Ground (SoCG) with each organisation, enabling a clear audit trail of discussions and decision making and should negate the need for reiteration of previous discussion.

3 Proposed Engagement

Table 1 sets out a number of tasks that are proposed to be completed. It is suggested that these tasks and the approach taken is discussed and agreed at the first meeting.

² Abbie Garry or Chris Adnitt

Table 1 – Proposed Engagement Activities

Ref	Task	Indicative Date	Comments
1	BAEF request for a red flag review ³ of the HRA	Email request of 12 th Feb 2021 Response requested 25 th Feb 2021	The response received will determine the timing of next steps. See Task 2.
2	Red flag review discussion	26 th February - Dependant on receiving comments on the HRA by 25 th Feb.	Call to discuss the Red Flag reviews. The application date will be dependent on the red flag review response.
3	Technical Panel Meeting No 1	Suggested to hold the first meeting in early March – date tbc	To (i) agree the engagement approach (ii) discuss the status of the DCO submission (iii) agree timetable and specific scope for future meetings (iv) any technical items by prior agreement.
4	Site Visit	TBC during first technical panel meeting	It is felt that it could be useful to ensure that all members of the technical group are aware of the site to enable effective discussions (proposed to be Chris Adnitt + one each from NE, RSPB and LWT)
5	Review of additional bird data collated over winter 2021	March/April 2021	To determine the suitability of the bird data to provide an effective baseline for assessment.
6	Discussions of the biodiversity net gain strategy and the options available	March/April 2021	To move forward the discussions for the net gain initiatives

³ I.E. Anything that gives concerns about the process that has been followed or the resulting document which may cause you to consider the document unfit for DCO submission



Appendix 1 – Consultation to Date

Date	Method of communication	Stakeholder/Consultee	Topic
Consultation Undertaken to date			
May 2018	PINS Correspondence	All	Scoping Opinion to all statutory consultees
11 February 2019	Meeting	Natural England	Project update meeting with presentation on project developments and next steps. Focus on terrestrial and marine ecology issues and the HRA.
19 June 2019	Email	All Section 42 Consultees	Preliminary Environmental Information Report sent for consultation.
19 June 2019	Meeting	RSPB Frampton	Meeting to introduce the project and discuss potential community benefits and potential suggestions for habitat/biodiversity gain.
25 June 2019	Meeting	Lincolnshire Wildlife Trust	Round table meeting to discuss Phase Three statutory consultation and the publication of the PEIR.
August 2019	Emails (received)	Section 42 Responses	Responses from NE, RSPB and LWT received to be incorporated into ES chapters and HRA.
6 August 2019	Meeting	Natural England	One of our key messages at the meeting was the lack of bird data and the age of the historical data that is available (for Boston Barrier project i.e. from 2010). In table 17.2 it is stated that data from the BTO has been purchased to provide information on the birds. The Haven is covered by 4 BTO areas one further upstream



Date	Method of communication	Stakeholder/Consultee	Topic
			<p>South Forty Foot Drain (the urban side of Boston); one near to the site known as Slippery Gowt Pits and two at Frampton. It should be noted that the closest one (Slippery Gowt Pits) provides data between 2001 and 2006 (which is 13 years old) (page 39). It also shows a real reduction in bird numbers in 2005 and 2006 which is not explained. Natural England has concerns with the reliance on data which is 13 years old. At the meeting we did suggest that 2 visits per month between February until the submission of the ES should be undertaken. The data for Frampton is more recent 2012 to 2017 but is a distance from the site and may only be relevant to consider bird disturbance from increased vessel movements when the site is operational. One point to note is that the BTO bird surveys do not cover the same time window so it is difficult to understand bird usage.</p> <p>We have recently received an Ecological Clerk of Works report from the Environment Agency (EA) focusing on the geotechnical works along the Haven in February-March this year which summarises bird activity during various samplings. The report notes, for example, bird hotspots (one is further to the south of the site and also one on the other side of the channel opposite the development). It also notes the activities that caused bird disturbance was people on the embankment and also large vessels moving up the channel. It may be possible for the Boston AEF to have access to this document from the EA.</p>

Date	Method of communication	Stakeholder/Consultee	Topic
11 September 2019	Meeting	RSPB Frampton	Project update meeting to discuss Section 42 response and go through the RSPB's comments.
23 September 2019	Meeting	Natural England	Meeting to discuss comments raised by Natural England following submission of the PEIR.
16 June 2020	Meeting	Natural England, Environment Agency, Lincolnshire Wildlife Trust and RSPB	Project update meeting to discuss changes to the project and provide information on upcoming consultation proposals. Also, an overview of findings from recent overwintering bird surveys and breeding bird surveys was provided.
07 September 2020	Email	Natural England, Environment Agency, Lincolnshire Wildlife Trust and RSPB	Email sent with attached copies of bird count reports for the overwintering bird numbers and bird behavioural responses to vessel movements at the mouth of The Haven.
30 September 2020	Email	Natural England, Environment Agency, Lincolnshire Wildlife Trust and RSPB	Email with Breeding Bird Survey Report and an update on the assessment.
13 October 2020	Meeting	RSPB	Meeting to discuss the feasibility of habitat creation options for marine ornithology benefits. Two options were discussed which could form a mitigation package: habitat creation at Freiston Shore and habitat improvement at Frampton Marshes. Overall, it was concluded that improving roosting would be more beneficial at Freiston and



Date	Method of communication	Stakeholder/Consultee	Topic
			<p>improving breeding and feeding could be beneficial at Frampton Marshes.</p> <p>The potential for vessel movements affecting red throated diver in the Greater Wash SPA was discussed as a potential in-combination effect.</p>
22 October 2020	Meeting	RSPB and Natural England	Meeting to give a summary of the options discussed at the meeting on the 13th October, and discussion on terrestrial ecology mitigation measures.
24 November 2020	Email	RSPB and Natural England	Email sent with Marine Ecology Chapter and HRA sent for information.
01 December 2020	Email	RSPB and Natural England	Final submitted Marine Ecology chapter and HRA sent for information alongside breeding bird survey report.
08 February 2021	Meeting	Natural England, Lincolnshire Wildlife Trust and RSPB	Meeting to discuss updates to the HRA since the version sent previously and a further presentation on the bird survey data.
11 February 2021	Email	Natural England, Lincolnshire Wildlife Trust and RSPB	Copy of Marine and Coastal Ecology Chapter, HRA and figures provided. Request for a 'red flag' review of the HRA.



Appendix 2 – Evidence Plan Log

ID	Issue on which the Applicant Seeks Agreement	Applicant Comments	[Organisation Name] Comments	Agreed/Disagreed & Actions
1. Baseline Environment				
1.1				
1.2				
2. Impact Assessment Methodology				
2.1				
2.2				
3. Outcome of EIA				
3.1				
3.2				
4. Cumulative Assessment (including identification of project scoping in and out)				
4.1				
4.2				
5. Habitats Regulations Assessment				
5.1				
5.2				

From:

To:

Cc:

Subject: RE: Boston Alternative Energy Facility - HRA

Attachments: [6.2.18. Chapter 18 Navigational Issues.docx](#)
[PB6934-RHD-ZZ-XX-NT-Z-0001 HRA Supplementary Data.pdf](#)

Dear All

Please find attached our response to the red flag issues raised at the meeting last Friday and in your various written submissions. I have also included the navigation chapter from the ES as this contains baseline vessel numbers which we refer to in our response.

The Applicant is committed to resolving the issues you have raised and, as you will see from the supplementary HRA document attached to this email we will be providing significant additional information and commitments in to the HRA. Following the raising of the concern regarding loss of the inter-tidal/salt marsh habitat where the wharf will be built the Applicant has agreed to the creation of shallow pits and improvements to roosting areas to be implemented on Area B (just south of the proposed wharf). These measures (set out in the attached document) will be secured in the DCO as we plan to include for them in the Landscape and Ecology Management Scheme which will be a condition of the DCO. This is all in addition to contributing to works at the RSPB reserves previously discussed. The Applicant is also committed to obtaining additional information, including WeBS counts and further survey data to assist with evidencing the HRA. We feel these measures appropriately respond to the concerns you have been telling us about.

Following our discussions with PINS we understand that they do not require a without prejudice compensation package to be presented in the DCO application but would like to see a level of commitment from the Applicant on resolving any areas of disagreement, and evidence of correspondence / communications with relevant stakeholders that provides a level of comfort that issues are resolvable in the required timeframes. We hope that the information provided in this email and attached document shows a willingness to resolve issues through appropriate updating of the HRA and provides additional benefits to redshank in close proximity to the area of habitat being lost at the facility.

We are happy to discuss this submission with you but, in order to achieve our timescales for Application we would be grateful for a written response by Wednesday 10th March close of business on whether you feel the additional information provided, and commitment to further works, provides the basis for an agreement which can be discussed through an agreed process to be set out in an updated consultation plan (which we have previously provided to you as a draft).

Many thanks for your time on this and please feel free to call Chris in the first instance, or myself, to discuss if required.

Regards,

Chris

From:

>



Note / Memo

HaskoningDHV UK Ltd.
Industry & Buildings
(Natural England),

To: (RSPB),
(Lincolnshire Wildlife Trust).
From: Chris Adnitt
Date: 05 March 2021
Copy:
Our reference: PB6934-RHD-ZZ-XX-NT-Z-0001
Classification: Project related
Checked by: Paul Salmon

Subject: HRA Supplementary Data

1.0 Introduction

The following information provides a supplement to the updated Habitats Regulations Assessment (HRA) issued on the 12 February 2021 and addresses the concerns raised in the red flag written responses and comments provided during the meeting on 26th February from Natural England (NE)¹, Royal Society for the Protection of Birds (RSPB)² and the comments provided by the Lincolnshire Wildlife Trust (LWT) at the meeting together with details of how these have been considered. The information in this supplementary document will be added to the HRA pre-DCO Application submission but has been provided in this format for ease of review by NE, RSPB and LWT.

The Red Flag review from NE is summarised as:

- Insufficient ornithological data presented to exclude beyond all reasonable scientific doubt no Adverse Effect on Integrity of The Wash SPA, reasons set out below;
- Latest steer from PINS is that where Adverse Effect on Integrity (AEOI) remains and/or there are differences in opinions between the Applicant and any interested party, as a precautionary measure a detailed compensation package must be provided with any application;
- As no further evidence has been provided to remove the scientific doubt and/or there is currently no compensatory package we believe there is a high likelihood of the Application being refused; and
- NE advises that recently proposed higher level i.e. not defined and secured compensatory packages for other NSIP projects have not been supported by PINS. Therefore, they advise that work is required to complete this before application is submitted and this generally is not something that can be achieved in a couple of weeks and definitely not before 1st March.

¹ NE letter "339948 Boston AEF DAS pre app overview Final" received on 25.02.21.

² RSPB letter "RSPB red line comments on the BAEF HRA Feb 2021" received on 26.02.21.

The overview from RSPB was as follows:

- RSPB does not consider sufficient information is presented to demonstrate that there will not be an adverse effect on integrity of the site.
- The HRA and Marine & Coastal Chapter highlight measures to mitigate impacts are limited and are considered not to be effective at addressing all impacts from the facility during construction and operation. There is a reliance on developing a package of measures to create new habitat to address the impacts happening within The Wash SPA and the functionally linked redshank population in The Haven. This demonstrates that there will be a residual impact on The Wash SPA that mitigation measures alone will not address. As such, AEOI cannot be concluded based on the available evidence (as set out in the Development Consent Order (DCO) chapters and HRA) and a compensation package will need to be developed with all relevant stakeholders. This will take time to develop and suitable time will need to be allowed within the stakeholder engagement plan. Experience of developing such packages for other DCO applications is that this will take a considerable period of time and would mean that any resubmission must only be done after such a package has been developed and can be submitted alongside the DCO application. Experience of recent DCO decisions shows that unless this process is followed in an appropriate way and over realistic timescales a resubmission based on the current information would again be unlikely to be progressed by the Planning Inspectorate. We are also aware of concerns about The Wash and North Norfolk Coast Special Area of Conservation (SAC) harbour seal population. Whilst we do not have the expertise to comment on this feature, we are supportive of the concerns raised by Natural England and Lincolnshire Wildlife Trust.

The following sections set out a range of information that has been collated in order to address the above concerns and also the specific concerns detailed below.

The reasoning given for the above opinions is set out as follows:

- **NE reasoning in black font in bold;**
- **RSPB in blue font bold;** and
- **LWT in green font bold**

A response from the Applicant is shown in *italics*.

2.0 POTENTIAL ISSUES WITH DATA SUFFICIENCY

Ref 2A: NE's standard best practice approach is that two years of non-breeding survey data is required to support all NSIP Applications.

The latest five years' worth of data collected by the British Trust for Ornithology for the areas within The Haven was purchased for the Preliminary Environmental Information Report (PEIR) and presented in this document and in the Environmental Statement to show what was available and provide a basis for understanding the wider area. This data was analysed to determine possible bird usage of the site.

Bird counts were initiated in 2019 following meetings between NE, RSPB and LWT to establish usage of the proposed development area. RSPB also raised concern about the level of disturbance from vessels and wash at the mouth of The Haven. Monitoring of bird behaviour was also therefore undertaken to

record behavioural patterns at the mouth of The Haven. The RSPB recommended an ornithologist who undertook all of the bird surveys. Surveys were undertaken for the overwinter period of 2019/2020 and extended to cover the spring passage and breeding activity during April, May and June 2020. Surveys of bird disturbance at the mouth of The Haven were also undertaken for the overwinter period 2019/2020. The bird count data was then used to provide information for the Environmental Statement (ES) and the HRA. Additional counts have been undertaken for January and February 2021 which are presented below in Table 1 for redshank numbers (as the species that has been identified as of most concern by RSPB and NE) together with the previously collected data. The counts will then extend into June 2021 to cover the colder winter months, spring passage and breeding data and provide two years' worth of data. The data so far this year show that numbers are similar to last year for the average counts for both areas A and B (see Figure 1). Area B continues to show generally higher numbers than Area A and this is likely to be due to the area providing what seems to be a better quality of habitat than Area A (i.e. wider extent of marsh and roosting areas further from the footpath that runs along the back of the marsh areas). There has been one count (January 2020) that showed higher numbers of redshank using Area A. However, this coincided with a very low count on Area B so it is likely that the birds were using both areas A and B as a roost site and moving between the two areas with greater focus on Area B in general.

With the additional collection of survey data there will be two years' worth of site-specific data.

Table 1 Redshank data for overwinter counts for the winter of 2019/2020 and 2021 (% value shows the % of the latest data for The Wash (taken from the 5-yr average WeBS counts) and shaded counts show where the count was >1% of the species population for The Wash).

Redshank Counts	Count Sector A (within proposed area)		Count Sector B (adjacent to proposed development area)	
	Low Tide	High Tide	Low Tide	High Tide
October 2019	18 (0.32%)	20 (0.35%)	25 (0.44%)	78 (1.37%)
November 2019	26 (0.46%)	19 (0.33%)	61 (1.01%)	38 (0.67%)
December 2019	14 (0.25%)	27 (0.47%)	19 (0.33%)	33 (0.58%)
January 2020	27 (0.47%)	162 (2.84%)	36 (0.63%)	3 (0.05%)
February 2020	26 (0.46%)	29 (0.51%)	21 (0.37%)	93 (1.63%)
March 2020	17 (0.30%)	13 (0.23%)	31 (0.54%)	73 (1.28%)
January 2021	29 (0.51%)	44 (0.77%)	34 (0.6%)	61 (1.01%)
February 2021	18 (0.32%)	18 (0.32%)	16 (0.28%)	21 (0.37%)

Ref 2B: RSPB - Whilst some bird data has been collected on bird numbers using The Haven, there remains a reliance on WeBS data to supplement the bird surveys that have been commissioned. Having reviewed the WeBS data this has only been obtained for a limited number of sectors that could actually be affected by ship movements.

The WeBS sector data suggested by RSPB has been ordered to check the numbers of birds using these areas. It is expected that roosting birds in any of these areas within a range of sensitivity to disturbance would show the same behavioural patterns to the baseline disturbance from vessels currently using the areas around the mouth of The Haven. Figure 3 also shows the area that could be affected by vessel disturbance.

Ref 2C: The shipping analysis is also limited and makes assessing the scale of impact challenging. Whilst it is noted that there will be 89 additional ships using The Haven during construction (over 24 months) and 580 ships annually during operation, this does not account for the pilot vessels that would also add to the overall impact in the area. There is also no breakdown of what the shipping movements would be on a daily basis. Greater information on the shipping movements must be presented.

It is the larger vessels that cause the visual disturbance to the birds, albeit that the pilot vessels do sometimes cause disturbance due to ship wash (minor and infrequent). The shipping movements for the proposed scheme are provided within the navigation section of the ES (Chapter 18).

Ref 2D: Whilst it is highlighted that there may only be a <45 minute window for all ships to transit The Haven there is no clear breakdown on time intervals between vessels entering and leaving The Haven. Lapwing and golden plover did attempt to return during vessel movements, but a longer run of data to more fully understand the baseline situation is needed. A greater breakdown of the number of vessels using The Haven annually would also be helpful, as there is no indication of the variability associated with the stated 420 ships currently using the Haven annually. This appears to have been based on a single year of vessel movements, but would be better shown over at least five to understand if this is a typical figure.

The tidal window for large vessels is explained more fully in section 4 below on Potential issues at the mouth of The Haven. The vessels would have a 3.5 hour window during spring tides which represents the worst case, however, in reality, the vessels seem to enter and leave The Haven over a period of approximately one hour as observed during the monitoring surveys. In addition, it takes approximately 60 minutes to transit The Haven so the vessel disturbances are staggered as there is only limited passing within The Haven itself. The intervals of entering and leaving will be highly dependent on when the vessels reach the mouth of The Haven. The impact on lapwing and golden plover due to these multiple vessel movements is covered in Section 4 below. The number of large ships using The Haven is provided in the navigation chapter of the ES (Chapter 18) providing figures for between 2014 and 2019. Ship numbers varied between 371 and 524 per year over this period. The port of Boston has also indicated that there were years when there were higher numbers of vessels, including 1986/87 which were bumper years with large number of grain exports which would have pushed vessel numbers up higher, although they do not have the logs for this.

Ref 2E: It is also not clear whether more than one ship would use the wharf at any one time. The more ships using the wharf the greater the impact on birds roosting or foraging in the area. More detail on exactly how ships and any other associated craft would operate around the wharf area is needed, as this will inform the zone of influence that needs to be considered.

More than one vessel would use the wharves at any one time and this is detailed in the ES. The potential for disturbance has been considered in the updated HRA, which looked at the wharf closest to Area B (the aggregate wharf) and used the noise level data to estimate distances where disturbance could occur. The aggregate wharf will only have a vessel visiting on average twice per week, with vessels mooring up and leaving within the high tide windows. The wharves further upstream are far enough away to be unlikely to have any impact either through visual disturbance or noise levels. There are also descriptions in the ES chapters on how the vessels will operate around the wharves.

Ref 2F: Around the application site there is limited data on wider disturbance. There will be reasons why redshank use the current area, as was detailed at our meeting of 8th February 2021. However, no

detailed assessment work has been undertaken to define why the birds are using this area and to inform what would need to be provided to address impacts. Some data does exist for the Boston barrier project. Whilst now out of date, it did find that the most diverse sample (sample point SC24) was taken on the northern edge of survey Area B for the BAEF bird surveys. This suggests the area around the application may have a particularly good food supply in the application area which would relate to the large numbers of redshank, but this would need further work to confirm. The suggestion that the redshank roost could switch banks is not accurate, as the aspect of the bank means the birds would not be protected from prevailing weather and there would appear to be a higher level of disturbance (as shown on Strava heatmaps for the area; see Appendix 2) on the opposite bank. Losing a good feeding area and the roost site would have serious implications for The Haven's redshank population and The Wash SPA to which is functionally linked. More information is needed to understand the dynamics of the redshank population and the impact that the facility could have on this population. The redshanks using The Haven are highly site faithful and will be formed from resident, breeding birds. Where roost sites have been lost from other sites (e.g. Cardiff Bay), even a relative short distance of 3km has been found to reduce their survival. In order to maintain the redshank population there needs to be an increase in recruitment. For The Wash redshank population, however, there has been a decline in breeding numbers and therefore it is not clear that if The Haven roost was lost that recruitment would be sufficient to compensate for a reduction in survival. This highlights the complexity of understanding and addressing impacts for this species and is an area that requires significantly more attention.

This is addressed in the section below on 'Potential issues at the development site'.

Ref 2G: More information is needed on the dynamics of the birds using the mouth of The Haven. There are counts of birds in significant numbers, with black-tailed godwit in sufficient numbers for SPA designation in their own right. It is essential that an accurate understanding of baseline pressures throughout the season is understood. This then needs to be used to understand the likely impact of the increase in shipping for the project. This may mean a greater understanding of where birds move to. If they relocate to a different roost location, there is no information presented on where this might be and what this might mean for the conservation objectives of The Wash SPA:

“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.”

This has been addressed further under the section below on 'Potential issues at the mouth of The Haven'. The results from the surveys at the mouth of The Haven showed consistent results for the baseline situation whereby all SPA named species fly to alternative roost locations but a limited number of species return to roost at the same location. Additional surveys have been undertaken this year to supplement that data and the results are showing the following:

January: The Pilot boat pushed c1000 bathing Dark-bellied Brent Goose from the river, they flew c400m to a feeding site. At the river mouth, changes in behaviour were impossible to assess on the first two movements. This was due to a change in behaviour caused by a hunting Marsh Harrier(s) at the time the boats came in. With the other four boat movements little changes in behaviour were noted, certainly nothing similar to what was recorded last winter (2019/2020). There were certainly fewer wading birds roosting around the river mouth than last winter (2019/2020). Most birds roosting where Gulls, which are much more tolerable species.

February: A mix of river traffic with; 2 pilot boat, 2 cargo ships, 3 small fishing/personal vessels. Bird behaviour didn't change on three occasions (1 pilot and 2 small fishing/personal vessels.) The largest quantity of birds that changed their behaviour were c425 Lapwing (caused by the first pilot boat.)

The results so far do not provide concern for any further effects when compared to the previous year's survey data.

The movement of the birds was noted during the counts and the distances that each species flew to alternative roosting sites and this information was provided in the tables at the end of the HRA update.

Ref 2H: These are the immediate points that have been identified, but there may be additional areas of concern following further assessment of the available paperwork and discussion with specialists.

3.0 POTENTIAL ISSUES AT THE DEVELOPMENT SITE

Ref 3A: NE consider that the proposed BAEF location would potentially result in significant effects on redshank, which are qualifying species of The Wash SPA, and would impact the following risk pathways:

- **Loss of foraging habitat on site through modification**
- **Loss of roost on site through modification or disturbance**
- **Loss of foraging habitat along the Haven which may be degraded through boat wash along the channel**

Ref 3B: RSPB – Decision above based on the high numbers of wintering redshank recorded roosting and feeding adjacent to the application site, which will be formed of resident, breeding birds that form part of The Wash SPA population. It is likely that the roost would be lost, there would be impacts to feeding birds, and more information is needed to determine the full scale of impact and ensure any proposed measures to address impacts would be sufficient.

The text below covers issues 3A (bullet points 1 and 2) and 3B. The numbers of redshank using the direct impact area is below 1% of the SPA population, apart from one count in January 2020 where the high tide count reached 2.84% of the SPA population. However, it is recognised that there is concern over the loss of these habitats and in order to ensure that there are no adverse effects on the redshank in this particular area, the roosting area immediately adjacent to the proposed development area would be enhanced to provide additional adjoining roosting and foraging habitat. The areas proposed for enhancement are shown on Figure 2, and the method will involve translocating a number of boulders from Area A into the adjacent area behind the existing boulders in Area B. This translocation would provide roosting habitat, as it is known through observations made during the bird counts that the redshank like to roost on the boulders. Shallow scrapes would also be made in the area just above the high-water mark. These scrapes would provide foraging habitat for redshank. A site visit by the ornithologist who completed the counts

has shown that it is feasible to provide enough roosting and foraging habitat for the displaced birds in the immediate area (figure 1 shows Area A and B and Figure 2 shows the proposed works in Area B). These measures would ensure no net loss of roosting and foraging potential in the area.

Specific details of this proposed work (and a method statement) will be agreed as part of the Landscape and Ecology Management Plan, which will be secured as part of the DCO and the dML (for work below Mean High Water Spring (MHWS)).

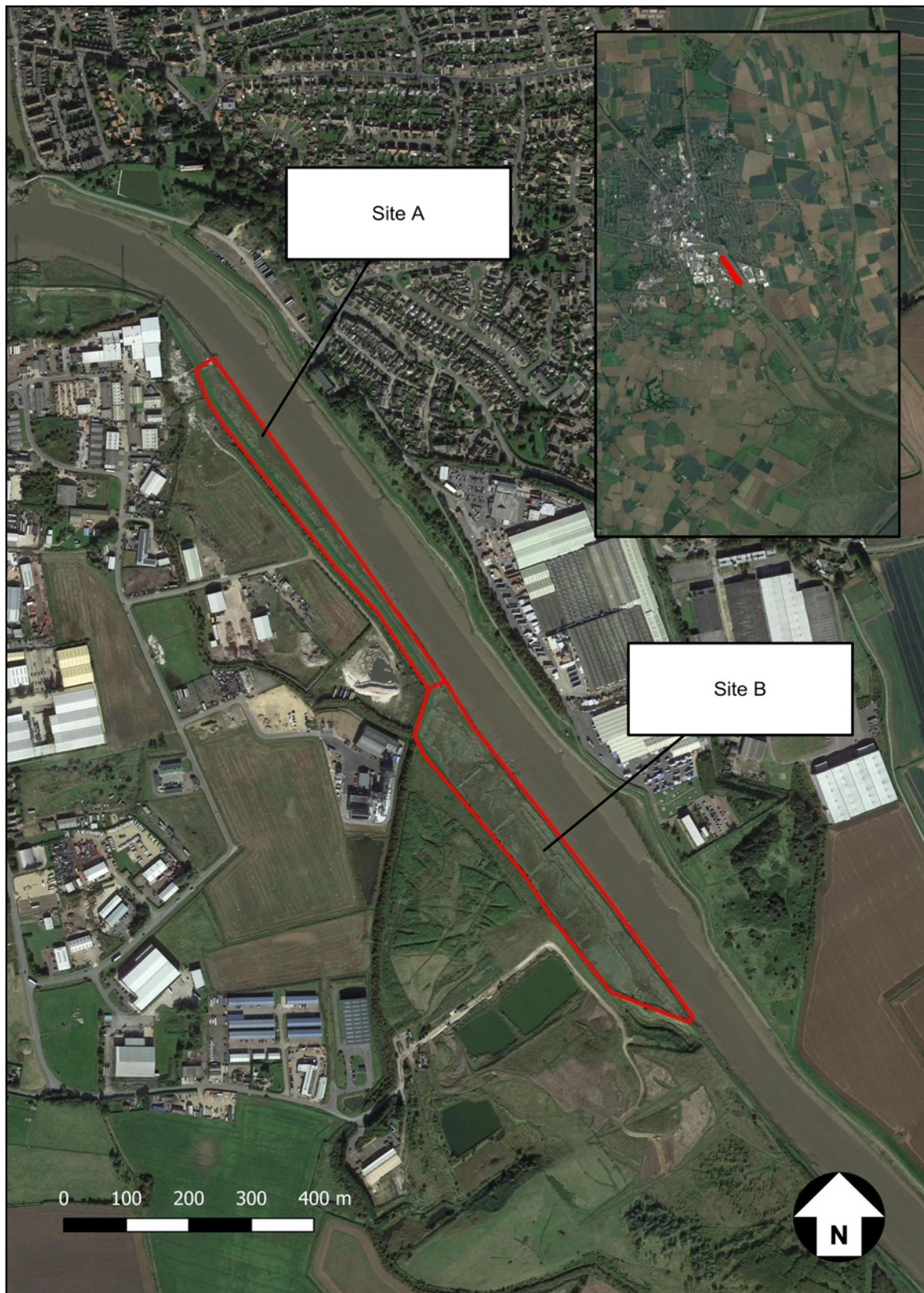


Figure 1 Area A and B (proposed development is behind Area A)



Figure 2 Measures to provide additional habitat within area B adjacent to the proposed development site (grid references provided for location purposes).

These measures would also provide habitat for other wading birds as well as providing additional habitat for any redshank that currently use this roosting area.

These works are dependent on agreement with the landowner. Land ownership considerations are currently being assessed. The area is currently thought to be of unknown ownership and discussions are being sought with The Crown Estate (TCE) over the works in this location and to confirm the extent of TCE interest in the land. Given the nature of the works it is not expected that there would be any 'in principle' issues raised by Crown Estate. It is also not anticipated that the works would have an impact on any other receptors but this would be confirmed within the ES. The scrapes would need to be maintained in order to continue to provide the depth of water needed in the shallow pools to support the species required to provide prey for the redshank.

The following text covers point 3A (bullet point 3). The vessels that would transit to the proposed facility would be slow moving and the facility would seek to ensure that any vessels using their facility would observe the speed limits for this area. These speed limits are in place to reduce any wash to ensure that these vessels do not cause erosion of the banks of The Haven. The ES assesses the potential for changes to sediment dynamics as a result of the operation of the facility and concluded that any change would be negligible.

4.0 POTENTIAL ISSUES AT THE MOUTH OF THE HAVEN

Ref 4A: NE - There are significant concerns regarding the feeding/roosting area at the mouth of The Haven which is within The Wash SPA. Significant numbers of the SPA/Ramsar bird assemblage are using this area at low tide including up to 28% of the black tailed godwit. There is clear evidence that most birds left the area following boat passage up the channel and did not return except for lapwing and golden plover that tried to return to site but were re-disturbed by subsequent vessel movements. Repeated boat movements are likely to result in changes to bird use behaviours of this important area of The Wash. We also have further concerns regarding the usage of the area at high tide. It would seem from the data that it is boats themselves (visual/noise disturbance) rather than the wake that is causing issues in this area.

Ref 4B: RSPB - The significant impact that a c.140% increase in ships using The Haven as a result of the proposed Facility would have on roosting and feeding birds at the mouth of The Haven, over and above existing impacts from current vessel movements. There is insufficient information available to understand the impact and consequences for this area of The Wash which appears disproportionately important for a number of The Wash SPA features based on WeBS data reported in The Wash Bird Decline Investigation 2014 (as reported in paragraph 17.6.59 of the Marine & Coastal Chapter).

The following text covers points 4A and 4B. There is an important distinction to be drawn relating to the disturbance to birds at the mouth of The Haven between the baseline level of disturbance and any increase due to the proposed vessel numbers as a result of the proposed facility. The vessels that currently transit through The Haven cause a baseline level of disturbance, mostly attributable to the larger vessels but also to a lesser extent, the smaller vessels that are travelling faster.

The behavioural responses that were observed during the five surveys undertaken in this area which took place during a high tide through the winter of 2019/2020, showed that the first disturbance event by a larger cargo vessel caused the vast majority of the birds to fly to alternative roost sites, between 100m and 800m away. The area around the mouth of The Haven supports extensive marshes and mudflats and

the birds were flying to alternative roosts within 800m of the original roost sites and were not observed to be subject to disturbance again. This indicates that the alternative roost sites, even those only 150m away were far enough to not be subject to disturbance. It appears that the vessel disturbance is limited to a localised area. This level of baseline disturbance is likely to occur along the shipping channel within a strip of 150-200m from the shipping channel with the highest level of disturbance near the mouth of The Haven where the shipping channel is closest to the marshes. This area was looked at as the worst-case situation. Figure 3 shows the areas that are located within 200 and 300m of the shipping channel and within these areas where there is an overlap with saltmarsh and other habitats. The saltmarsh areas at the mouth of The Haven were included in the monitoring. Out with this area there is only limited roosting habitat within the potential area of disturbance from the vessels using the channel.

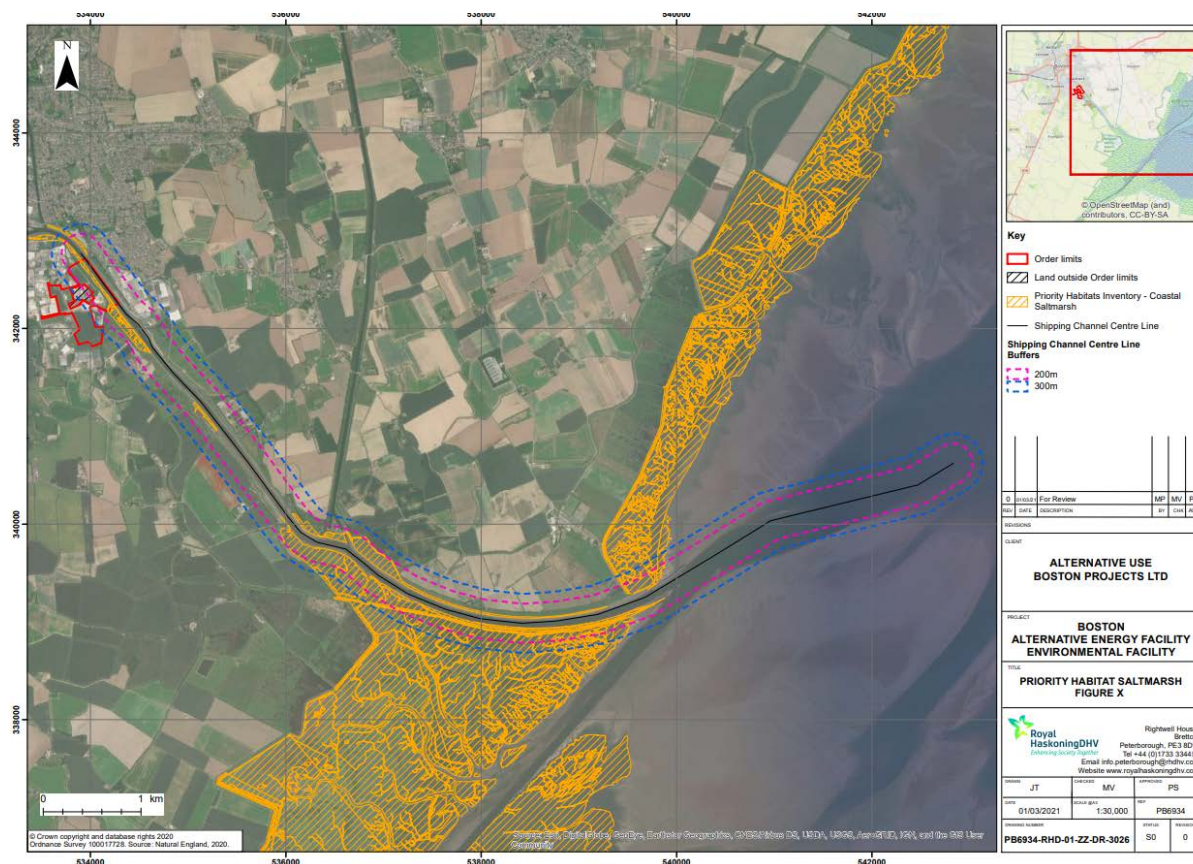


Figure 3 showing the saltmarsh habitat and the buffer zones for potential disturbance from vessels using the channel.

Vessel movements have been taking place through The Haven for at least the last 100 years with numbers varying over the years. Therefore, it would seem reasonable to assume that the disturbance to birds at the mouth of The Haven is not having an overall effect on distribution and numbers of birds in the SPA. The fact that high bird numbers are still observed at the mouth of The Haven shows that the roost site is still used despite the disturbance events. The disturbance events only happen around the high-water period within a possible maximum tidal window around the mouth of The Haven of up to 3.5 hours as a worst case during spring tides, but in reality, this appears to be a window of approximately 60 minutes given the observations of vessel movements during the surveys. It is estimated to take the larger vessels approximately 60 minutes to transit from the Port of Boston to The Wash. The Haven is largely a one-way

channel for large vessels but passing is possible in localised areas of the channel. The disturbance only therefore occurs for a maximum of 7 hours in any 24-hour period, with 3.5 hours happening at night-time when visual disturbance is expected to be less, particularly in the winter period.

There are no large vessel movements outside of these periods so the remaining low tide feeding areas are not affected by such movements. These areas are therefore expected to provide a good foraging resource for birds at all times when the mudflats are exposed. It seems likely that the birds use the areas at all other states of the tide and use alternative nearby roosting sites during the periods when the larger vessels transit through The Haven. It is recognised that there are currently approximately 840 vessel movements and that there will be some days when there are no large vessels currently transiting The Haven. Anecdotal evidence from the Boston Harbour Master indicates that there were around 20-25% of days with no throughput of larger vessels during 2020. During the predicted operation of the proposed facility there would be vessels transiting through The Haven every day. An increase of 46 days (from 137 days to 183 days of the total overwintering period) disturbance results from the predicted increase in larger vessels due to the Boston Alternative Energy Facility. Given that the birds appear to have adapted to the long-term baseline disturbance by flying to alternative nearby roost locations then it is reasonable to assume that they would continue to do this. The alternative roost sites are obviously providing enough roosting areas to sustain these populations over the long term, with the baseline levels of disturbance and are at such close distances to ensure minimal additional energy usage. Figure 3 shows the location of alternative habitats in the area around the mouth of The Haven and shows that there are many areas of habitat that could still be available for roosting, particularly along the Freiston Shore. It is therefore expected that the same behavioural response would occur for the disturbance in the days when previously no large vessels came through The Haven.

The species that return to the same roosting area are predominantly lapwing and golden plover, which although not named SPA species, are part of the SPA assemblage. Calculations have been undertaken to show that with four vessels per day causing disturbance, the energy usage that these birds would use is less than 2% of their daily energy intake.

5.0 POTENTIAL ISSUES WITH REGARD TO MARINE MAMMALS

The following questions were raised by the Lincolnshire Wildlife Trust during the meeting and through a telephone call between RHDHV and LWT and relate to the marine mammal assessment. Questions are in green bold font and responses are in italics.

Ref 5A: Can you confirm that you used the latest thresholds for underwater sound effects, namely the NMFS 2018 thresholds?

All underwater noise assessments have used the latest NMFS (2018) thresholds.

Ref 5B: For the seal haul-out areas at Friskney Sand, can you provide details of the latest survey data used for this?

*The data used on the number of harbour seals at Friskney South, Rodger, and Ants is from: Thompson (2019) Preliminary report on the distribution and abundance of harbour seals (*Phoca vitulina*) during the 2018 breeding season in The Wash. This report was provided to the project by Natural England.*

Ref 5C: There is a concern with seal pups being so inquisitive and ensuring that there are no significant effects on seal pups because of the increase in vessel numbers. Can we confirm that we have included the latest best practice guidance on this in our assessment?

All vessel related activities to be undertaken are similar in nature to that of the activities already taking place within The Wash, and therefore it is not expected that there will be any increase in grey seal pup interest in such activities, as they would be used to similar activities already occurring within the area. In addition, it has been assessed that grey seal would be disturbed up to 400m away from the vessels as a worst-case scenario, and therefore it is not expected that any seals would remain within the vicinity in order to show any increase in interest in the vessels (i.e they cannot both be disturbed and attracted to the same vessels).

With regard to best practice measures to limit disturbance and interactions with harbour seal, the following commitment has been made (Paragraph A17.6.52 of the HRA):

'Best practice measures will be put in place in order to minimise the disturbance that is caused to marine mammals from the vessel traffic. This will mainly be in the form of a non-dedicated (but certified under the JNCC MMO certification scheme) observer on board each vessel, looking out for marine mammals as the vessel makes its way through The Wash and up The Haven. Vessels should maintain the same course and speed to give the seal time to avoid the vessel.'

It is not anticipated that there will be a significant increase in pilot vessel numbers as a result of the proposed facility, as in the majority of cases, pilot vessels would transport enough pilots to the facility anchorage area to ensure each vessel has a pilot, at the same time, which would minimise the number of pilot vessels to be used.

Date: 12 March 2021
Our ref: DAS/14030/339948
Your ref: None



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BY EMAIL ONLY

0300 060 3900

Dear Paul,

Discretionary Advice Service (Charged Advice) - 14030

Development proposal: Boston Alternative Energy Facility (BAEF) energy recovery power plant (gasification) includes a wharf storage & waste processing facility

Location: Riverside Industrial Estate, Marsh Lane, Boston

This response concerns the document submitted by Royal HaskoningDHV on 5th March which provides supplementary information to the updated Habitats Regulations Assessment (HRA) issued on the 12th February 2021, covering the concerns raised in the red flag written responses and comments provided during the meeting on 26th February from Natural England, RSPB and the Lincolnshire Wildlife Trust.

This advice is being provided as part of Natural England's Discretionary Advice Service. Royal HaskoningDHV has asked Natural England to provide advice upon:
Advice and review of the impacts on designated sites/features, and associated mitigation, in particular advice on the Habitat Regulations Assessment and the Ecological Management Plan. This advice is provided in accordance with the Quotation and Agreement dated 24th February 2021.

Natural England acknowledges that the document has taken steps to address the concerns that we highlighted in our recent written response (25th February) which is welcomed.

However, we have continued concerns that not all the risks related to the proposal have been fully considered which means that, following the precautionary principle, we are unable to exclude, beyond all reasonable scientific doubt, no Adverse Effect on Integrity of the Wash SPA or the Wash & North Norfolk Coast SAC.

It should be recognised that this is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available,

including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice.

We have outlined our concerns below to make Natural England's position clear:

- The short timescale required to review the Supplementary HRA document has not allowed Natural England to provide a fully considered and robust response, with specialist adviser input, which we would have preferred and would be the normal best practice approach for both Statutory and Discretionary Advice Service consultations. The requirement for this advice within 3 working days does not meet the conditions within the DAS contract which states 21 days for the provision of advice.
- Due to timescales we have not been able to review and provide advice on all the potential impacts. Where we have made no comment, this should not be taken to mean that we do not have issues and concerns.
- We consider that the information that we have been provided does not meet the evidence plan process to address issues upfront during the pre-application process. With the provision of evidence and further information being piecemeal in its delivery we have not been able to gain a holistic view of the proposed application submission.
- The information we have received since the Application was not accepted by PINS, has raised considerably more questions than answers; which raises concerns about whether the impacts have been fully considered and as required worst case scenarios being presented and assessed.
- Therefore, we are concerned that the Application will not be presented in a fully completed ES format where the required evidence is provided and impacts are clearly set out and assessed at both an individual pressure and/or receptor level and at a wider ecosystem level with all the necessary cross-referencing. Without this there is a risk that a series of discrete documents will be submitted that creates ambiguity in relying on others to piece it all together.
- We consider that the DCO application needs to demonstrate more clearly that the proposal would not result in an Adverse Effect on Integrity (AoEI) and that there is certainty that appropriate mitigation can be provided.
- In addition, we also highlight that only a select few interested parties have been engaged in discussions on both the original application, potential amendments to that and discussions on the resolution of issues. Therefore, there is a risk that other stakeholder groups may have issues that need resolving for example Eastern Inshore Fisheries and Conservation Authority (EIFCA), The Wash and North Norfolk Marine Partnership and the Environment Agency (EA).

We therefore want our position, as outlined above, to be clear in the consideration of the following comments and advice.

1. Bird Count Areas A & B

We acknowledge that additional bird counts have been undertaken for January and February 2021 for Redshank numbers and these will be continued into June 2021. Once these counts have been carried out the colder winter months and the spring passage will be covered.

Overall, two years' worth of site-specific data will be provided together with the breeding data that has been collected previously.

The summarised information on Redshank numbers included in the report shows how variable the numbers of Redshank are at both Areas A and B. **We note particularly that Area B is regularly supporting over 1% of the Wash SPA numbers at High Tide and therefore impacts in this area are of significant concern to Natural England.** It would obviously have been preferable if all the data had been collected ahead of submission so impacts could be fully considered and assessed.

2. Potential Issues at the Development Site

Natural England had raised the concern that the proposed BAEF location would potentially result in significant effects on Redshank, which are a qualifying species of The Wash SPA. We therefore welcome the proposed enhancement of Area B. However, we would need clarity on the scale of the impact on SPA species i.e. the Adverse Effect on Integrity (AEoI) before it can be determined if Area B can provide an appropriate level of compensation. We consider that the proposed enhancement would not reduce the impacts, avoid the impacts or necessarily mitigate to an acceptable level in the area of the proposed development.

We have the following detailed comments regarding the feasibility enhancement to Area B:

- A question of ownership of Area B has been raised in the report. We agree that it is most likely owned by the Crown Estate, but this would need to be confirmed and assurance gained that the landowners are willing for the compensation work to be undertaken before it can proceed. There is therefore a lack of certainty that this can be implemented.
- The proposals for habitat enhancements would appear to involve flattening / removing the old bank along the front of the channel. We suggest that RHDHV speak to the EA about this as it is presumably part of the old sea defences and it may still provide a degree of flood protection. We would anticipate that the EA would need to authorise an Environment Permit for the bank works, we would require evidence that the EA would allow this before agreeing to the compensation work.
- Related to the EA bank repairs we checked that the work would not overlap with the translocated *Equisetum ramosissimum* (Boston Horsetail), which the EA moved under a Schedule 8 plant licence. Fortunately, it does not, please see Figure 1 attached.
- We also checked the route of the English Coast Path as we have concerns that there might be an increased visual disturbance to SPA species from the English Coast Path. We would emphasise that there would be no point in choosing to put compensation habitat in this location if it would not be used by the Redshank due to disturbance from other sources. Evidence would therefore need to be provided around this issue. From the looks of the maps (2h and 2i - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/675838/sutton-bridge-skegness-report-chapter-2.PDF) it appears that the sea wall extends behind the area of saltmarsh between Area B and the adjacent former landfill site. With the extra data on Redshank here we would need to update our English Coast Path team as to the potential disturbance increases.
- In addition, the path further to the north along Area A will need to be revised (this may have already been considered within the ES?)
- We would welcome an opportunity to discuss the proposed additional habitat within Area B adjacent to the proposed development site. Considering the proposed works

we would like to see an up-to-date botanical survey (i.e. a National Vegetation Classification survey, mapping vegetation communities with details on saltmarsh condition¹). This survey should be undertaken at a suitable time of year. The proposed areas of work i.e. along the foot of the old bank should be checked to ensure there are no Boston Horsetail plants growing in the locality. The EA's ecologists may have surveyed this area during the recent embankment works but you would need to follow that up with them. In addition, the survey should consider other local species such as *Artemisia maritima* (Sea Wormwood), an upper marsh species, important on The Wash because of its restricted distribution and also as it is the host plant for a rare Scarce Pug Moth (found at RSPB Frampton). In the first instance photos to see the lay of the land would also be helpful.

- A further consideration is that flattening / removing the old bank may increase tidal inundation of the saltmarsh behind, altering the zonation and species composition i.e. changing areas of mid or low-marsh to pioneer marsh. It may also result in erosion to the front of the marsh through increased boat wash (due to the proximity of the proposed wharf). The proposed scrapes and pools will also result in a saltmarsh loss. As you are aware while not within the designated area the saltmarsh is a priority habitat and potentially any changes or loss to the saltmarsh here may require further off-site enhancements.

3. Potential Issues at the Mouth of the Haven

Natural England raised concerns regarding the feeding/roosting area at the mouth of The Haven which is within The Wash SPA. We acknowledge that further analysis has been undertaken regarding the additional impact of vessels on the behaviour of SPA bird populations. We note particularly that the report demonstrates that there are alternative habitats in the area around the mouth of The Haven and that there are many areas of habitat that could still be available for roosting. However, we are unable to provide further detailed advice at this time and as previously identified there may be issues with these areas being suitable roost locations.

4. Potential Issues with regard to Marine Mammals

Natural England raised concerns with potential impacts of additional vessel movements and anchorage on the Wash & North Norfolk Coast SAC harbour seal population. We advised that there is a Likely Significant Effect from the proposals and if options to avoid, reduce and mitigate the impacts to acceptable levels can't be found/adopted then an Adverse Effect on Integrity cannot be excluded beyond all reasonable scientific at this time. We note that the report confirms that up to date evidence has been used within the Environmental Statement. We also welcome the confirmation that best practice measures will be followed. However, we cannot confirm without further specialist advice that an AEoI cannot be excluded.

If you have any queries relating to the advice in this letter please contact me on 02080268500.

Yours Sincerely

Senior Planning Adviser, East Midlands Area
Cc

¹ For example using the JNCCs <https://hub.jncc.gov.uk/assets/7607ac0b-f3d9-4660-9dda-0e538334ed86>

Figure 1 - showing location of proposed compensation area (Area B) in relation to known translocated population of *Equisetum ramosissimum* (Boston Horsetail).





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Classification:	External		

Dear Ros,

Boston Alternative Energy Facility – Habitats Regulations Assessment

Thank you very much for your letter dated 12th March 2021 (your ref: DAS/14030/339948) relating to the supplementary Habitats Regulations Assessment (HRA) information we provided to you on 5th March 2021. We have set out below our response to the points in your letter.

Firstly, we appreciate your comments and input to the project since the scoping stage in early 2018 which have helped to inform and refine the development of the scheme. We recognise your comments regarding more recent timescales, and note that you have been unable to provide advice on all of the potential impacts in the time available. We also very much appreciate your attendance at the meetings held on the 8th and 26th February 2021 to discuss the HRA matters and to give us the opportunity to present the additional analysis and results.

We acknowledge that confirmatory data collection remains underway in some areas, but this was also the case for the proposed submission in November 2020 when it was agreed between us that information would be provided post-submission of the DCO application. To provide additional comfort, we have committed to undertake further bird counts for the remainder of the overwintering period (March count) and the passage/breeding data for April/May/June 2021 together with data for the WeBS count sectors in the area surrounding the mouth of The Haven. However, we do not expect that this data will change the environmental impact assessment already undertaken for the proposed development site - there were no redshank in the counts for April/May/June last year and there are not expected to be differences this year – and we are confident that our EIA and the Environmental Statement that will accompany the DCO application will be robust and adequate in all respects. It is also not expected to change the assessment for disturbance at the mouth of The Haven. Birds are currently present in high numbers despite the baseline levels of disturbance and, as has been shown with the monitoring data, the increase in vessel numbers is not expected to have a significant effect.

We confirm that the information provided in the supplementary report will be incorporated into the Environmental Statement and the HRA and submitted as part of the Development Consent Order (DCO) application.



We also confirm that, throughout the impact assessment process, and dating back to 2018, consultation has been undertaken with additional consultees including the Eastern Inshore Fisheries and Conservation Authority (EIFCA) and the Environment Agency (EA). In terms of the Wash and North Norfolk Marine Partnership this is a wide-ranging group and we have consulted individually (or within groups) with the partners that could have been affected. As well as those above this includes the relevant county and district councils, Port of Boston, Black Sluice Internal Drainage Board, Marine Management Organisation (MMO), Lincolnshire Wildlife Trust and the RSPB. All consultation is logged and reported in the Consultation Report submitted with the DCO application.

We would just like to respond as follows to provide reassurance on the remaining potential issues that have been identified in your letter:

1. Bird Count Areas A and B

The count data for the overwintering periods and spring passage and breeding will be provided once the counts are finalised. We have no reason to expect that the numbers would increase significantly from those provided during the 2019/2020 overwintering period. We do not expect to see high numbers during the remaining months as the birds in this area tend to remain within The Wash during passage, where they can feed extensively in a short space of time. This was reflected by the fact that there were no redshank in the counts for April, May and June in 2020.

Area B would still be available to provide roosting and foraging habitat for redshank and it is expected that this area would still be used. The proposed mitigation works would enhance this area to provide additional roosting and foraging areas. The data for bird counts was discussed at previous meetings and it was acknowledged that data could still be submitted following submission of the application, which is still our proposal.

2. Potential Issues at the development site

Firstly, we are pleased that Natural England, “welcome the proposed enhancement of Area B.” Please note that the area identified for the mitigation will be called the ‘Habitat Mitigation Area’ in the DCO application and accompanying documents.

We acknowledge in the Environmental Statement that the removal of Area A could present a significant impact in Environmental Impact Assessment (EIA) terms. However the impact is not expected to be such that it would have an adverse effect on integrity of the features of The Wash SPA. Redshank (and other waders) do use both Area A and B together, as well as the opposite (north) side of The Haven. The same number of birds would be able to continue using these areas due to the provision of suitable features in the Habitat Mitigation Area.

The habitat enhancement measures in Area B are provided to mitigate this impact – we do not consider them to be compensation. This point was discussed at the meeting on 26th February 2021 when it was confirmed by Natural England that this could be considered mitigation if it reduces the impact to an acceptable level. We have engaged extensively with Anthony Bentley, who undertakes the bird counts and has excellent local ornithological knowledge, to ensure that the proposed enhancements would provide enough mitigation for the number of birds that use Area A. As he understands the usage of the area and the features which are key for the successful implementation of any measures, his advice has formed the basis of the proposed mitigation.

The detailed comments that you provided for Area B are considered and responded to below:

- We confirm that we have identified that The Crown Estate own the land below Mean High Water Springs (MHWS) within the Habitat Mitigation Area (i.e. the tidal creeks and pools) and correspondence from them confirms they are, “supportive of its use as environmental mitigation land.” We have contacted a number of bodies in relation to ownership of the parts of Area B that are not owned by the Crown Estate. The Environment Agency, an adjacent landowner (a private waste firm with other nearby land interests) and Boston Borough Council have all confirmed that they do not consider themselves to be the owner of any Area B land. Following our diligent enquiries we must describe this land as ‘unknown’ (and unregistered) within the DCO application and will be seeking powers to compulsorily acquire the necessary rights to undertake the mitigation works and for them to be maintained and remain *in situ*.
- We have ascertained that the ‘old bank’ within the Habitat Mitigation Area has no flood risk function or specific historical interest according to the normal reference sources. We are awaiting final confirmation of the first point from the EA. The bank is further than 16 m from the existing flood defence and no Environmental Permit for this work is expected to be necessary but we will, of course, ensure all relevant permissions are in place before work is commenced and consult appropriately. Furthermore, the proposed outline construction method includes the option to float a long reach excavator to the site for the short-term construction works to avoid interference with the flood bank or Public Right of Way (PRoW).
- We welcome your confirmation that Area B does not include the Boston Horsetail plant species translocated by the EA. A vegetation survey was undertaken on the flood bank and intertidal zone of Areas A and B as part of the bird monitoring works and there were no nationally rare or scarce plants found. All species found were listed within the report summarising the Winter Bird Survey Results at the River Haven (March 2020). This was provided to Natural England in September 2020.
- The birds currently use this proposed Habitat Mitigation Area even with the existing MacMillan Way PRoW running along the seawall to the side of the marshy area at Area B and alongside Area A. The enhancement works would not mean that the birds were any closer to the footpath route. As such we do not consider that there would be any change to the existing situation.
- The footpath realignment within the order limit has been considered as set out in Chapter 5 of the Environmental Statement. The PRoWs to be retained or stopped up as part of the DCO are set out on the attached figure.
- The Environment Agency survey in 2017 did not record either Boston Horsetail or Sea Wormwood in Areas A or B. Neither did the survey undertaken as part of the bird counts in 2019 (albeit that this survey was undertaken in November). It is therefore not likely that these species would be found in the marshy areas now. However, a further survey will be undertaken to confirm this and to enable any micro-siting of the works to avoid any rare or scarce vegetation if present. This will be set out in the Outline Landscape and Ecology Mitigation Strategy.
- We do not consider it likely that any reprofiling of the bank feature within the Habitat Mitigation Area would cause any increased erosion as the existing rocks that have been placed to the seaward of the marsh protect the marsh from boat wash. Those rocks would remain and, as part of the mitigation, we propose that rocks are moved from Area A to the Habitat Mitigation Area. If there is any change we expect the level of protection to be greater. The proposed scrapes and pools are reinstating a feature of the marsh in this area, which is already prevalent. The marsh in this area has been consistently described as in poor condition and these measures would increase the structural diversity and biodiversity in this area.

3 Potential issues at the mouth of The Haven

We note that you recognise that new information has been supplied in relation to vessel impacts. We would like to reiterate that identified feeding areas should not be affected as the vessels will only transit at



high tide periods, when such areas would be covered by water. Outside of the period around high water larger vessels cannot transit through this area. Feeding around low tide and approaching the low tide period, which can occur for the majority of the tidal window, would not be changed. For roosting habitat, as you have said, “the report demonstrates that there are alternative habitats in the area around the mouth of The Haven and that there are many areas of habitat that could still be available for roosting”. There are still high bird numbers in these areas and the monitoring has shown that when disturbance events happen during the baseline situation in this same area, the birds fly off to alternative roosting locations which are close by (between 150 and 800m). These areas are currently being used as alternative roost sites which is evidenced by the fact that they are being used regularly by the birds during the baseline situation when vessels transit through The Haven.

4 Potential issues with regard to Marine Mammals

We confirm that the potential for impacts on marine mammals has been included within the Environmental Statement and the HRA. We also confirm that best practice measures will be followed and have been included in the above assessments.

Whilst we acknowledge that there are some areas which require final agreement we are confident in our work. We believe that ongoing discussions extending into the pre-examination phase and supporting development of Statements of Common Ground, and during Examination, will conclude that potential risks to the environment, including the SPA and its features, have been adequately considered and managed.

We have previously circulated a consultation strategy for the marine/ornithological issues and look forward to working positively with you, and the other key stakeholders, to progress the required discussions under this overarching plan.

In light of the above confirmations to your points, and in order to progress the project at this stage, we confirm our Client’s intention to submit the application to PINS week commencing 22nd March.

Regards,

Chris

Chris Adnitt

Marine Scientist
Industry & Buildings