REPORT

Boston Alternative Energy Facility - Appendix 5 Part One

Appendix 5 Phase Three Consultation (Part One)

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-3005
Status:	Final/0.0
Date:	23 March 2021

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Boston Alternative Energy Facility

Royal HaskoningDHV
Enhancing Society Together

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Document title:	Boston Alternative Energy Facility - Appendix 5 Part One
Document short title:	Appendix 5 Phase Three Consultation (Part One)
Reference:	PB6934-ATH-ZZ-XX-RP-Z-3005
Status:	0.0/Final
Date:	23 March 2021
Project name:	Boston Alternative Energy Facility
Project number:	PB6934
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Date:	22/03/21
Approved by:	Paul Salmon
Date:	23/03/21

Classification
Project related

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Appendix 5.1 Section 42 consultee list and schedule 1 description

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-3005.1
Status:	Final/0.0
Date:	23 March 2021

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Appendix 5.1 Section 42 consultee list and schedule 1 description

This appendix contains the section 42 consultee list alongside their APPF Regulations Schedule 1 Descriptions.

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APPF Regulations Schedule 1 Description and Section 42 Consultee List

Prescribed bodies consulted

Schedule 1 description	Organisation
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Lincolnshire East Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England – East Midlands
The relevant fire and rescue authority	Lincolnshire Fire and Rescue
The relevant police and crime commissioner	Lincolnshire Police and Crime Commissioner
The relevant parish council(s)	Wyberton Parish Council
The Environment Agency	Environment Agency – Lincolnshire and Northamptonshire
The Marine Management Organisation	Marine Management Organisation
The Civil Aviation Authority	Civil Aviation Authority
The relevant Highways Authority	Lincolnshire County Council
The relevant strategic highways company	Highways England - Midlands
The Canal and River Trust	The Canal and River Trust
The relevant internal drainage board	Black Sluice Internal Drainage Board
The relevant internal drainage board	Witham Fourth District Internal Drainage Board
Public Health England, an executive agency of the Department of Health	Public Health England
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Forestry Commission – East and East Midlands
The Secretary of State for Defence	Ministry of Defence

APPF Regulations Schedule 1 Description and Section 42 Consultee List

Statutory undertakers consulted

Statutory undertaker	Organisation
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Lincolnshire East Clinical Commissioning Group
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
Canal or Inland Navigation Authorities	The Canal and River Trust
Dock and Harbour Authority	Port of Boston
The Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 of Part 1 of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
The relevant Environment Agency	Environment Agency – Lincolnshire and Northamptonshire
Homes and Communities Agency	Homes England
The relevant telecommunications provider	Openreach Limited British Telecommunications plc
The relevant water and sewage undertaker	Anglian Water
The relevant public gas transporter	Cadent Gas Limited
	Energetics Gas Limited
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Quadrant Pipelines Limited
	National Grid Gas Plc
	Scotland Gas Networks Plc

Statutory undertaker	Organisation
	Southern Gas Networks Plc
The relevant electricity distributor with Compulsory Purchase Order powers	Energetics Electricity Limited
	Energy Assets Networks Limited
	Energy Assets Fibre Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	G2 Energy IDNO Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Leep Electricity Networks Limited
	Murphy Power Distribution Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	Utility Distribution Networks Limited
	Western Power Distribution (East Midlands) Plc
	National Grid Electricity Transmission Plc

Section 43 Consultees (for the purposes of Section 42(1)(b))

Local Authority	Category of Authority
Boston Borough Council	B (lower-tier district council in which the development is situated)
South Holland District Council	A (lower-tier district council which shares a boundary with category B authority)
North Kesteven District Council	A (lower-tier district council which shares a boundary with category B authority)
East Lindsey District Council	A (lower-tier district council which shares a boundary with category B authority)
Lincolnshire County Council	C (upper-tier county council in which the development is situated)

Local Authority	Category of Authority
North East Lincolnshire Council	D (upper-tier county council which shares a boundary with the host C authority)
North Lincolnshire Council	D (upper-tier county council which shares a boundary with the host C authority)
Rutland County Council	D (upper-tier county council which shares a boundary with the host C authority)
Peterborough City Council	D (upper-tier county council which shares a boundary with the host C authority)
Leicestershire County Council	D (upper-tier county council which shares a boundary with the host C authority)
Northamptonshire County Council	D (upper-tier county council which shares a boundary with the host C authority)
Nottinghamshire County Council	D (upper-tier county council which shares a boundary with the host C authority)
Cambridgeshire County Council	D (upper-tier county council which shares a boundary with the host C authority)
Norfolk County Council	D (upper-tier county council which shares a boundary with the host C authority)

REPORT

Boston Alternative Energy Facility - Appendix 5.2

Appendix 5.2 Section 42 documents sent to 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-3005.2
Status:	Final/0.0
Date:	23 March 2021

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Appendix 5.2 Section 42 documents sent to consultees

This appendix contains the letter sent to section 42 consultees, alongside the brochure summarising the proposed development and a copy of the section 48 advert.

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19th June 2019

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:

- A gasification facility comprising three gasification units and steam turbine generators to generate up to 102 MW (gross) of energy;
- A wharf with cranes and berthing points;
- A storage area for the temporary storage of Refuse Derived Fuel (RDF) bales;
- A processing facility for RDF preparation, including storage silos;
- Conveyors to transfer RDF bales and processed material;
- An on-site Grid Connection and sub-station to facilitate the export of up to 80 MW to the National Grid;
- A lightweight aggregate manufacturing plant to process the gasification facility residues into an aggregate product;
- A carbon capture facility, allowing a proportion of the carbon dioxide (CO_2) from one of the three gasification units to be captured and converted to high grade CO_2 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 25th June to 6th August (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' (NSIP) 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 2019. The application would then be examined over the course of 2020, with a decision from the Secretary of State likely to be issued in late 2020 / early 2021.

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.

Preliminary Environmental Information

Due to the location, scale and nature of the Proposed Development, it is classified as 'EIA Development' under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. The Applicant is therefore undertaking an Environmental Impact Assessment (EIA) to identify any likely significant impacts of the Proposed Development on the environment, and the DCO Application will be accompanied by an Environmental Statement.

As part of the statutory consultation the Applicant has prepared a Preliminary Environmental Information Report (PEIR), which details the environmental information gathered up until now and the results of the preliminary assessments of any likely environmental impacts of the construction, operation and decommissioning of the Proposed Development. The PEIR also includes an assessment of the residual effects of the Proposed Development after proposed mitigation measures have been taken into account, based on the preliminary information available.

The PEIR, its appendices and a non-technical summary (NTS) of its findings can be viewed on, and downloaded from, the project website (https://www.bostonaef.co.uk/consultation/preliminary-environmental-information-report/) during the consultation period.

We enclose with this letter:

- A brochure summarising the Proposed Development
- Details of where to access the Preliminary Environmental Information Report (PEIR)
- A copy of the notice published in accordance with Section 48 of the 2008 Act and Regulation 13 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. That notice contains a description of the Proposed Development and gives details of where the consultation documents can be viewed.

During this consultation phase, six Public Information Days will take place at which members of the project team will be available to answer questions you may have. The dates, times and locations of these events are set out in the enclosed Section 48 notice.

How to respond

The consultation period in respect of the Proposed Development will run from 25th June 2019 until 6th August 2019 (inclusive). The deadline for receipt of your views and comments on the Proposed Development is midnight on 6th August 2019.

You can provide your comments via the channels below:

On the project website: www.bostonaef.co.uk

By email: consultation@bostonaef.co.uk

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

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 sincerely,

Bethan Griffiths
On behalf of Alternative Use Boston Projects Ltd

Enclosures:

I. A paper copy of the brochure summarising the proposed development; and
II. A paper 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

SECTION 48, PLANNING ACT 2008

Regulation 4 Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Boston Alternative Energy Facility

Notice publicising a Proposed Application for a Development Consent Order

Notice is hereby given that Alternative Use Boston Projects Ltd (the 'Applicant') of 26 Church Street, Bishop's Stortford, Hertfordshire, England, CM23 2LY (Company number 11013830), intends to make an application (the 'Proposed Application') to the Secretary of State 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').

The Proposed Development would comprise:

- A gasification facility comprising three gasification units and steam turbine generators to generate up to 102 MW (gross) of energy;
- A wharf with cranes and berthing points;
- A storage area for the temporary storage of Refuse Derived Fuel (RDF) bales;
- A processing facility for RDF preparation, including storage silos;
- Conveyors to transfer RDF bales and processed material;
- An on-site Grid Connection and sub-station to facilitate the export of up to 80 MW to the National Grid;
- A lightweight aggregate manufacturing plant to process the gasification facility residues into an aggregate product;
- A carbon capture facility, allowing a proportion of the carbon dioxide (CO2) from one of the three gasification units to be captured and converted to high 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.

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 (EIA) 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.

Information compiled so far about the likely significant environmental effects of the Proposed Development is set out for consultation in a Preliminary Environmental Information Report (the 'PEIR') and summarised in a non-technical summary of the PEIR.

The PEIR, together with plans, maps and other documents, which show the nature and location of the Proposed Development (the 'consultation documents') are available for inspection free of charge from 25th June to 6th August 2019:

- on the project website at **www.bostonaef.co.uk** (from 17th June); and
- at the locations and times set out in the following table (opening days and times may be subject to change):

Document Inspection Locations

Venue name and location	Opening Times	
Boston Borough Council Municipal Buildings West Street, Boston PE21 8QR	Monday - Thursday Friday Saturday Sunday	8.45am – 5.15pm 8.45am – 4.45pm Closed Closed
Boston Library County Hall Boston PE21 6DY	Monday - Wednesday Thursday Friday Saturday Sunday	9.00am – 5.00pm 9.00am – 6.00pm 9.00am – 5.00pm 9.00am – 4.00pm Closed
Kirton Library Wash Road Kirton Boston PE20 1AN	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	Closed 10.00am – 1.00pm Closed 2.00pm – 4.00pm Closed 10.00am – 12.00pm Closed
Kirton Town Hall 19 Station Road Kirton, Boston PE20 1LD	Monday Tuesday Wednesday Thursday Friday Saturday - Sunday	1.00pm – 9.00pm 6.00pm – 8.00pm 6.00pm – 9.00pm 7.00pm – 10.00pm 9.00am – 11.00am Closed

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 Leaflet

The Applicant is consulting on the Proposed Application and has prepared a leaflet summarising the project. The consultation leaflet is available between 25th June and 6th August 2019 as follows:

1. to view on the project website **(www.bostonaef.co.uk);**
2. to take away free of charge from the document inspection locations as listed in this notice;
3. to take away free of charge from the public exhibition events ('Public Information Days' or 'PIDs') as listed in this notice.

For more details of the consultation please see the Boston Alternative Energy Facility Statement of Community Consultation (available to view on the project website) or contact the Applicant using the contact details at the end of this notice.

The consultation documents will also be available to view free of charge at public exhibitions, which will be held by the Applicant between 27th June and 6th July. Members of the project team will be available at each event to answer questions about the Proposed Development and the consultation. The exhibition events are taking place at the following locations and times:

Venue	Date	Time
Fishtoft Pavilion, Playing Fields *Church Green Road, Fishtoft, PE21 0RP*	Thursday 27th June 2019	3.00pm – 7.00pm
Frampton Church House Village Hall *140 Middlegate Road, Frampton, PE20 1AW*	Friday 28th June 2019	3.00pm – 7.00pm
St Thomas' Church *London Road, Boston, PE21 7EJ*	Saturday 29th June 2019	12.00pm – 4.00pm
Ridlington Centre *Sibsey Lane, Boston, PE21 6HB*	Thursday 4th July 2019	3.00pm – 7.00pm
Wyberton Parish Hall *London Road, Boston, PE21 7DE*	Friday 5th July 2019	1.00pm – 5.00pm
St Nicholas Community Centre *Fishtoft Road, Boston, PE21 0AA*	Saturday 6th July 2019	12.00pm – 4.00pm

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.

Responding to the Consultation

The consultation leaflet and the project website (www.bostonaef.co.uk) explain the specific topics on which the Applicant is seeking feedback. Consultees are not, however, restricted to commenting on these issues, and the Applicant welcomes feedback on any aspect of the Proposed Development.

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 email to 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 midnight on 6th August 2019.

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 Application or wish to request copies of any of the consultation documents, please contact the Applicant using the details below:
Email: consultation@bostonaef.co.uk
Post: Freepost RTLY–RLGH–GKSE, Boston Alternative Energy Facility,
25 Priestgate, Peterborough, PE1 1JL
Phone: 01733 207330

Introducing the
Boston Alternative Energy Facility

Photomontage view of the proposed facility at Year 1

Boston Alternative Energy Facility is a state-of-the-art power generation plant which will lead the way in land-based renewable power across the UK.

The Nationally Significant Infrastructure Project is backed by Alternative Use Boston Projects Ltd, a privately-owned project company, and will generate approximately 102 MW* of renewable energy. 80MW* of this renewable energy will be exported to the National Grid and the rest will be used by the Facility. Electricity will be generated in a secure, clean and affordable way.

What's important about the Boston Alternative Energy Facility?

- The Facility will process over one million tonnes of refuse derived fuel (RDF – derived from non-recyclable household waste) sourced from UK suppliers. This will generate power that is approximately equivalent to the annual demand of 206,000 homes (equivalent to over 66% of the households in Lincolnshire)
- It will provide investment for the region's economy; we expect it to create around 80 jobs when operational and up to 300 during the construction phase
- It will mean that more than one million tonnes of RDF could be processed here out of the 3.5 million tonnes the UK currently sends abroad – so the UK benefits from generating energy from it rather than continental Europe
- Recovering energy from non-recyclable material is far better than it being sent to landfill

Photomontage view of the proposed facility at Year 1

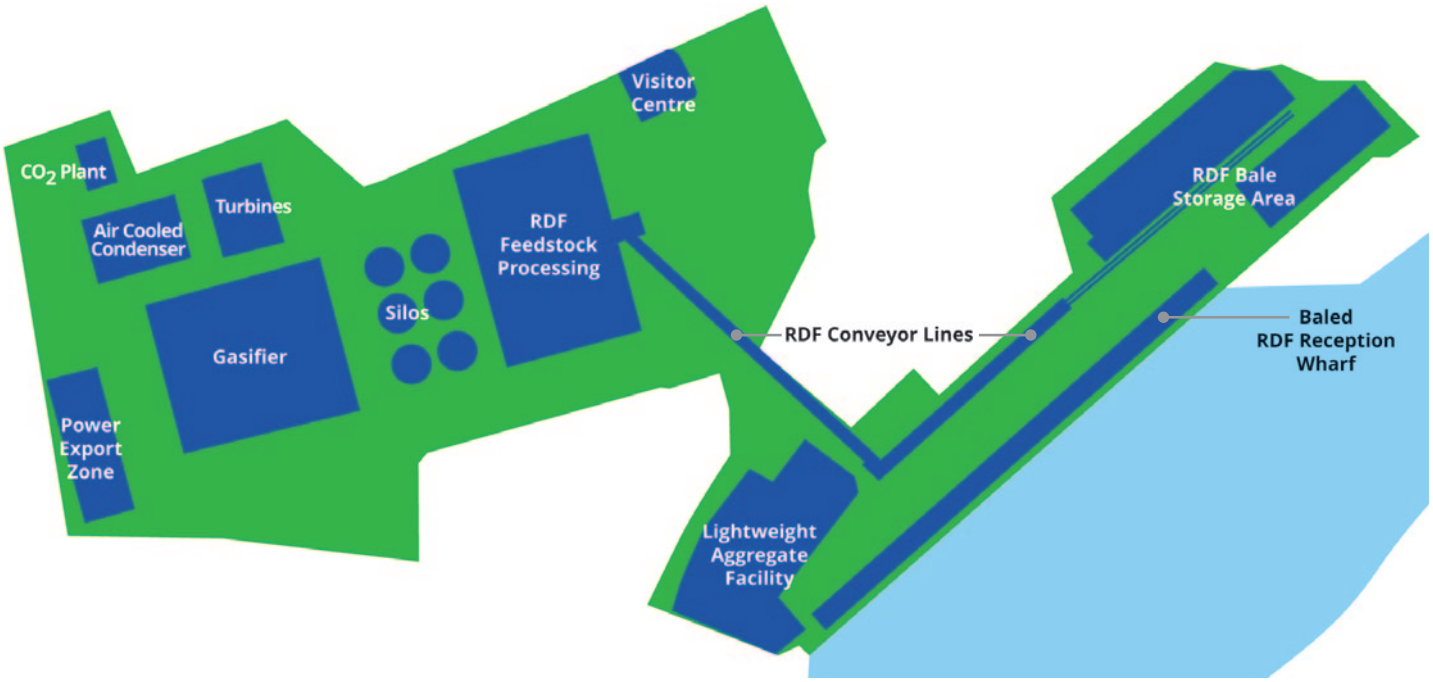
What will happen at the Boston Alternative Energy Facility?

The process by which renewable energy will be generated is called gasification.
This process will use a fuel (or feedstock) called refuse derived fuel (RDF). The RDF is made from residual household waste. This is waste that the householder has separated from recyclable waste. It is often called 'black-bag waste'. This material will be screened to ensure it does not contain unsuitable material, then it will be baled and transported by ship to the Boston Alternative Energy Facility from UK ports. This will minimise road traffic movements to and from the site.

The proposed site at the Riverside Industrial Estate in Boston is adjacent to The Haven and within an area allocated for industrial development by the local planning authority – so is the ideal location.

* MW hour equivalent

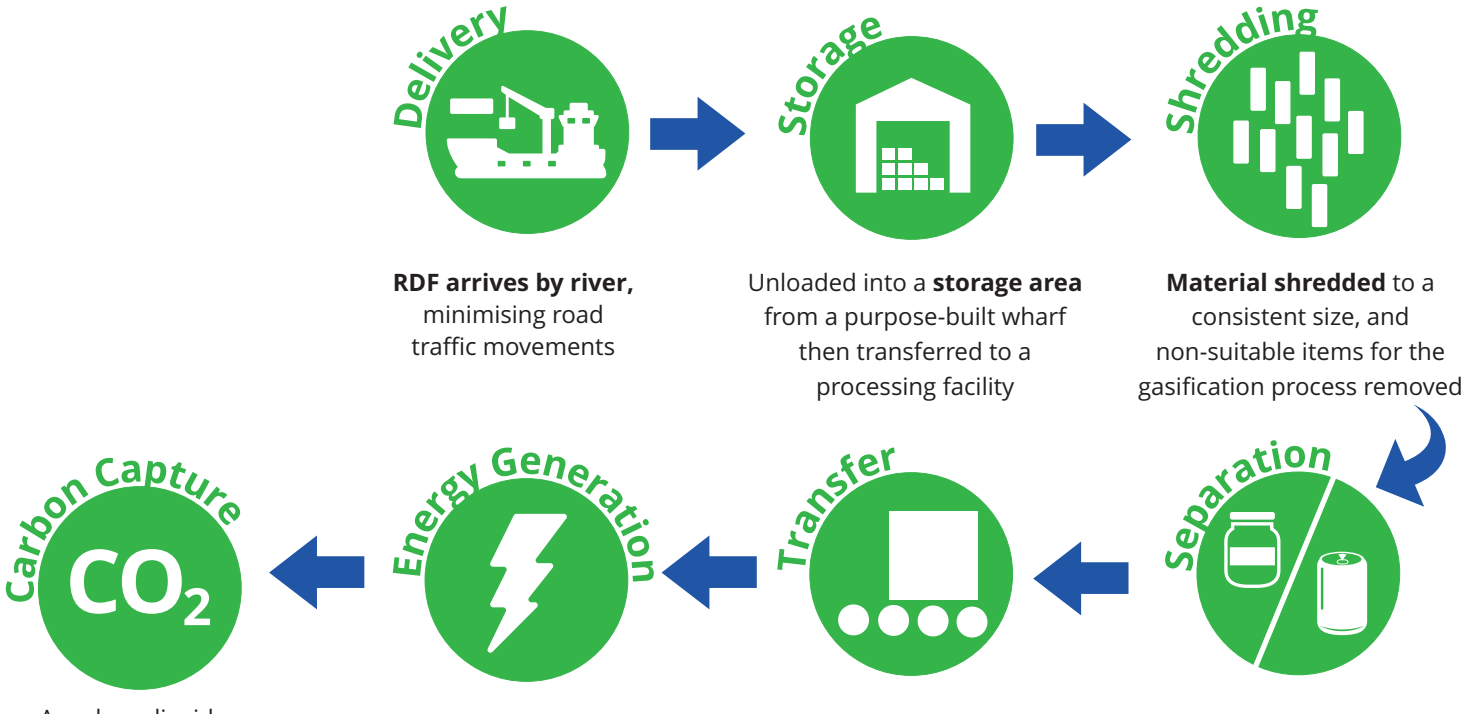
Conceptual site layout



The proposed development includes:

- a wharf with cranes and berthing points for up to three ships;
- a storage area to temporarily store the incoming RDF bales from ships pending processing;
- a processing facility to prepare the feedstock to a consistent specification, including storage silos. The processing facility will also separate out any recyclable metals, glass and other inert material that were not originally removed by the householder;
- conveyors for transferring the incoming RDF bales, and the processed material;
- three gasification units and steam turbine generators that will generate power, which will then be exported to the National Grid via an on-site grid connection and substation;
- a lightweight aggregate manufacturing plant to process the residues from the gasification process into an aggregate product;
- infrastructure required for carbon capture, allowing a proportion of the carbon dioxide (CO_2) from the gasification facility to be captured and converted to high grade CO_2 for off-site industrial use;
- a storage area for loading of the lightweight aggregate onto a ship for removal from the site; and
- associated infrastructure (including the visitor centre, car parking, onsite roads, site surfacing, site security, fencing and site control centre) and welfare facilities.

The process is as follows:



RDF arrives by river, minimising road traffic movements

Unloaded into a **storage area** from a purpose-built wharf then transferred to a processing facility

Material shredded to a consistent size, and non-suitable items for the gasification process removed

Recyclable materials such as glass and metal captured separately and sent for recycling

Shredded feedstock transferred via sealed conveyor to the gasification facility

The feedstock is **converted into energy** using the gasification process

A carbon dioxide (CO2) recovery plant will recover CO2 to be reused off-site in a range of industries. Some will be retained on-site for use in fire prevention.

Around 80MW* of power is **exported to the National Grid** via a grid connection and substation

Leftover ash will be captured at the gasification facility and transferred to the lightweight aggregates plant, where it is recycled on site to produce aggregates for use in the **construction industry**

The lightweight aggregate product will be **removed by ship**

What is gasification?

Gasification is a way of generating renewable energy.

It involves the conversion of the organic materials in the processed RDF into a synthetic gas (syngas) by chemical reaction in a restricted oxygen supply.

The process of producing the syngas does not involve combustion of the solid RDF, so the facility is **not** an incinerator.

The syngas is a fuel. The syngas is then combusted to generate heat, which is converted into electricity by conventional steam turbines.

Gasification is more efficient and cleaner than conventional energy from waste facilities that use incineration.

Gasification does not compete with recycling, because materials can and should be recycled where possible.

What do you think?

In order to shape our proposals, it's really important to us that the **local community** and **other stakeholders** have the **opportunity to influence the plans**. We have already held two rounds of consultation events and will be holding a **third phase in June and July 2019**. These events allow us to collect feedback from attendees and, where possible, use it to finalise the plans for Boston Alternative Energy Facility.

How can I have my say?

We are committed to honest, open and effective two-way engagement with those local to Boston Alternative Energy Facility.

We will inform the community of our proposals and welcome views and feedback. We are happy to answer questions; all responses received during the consultation will be carefully considered and, where relevant and appropriate, taken into account as our proposals develop.

We have taken a three phase approach to pre-application consultation, with the second and third stage offering the opportunity to see how feedback from the earlier phases has shaped the plans.

There will be a programme of consultation with non-statutory (informal) stakeholders, for example local residents and community groups, and statutory (formal) consultees, for example Boston Borough Council, Lincolnshire County Council and the Environment Agency up until the application submission in late 2019.

Our timeline for using the Development Consent Order (DCO) process

As Boston Alternative Energy Facility will **generate more than 50MW of renewable energy**, it is classed as a **Nationally Significant Infrastructure Project**. This means we need a Development Consent Order (DCO) under the Planning Act 2008 to allow it to be constructed and operated.

1. We held the **first phase of pre-application consultation** in September 2018. Phase One comprised non-statutory, informal consultation as the development was in its early stages

2. A second phase of **informal, non-statutory consultation** was held in February 2019 and built on the first phase of consultation

We are here

3. **We are now in Phase Three of consultation.** This is the statutory phase of consultation and runs from June to August 2019. During this phase we will be presenting the Preliminary Environmental Information Report (PEIR) and asking for feedback on the updated proposals

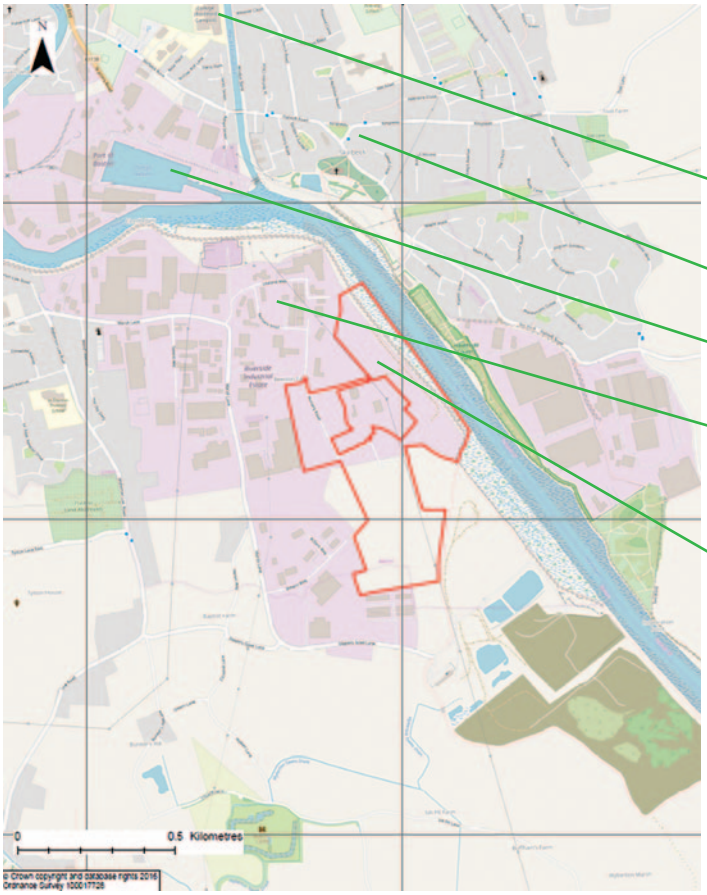
4. After reviewing feedback from pre-application consultation, we will submit an application for a Development Consent Order to the Planning Inspectorate

5. After the application is accepted, the Planning Inspectorate will **examine the application**, taking into consideration the comments of consultees, and make a recommendation to the Secretary of State for Business, Energy & Industrial Strategy

6. The Secretary of State for Business, Energy & Industrial Strategy is responsible for making the **final consent decision**

As this is a complex decision making process, it can often take 18 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.



Location of Boston Alternative Energy Facility

Town Centre

Skirbeck

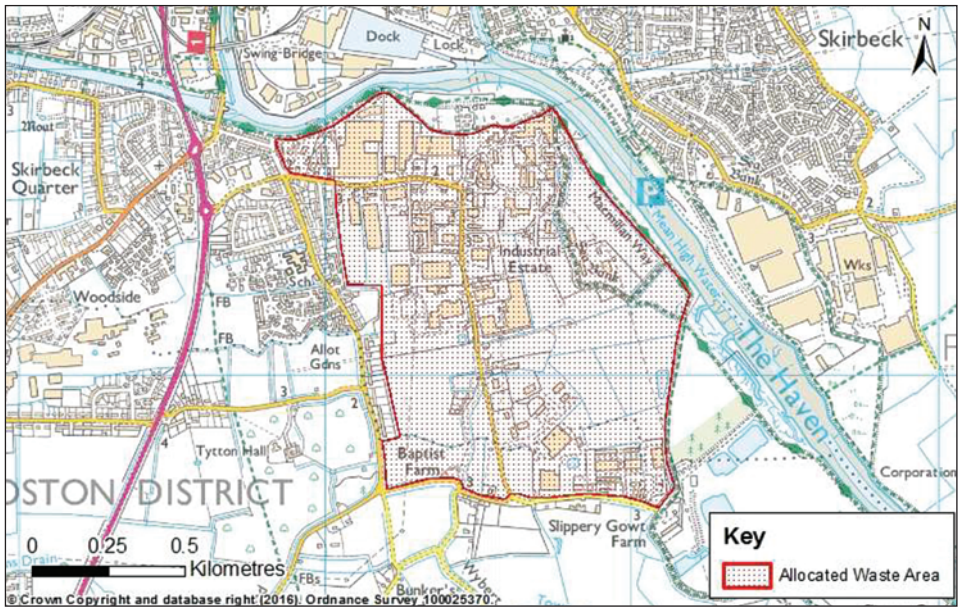
Port of Boston

Riverside Industrial Estate

Boston Alternative Energy Facility

Lincolnshire Minerals and Waste Allocation

The site is within a larger area of land which has been allocated in the Lincolnshire Minerals and Waste Local Plan as a suitable location for waste management related development.



baef
Boston Alternative Energy Facility

June 2019 v2

To keep up to date with the latest news on the Boston Alternative Energy Facility proposals, please visit:

www.bostonaef.co.uk

Contact Boston Alternative Energy Facility via:

Email: consultation@bostonaef.co.uk

Phone: 0800 0014 050

Mail: Boston Alternative Energy Facility
RTLY–RLGH–GKSE
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REPORT

Boston Alternative Energy Facility - Appendix 5.3

Appendix 5.3 Section 42 consultation responses

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-3005.3
Status:	Final/0.0
Date:	23 March 2021

baef
Boston Alternative Energy Facility

Royal HaskoningDHV
Enhancing Society Together

Appendix 5.3 Section 42 consultation responses

This appendix contains the 17 responses to Phase Three consultation that were received from section 42 consultees.

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Letter received from Anglian Water 06.08.2019

Strategic Growth and Public Policy
Anglian Water Services Ltd
Thorpe Wood House,
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Tel 07764989051
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Boston Alternative Energy Facility
RTLY-RLGH-GKSE
FREEPOST
25 Priestgate, Peterborough, PE1 1JL
[Sent by e-mail]

6 August 2019

Dear Sir/Madam,

Boston Alternative Energy Facility: statutory consultation

Thank you for the opportunity to comment on the Boston Alternative Energy Proposals. Anglian Water is the water and sewerage undertaker for the above site. The following response is submitted on behalf of Anglian Water.

General comments

We note that the focus of the current consultation is the content of the Preliminary Environmental Information Report. The following comments should be read together with our previous response to the Phase 2 consultation for the above development.

5. Please tell us your views on the proposed facility.

Anglian Water is in principle supportive of the development.

6. Do you have any comments on the information provided in the Preliminary Environmental Information Report and/or the Non-technical Summary?

Whole document

There is no reference made to Anglian Water's existing infrastructure and any anticipated impacts as part of the construction phase in the report.

THE QUEEN'S AWARDS FOR ENTERPRISE: SUSTAINABLE DEVELOPMENT 2015

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Anglian Water Services Ltd
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Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6YJ
Registered in England
No. 2366656.

an AWG Company

Chapter 13 Surface Water, Flood Risk and Drainage Strategy

Reference is made to principal risks of flooding from the above project being sea, river and surface water flooding. The risk of flooding from sewers is considered to be low.

Anglian Water is responsible for managing the risks of flooding from surface water, foul water or combined water sewer systems. We understand from our earlier discussions that there is a potential requirement for a foul connection as part of the construction phase for the development. However there is no reference made to a foul connection to the public sewerage network for the above development as part of the construction or operation of the site. This should be considered further as part of the Preliminary Environmental Information Report and Flood Risk Assessment.

We welcome the intention to develop a surface water strategy. in accordance with the surface water hierarchy. With surface water to be discharged as high up the hierarchy of drainage options as practicable.

Appendix 13.2 Flood Risk Assessment

Reference is made to the preparation of a surface water drainage strategy to support the DCO application to the Planning Inspectorate which will be informed by the earlier strategy for Biomass UK No 3 Ltd site. We understand from our earlier discussions regarding the above project that there is no intention to discharge surface water into the public sewerage network. It would be helpful if this could be made clear in the submitted Preliminary Environmental Information Report and Flood Risk Assessment.

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

Anglian Water does not have any comments relating to the proposed mitigation of the identified impacts relating to noise, dust and traffic during the operational and construction phases.

8. Do you have any comments on the design of the proposed Facility?

We have previously made comments in relation to the proposed site layout and asked that its relationship to Anglian Water's existing infrastructure be considered. Currently we are in discussion with Boston Alternative Energy Ltd's contractor relating to the diversion of an existing water main to enable the above development.

10. Any additional comments on the proposed alternative energy facility

As set out in our previous consultation response we would wish to see protective provisions specifically for the benefit of Anglian Water included in the Draft DCO. We have shared our proposed wording with Boston Alternative Energy's legal representatives (copy attached) and would ask that this wording or similar is included subject to reaching agreement with Anglian Water.

Should you have any queries relating to this response please let me know.

Yours sincerely

Spatial Planning Manager

APPENDIX 1 - RECOMMENDED PROTECTIVE PROVISIONS FOR THE BENEFIT OF ANGLIAN WATER

FOR THE PROTECTION OF ANGLIAN WATER

(1) For the protection of Anglian Water, the following provisions shall, unless otherwise agreed in writing between the undertaker and Anglian Water, have effect.

(2) In this part of this schedule –

"apparatus" means any works, mains, pipes or other apparatus belonging to or maintained by Anglian Water for the purposes of water supply and sewerage and

(a) any drain or works vested in Anglian Water under The Water Industry Act 1991,

(b) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102 (4) of The Water Industry Act 1991 or an agreement to adopt made under section 104 of that Act,

and includes a sludge main, disposal main or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any sewer, drain, or works (within the meaning of section 219 of that Act) and any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus.

"alternative apparatus" means alternative apparatus adequate to enable Anglian Water to fulfil its statutory functions in not less efficient a manner than previously;

"functions" includes powers and duties

"in" in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land; and

"plan" includes sections, drawings, specifications and method statements.

(3) The Company shall not interfere with, build over or near to any Apparatus within the Order Land or execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within the standard protection strips which are the strips of land falling the following distances to either side of the medial line of any relevant pipe or apparatus;2.25metres where the diameter of the pipe is less than 150 milimetres,3 metres where the diameter of the pipe is between 150 and 450 millimetres,4.5 metres where the diameter of the pipe is between 450 and 750 millimetres and 6 metres where the diameter of the pipe exceeds 750 millimetres unless otherwise agreed in writing with Anglian Water, such agreement not to be unreasonably withheld or delayed,

and such provision being brought to the attention of any agent or contractor responsible for carrying out any work on behalf of the Company.

(4) The alteration, extension, removal or re-location of any apparatus shall not be implemented until

(a) any requirement for any permits under the Environmental Permitting Regulations 2010 or other legislations and any other associated consents are obtained, and any approval or agreement required from Anglian Water on alternative outfall locations as a result of such re-location are approved, such approvals from Anglian Water not to be unreasonably withheld or delayed; and

(b) the Company has made the appropriate application required under the Water Industry Act 1991 together with a plan and section of the works proposed and Anglian Water has agreed all of the contractual documentation required under the Water Industry Act 1991, such agreement not to be unreasonably withheld or delayed; and such works to be executed only in accordance with the plan, section and description submitted and in accordance with such reasonable requirements as may be made by Anglian Water for the alteration or otherwise for the protection of the apparatus, or for securing access to it.

(5) In the situation, where in exercise of the powers conferred by the Order, the Company acquires any interest in any land in which Apparatus is placed and such apparatus is to be relocated, extended, removed or altered in any way, no alteration or extension shall take place until Anglian Water has established to its reasonable satisfaction, contingency arrangements in order to conduct its functions for the duration of the works to relocate, extend, remove or alter the apparatus.

(6) Regardless of any provision in this Order or anything shown on any plan, the Company must not acquire any apparatus otherwise than by agreement, and before extinguishing any existing rights for Anglian Water to use, keep, inspect, renew and maintain its apparatus in the Order land, the Company shall, with the agreement of Anglian Water, create a new right to use, keep, inspect, renew and maintain the apparatus that is reasonably convenient for Anglian Water such agreement not to be unreasonably withheld or delayed, and to be subject to arbitration under article 59.

(7) If in consequence of the exercise of the powers conferred by the Order the access to any apparatus is materially obstructed the Company shall provide such alternative means of access to such apparatus as will enable Anglian Water to maintain or use the apparatus no less effectively than was possible before such obstruction.

(8) If in consequence of the exercise of the powers conferred by the Order, previously unmapped sewers, lateral drains or other apparatus are identified by the company, notification of the location of such assets will immediately be given to Anglian Water and afforded the same protection of other Anglian Water assets.

(9) If for any reason or in consequence of the construction of any of the works referred to in paragraphs 4 to 6 and 8 above any damage is caused to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of Anglian Water, or there is any interruption in any service provided, or in the supply of any goods, by Anglian Water, the Company shall,

(a) bear and pay the cost reasonably incurred by Anglian Water in making good any damage or restoring the supply; and

(b) make reasonable compensation to Anglian Water for any other expenses, loss, damages, penalty or costs incurred by Anglian Water

by reason or in consequence of any such damage or interruption.

B O S T O N
BOROUGH COUNCIL
Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

6 August 2019

Our ref: MS/LS

Tel No:

Email:

Boston Alternative Energy Facility
25 Priestgate
Peterborough
PE1 1JL

Dear Sirs

BOSTON BOROUGH COUNCIL CONSULTATION IN RESPECT OF PHASE 3 FOR BOSTON ALTERNATIVE ENERGY FACILITY

We are pleased to set out below our detailed response to the proposals in respect of the above.

We are mindful there are several strands within the Borough Council who will have a professional view and in addition, both the Cabinet and the Environmental and Performance Scrutiny Committee have reviewed the draft proposals and have made comments.

We have set out below a summary of our departmental comments, which include elected member comments, with a concluding paragraph of outstanding questions, in addition to a summary of issues that have been sent directly to elected members. We believe many of the issues we have raised, such as impact of traffic on the wider area, require greater clarification before any application is submitted to the Secretary of State. We welcome ongoing dialogue to enable such issues to have this clarity and suggest that noting the size and scale of the proposed development there is an extension of time to the deadline of the 6 August 2019 consultation period. We propose an extension of up to six weeks to enable round table discussions comprising officers of both Lincolnshire County Council, Boston Borough and members of the BAEF project team. We are willing to host the meetings and propose that a single-issue topic be discussed in detail each week, commencing with highways and traffic impact. We believe this will ensure that we are better able to consider Joint Statements of Common Ground in readiness for any Inquiry.

The Borough Council is keen to work with the applicant to contribute at this early stage to ensure that in the event the Secretary of State determines to approve the application, all aspects have been robustly considered to ensure maximum economic benefit to the wider community whilst protecting the environment from traffic, noise and harm to the ecosystems surrounding the proposed site.

Waste Strategy

The Waste Strategy for Lincolnshire was adopted by the Lincolnshire Waste Partnership (LWP) in January 2019. This followed a period of extensive public consultation during the summer of 2018 and adoption by each *individual partner member of the LWP through their democratic process. The Waste Strategy for Lincolnshire was adopted by Boston Borough Council on 28 November 2018.

LWP is made up of the Lincolnshire County Council, as waste disposal authority and the 7 district/borough councils as waste collection authorities}.

On the basis that the BAEF could process residual household waste from Lincolnshire, this proposal could support delivery of 4 out of 10 strategic objectives in the Waste Strategy for Lincolnshire:

Objective 4: To explore new opportunities of promoting waste minimisation and of using all waste as a resource in accordance with the waste hierarchy.

Objective 7: To seek to reduce our carbon footprint.

Objective 8: To make an objective assessment of what further waste processing/disposal capacity is required and, as necessary, secure appropriate capacity.

Objective 10: To consider appropriate innovative solution to the delivery of our waste management services.

The current disposal facility for residual municipal waste in Lincolnshire, an Energy from Waste (EFW) plant located in North Hykeham, Lincoln, is forecast to reach its operational capacity in the next 5 years. Lincolnshire County Council, who are responsible for the disposal/treatment of the county's municipal waste, have yet to publish a coherent strategy for dealing with the treatment of the county's residual waste once this capacity shortfall is met. Landfill is not an option within the geography of Lincolnshire and no longer presents a financially viable or environmentally acceptable method for disposal of municipal waste in the long term.

Whilst the Waste Strategy for Lincolnshire is driving action across the LWP to mitigate the impact of increasing residual waste volumes, population and household growth in the county, these actions are unlikely to be sufficient in themselves or delivered quickly enough to mitigate the forecast capacity short fall at the EfW in the longer term.

If the proposed BAEF could process residual household waste from the south east of the county (Boston, East Lindsey, South Holland and North Kesteven District Councils), it would offer a new disposal and treatment option for the county and would future proof the capacity of the EfW facility in Lincolnshire for many years to come. By diverting waste in the south of the county away from the EfW, development of additional waste processing infrastructure in the county can be substantially delayed or even eliminated.

BAEF could also meet several other strategic objectives by providing an innovative solution to municipal waste processing and treatment, using waste as a resource by converting it to energy and valuable commodities such as carbon dioxide and aggregate and could substantially reduce the carbon footprint of our current countywide waste management arrangements by eliminating road haulage of waste from the south of the county to Lincoln. There will also be a significant and positive impact on the county's recycling rate as recyclable material will be removed from the residual waste stream by screening, prior to being processed in the gasification facility. The recyclable content of the residual waste stream is forecast to be in the region of 20% hence its removal for recovery prior to processing will provide a significant boost to the countywide recycling objective as well as the national recycling targets contained in the HM Government: Our Waste, Our Resources: Strategy for England published in 2018.

Finally, the location of the Lincolnshire County Council owned and operated waste transfer station, on Nursery Road, Riverside Industrial Estate, Boston, Lincolnshire, PE21 7TN, is ideally situated adjacent to the proposed development site of the BAEF to offer the opportunity for the bulking, baling and direct transfer of municipal waste, collected from households in Boston, East Lindsey and South Holland districts, into the proposed BAEF site for treatment. This will serve to divert waste away from the EfW facility in Lincoln and will substantially reduce residual waste haulage costs and the countywide waste management carbon footprint. With regard to this proposal, please note comments under Traffic Management.

Development Management

The proposed Alternative Energy Facility by processing waste by a gasification process as described above would appear to be an acceptable and appropriate use for the site selected. Whether it is classed as B2 or Sui Generis use would be decision that is made later in the process. However, currently the proposal is considered acceptable in context with the Lincolnshire County Council Minerals and Waste Local Plan.

In terms of the South East Lincolnshire Local Plan a B2 use is appropriate given it is an allocated employment site. A Sui Generis use and the development in the Countryside would need to be justified on the basis “of other material consideration”.

The benefits that could accrue from the gasification process would mean less waste is directed to land fill sites or elsewhere. It does not need to burn coal or gas to help create the energy to produce the electricity. The residue from the combustion process is recycled into products that have an economic value at the end of the process.

The whole process from construction to end use would provide a facility that provided employment opportunities across the whole spectrum, including construction jobs and end user jobs, some of which may be specialised.

There appears to be a case for the need of such a facility and based on the planning history locally around this site this may be a suitable location given the delivery of material to the site would be by water and not by vehicles.

The energy produced would not only be a benefit across Boston but the whole East Midlands Region and nationally, given the electricity produce will be added to the National Grid.

However, given the stage we are currently at, it is not possible to assess the project against the policies of the adopted Local Plan. There are no plans of the proposed structures to view and assess only simple written descriptions.

Planning Policy

Policy 7: “Improving South East Lincolnshire’s Employment Land Portfolio” of the South East Lincolnshire Local Plan allocates the Riverside industrial estate, shown below in purple or crosshatched, as B1, B2 and B8. The Boston Alternative Energy Facility site is shown with a black line and extends over land shown allocated for employment land and countryside.

The policy also allows new employment development outside the allocated employment site provided:

a. the development does not conflict with neighbouring land uses;

b. there is no significant adverse impact upon the character and appearance of the area;

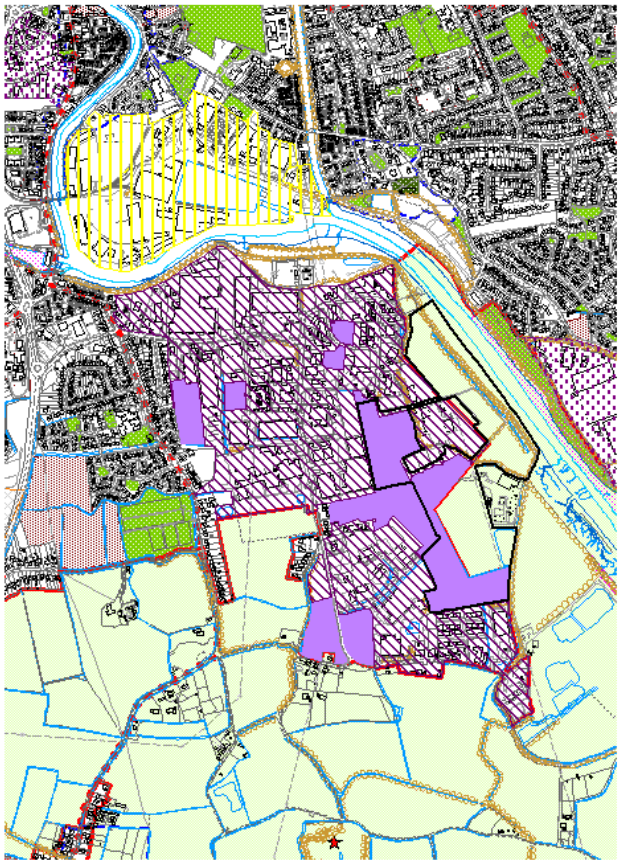
c. the design is responsive to the local context;

d. there will be no significant adverse impact on the local highway network;

e. there will be no significant adverse impact upon the viability of delivering any allocated employment site;

f. proposals maximising opportunities for modal shift away from the private car are demonstrated; and

g. there is an identified need for the business location outside of identified employment areas on the Policies Map.



Scale - nnn

The Lincolnshire Minerals and Waste Local Plan - Core Strategy and Development Management Policies contains Policy W3: “Spatial Strategy for New Waste Facilities”. It supports proposals for new waste facilities in Boston, as well as other settlements in Lincolnshire. Policy W4: “Locational Criteria for New Waste Facilities in and around main urban areas” supports new waste facilities as set out in W3 provided that they would be located on:

- Previously developed and/or contaminated land; or
- Existing or planned industrial / employment land and buildings; or

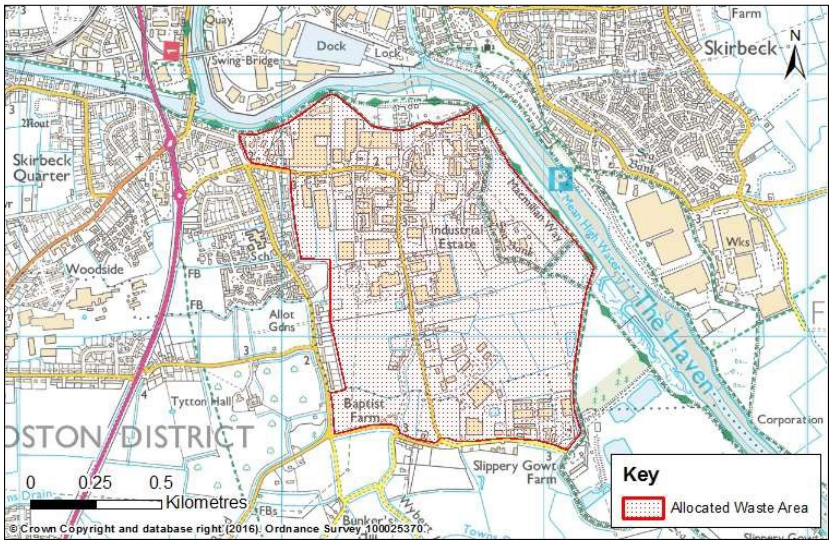
- Land already in waste management use; or
- Sites allocated in the Site Locations Document; or
- In the case of biological treatment the land identified in W5. (This relates to proposals on sites that do not accord with W3)

The Lincolnshire County Council Minerals and Waste Local Plan Site Locations document allocates the Riverside Industrial Estate for:

Resource Recovery Park, Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Metal Recycling / End of Life Vehicles, Re-Use Facility, C&D Recycling and Energy Recovery.

The allocation extends over a larger area than the South East Lincolnshire Local Plan, as it is based on the superseded Boston Borough Local Plan 1999. The proposed plant is located on land within the Minerals and Waste Local Plan Riverside Industrial Estate allocation.

WA22-BO Riverside Industrial Estate



The proposal seeks to transport materials to and from the site by boat. The gasification process produces gas which will be used to generate electricity. The impact of boats and emissions from the process on the Wash will have to be assessed to ensure the Wash, which has International, European and National conservation designations, is not harmed and the characteristics for which it is designated are not undermined.

In summary:

- The uses listed in the South East Lincolnshire Local Plan are B1, B2 and B8. The uses listed in the Lincolnshire County Council Minerals and Waste Local Plan Site Locations document are B2, B8 and Sui Generis.

- The proposal is for an Alternative Energy Facility by processing waste by a gasification process. Energy Recovery in the form of “Gas from biological degradation of waste production, purification or refining place” is B2. A “Power Station” is Sui Generis.

- In the context of the Lincolnshire County Council Minerals and Waste Local Plan Site Locations document the proposed Alternative Energy Facility complies with one of the bullet points in W4, in that the land is allocated in the Site Locations document.

- In terms of the South East Lincolnshire Local plan a B2 use is appropriate on the allocated employment site. However, a Sui Generis use would need to be considered against "any other material Considerations". Development on the Countryside, would need to be justified on the basis of the 7 criteria, a - g of Policy 7.

- The proposal must not undermine the Wash nature conservation designation.

Economic Development

The Council's economic development function is to develop and drive growth and enterprise across the borough to transform the local economy into a sustainable destination of choice for investing, working, living and visiting.

In this context, the Boston Alternative Energy Facility (BAEF) will have a major strategic impact on the local economy, job creation, business and supply chain growth that influence the socio-economic factors on our local communities.

The impact of this development presents a significant economic opportunity for Boston and the wider economy and is much more than just building a power station. The construction and operation of BAEF will provide significant boost and add value to local businesses through the procurement process.

The size and scale of BAEF will also during the build provide a significant increase in local retail and hospitality spend as well as developing strong relationships with local schools, Boston College and University of Lincoln to deliver wide-ranging employment and skills, apprenticeship and traineeship opportunities in the energy sector and especially in Science, Technology, Engineering and Maths (STEM).

Aligned to the Local Industrial Strategy, the BAEF is a catalyst for wider economic growth supporting opportunities for businesses of all sizes to supply goods and services throughout the construction and operational phases. The development would create a sustainable opportunity to diversify parts of the business base away from 'low skill - low wage' economy to one that could improve productivity through the contribution of inward investment activity for high grade carbon dioxide (CO_2), aggregates for the construction sector and heat extraction.

Environmental Health

Boston is subject to air quality issues and there are two Air Quality Management Areas (AQMA) in place. Concerns have previously been raised about the proposal and how the impact of the proposed site use must not adversely affect the existing areas, with a request for regular monitoring.

The lack of information relating to the traffic management plan both for the construction period and clarity of site operations means that a detailed assessment cannot yet be assessed.

We have requested that all the options for traffic routes for construction traffic and operational service traffic are examined as part of the process. In addition we note the potential on the AQMA of pollution via shipping vehicles.

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 but until the detailed proposals are received, no detailed comment with regard to mitigation may be made.

Traffic Management

The issue of Traffic Management has been referenced above under two other sections, however, such is our concern about the impact of traffic, we feel this is an issue that must be further explored in some depth. We do not believe this application can progress to consideration by an Inspector on the basis that a Construction Management Plan will be produced at a later date, which will contain specific reference to traffic management. We believe our residents and existing businesses who operate in the locality of Marsh Lane require a much more detailed explanation, particularly noting the length of proposed construction.

As noted above, we feel the economic benefits that can be delivered to the wider area of Boston are significant and we will continue to engage with the BAEF project team to consider how these benefits may be exploited.

However, we are also mindful that the impact of negative publicity/reputation could damage later investment in the supply chain by virtue of not wanting to be associated with a “tainted” project.

By way of example:

- Local Residents - if the mitigation of traffic impact is not properly considered, as soon as construction traffic impacts on residential amenity becomes and becomes an issue, there is most likely to be a high profile social media commentary on the impact of the development. This is likely to be vocal and negative.

- Local Existing Business - there are existing businesses that could have a positive impact on the supply chain. Equally there are others that have high profile existing clients that visit the Marsh Lane site regularly. A negative impact from traffic over a four year period will have an impact on existing business and potentially create barriers to those businesses engaging with the potential opportunities the BAEF presents.

- Inward Investment - if there is a negative campaign or general negative news coverage, this will impact on the wider reputation of the Borough as a place in which to invest and also the BAEF as an opportunity to explore further.

Therefore, there is a significant commercial reason to ensure that traffic management, both for construction and for operation of the facility is fully understood and how to mitigate the impact of development is fully explored.

In addition, we noted above the potential to explore further waste import from other areas of the county, as a means of reducing the climate footprint of our current waste haulage arrangements (as above under Waste Strategy).

However, we cannot support these ideas unless there is a clear mitigation of that impact on our residents through a different route into the BAEF site to reduce the impact of traffic movements on residential amenity.

Third Party Representations

There have been several members of the public that have raised questions directly with our elected members. We have explained that all such interaction must be directed to the BAEF website.

However, we feel in the interests of transparency, and noting your approach to consultation and the way you have engaged, it is reasonable to include the issues raised in our consultation response. We have not commented on the specific points raised and remain neutral, we simply request that in your consideration, you do have due regard to these issues and their relevancy on the proposed scheme. The full correspondence received will be sent to the BAEF project team.

- Concern about noise, odour and pollution and how this will be monitored, the impact on air quality on crops with regard to the agricultural industry and will “scrubbers” be utilised for pollutants. In addition, what will happen to the type of waste that cannot be recycled, such as batteries. What consideration has been given to pollution of the river.

- A reliance on estimates and assumptions about the way the plant will operate.

- Concerns about impact on fishing, including; width of modern cargo ships meeting fishing boats in the river; cargo ships have a 3ft bow wave that can, and have, lifted a fishing boat then dumped it onto the mud bank, potentially causing a hazard were the boat to overturn; high mud banks each side of the river all the way to the cut end, a specialist dredging boat is required, Navigation of the river due to there being an S bend in the river; cargo boats turning at the knuckle/ getting stuck across the river.

- Concerns about the ability of the company to deliver the project.

- Concerns about the impact of inclement weather in the Wash impacting on viability of BAEF to operate to full capacity.

- Traffic impact, the extent of machinery and equipment to be transported to the site and whether new roads will be required. Will there be a requirement for night working and how will impact on residents and wildlife be mitigated.

- Local jobs for local people - how will the project use local expertise and technical knowledge; is there a proposed arrangement with Boston College to use apprentices; what consideration has been given to accommodation for workers.

- What vermin control has been considered for the site when operational.

Supplementary Questions and Observations Requiring a Response

There are many additional questions that are unclear from the information in the public domain and the Council as a statutory consultee would appreciate the response to these questions in order to be able to consider what level of support we may provide at a Public Inquiry.

(i) The construction process is proposed to take up to four years, generate up to 300 construction jobs and give rise to construction work six days a week. However, there is no information as to how this traffic management will impact on local residents and business, in addition to the wider road network impact.

We believe there should be detailed consideration of an access road for the purpose of construction traffic to mitigate the impact of such heavy construction traffic on the community.

We believe that this provides an opportunity to work with our colleagues at the County Council is terms of how this might be upgraded to provide a permanent road to reduce ongoing impact of the use of the site once fully operational.

(ii) We are mindful that Boston has two AQMAs in operation and we are concerned not to have received the detail in relation to traffic movements for both construction and operation that would enable the Council to fully assess the potential impact, including shipping traffic and how this may be mitigated. We require detailed traffic assessment information before the project progresses further to the next stage.

(iii) We note the high level of advanced technology proposed within the site, which will likely give rise to noise and pollution impacts on local residents and businesses. However, without detailed proposals, we are unable to fully assess such impact and suggest areas of mitigation. We require further detail to enable such consideration.

(iv) We are unable to fully assess the project against the policies of the adopted Local Plan as there are no plans of the proposed structures to view and assess only simple written descriptions. At this stage in the consultation process, we are disappointed we cannot provide more clarity and would like to delay the next stage of the process until such time as detailed plans are available for more detailed assessment.

(v) We note one of the by-products will be aggregate. To lower the carbon footprint, by reducing haulage of this product, and provide additional employment opportunities and to further support the local economy, we suggest provision, at the design stage, to enable local distribution of aggregate products direct to local markets via road.

(vi) We believe provision of facilities/proposals at the design stage, for the efficient and direct transference of baled waste from the Boston Waste Transfer Station, direct to the RDF receiving facility is worthy of consideration.

(vii) We note the anticipated by-products and believe that the direct export of Heat / CO2 / Electricity to encourage local business and residential development is an opportunity. In addition, by encouraging further employment opportunities, this will offset the deficit in the labour allocation designated for the area as falling within BAEF development footprint – by way of example the labour allocation for this area is approximately 800 jobs, but the proposed site will generate only approximately 100 jobs (after the initial construction).

(viii) We would like to see the materials that are removed from the feedstock during the process as unsuitable for gasification, and recycled; are recorded and contribute to the county and national recycling targets.

(ix) How will the material (approximately 20%) from bales that is not suitable for gasification, be separated and what impact will this have on noise and pollution.

(x) We note that ferrous and non-ferrous metals will be removed, collected in separate skips and sent for processing off-site - what traffic movements are these expected to generate and what end use might these have.

(xi) We note that the existing flood defences are to be replaced - does the new Quay improve existing flood defences and if so, how.

(xii) What dialogue has there been with the Port as we are interested in the feasibility of boats turning at the knuckle noting the increased traffic proposed to transport the bales to the site and also at this stage, to take away aggregate.

(xiii) We note the reference to the aggregate leaving by ship and a dedicated berth – how often will this ship leave and arrive in addition to bale shipping movements.

(xiv) We have not seen sufficient detailed plans within the proposals to be able to fully assess whether there would be an impact on the ecology of the Haven and ecosystem around the application site, however we note you will be completing an Environmental Impact Assessment.

(xv) We are mindful that renewable energy projects often provide a community fund to provide legacy projects within the community that mitigates the impact of the application site. We believe it would be helpful to the community to see this articulated in the documentation produced by the applicant to support the application.

Conclusion

There are many positive benefits the scheme as proposed will bring to the Borough of Boston and the Council wishes to work closely with the applicant to ensure all issues are fully considered before the final plans are submitted to the Secretary of State to ensure the design of the site can fully capitalise on these options to further enhance job creation and supply chain opportunities. However, the wider economic benefits must be balanced with the impact on the community, both residents and business together with the impact on wildlife and the River Haven ecology. Until such time as the detail surrounding plans and traffic, by way of two examples, are supplied, we cannot comment in any detail.

We would respectfully request that the 6 August 2019 deadline is extended to enable all statutory partners to fully engage and have regard to potential Statements of Common Ground in readiness for the Planning Inquiry. We feel it will cause delay later in the process if the plans are submitted without the applicant having had the opportunity to fully consider detailed observations which will most likely result in amendments to design and enhance the final proposal.

We look forward to hearing from you further with the points we have raised.

Yours sincerely

Deputy Chief Executive

Letter received from East Lindsey District Council 25.06.2019

East Lindsey
DISTRICT COUNCIL

Tedder Hall, Manby Park, Louth, Lincolnshire. LN11 8UP
T: 01507 601111
www.e-lindsey.gov.uk

Your Reference:

Our Reference: S/054/01130/19/IC

Contact:

Ext:

Email:

Date: 25 June 2019

Ms. B. Griffiths,
Alternative Use Boston Projects Ltd,
Boston Alternative Energy Facility,
RTLY-RLGH-GKSE, FREEPOST,
25 Priestgate,
PETERBOROUGH, Cambridgeshire.
PE1 1JL

Dear Madam,

APPLICANT: Alternative Use Boston Projects Ltd,
PROPOSAL: Consultation on Boston Alternative Energy Facility.
LOCATION: BOSTON ALTERNATIVE ENERGY FACILITY, RIVERSIDE INDUSTRIAL ESTATE, BOSTON

Thank you for your informal planning enquiry which I received on 20/06/2019.

Please note we aim to respond by 10/07/2019. However unfortunately due to the high volume of enquiries it may not always be possible.

If you have any queries please do not hesitate to contact Mr. C. Panton who is dealing with this enquiry and if you contact us about this enquiry please quote our reference number as shown at the top of this letter.

Yours faithfully

Service Manager – Development Control

Environment Agency

Athene Communications Ltd
25 Priestgate
Peterborough
PE1 1JL

Our ref: AN/2019/129219/01-L02
Your ref: EN010097

Date: 6 August 2019

Dear Sir/Madam

Section 42 Planning Act 2008 - Preliminary Environmental Information Report Boston Alternative Energy Facility, Riverside Industrial Estate, Boston

Thank you for consulting us on your Preliminary Environmental Information Report (PEIR) on 25 June 2019.

We have reviewed the PEIR and have the following comments to make on it, for issues that fall under the Environment Agency's remit.

1.0 Chapter 5: Project Description

1.1 For Sections 5.4.30 and 5.5.123, can you please confirm if consideration has been given to light spillage across the estuary during hours of darkness and potential impact on the photo-tactic behaviour of any *Osmerus eperlanus* larvae present.

1.2 Section 5.5.18 states that damaged bales of Refuse Derived Fuel (RDF) will not be brought ashore. If the bales are returned with the ship, how will the litter be unloaded to prevent it inadvertently entering the water at the point of origin? Will the bales be reconstructed and resent to the Boston Alternative Energy Facility (BAEF)? RDF bales are described as being 'tightly wrapped in plastic' (Section 5.5.26) - has an alternative wrapping material been considered?

2.0 Chapter 11 Contaminated Land, Land Use and Hydrogeology

2.1 We have reviewed Chapter 11, along with the associated Land Quality Phase 1 Preliminary Risk Assessment (ref: PB6934-RHD-01-ZZ-RP-N-2011_A11.1, dated 27 October 2017) included in Appendix 11.1.

2.2 Based on the available information, the site has been previously used for arable/agricultural use and is located in an area of low sensitivity for groundwater. As such, we consider the site to pose a negligible risk to controlled waters and the PEIR is satisfactory in respect of this.

Ceres House, Searby Road, Lincoln, LN2 4DW
Customer services line: 03708 506 506
Email: LNplanning@environment-agency.gov.uk
www.gov.uk/environment-agency

3.0 Chapter 13 Surface Water, Flood Risk and Drainage Strategy

3.1 We have reviewed Chapter 13, along with Appendix 13.1 Water Framework Directive Compliance Assessment (ref: PB6934-RHD-01-ZZ-RP-N-2013_A13.1, dated 17 June 2019) and Appendix 13.2 Flood Risk Assessment (ref: PB6934-RHD-01-ZZ-RP-N-2013_A13.2, dated 17 June 2019)

3.2 We note that the intention is to discharge foul drainage, from welfare facilities to a mains connection if a suitable one is available (Table 13.7 Embedded Mitigation Measures). We support this approach and would require further consultation on alternative methods of foul drainage if this is not feasible. We note the intention to determine the specific approach during detailed design work – if this is post-permission we will ask for a Requirement to be included in the Development Consent Order (DCO) to secure details to be submitted and approved following further consultation with us.

3.3 In respect of flood risk to and from the proposed development, our comments are based on the information currently available; however, more detailed information is required. Before any final agreements can be reached we will require detailed information such as:

- drawings, including construction details and cross sections of the proposed wharf and how it interacts with the existing defence through and immediately adjacent to the site;
- details of any proposed defence re-alignment and how the required defence level will be achieved;
- proposed ground levels across the site;
- construction methodology outlining how a minimum defence level of 6.5mAOD will be maintained at all times during construction.

3.4 Updated extreme sea level estimates, with a base date of 2018, are expected to be released in late August 2019 and therefore we would expect these to be used in further assessment work. We will be able to supply these to you, upon request, when they are released.

3.5 There are some activities proposed, which fall under the remit of the Environmental Permitting Regulations (EPR) 2016. For example, working on either the front line or former line of land reclamation defence, or dredging in the channel to maintain access to the wharf would fall under the remit of these Regulations. Section 150 of the Planning Act 2008 allows applicants to *"include provision* [within the DCO] *the effect of which is to remove a requirement for a prescribed consent or authorisation to be granted, only if the relevant body has consented to the inclusion of the provision".* At this time we would not consent to the inclusion of such a provision, as we will need to discuss with you, in more detail, the most appropriate mechanism to protect the flood defence assets, to ensure the project will not increase flood risk to third parties.

3.1.0 Appendix 13.1 WFD compliance assessment

3.1.1 The Witham (Transitional) Water Body ID is incorrect in Plate A13.1.4 (page 14) and should read GB530503000100.

3.1.2 On page 21 with regard to the question, *'Is in a water body with a phytoplankton status of moderate, poor or bad?'*, phytoplankton was classified as at 'Bad' status in 2016 (EA Catchment Data Explorer) and you should demonstrate you have

considered whether there is a pathway from the proposed activities that may cause phytoplankton to deteriorate.

3.1.3 Table A13.1 3 – for the Witham (The Haven) waterbody (page 22) – please note that saltmarsh is WFD high sensitivity habitat, not low sensitivity as suggested in the scoping table. Further detailed assessment will therefore be required on the grounds that the project would involve impacts to an area of high sensitivity habitat.

3.1.4 *'The key construction and operational activities (not including vessel movements) for the proposed scheme will not be larger than 0.5 km²*' (page 22) - has any necessary navigational dredging been included in this figure?

3.1.5 The quality element *'Introduce or spread invasive non-native species (INNS)'* on page 23 has not been addressed fully and a more detailed assessment is required. Will a biosecurity plan feature in the Project Environmental Management Plan?

3.1.6 A13.7.1 – We do not agree with the statement that the project 'will have no local effects on the hydromorphological, physico-chemical and biological quality elements…'. Clearly there will be localised impacts, albeit probably (pending final design details and further assessments) not at a scale sufficient to impact compliance.

3.1.7 Is there any evidence available from the Witham European eel population to support the following statement on page 39? *'In addition, European eels are prone to infestation with the swimbladder parasite, Anguillicoloides (Anguillicola) crassus, which can cause thickening of the swimbladder walls influence the sensitivity of eels to sound*'.

3.1.8 We would also request that an additional monitoring measure is added (under paragraph 13.1.2), due to the acknowledgement in 15.7.23 that sediment contamination is present (above Cefas Action Level 1 for some contaminants). Therefore, monitoring of contaminant levels and associated water quality parameters is advised during the construction phase of the project (as has been done for the Ipswich and Boston Tidal Barrier projects).

3.1.9 We would also like to see evidence that consideration has been given to any opportunities to deliver WFD mitigation through the scheme. We encourage discussion of any potential opportunities to contribute towards efforts to achieve Good Ecological Potential.

3.2.0 Appendix 13.2 Flood Risk Assessment

3.2.1 A13.2.4 - The "Great Sluice" referred to is incorrect and should be changed to "Grand Sluice".

3.2.2 A13.3.9 - The long term aim of the Boston Combined Strategy is to raise the Witham Haven banks, at intervals in the future, to provide a 1 in 300 standard of protection in 100 years. At present this level for the BAEF site is estimated to be 7.2mAOD. However, we will review this level when updated climate change allowances are published later this year.

3.2.3 If the proposed wharf or a set-back defence line through the site is constructed at a lower level, we will require information to demonstrate how this can be adapted in the future to achieve the required defence level (7.2mAOD, or as required when updated climate change allowances are published), or decommissioned such that future defence raising projects by the Environment Agency will not be financially disadvantaged by the presence of the development.

3.2.4 A13.3.10 States the Environment Agency may require access to the frontage. We can confirm that access to inspect the defences will be required at all times. Consideration also needs to be given to any impact on our ability to move maintenance plant from the bank upstream of the site to the bank downstream: whether access through the site can be arranged or the additional cost of an alternative route quantified.

3.2.5 The Flood Risk Assessment (FRA) mentions the South East Lincolnshire Local Plan at paragraph A13.4.5. We would draw your attention to Policy 4 (Approach to flood risk) of the plan, which includes a 50m buffer from the toe of the raised Witham Haven banks (flood defences), to allow access for construction and maintenance. This was included in the Policy to ensure delivery of the Haven Banks Project, which is fundamental to the continued protection of Boston.

3.2.6 A13.5.5 includes a typo in respect of the 5th December 2018 – this should read 2013, as should the reference in A13.5.6.

3.2.7 A13.5.7 and A13.5.14 refers to the Boston SFRA and the relative probability of flooding maps. This SFRA has been superseded by the South East Lincolnshire SFRA (March 2017) – these probability maps are no longer part of the current SFRA and reference to them should be removed.

3.2.8 A13.8.23 States that "*no personnel are anticipated to be required to sleep on site*". If there is any possibility that sleeping on site will be required this needs to be included in your FRA.

3.2.9 There is little mention in the FRA in relation to the feedstock facility and whether the RDF will be contained or bunded. Please clarify what measures will be in place to stop the waste material being washed away, creating an environmental hazard, if the site floods (or signpost us to where this issue is addressed in the assessment).

4.0 Chapter 14 Air Quality

4.1 Please note, we have not undertaken any review of the air quality modelling contained in Chapter 14 (ref: PB6934-RHD-01-ZZ-RP-N-2014, dated 17 June 2019) or the associated Appendices, and would advise that this will only be undertaken as part of our discretionary pre-application permit service or once an application for an environmental permit has been duly made.

4.2 We have serious concerns regarding potential emissions of odour from the proposed development given the scale and nature of the RDF ship unloading facility and associated dockside RDF storage given the proximity of residential areas to the northeast of the site. We welcome the proposal in paragraph 14.4.47 to carry out an assessment of the main odour sources at the site. We recommend that a quantitative assessment for odour be carried out that includes the ship unloading facilities, dockside storage and conveyor lines under worst case conditions.

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4.3 We also have concerns regarding the potential release of litter from the ship unloading operations and RDF handling given the scale of the proposed operation i.e greater than one million bales per year and the exposed, estuarine location. We, therefore, recommend that a quantitative assessment of litter releases be carried out using realistic operating parameters.

4.4 Pest, fly and leachate management from damaged RDF bales will also need to be addressed. Also see comments in paragraph 1.2 above in respect of plastic wrapping material.

5.0 Chapter 15 Marine Water and Sediment Quality

5.1 We have reviewed Chapter 15 (ref: PB6934-RHD-01-ZZ-RP-N-2015, dated 17 June 2019).

5.2 Section 15.6.10 onwards (and Chapter 16) refers to sediment sampling sites using site codes SC12-SC23 but no map figure is provided to show where these sites are. There is reference made to a Figure 16.6 but this doesn't appear to be included. There are also additional particle size data from samples taken at these sites in 2018 that could be included.

5.3 Section 15.6.19 "In terms of chemical contaminants, the waterbody is at 'good' status, thus indicating no significant exceedances of EQS." This is a default 'good' status as there were no chemical monitoring data available for the classification period. This, therefore, is not indicative of no significant exceedances of EQS. The 2019 WFD classifications are expected to be released on the Catchment Data Explorer in early 2020, these will not include any additional chemicals data for the Witham so that status will again default to 'good' but the overall status may be improved.

6.0 Chapter 16 Estuarine Processes

6.1 We have reviewed Chapter 16, along with Appendix 16.1 Supplementary Information to Estuarine Processes (ref: PB6934-RHD-01-ZZ-RP-N-2016_A16.1, dated 17 June 2019).

6.2 We request that the Environmental Impact Assessment provides additional clarity surrounding the possible role of surges and the risk that they have been excluded due to the emphasis on relative sea level rise using Intergovernmental Panel on Climate Change (IPCC) and Shennan et al. rather than the United Kingdom Climate Projections in 2018 (UKCP18) projections.

6.3 We also request further clarity in respect of the assessment of impacts related to ship wash, which assumes that the effects of wind waves over a year exceeds that of the worst case increase in ship wash over the same duration. This seems like a simplistic approach – would the potential erosion effects not be dictated by the shear stress of individual waves, such that less frequent but more energetic ship wash could far exceed the impacts of more frequent wind waves generating lower shear stresses? Further work is required for us to be confident in the assessment of magnitude and significance of the effect.

6.1.0 Appendix 16.1 Supplementary Information to Estuarine Processes

6.1.1 The relative sea level (RSL) projections use the IPCC's global mean sea level (GMSL) projections for future sea-level rise combined with Shennan et al.'s (2012) regional estimates of vertical land motion (VLM). It is unlikely that this

approach, using the IPCC's GMSL projections, are reflective of the future rates expected in Boston for the following reasons:

1. GMSL is considered 'eustatic' and is the sea-level change that would result by distributing water evenly across a rigid, non-rotating planet. Thus, a globally uniform, eustatic, sea level has been adopted for the Boston sea level projections. This is problematic because sea level is highly variable spatially due to oceanographic, gravitational and rotational processes which cause local changes in the sea-surface topography independent of local VLM processes (e.g. Gehrels and Long, 2008[1]). It is therefore unlikely that any location in the world reflects GMSL (unless by chance the numerous regional/local RSL components cancel one another out).

2. IPCC's projections under the various representative concentration pathway (RCP) scenarios are derived from general circulation models (GCMs) of the global climate using a coarse grid but do not take into account local-scale (subgrid) processes. To connect the global-scale projections and regional climate dynamics requires 'downscaling' of the GCMs (e.g. Wolf et al., 2015[2]).

3. A linear rate of RSL has been assumed over the 50 year time period under consideration. However, sea-level theory suggests future climate-related sea-level change is expected to be non-linear.

6.1.2 The latest UKCP18 provides downscaled versions of the global projections which also includes regional mean sea-level, storm surge, extreme water level and wave climate projections and directly include the most recent and most plausible VLM estimates. These provide a more plausible context than the IPPC's global projections and should be used over the IPCC's global projections. Moreover, the impacts that RSL rise pose arise primarily from associated extreme water level events, so consideration of the UKCP18 extreme water level and wave climate projections is recommended. It is also recommended that the full confidence range, rather than just the median values, are considered. Finally, over the relatively short time periods considered for BAEF (50 years) interannual to multidecadal sea-level variability should be considered. The best information currently available on observed coastal sea level variability comes from tide gauge and bottom pressure data records that can be accessed from the Permanent Service for Mean Sea Level (http://www.psmsl.org/).

7.0 Chapter 17 Marine and Coastal Ecology

7.1 We have reviewed Chapter 17, (ref: PB6934-RHD-01-ZZ-RP-N-2017, dated 17 June 2019). (Please note that we have referred to Schuchardt and Scholle (2007)[3] in making the comments below).

7.2 In Section 17.6.21 and the 2017 infauna data (see additional EA data available below), it may be worthwhile highlighting which benthic species are important prey items for birds (if any) to support the understanding of potential bird feeding activity.

[1] Gehrels, R., & Long, A. (2008). Sea level is not level. Geography, 93(Part 1).
[2] Wolf, J., Lowe, J., & Howard, T. (2015). Climate downscaling: Local mean sea level, surge and wave modelling. In Broad Scale Coastal Simulation (pp. 79-102). Springer, Dordrecht.
[3] Schuchardt, B. and Scholle, J., (2007). Situation of the smelt (*Osmerus eperlanus* in the Ems estuary with regard to the aspects of spawning grounds and recruitment. Bioconsult, Interreg North Sea Region.

7.3 We would advise that smelt, eels, and lamprey (as mentioned in 17.6.30 – 17.6.40) could be affected during dredging for construction, maintenance and lightweight aggregate production. Eels Regulations would apply to any pumping related to dredging, for example suction dredging, which would require pumps to be screened. This applies to construction, maintenance and operation activities and needs to be assessed in detail, with a suitable programme and method statement proposed to avoid impacts to eels.

7.4 We look forward to reviewing the Project Environmental Management Plan (PEMP) mentioned in Section 17.7.5. Will this be included in the Environmental Statement?

7.5 In Table 17.9 invasive species would be an impact not a receptor. Maintenance dredging would not only increase suspended sediment but also cause direct disturbance of the benthic communities present.

7.6 Sections 17.8.14 to 17.8.18 describe the quantity of material being removed and loss of saltmarsh and mudflat habitat. We can provide a more accurate estimation of saltmarsh extent within The Haven by providing the latest mapped extent based on aerial imagery. There will be loss of intertidal habitat (mudflats and saltmarsh) through construction of the wharf and increased boat wash during operation. Mitigation is not outlined here, but should be included in the Environmental Impact Assessment. The PEIR seems to suggest that because there is plenty of other intertidal habitat, the impact is low, but any permanent loss of this habitat requires mitigation in its own right (Natural Environment and Rural Communities Act 2006 & South East Lincolnshire Local Plan, Policy 28: The Natural Environment).

7.7 The 2015 Water Framework Directive (WFD) classification for ecological elements in The Haven (Witham) was Moderate and in 2016 had decreased to Bad (source: EA Catchment Data Explorer). Is there anywhere in the Witham (The Haven) or adjoining WFD Water Bodies where the BAEF project could support the regeneration, restoration of 'higher value' saltmarsh in another location to compensate for that lost during the construction of the wharf and help prevent further deterioration in ecological status (Section 17.8.24)?

7.8 To support the expert-based assessment regarding the sediment plume in Section 17.8.27, in-situ turbidity monitoring has been used by us to monitor levels during dredging activity and scour protection work for both the Ipswich and Boston tidal barrier projects. Has this been considered as a mitigation measure for this project?

7.9 In Sections 17.8.45 to 17.8.51 the impacts on benthic communities do not appear to mention direct losses due to capital and maintenance dredging. Although a smaller impact area when compared to potential sediment plume smothering, loss of communities should be acknowledged and considered here.

7.10 In Section 17.8.93 ship ballast water has been given appropriate consideration with reference to the IMO Ballast Waters Convention, however there is no mention of hull fouling. Chapter 5 (specifically 5.5.6 and 5.5.21) states that approximately 624 ships (12 per week) will be required per year once the BAEF is fully operational and that these are likely to be coming from various locations in the UK (Leith, Grimsby and Tilbury). This presents a significant increased biosecurity risk with regards to hull fouling in particular, identified as one of the

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top 5 pathways facilitating the introduction and spread of non-native species by the GB Non-Native Species Secretariat Comprehensive Pathway Analysis Report, 2019 (available online from: http://www.nonnativespecies.org/index.cfm?sectionid=59). If the source ports are frequented by international shipping (e.g. Humber and Thames) BAEF vessels will be exposed to potential new non-native species arrivals and this presents a significant risk that new species will be spread to The Haven. Also a population of *Rangia cuneata* (Gulf Wedge clams) has been found in a 10 km reach of the South Forty Foot Drain. Currently this is the only known location of this species in UK waters. What measures will be taken to mitigate the spread of non-natives species either in to or out of the Witham?

7.11 Additionally, we encourage the consideration of measures to implement biodiversity and environmental net gain through the project. Although it is not the Government's intention to make this compulsory for Nationally Significant Infrastructure Projects, the National Planning Policy Framework (NPPF), paragraph 170, requires planning decisions to enhance the natural and local environment by providing net gains for biodiversity and paragraph 118 encourages achieving net environmental gains to make effective use of land. Policies in the NPPF are also relevant to DCO decisions.

8.0 Chapter 23 Waste

8.1 We have considered the information contained in Chapter 23. We support the approach to prepare a Site Waste Management Plan (SWMP), suggested in paragraph 23.6.10. SWMPs are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice.

8.2 If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc…' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

8.3 Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us.

8.4 A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of the Waste Framework Directive as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.
- We have produced guidance on the recovery test which can be viewed at https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities.

8.5 You can find more information on the Waste Framework Directive here: https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive

8.6 More information on the definition of waste can be found here: https://www.gov.uk/government/publications/legal-definition-of-waste-guidance

8.7 More information on the use of waste in exempt activities can be found here: https://www.gov.uk/government/collections/waste-exemptions-using-waste

8.8 Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here: https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests

8.9 If you require any advice or guidance regarding permits then please contact our pre application team using the link found here: https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form

9.0 Environmental Permit

9.1 Following a meeting held at the Environment Agency offices on 3 July 2019, we advised the environmental consultants that a pre-application meeting will be required to discuss the bespoke permit application required to operate this facility. We advised that on current information supplied, the facility activity will fall under an Environmental Permitting Regulations, Schedule 1, Part 2, Chapter 5, Section 5.3A (1) (vi) activity (disposal/recovery of hazardous waste).

9.2 The final vote on the Waste Incineration (WI) BREF was held at the Article 75 Committee in Brussels on 17 June 2019 and all Member States voted in favour. This means that the scope and BAT Conclusions (BATCs) can be considered as the final version. It is anticipated that the WI BREF will be officially published sometime around September-October 2019. Due regard needs to be given to the updated WI BREF to ensure that the facility can comply with any revised emission limit values (ELVs) set.

Additional data available:

We hold additional data, which may be of use in your assessment, for the following:

1. Fish surveys continue for the Boston Tidal Barrier project and more recent data is available from the 2017 to 2019 surveys (EA Report T. Consol, 2019 in draft) which is relevant for Chapter 17 Section 17.8.75. The data includes 128 Smelt (*Osmerus eperlanus*) caught in early May, 2019 which is the highest number seen to date.
2. The subtidal benthic infauna (10 x 0.1 m^2 Day Grab sites) data referred to in Newton (2017) is now available on request from the EA.

Please refer all requests for data to lnenquiries@environment-agency.gov.uk

The EA Catchment Data Explorer is due to be updated with the latest WFD classifications early next year (2020).

Please note that the view expressed in this letter is a response to a pre-application enquiry only and does not represent our final view in relation to any future planning application made in relation to this site. We reserve the right to change our position in relation to any such application.

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Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours faithfully

Principal Planning Adviser

End

Letter received from Health and Safety Executive 31.07.2019

HSE

Health and Safety Executive

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

HSE email: NSIP.applications@hse.gov.uk

Boston Alternative Energy Facility
By email only

Dear Project Team,

31 July 2019

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

Thank you for your letter of the 19th June 2019 regarding the Boston Alternative Energy Facility. We would be grateful if NSIP letters are addressed to NSIP Consultations and not our Chief Inspector. Please also note that we are now based at 1.2 not 2.2 Redgrave Court.

HSE's land use planning advice

HSE's advice is different from the EIA scoping request, as the red line is now outside any major accident hazard sites.

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 can 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 or hard copy correspondence should be sent to:

NSIP Consultations
1.2 Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Yours sincerely,

CEMHD4 Policy

Historic England

Ms Bethan Griffiths
Alternative Use Boston Projects Ltd
RTLY-RLGH-GKSE FREEPOST
25 Priestgate
Peterborough
PE1 1JL

Direct Dial: 01216256827

Our ref: PA00999711
Your ref: -

10 July 2019

Dear Ms Griffiths

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

Thank you for letter of 19 June 2019 consulting us on the Prelimiary Environmental Information Report for the Boston Alternative Energy Facility.

Advice

Our previous pre-application advice is well reflected within the Preliminary Environmental Information Report. The scope of archaeological impacts to be considered is well framed although we should add that there may be additional scope for remains of historic vessels repurposed to form backside revetments or wharfs to exist.

In weighing applications that directly affect non-designated heritage assets, the NPPF requires a balanced judgement which has regard to the scale of any harm or loss of the heritage asset (paragraph 197). Part of this balance should be to, where possible, avoid or minimise the impact on heritage assets and then where avoidance is not possible mitigate. The current Preliminary Environmental Information Report does not fully examine the options for reducing the harm arising from the development which may include the repositioning of a development or its elements, or changes to its design i.e. can redesign remove the need to remove a section of the Roman Bank or reduce the length of the section which needs to be removed, or can the reposition of taller elements of the development reduce the impact on views to the Parish Church of St Nicholas. For some developments, the design of a development may not be capable of sufficient adjustment to avoid or significantly reduce the harm, however the works which have led to this conclusion should be demonstrated.

As this application may also require a marine licence, Historic England would recommend that when it is submitted, the marine licence application is supported by the agreed WSI, and sufficient cultural heritage information (e.g. the cultural heritage chapter of the ES). This will allow Historic England staff (who are a statutory consultee to the Maritime Management Organisation licence process) to rapidly respond to this application. The absence of this information is likely to lead to delays.

Historic England

We also strongly recommend that you involve the Conservation Officers of the relevant local authorities and the archaeological staff at Lincolnshire County Council in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.
Thank you for consulting us at the Preliminary Environmental Information Report stage.

Yours sincerely

Assistant Inspector of Ancient Monuments
E-mail:

BOSTON ALTERNATIVE ENERGY FACILITY, RIVERSIDE INDUSTRIAL ESTATE, BOSTON, LINCOLNSHIRE
Pre-application Advice

List of information on which the above advice is based

- Introducing the Boston Alternative Energy Facility leaflet; and
- Preliminary Environmental Information Report.

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Letter received from Lincolnshire County Council

Lincolnshire COUNTY COUNCIL
Working for a better future

Please reply to

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

Date: 1 August 2019

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

Dear Ms Griffiths

APPLICATION BY ALTERNATIVE USE BOSTON PROJECTS LTD FOR THE BOSTON ALTERNATIVE ENERGY FACILITY

Thank you for consulting Lincolnshire County Council (the Council) on the Preliminary Environmental Impact Assessment on 19 June 2019. After reviewing the document the council wishes to make the following comments-

Chapter 1- Introduction

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 2- Project Need

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 3- Policy and Legislation Context

The Council submitted comments on 5 October 2018 regarding incorrect referencing of the Lincolnshire Waste and Mineral Local Plan. These changes have been made and the Council are content that the referencing of this Local Plan is correct.

Chapter 4- Site Selections and Alternatives

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 5- Project Description

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 6- Approach to EIA

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 7- Consultation

The Council are content that this chapter addresses all relevant points with adequate detail and that the applicant has followed the specified requirements regarding consultation. However draw attention to the table and that the meeting with the Council

took place on 14th March 2018 and at that time there was no in depth discussion around the Pubic Rights of Way issue.

Chapter 8- Cultural Heritage

This site has not been subject to evaluation and the site-specific archaeological potential has not been determined. There is currently insufficient information to allow for an informed planning recommendation to be made.

The desk based assessment (Appendix 8.1) assesses the potential as low to moderate (A1.1.6) but no site specific field evaluation has been undertaken to inform such a statement, nor is this lack of evaluation results included in the Assumptions and Limitations section. Without evaluation there is no evidence base information sufficient to inform the identification of significant deposits or to ascertain their extent. The absence of site evaluation means there is no evidence base for Chapter Cultural Heritage's Summary statement that the potential impacts on heritage assets are "negligible to minor adverse". (p40)

The proposed mitigation (A8.11.65 and Table A8.1.14, carried over to Table 8.11 in Chapter 8 Cultural Heritage) deals only with currently known archaeology and offers very limited and reactive mitigation measures – which include evaluation only in the event that archaeology is encountered during geotechnical works. This is entirely inappropriate and insufficient.

It would be expected that the EIA to contain sufficient information on the archaeological potential to inform a reasonable evaluation strategy to identify the depth, extent and significance of the archaeological deposits which will be impacted by the development. The results of these are required in order to inform mitigation in a meaningful way to produce a fit for purpose strategy which will identify what measures are to be taken to minimise the impact of the proposal on archaeological remains.

As it stands the supporting documents are not in accordance with the requirements of the NPPF or EIA Regulations. The National Planning Policy Framework states that 'Where site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers submit an appropriate desk-based assessment and, where necessary, a field evaluation (para 189).

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 state the "The EIA must identify, describe and assess in an appropriate manner…the direct and indirect significant impacts of the proposed development on…material assets, cultural heritage and the landscape" (Regulation 5 (2d)) 2

The Environment Impact Assessment should include a reasonable and appropriate level of evaluation to allow sufficient understanding of the archaeological potential which will be impacted by the proposal in order to allow for an informed planning recommendation to be made.

Chapter 9- Landscape and Visual impact Assessment

The scale of development entailed within this application has the potential to significantly impact the landscape in and around Boston.

The Council were consulted on designated viewpoints by Estrell Warren in November 2018. The viewpoints were reviewed and comments were made to Estrell Warren regarding minor changes to Viewpoints 9 and 14. These changes were noted and have

consequently been captured in the PEIR. The Council are therefore content with the methodology used and selected viewpoints.

The Council agree with the description provided for the study area. However, in respect of the proposed landscaping mitigation measures consideration should be given to 'off site' landscaping particularly to the south and west of the proposed site.

Chapter 10- Noise and Vibration

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 11- Contaminated Land, Land Use and Hydrogeology

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 12- Terrestrial Ecology

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 13- Surface Water, Flood Risk and Drainage Strategy

The surface water drainage strategy details are satisfactorily covered in the PEIR and the Lincolnshire Highways and Floods Department are content with the chapter in respect of surface water drainage.

Chapter 14- Air Quality

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 15- Marine Water and Sediment Quality

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 16- Estuarine Processes

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 17- Marine and Coastal Ecology

We are content that this chapter addresses all relevant points with adequate detail.

Chapter 18- Navigational Issues

The Council are content that this chapter addresses all relevant points with adequate detail.

Chapter 19- Traffic and Transport

Footpaths

The facility will have an adverse effect on the amenity of the public rights of way network most notably Boston Public Footpath 14/4, 14/5 and 14/10. This is noted in the PEIR at 19.7.5 with a proposal of permanent closure of the two footpath links which will effectively route people along Boston Public Footpath 14/9 and 14/11 through the operational site.

The current bankside route is a pleasant off-road route overlooking the river and will be substituted for an industrialised route with few redeeming characteristics. Further detail will be required on the management of the point where paths 14/11 and 14/9 cross access points for vehicle within the site. Boston 14/4 and 14/5 is also recorded in the report to the Secretary of State for the English Coast Path although this stretch (Sutton Bridge to Skegness) has not yet been confirmed Further advice will be required to be sought from Natural England.

The two footpath links are also utilised as part of the Macmillan Way long distance path and contact should be made with the operating organisation

Traffic Management

The most significant mitigation in transportation terms comes from the fact that, once operational, the facility's feedstock and the majority of the residual material following processing would be transported by sea via the proposed new wharf. The advised vehicle movements associated with the transportation of 'waste' material that would not be removed from the site by ship would be expected to be capable of being accommodated on the existing road network. Some of that material would in fact be destined for units on the adjacent Riverside industrial area. The greatest number of vehicle movements would be during the construction phase, and at times this will be 24 hours working. The more significant impacts of the peak movements may be capable of being mitigated through the proposed Construction Traffic Management. The Construction Traffic Management Document should be included in the Environmental Statement.

The appointed engineers' proposal to operate a park and ride scheme could reduce traffic impact on parts of the highway network closest to the site. However, if the pick-up and drop-off points are within the town, this practice could in fact result in increased vehicular activity in parts of the town that are already experiencing peak period congestion and could result in town centre car parking spaces being occupied by the vehicles of those working on the proposed facility, rather than those who actually work in town. To be truly effective, this detail would need to be carefully designed.

The matters relative to traffic and transport are adequately covered by the PEIR yet further information is required regarding the 'Park and Ride' scheme and the Construction Traffic Management Document.

Chapter 20- Socioeconomics

Energy Requirements

Attached is a report commissioned by the Council which shows that there are substantial energy requirements in the south of the county. The Council would be interested in seeing whether BAEF can provide targeted sources of energy as well as into the national grid.

School Places

It should be noted and amended that the provision of any new school would be through the County Council as Local Education Authority rather than Boston Borough Council.

The Council have run the numbers based on the most recent number on roll reports, these figures are from May 2019 and are therefore more up to date than those in the report and

a more accurate representation. While the applicant took the capacity figure from the DfE website, these include elements of early years/pre-school capacity, and don't include some spaces recently opened. This appears to show an issue in secondary, Boston Grammar has taken above their advertised admissions number and Haven High is in the process of being expanded.

The figures provided by the applicant are relatively accurate at primary level, and while a little way out at secondary, this element is being mitigated. While the capacity data comes from local knowledge, the number on roll data is available from the Lincolnshire Research Observatory to obtain the most recent data. From a school place planning perspective, the Council would look at future numbers which also aren't within the public domain. However, as this isn't a scheme that would contribute capital towards an expansion scheme, it is not deemed necessary to review in any greater detail.

Chapter 21- Climate Change

The proposed facility is situated in a low lying area which could be vulnerable to sea level rise. It is understood a more in-depth climate change risk assessment will be completed as the proposal is progressed. Certain assurances regarding the mitigation of the risks of pollution as a result of flooding are likely to be required by the Environment Agency. The Council would also like to receive copies of this correspondence.

There is considerable debate globally as to whether or not this type of facility is producing 'renewable' energy. There is still a significant amount of environmental damage created through processing waste in this way. Waste is not classified as typically a 'renewable source', therefore additional information indicating how this type of disposal fits in with renewable sources would be favourable.

It must be noted that there is a 'Carbon Zero' ambition by 2050. It should be demonstrated that this development would not have significant implications on meeting this carbon zero target.

Chapter 22- Human Health

The Council feels that as a preliminary, desktop human (health) impact assessment (HIA) the PEIR covers what would be expected. It is pleasing to see the HUDU checklist and potential positive impacts as well as the need to mitigate against negative ones. However the Councils feels that there should be some enhancements to social infrastructure (community gain) for example enhancing access to open space, walking and cycling networks, lighting (safety), etc., in the vicinity of the plant – especially where existing rights of way are closed and diverted to.

It is right to say that holistically, maximising renewable energy production to contribute to long-term energy security is in the public (health) interest provided potential adverse health impacts are mitigated.

It is noted that there will be a further HIA as part of the Environmental Statement (ES) which will also be reviewed by the Council. It is also felt that a development of this magnitude should have a full HIA including public participation.

Chapter 23- Waste

There are continued conversations between the Council and the applicant regarding the possibility of accepting Lincolnshire's waste. It is therefore noted that no mention is made, of accepting input by anything other than ship (5.5.4). It can be assumed that this would

not be the case if the facility were to accept Lincolnshire waste and seek clarification as to how this would be delivered

There continues to be confusion amongst the definition of 'RDF' than that which is stated in the application and the widely used definition of RDF. The Council consider it beneficial to produce an explicit definition of the term RDF with specifications and confirmation if the feedstock is in line with this definition. Clarification regarding any pre-processing of the feedstock before it is baled and brought to the facility should also be included.

There is a question as to whether there is a need for residual waste treatment capacity within the UK at this current time. BAEF's plan is to import most of the feedstock from around the UK (not overseas – see 5.5.6). Opinions seem divided as to whether or not there is a capacity gap for this type of waste disposal in the UK. Further clarification on the need for this facility should be provided.

Chapter 24- Transboundary Impacts

The Council are content that this chapter addresses all relevant points with adequate detail.

Yours sincerely

Head of Planning

Letter received from Lincolnshire Wildlife Trust 06.08.2019

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6 August 2019

By Email only

To whom it may concern

Comments on Preliminary Environmental Information Report for Boston Alternative Energy Facility

Thank you for giving Lincolnshire Wildlife Trust (LWT) the opportunity to comment on the Preliminary Environmental Information Report (PEIR) for the proposed Boston Alternative Energy Facility (BAEF).

Loss of Priority Habitats
LWT has noted that there will be permanent loss of intertidal mudflat and saltmarsh, both of which are listed as priority habitats of principal importance for the conservation of biodiversity under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. There is currently no planned compensatory habitat or mitigation measure associated with this loss. We would query whether the Haven could be functionally linked to The Wash SPA, with bird species using it for a variety of reasons to compliment habitat in The Wash. We would like to see compensatory habitat created as close to the site as possible.

Mitigation Measures
We support mitigation measures detailed within Chapter 12 – Terrestrial Ecology and Chapter 17 - Marine and Coastal Ecology and outlined in table 24.1 Summary of PEIR Topic Impacts in Chapter 25 (Non-Technical Summary).

Mitigation measures should address any impacts related to findings of further surveys planned for protected species.

We would like to understand what the 'embedded mitigation' mentioned in the various chapters relates to in practice. Will details of mitigation be defined and included within the Construction Environmental Management Plan? We consider that this information should be reviewed by the conservation organisations, including Lincolnshire Wildlife Trust, before these are signed off.
In particular, our marine specialist would like to have the opportunity to review mitigation measures associated with underwater noise piling and increased shipping on marine mammals when these are available and before they are signed off.

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The incident / emergency response plan. This should detail what actions will be taken to ensure protection of terrestrial, freshwater and marine habitats and species in various incident and emergency scenarios. We consider that this should be reviewed by the conservation organisations, including Lincolnshire Wildlife Trust, before these are signed off.

Species

Otter is a species designated as part of the SAC but is not mentioned specifically in the Marine & Coastal Ecology chapter. The Terrestrial Ecology chapter recognises they may use the tidal River Witham for commuting in the wider area. Further surveys and considerations for otter in Chapter 12 should include assessment as a designated species associated with the SAC.

Birds There is no recognition of the potential impact or importance of the loss of habitat and disturbance to birds using the tidal haven from The Wash. This should be assessed.
Removal of potential bird nesting sites is mentioned in the table of impacts in table 12.12 of Chapter 12. No replacement bird nesting habitat on the site is suggested. Habitat should be replaced and enhanced on site as mitigation for this loss.

Marine mammal assessment Chapter 17 (p 59 onwards)
It is stated that the haven is not likely to be a key route for harbour seal, and they are likely to remain in The Wash. Please could you clarify what evidence is available to support this and if any monitoring been undertaken?
In undertaking the noise impact assessment on harbour seal, assessment uses injury/Permanent Threshold Shift (PTS) criteria from Collet and Mason (2014). The advice from Statutory Nature Conservation Bodies (SNCBs) to offshore wind farm developers when undertaking noise impact assessment is to use the criteria outlined below. Could you clarify why the NFMS (2016) thresholds have not been used in the assessment?
NMFS (National Marine Fisheries Service) (2016); Technical guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing: Underwater Acoustic Thresholds for Onset of Permanent and Temporary Threshold Shifts. U.S. Dept of Commer, NOAA. NOAA Technical Memorandum NMFS-OPR-55, 178 p.

Increase in vessel / traffic movement. It would be useful to understand in more detail, how the assessment of the impact of increased vessel movements on harbour seal within The Wash has been considered. Please could this be provided to our marine specialist?

Enhancement and net gain
In line with paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) and Policy 28 (para 3) and Policy 31 (para 5) of the South East Lincolnshire Local Plan, biodiversity net gain requires developers to ensure existing habitats are assessed for wildlife benefit and left in a measurably better condition than

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they were before the development took place. The existing habitat and its condition should be assessed as part of this development. It should be clearly demonstrated how biodiversity will be improved, delivered and managed beyond the construction phase. It should include habitat creation, sowing and planting of native species of known benefit to wildlife, creation of green corridors and habitat linkages through and beyond the site and wildlife friendly margins. We would like to see how this has been incorporated within the plans.

Consultation
Have Lincolnshire County Council been formally consulted and had a chance to suggest biodiversity net gain or other opportunities related to the development to complement nearby Havenside Nature Reserve? Have the RSPB been consulted and had an opportunity to comment on any research they have on how development of the site may affect birds within The Wash and other ecology associated with their reserves at Frampton and Freiston? These sites may also benefit from enhancement through funding associated with this work.

Drainage
Chapter 11 Contaminated Land Use and Hydrology and Chapter 13 relating to Surface Water, Flood Risk and Drainage should also consider impacts and opportunities for biodiversity.

Paragraph 13.7.5 identifies that spillage of contaminants into the surface water system from the development via IDB drains may have an adverse impact on ecology in terrestrial, coastal and marine habitats. Please confirm what measures are in place to prevent spillage and clean up any harmful contaminants following release into the environment.

The South East Lincolnshire Local Plan 2011-2036 (adopted March 2019) recognises opportunities to increase biodiversity through 'sustainable drainage systems' (SuDS). Its primary aim is to minimise the impact of development on the water environment, reduce flood risk and provide habitats for wildlife. We would like to see biodiversity opportunities included, where possible, in the final design for any attenuation ponds and other SuDS features created.

Air Quality
It is unclear how deposition of material in The Wash relating to emissions to air from the facility might impact on The Wash SAC, elements of which are currently in an unfavourable condition. We would like to be assured that this has been considered and mitigation measures put in place where necessary.

Construction and Operation
Paragraph 5.5. 35 of the project description (Chapter 5) states that part of the RDF bale conveyor will be uncovered. Are there mechanisms to prevent materials and potential contaminants from unidentified damaged bales leaving the conveyor or other uncovered parts of the process and escaping off site?

Letter received from Lincolnshire Wildlife Trust 06.08.2019

Lincolnshire
Wildlife Trust

Please could you confirm if bales of feedstock will be wrapped in plastic? If so, has alternative material been considered?

Access
Have opportunities for improving local access to green infrastructure been considered? This is in line with the NPPF (paras 91, 150, 171) and policies within the SE Lincs Plan.

Thank you again for the opportunity to comment on this application. Please do not hesitate to contact me if you have any queries or need clarification regarding the comments provided.

Yours sincerely

Conservation Officer

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Marine Management Organisation

T +44(0)191 376 2791
www.gov.uk/mmo

Marine Licensing
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Gary Bower
Royal Haskoning DHV
Rightwell House Ltd
Bretton
Peterborough
PE3 8DW

Our reference: DCO/2019/00006

06 August 2019

By email only

Boston Alternative Energy Facility: Preliminary Environmental Information Report (PEIR) Consultation Section 42 Planning Act 2008

Thank you for your letter dated 19 June 2019, notifying the Marine Management Organisation (MMO) of "Alternative Use Boston's" intention to submit an application for development consent under the Planning Act 2008 (the 2008 Act). The Boston Alternative Energy Facility (the Project) is proposing to construct an alternative energy facility at Riverside Industrial Estate, Boston, Lincolnshire. The Riverside Industrial Estate is adjacent to the tidal River Witham (known as The Haven) and down-river from the Port of Boston. The Project is an energy recovery plant that will generate approximately 102 MWe (gross) of renewable energy, and will deliver approximately 80 MWe (net) to the National Grid. The energy recovery plant will be a gasification facility using refuse derived fuel (RDF) as the feedstock to generate energy.

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 construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence[1]. Inshore waters include any area which is submerged at

[1] Under Part 4 of the 2009 Act

mean high water spring (MHWS) tide. They also include the 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.

In the case of Nationally Significant Infrastructure Projects (NSIPs), the 2008 Act enables Development Consent Orders (DCO) for projects which affect the marine environment to include provisions which deem marine licences[2].

As a statutory consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (DML) enable the MMO to fulfil these obligations.

Further information on licensable activities can be found on the MMO's website[3]. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note[4].

MMO comments

The MMO has reviewed the consultation documents received on 19 June 2019 in consultation with our scientific advisors at Centre for Environment, Fisheries and Aquaculture Science (Cefas). Please find the MMO's comments provided below:

1. Observations

1.1. In general, the approach provided by the applicant is sufficient and has provided a comprehensive review of potential impacts.

1.2. The MMO generally agree with the proposed mitigation measures (paragraph 15.7.1), in particular (assuming the material is not highly contaminated):

1.2.1. The capital dredge volume is minimised by setting the quay wall closer to the channel without impacting on safe navigation during berthing operations; and

1.2.2. The use of a mechanical dredger (i.e., a land- or vessel-based long-reach excavator) to undertake the dredging works is considered suitable mitigation to reduce the potential for an increase in suspended sediment concentrations during

[2] Section 149A of the 2008 Act

[3] https://www.gov.uk/planning-development/marine-licences

[4] http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf

dredging operations.

1.3. The PEIR has identified and adequately assessed potential cumulative and inter-related impacts. Further, the report states in paragraph 6.2.26, that "At the PEIR stage, a full CIA [Cumulative Impact Assessment] was not undertaken, as a definitive list of cumulative projects had not been agreed with stakeholders. A full CIA will be carried out for the Environmental Statement (ES), and the full list of plans or projects to be included in the CIA is being developed as part of on-going consultation with technical consultees".

The applicant has identified that the only other development that could have accumulative effect is the Boston Barrier Tidal Scheme. From our records the MMO agree that there are no other developments that should be assessed.

1.4. Whilst repeated barge grounding/floating is considered likely to disturb and release both sediments and contaminants into the marine environment, this impact is not likely to have a significant impact on physical and coastal processes due to the relatively small volumes of sediment involved and the limited spatial extent. Therefore no addition mitigation is warranted.

1.5. The capital dredge is anticipated to be approximately 140,000 to 150,000 cubic metres (m^3). In paragraph 16.7.14, the applicant states that this will result in an increase in the tidal prism of 85,250 m^3 adjacent to the facility, equivalent to an increase of 1.8% across the Haven. This will induce an increase in tidal velocities, with the potential to increase erosion as the system readjusts. Whilst this is not considered to have a major impact on physical and coastal processes within this already heavily modified site, it may have implications for habitats and/or flood defence.

1.6. The MMO observes that the particle size distribution (PSD) data presented has been collated from external data sources, with samples obtained throughout the Haven. Whilst these are not specific to the proposed site, given their local origin, the MMO are satisfied that they adequately represent the conditions likely to be found on site from physical and coastal processes perspective.

1.7. The MMO note that the following applications (MLA/2015/00052, MLP/2014/00239 and MLA/2011/00348) have taken samples within 600 metres (m) of the works, however please note that the most recent results are four years old and in line with OSPAR, new samples would be required.

2. Changes required

2.1. The Preliminary Environmental Impact Report (PEIR) has assessed the impacts of increased vessel traffic (ship wash) on the wave regime and concluded that "… *the increase in vessel traffic is unlikely to affect the intertidal mudflats and saltmarsh as the contribution of the overall erosion of these areas by locally-generated wind waves would significantly exceed the contribution from ship waves"*. Whilst the MMO agree that "*The contribution of wind waves in terms of frequency is much higher*", thereby

providing a source of persistent pressure, the waves generated by ship wash are considered likely to result in increased erosion. In addition, the PEIR does not explicitly state that the 150% increase in vessel movements is the result of additional vessels of similar size and speed to the existing stock, which would have implications for the energy profile of the additional vessels. The MMO recommend that the impact of ship wash is assessed in greater detail within the Environmental Impact Assessment (EIA) and Environmental Statement (ES). Whilst this is not considered to have a major impact on physical and coastal processes within this already heavily modified site, it may have implications for habitats and/or flood defence.

2.2. The current preferred structure is a suspended concrete deck, constructed on approximately 300 driven piles. The impact of these structures on patterns of erosion and accretion have not been considered in the PEIR and should be quantitatively considered within the EIA and ES.

2.3. The MMO notes that no target depth profile or maximum dredge depth has been provided. The MMO advise that these be included in the EIA and ES.

2.4. As part of the embedded mitigation, the report states that the works will "*Dispose of capital dredged sediment on land rather than at sea*" (paragraph 15.7.1) and that "*All* [capital and maintenance dredge material] *will be managed on land in accordance with the waste hierarchy*" (e.g., Table 15.2). No further information has been provided as evidence to support the statement that the waste hierarchy has been applied (e.g. whether potential marine beneficial re-use applications have been considered). The MMO advise that this information is included in the EIA and ES.

2.5. There is the potential for an adverse synergistic impact to occur during the operational phase as a result of increased tidal velocities (due to the capital dredge and resultant increase in the tidal prism) and wave energy (due to increased vessel movements). Combined, these pressures have the potential to result in elevated rates of erosion. Whilst this would not be expected to have a significant adverse impact in what is an already heavily modified system. The MMO recommend that an assessment is included in the final CIA.

2.6. Within the PEIR paragraphs 16.7.15 and 16.7.16 estimate the maintenance dredge volume at 1,643 cubic metres per year (m^3/yr). However, this is based on suspended sediment concentrations (SSC) of "*less than 100 [milligrams per litre] (mg/l)*", whilst Table 16.9 presents baseline SSC ranging between 210-1,790 mg/l, with an average of 545 mg/l 1 metre above the bed. Consequently, the maintenance dredge is considered to be an underestimate. The capital and maintenance dredge volumes require clarification. The total capital dredge volume is reported as generating 140,000 to 150,000 m^3 of material (e.g., paragraphs 16.7.4 and 15.7.17 respectively).The MMO advise that evidence of a more robust calculation of both capital and maintenance dredge volumes would be expected within the EIA and ES.

2.7. Whilst the applicant has used previous sampling regimes, only one set of raw data has been provided. The applicant should provide the raw results of all sampling regimes, including locations (either coordinates or as a map) to allow a robust review to be

undertaken. Figure 15.1 does not appear show all sediment samples and does not appear to relate to the results provided in Chapter 15.

2.8. The MMO require further information before we can advise on whether a sampling plan would be required. The applicant has stated that previous results have been used to inform the assessment, however in order to ascertain whether these could be used in lieu of new samples, the applicant should provide: The raw data of analyses, including when the samples were taken;

- The location of the samples (preferably the coordinates);
- Identification of which laboratory undertook the analyses to ensure they carry out analyses in line with the MMO guidance and to ensure the results are comparable with Cefas Action Levels.

The items highlighted in this letter should be considered in the initial scope of the EIA, however please note that this letter is not a definitive list of all ES/EIA requirements and other subsequent work may prove necessary.

3. Conclusions

3.1. The MMO reserves the right to make further comments on the Project throughout the pre-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,

Letter received from Ministry Of Defence 25.07.2019

Defence
Infrastructure
Organisation

Safeguarding
Statutory
Defence Infrastructure Organisation
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West Midlands
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Tel: 07970170930

Email: DIO-safeguarding-statutory@mod.uk
www.mod.uk/DIO

25 Jul 2019

Boston Alternative Energy Facility
Freepost
25 Priestgate
Peterborough

PE1 1JL

Dear Ms Grittiths,

Your Reference: BAEF
Our Reference: 10046077

MOD Safeguarding
Proposal: Boston Alternative Energy Facility
Location: Riverside Industrial Estate
Boston
Lincolnshire

Planning Reference: BAEF

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 02/07/2019. I can confirm that 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

Letter received from Ministry Of Defence 25.07.2019

Middlesex
TW13 7AH

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

Email received from NATS Safeguarding 26.06.2019

From:
To: consultation@bostonaef.co.uk
Cc: NATS Safeguarding
Subject: SG26367 Boston Alternative Energy Facility
Date: 26 June 2019 08:44:48
Attachments: image005.png
image012.png
image013.png
image014.png
image015.png
image016.png

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

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

Email received from Natural England 06.08.2019

Date: 06 August 2019
Our ref: 286773
Your ref: none

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Bethan Griffiths
Alternative Use Boston Projects Ltd

BY EMAIL ONLY

Dear Ms Griffiths

Planning consultation: Boston Alternative Energy Facility, Riverside Industrial Estate, Boston
Location: Statutory Consultation on a proposed application for a Development Consent Order section 42 of the Planning 2008 and Reg 13 of the Infrastructure Planning (EIA) regulations 2017

Thank you for your consultation on the above dated 19 June 2019 which was received by Natural England on 25 June 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Planning Act 2008
Wildlife and Countryside Act (as amended) 1981
Countryside and Rights of Way Act 2000

Natural England has reviewed the Preliminary Environmental Information Report (PEIR) and has provided comments on each chapter as an annex to this letter. Our comments are on the basis of the information provided within the PEIR and the understanding gained during pre-application discussions with Royal Haskoning DHV.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Roslyn Deeming on 02080268500. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Lead Adviser
Sustainable Development Team
East Midlands Area

Annexe to letter response

Non- technical Summary

Please note the points listed in the table below and the accompanying colour coding.

Chapter 9 Landscape and Visual Impact Assessment

Natural England welcomes the landscape and visual impact assessment (LVIA) that has been undertaken and provided within this chapter. We support the use of the publication *Guidelines for Landscape and Visual Impact Assessment* (2013, 3rd edition) which has been followed in the chapter's methodology. We also welcome reference to the National Character Areas (NCA).

We note that the visual impact on Public Rights of Way and Access has been included including long distance and recreational footpaths (at 9.6.22). We note from (Chapter 19 Traffic & Transport) that the England Coast Path is to be diverted around the site but it is unclear from this chapter if the visual impact of this change has been considered.

Chapter 12 - Terrestrial Ecology

Natural England acknowledges that the assessment within this chapter has followed our advice at the scoping stage to consider impacts on statutory and non-statutory nature conservation designations, and protected and notable habitats and species and has been undertaken in accordance with published best practice guidance.

Phase 1 habitat surveys were undertaken in 2017, with additional survey work being carried out in October 2018 which appears in Appendix 12. The applicant has taken on board NEs comment made at the meeting of February 2019 regarding the dry summer in 2018 and will be repeating the Water Vole, Otter and Badger surveys.

Whilst there is no evidence of bat roosting within the site in 2017/18 we welcome the intention that further bats surveys will be undertaken during 2019 as the proposed Facility will result in the loss of potential foraging habitats. The further surveys should establish the current usage of foraging/commuting bats (numbers and species) and we will look forward to receiving the completed information for these. The recommendations in Appendix 12 for additional planting, the use of bat boxes and bricks and proposals to minimise lighting is welcome.

We acknowledge that the proposed precautionary methods of working during construction will reduce the impact on reptiles to minor adverse significance.

We consider that very limited information is provided on terrestrial use of the site by birds (page 36). It appears that a breeding bird survey has not been completed (as we requested in our February meeting) but instead assessment is relying on off-site BTO data (see comments below). We note however that nesting bird checks will be undertaken ahead of works starting. Natural England would be interested in seeing the bird survey report if one has been done and not fully included in the PEIR.

Some of the hedgerows at least towards Frampton/ Freiston support some interesting farmland birds. We would like to see some indication as to whether the inland fields where the development is based, will have any impact on SPA bird species using the site as part of the SPA supporting habitat (this is picked up in our consultation summary page 10 of Marine and Coastal Ecology report).

We note that there is low value habitat for terrestrial invertebrates but would like to see some explanation how this conclusion was reached.

The Cumulative Impacts table (12.8) includes the Boston Barrier which should have been finished by 2021 when construction for the Boston AEF starts but could overlap if there are project delays. The PEIR in the terrestrial section does not mention Boston Embankment works and this should have finished by the end of 2020 but there may be a slight chance of project overrun and so should

be included.

Chapter 14 Air Quality
We note that further survey work is to be carried out and that this information will also be included within the Habitat Regulations Assessment.

Chapter 15 – Marine Water and Sediment Quality
Please note the points listed in the table below and the accompanying colour coding.

Chapter 16 – Estuarine Processes
Please note the points listed in the table below and the accompanying colour coding.

Chapter 17 - Marine and Coastal Ecology
In our February meeting we raised a number of issues which have been included in the consultation summary table 17.2 (page 10-12).

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 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.

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.

We note that information on birds likely to use The Haven has been included in this chapter (page 37-38) i.e. Dark bellied Brent goose, Shelduck, Lapwing, Dunlin, Black-tailed Godwit, Redshank, Turnstone however there appears to be no actual survey data to support this. The 2010 Boston Barrier Bird report which was based on surveys between January and March 2010 is referenced which would not constitute a full winter-bird survey.

At paragraph 17.8.58 it is noted that noise disturbance under 50dBH is unlikely to cause a response but over 70dBH would be expected to result in disturbance to water birds. As yet we do not know how loud construction and operational noise will be but it is likely that it will exceed the 70dBH.

The terrestrial ecology section refers to 0.4ha of saltmarsh and 0.8ha of mudflats lost during construction – they have listed this as a minor adverse impact as it is only a BAP habitat at this location and not part of the designated area. It has been assessed as being in poor condition although it identified 18 species which is actually quite species-rich for The Wash. It is explained that once construction is finished there will be an opportunity for some saltmarsh/ mudflats to naturally re-establish but this is likely to be restricted in area. The report notes that the boats will be grounded on the mudflats during low tide until the tide floods when the vessels will be able to leave the Facility which will re-suspend sediments and also cause ongoing permanent damage so it would seem uncertain on how much natural post-construction recovery could be achieved. The loss of

saltmarsh / mudflat could potentially be an issue for bird feeding / resting areas. The report notes that the erosion of the saltmarsh along the channel is down to wind wave action rather than boat waves. This is recognised as a moderate adverse impact. However this is a permanent loss of habitat and (approx. 2%) which should be compensated for and we would like to discuss further the potential for mitigating for this loss of saltmarsh/mudflat habitat.

Harbour Seals are considered within the report and we note that the data from our 2017 aerial survey is used and the shipping channel in relation to Harbour Seal use is shown at Figures 17.1 and 17.2. The report notes that seals are unlikely to haul out in the vicinity of the facility, but also assesses likelihood of boat collisions which they note could be a worst case scenario of 5-10% increase in collision which represents 1.7-3.3 Seals. Boat numbers arriving and leaving on The Haven will increase from 400/year to approximately 1024/year due to the operation of the Facility. It is noted in conclusion, although the increased vessel activity will be significant, the operational phase is not considered to have a significant impact because seals using areas close to existing vessel routes are expected to be habituated to vessel presence. The magnitude of the impact is therefore considered to be low.

We acknowledge that issues relating to the freeing up of sediment from the dredging process both during construction and ongoing maintenance around the wharf have been assessed including the impacts associated with suspended sediments, increased turbidity, and potential mobilisation of heavy metals / contaminants including hydrocarbons.

We note that no impacts to SAC/ SPA from air pollution deposition from the actual plant are identified (chapter 14 page 42) it notes that the maximum predicted NOx, SO2, NH3 and HF concentrations were below the relevant Critical Levels at The Wash and North Norfolk Coast SAC and The Wash SPA designated ecological sites. However PC values were predicted to be above the NOx 24-hour and the HF weekly mean Critical Level values at the Havenside LNR. The PC values represent the maximum pollutant concentrations from the process stacks and marine vessels combined to provide a conservative scenario.

We consider that the mitigation measures given for much of the proposed works could be improved. We would like to discuss a list of measures that would need to be considered for when working on / near The Wash.

We note that underwater noise and the need for, and nature of, mitigation measures will be considered when the impact assessment is further progressed and the potential for underwater noise generation is better understood. We would like to see this additional information when it is provided and have also commented on this in our HRA comments.

Chapter 19 Traffic & Transport
We note that at paragraph 19.7.58 the diversion of the England Coast Path is covered which is described as a minor adverse effect. We would wish to confirm if the England Coast Path project team has been consulted or is aware of this diversion.

A17.1 - Habitat Regulations Assessment
Please note the points listed in the table below and the accompanying colour coding.

Net gain
The government has recently announced that it will mandate net gains for biodiversity on new developments in England to deliver an overall increase in biodiversity. Furthermore net gain is referenced in the new NPPF, and is included within the government's 25 year plan "A Green Future". Natural England therefore recommends that the applicants follow the net gain approach and take the opportunity within this proposal to demonstrate a net gain in biodiversity.

Biodiversity net gain is a demonstrable gain in biodiversity assets as a result of a development project that may or may not cause biodiversity loss, but where the final output is an overall net gain. Net gain outcomes can be achieved both on and/or off the development site and should be embedded into the development process at the earliest stages.

Email received from Natural England 06.08.2019

New Metrics for calculating the amount of biodiversity required to achieve net gain have recently been issued by Defra including a calculating tool which you may wish to consider: (http://nepubprod.appspot.com/publication/5850908674228224

The advantage of using a recognised metric to deliver net gain is that it provides a clear, transparent and evidence-based approach to assessing a project's biodiversity impacts that can assist with "de-risking" a development through the planning process and contribute to wider place-making. Natural England would be happy to advise further on this approach.

Comments from NE Marine Team (noted above)

	Page/Section	Author	Comment	Risk
Non-Technical Summary				
1.	General Comment	LB	The applicant would need to supply the DCO/DML as soon as possible so that our DCO/DML Senior adviser can review	
2.	General Comment	LB	No evidence plan process to deal with issue upfront	
3.	General Comment	LB	Pollution Contingency plan is critical document that we need to see before we can agreed that pollution incidents are not an issue	
4.	General Comment	LB	25 years is given for operational impacts, but some elements are not going to be decommissioned so permanent habitat loss	
5.	General Comment	LB	There would be benefit in producing a mitigation plan that includes all mitigation measures. As it stands the proposed mitigation could be improved upon to further minimise the impacts	
6.	General Comment	LB	Coastal Processes didn't fully consider the impacts from coastal erosion of having the facility there changing habitats and water flow	
7.	General Comment	LB	The non-technical summary and HRA quote increase of 624 vessels but Chapter 15 and 16 state 560	
8.	General Comment	LB	Will any water abstraction or outfall be required from The Haven? It was not clear from technical summary	
9.	General Comment	LB	Many of the accompany plans and evidence missing so unable to fully provide advice on significance at this time	
10.	4.1.1	LB	Natural England welcomes the applicant's commitment to meet and exceed the requirements of the planning act. However, in order to do so further evidence and best practice mitigation needs to be provided to fully address the an issues upfront of the application submission	
11.	P38	LB	There is no mention of the duties in relation to the Wildlife and Countryside Act 1981 (as amended) and the NERC Act 2006	
Chapter 16 Estuarine Processes				
12.	General	LB	Why haven't impacts to functionally liked	

	Comments		land and duties under the Wildlife and Countryside Act 1981 (as amended) and the NERC Act 2006 been considered	
13.	General Comment	LB	There are lots of statements within this chapter with limited supporting evidence	
14.	General Comment	LB	The Wash group is more commonly known as The Wash European Marine Site (EMS)	
15.	P5	LB	Natural England disagrees that Suspended Sediment Concentrations and Bed levelling will have 'no impact' to the natural environment	
16.	P5	LB	Operational Impact – there is insufficient evidence provided to demonstrate that the presence of a fix structure will not change water flows and velocity and impact of surrounding habitats up and down stream. In addition additional ship wash effects is based on professional judgement and would be useful to have evidence to support that judgement	
17.	16.4.2	LB	NE advises that not only is bed level considered but also sediment supply to habitats of conservation importance	
18.	Table 16.3	LB	Information sources are not directly relevant to the specific works and the age of the data is greater than would be considered appropriate for an EIA assessment	
19.	16.5.3	LB	Due to the proximity of the tidal barrier the applicant doesn't believe that new surveys are required. However, it is Natural England view that insufficient evidence has been demonstrated to show that the data is fit for purpose for this project. Especially in an estuarine environment that is dynamic	
20.	16.5.5.	LB	Wash heights are important when considering wash. We would like to see the expert geomorphological assessment	
21.	16.6.23	LB	Would be helpful to see evidence supporting the assessment that the natural wave heights are 0.1m	
22.	16.7. 2	LB	As previously advised for the Boston Barrier works NE would welcome sediment staying within the system rather than being removed. Consideration there some be given to beneficial use of the sediment and/or disposal	
23.	16.7.3 – 16.7. 13	LB	300 driven piles is likely to result in under water noise impacts unless undertaken at low tide and/or vibration installation is used as mitigation. This would need to be a condition of any Deemed Marine Licence (DML). This is due to noise to marine mammals so out of context here. The excavation of 140,000m3 is not a small amount and will result in permanent loss of habitat and cause indirect impacts to the surrounding habitats. This needs to be	

			considered further	
24.	16.7.14	LB	A 68% increase in the tidal prism is not insignificant the implications on coastal processes and erosion need further consideration. Any loss of supporting habitat for SPA features also needs to be reviewed	
25.	16.7.16	LB	32,850m2 dredge of the berth area is also not insignificant given the width of the Haven.	
26.	16.7.1.7	LB	150% increase in vessel movement in the Haven is also not insignificant and could lead to increased erosion.	
27.	16.7.20	LB	140,000m3 is a large capital dredge especially in this area of the Haven	
28.	16.7.34	LB	There is insufficient evidence presented for NE to agree with this section that the impacts are not significant	
29.		LB	Impact 3: Ship Wash – it is stated that the annual wave effect exceeds ship wash. However, the point is that this is in additional to the natural wave impact. It is not sufficient to say the ship wash is less so not an issue.	
30.	16.8.2	LB	Need a DML condition for monitoring	
31.	16.8.3	LB	Alternatives require further explanation	
32.	16.9	LB	Missing EA maintenance work over the life time of the project as well as for construction. Boston Harbour dredge has not been included	
33.	16.9.7	LB	NE is concerned that two negligible have been found to be negligible without evidence present to demonstrate what is effectively professional judgement	
Chapter 15 Water Quality				
34.	General Comment	LB	Same text as used for Chapter 16 - so same errors have occurred	
35.	General Comment	LB	Natural England defers mainly to comments of CEFAS and EA on water quality issues.	
36.		LB	Whilst contaminant level do not reach level 2 there are still a lot of contaminates. What can be done to reduce them? Natural England would value a discussion with CEFAS and EA on this matter. Is there any risk to shellfisheries in the Wash or prey availability for designated site features? This is not considered here.	
37.	15.6.20	LB	Survey data from 2011 are 8 years old and therefore may not be true representatives of present day.	
38.	15.7..25	LB	Just because the site is classed as bad doesn't necessarily mean that adding more is okay. This needs to be discussed more.	
HRA A17.1				
39.	General Comments	LB	Contamination of prey for wader and ducks not considered	
40.	General Comment	LB	Unable to agree with some of the HRA conclusions because there is not an adequate baseline provided especially in	

			relation to Birds. The assessment only considered impacts from boat movements and not impacts to functionally linked land	
41.	General Comment	LB	Natural England is surprised that some bird species are scoped in when there is no record of them in this area e.g. Little Tern. Likewise there are some impact pathways identified that with more consideration of the impacts could have been scoped out for example boat traffic and reefs	
42.	A17.4.2	LB	No evidence provided to demonstrate that the project area is not functionally linked land used by designated features. Please note that features are protected outside of designated sites. Please note that Marine Mammals don't just get impacted by vessel movements but also piling and underwater noise. Even impact to one seal could result in either death or injury.	
43.	A17.4.3	LB	Impacts from loss of potentially functionally linked land not considered	
44.	A17.4.5	LB	624 vessels is inconsistent with the numbers quoted in chapters 15 and 16.	
45.	Table A17.5	LB	Discord between HRA and Chapters. Inconsistency with chapter that the port of Boston Dredge has been included in HRA but excluded from discussions in chapter. There is no evidence presented to support the conclusion about in-combination impacts	
46.	A17.6.8	LB	Do not agree with statement as habitat adjacent to site not considered	
47.	A17.6.21 Harbour Seals	LB	Natural England agrees that vessel disturbance can be minimised so that it is no AEOI. However, we advise that best practice is followed that we are happy to discuss further under DAS about	
48.		LB	Construction phase doesn't consider underwater noise	
49.	Screening matrices - SPA	LB	Loss of supporting habitat not considered. Impacts to prey not considered. Some species of bird screen in, but not justification provided as to why.	
50.	Screening matrices - SAC	LB	Why has same LSE for SPA as SAC been identified?	
51.				

Structure/Framework of/for Natural England advice in relation to attributing risk and potential to resolve
RED NE considers these issues to be show stopper and unless • new baseline data; • significant design changes; and/or • significant mitigation; is provided then we advise that an adverse effect on integrity; significant adverse effect on landscape/seascape; and/or significant EIA issue can't be ruled out. NB: Unlikely to be resolved during examination
AMBER NE considers that if these issues are not addressed/resolved by the end of examination then they would become a RED risk as set out above. Likely to relate to fundamental issues with assessment methodology which could be rectified; preferably before examination!
YELLOW **These will no longer be included in our RR and included in examination library.** These are issues/comments where NE doesn't agree with the Applicant's position and/approach. We would flag these at the PEIr stage with the view that they would be addressed in the Application. But otherwise we are satisfied for this particular project that it will not make a material difference to our advice or the outcome of the decision making process. However, it should be noted that this may not be the case for other projects. Therefore it should be noted by interested parties that just because these issues/comments are not raised as part of our written submissions, it doesn't automatically infer there is agreement. Equally these may become issues should further evidence be presented and a file note of these points will be retained by NE to inform future advice on this or other projects.
GREEN – project team decision to include, (or not), in written submission, but default is no! NE support for something the Applicant has done and we would possibly encourage others to do similar. May be include in PEIr as a reference point for future written submissions
GREY – project team decision to include, (or not), in written submissions, but default is no! Flagging issues that are outside of NE remit and/or NE has no further comment on unless further evidence is presented e.g. NGOs approach to MM assessment against a population. May include in PEIr as a reference point. Only provided in written submissions to close down point.

Email received from Norfolk County Council 01.07.2019

From:
Sent: 01 July 2019 11:41
To: consultation@bostonaef.co.uk
Cc:
Subject: Norfolk County Council Comments - Boston Alternative Energy Facility
Attachments: FW: Boston Alternative Energy Facility - EIA Scoping Notification and Co... (22.1 KB)

Flag Status: Flagged

FAO Boston Alternative Energy Facility

Thank you for consulting Norfolk County Council on the above proposal.

It is understood that this proposal will be determined as a Nationally Significant Infrastructure Project (NSIP), with the final decision being made by the Secretary of State for Business, Energy and Industrial Strategy.

Further to the County Council's response on the EIA Scoping Report (see attached – sent to the Planning Inspectorate), the County Council would like to make the following comments on the PEIR:

(a) General Comments

As the development is located outside of Norfolk, it is unlikely that the proposal will have any immediate impacts on Norfolk in terms of landscape, ecology and archaeological matters. Furthermore it is not felt that there will be any significant transport impacts on Norfolk arising from either the construction or operation of the proposed Power Plant.

(b) Employment and Training

While Norfolk County Council welcomes the employment opportunities the Power Station will have within the local/regional economy both during construction and once operational, it is felt that given the proposal's proximity to Norfolk and the likelihood of additional major construction projects in both Norfolk and Suffolk arising from the offshore wind energy sector (i.e. associated with the Hornsea Three Project; Norfolk Vanguard and Boreas; and East Anglia Offshore Wind One (North) and Two) and the Sizewell C Nuclear Power Plan proposal, there is a need for:

(a) Wider consideration of supply chain issues to address working with neighbouring authorities such as Norfolk; and
(b) Ensuring that any Education, Skills and Employment Strategy addresses/considers the wider cumulative impacts arising from other planned NSIPs in the area (i.e. covering the above onshore and offshore projects).

The County Council would therefore suggest that the applicant develops an Education; Skills and Employment Strategy which will form part of the DCO application to address the above potential cross-boundary issues. Such strategies have been taken forward in other NSIPs covering for example the offshore wind energy sector developments.

It is suggested that contact be made with the Norfolk County Council's Economic Development Manager - Dukes, David david.dukes@norfolk.gov.uk and the Employment and Skills Manager - Feeney, Jan jan.feeney@norfolk.gov.uk

(c) **Transmission network – grid connection comments**

Email received from Norfolk County Council 01.07.2019

The EIA/PEIR will need to address whether there are any cross-boundary impacts likely to occur in neighbouring authorities (e.g. Norfolk). In particular the EIA/PEIR needs to consider the following **cross-boundary** issues, for example:

(a) Whether the existing overhead lines and substation/s are sufficient to be able to cope with the energy proposal;
(b) Whether there will be a need to upgrade / reinforce any existing overhead power lines;
(c) Whether there is a need for a new electricity substation.

The EIA/PEIR should also address the cumulative impact/s on the Grid Network arising from any existing or proposed energy schemes in the area.

In the event that new power lines are needed (or existing power lines up-graded / reinforced) or any other infrastructure needs up-grading (e.g. sub-station/s) there would need to be a description of the route(s) including plans at an appropriate scale incorporating, for example:

- an assessment of their impact (e.g. photomontages etc).
- details of temporary construction compounds
- identification of any sensitive features along the route

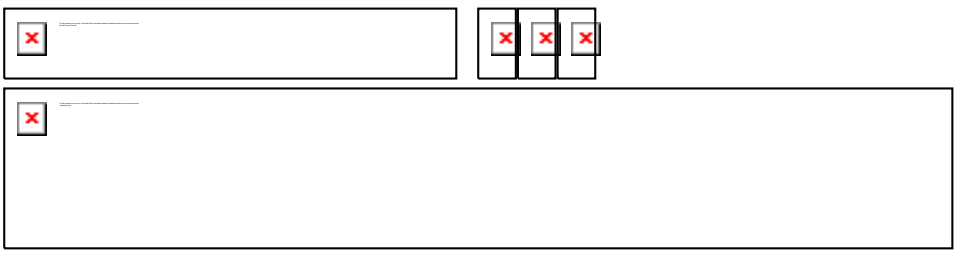
The EIA/PEIR should consider the possibility of putting over-head power lines underground in order to minimise their impact.

Should you have any queries on the transmission issues raised above please contact myself (Stephen Faulkner).

In the meantime if you have any other queries with the above comments please contact either myself or the named officers.

Kind regards

MRTPI
Principal Planner
Community and Environmental Services
Telephone:



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Email received from North East Lincolnshire Local Planning Authority 02.08.2019

Working in Partnership

Bethan Griffiths
Boston Alternative Energy
Facility
25 Priestgate
Peterborough
PE1 1JL

Date: 02/08/2019
Our Ref: DM/0239/19/PREAPP
Contact:
Phone:
Email:

Dear Bethan,

Section 48, Planning Act 2008

I am writing following receipt of the consultation received on 19th June in relation to the proposed Development Consent Order at the Boston Alternative Energy, Riverside Industrial Estate in which the North East Lincolnshire Local Planning Authority was identified as a statutory consultee for the purposes of Section 42 of the Act and Regulation 13 of the Infrastructure of the Infrastructure Planning (Environment Impact Assessment) Regulations 2017.

After receiving the consultation documents, I have the following comments to make:

As part of this consultation, the North East Lincolnshire Highways Development Control team were consulted and have requested that they be given an opportunity to review the Transport Assessment and Construction Traffic Management Plan, or documents similar entitled, on behalf of the North East Lincolnshire Council Local Planning Authority. This is in order to assess any impacts, if any, to the North East Lincolnshire borough as a result of the proposed development. As such we would request that we be consulted during the Development Consent Order Process with this further information.

Yours faithfully

Town Planner
For and on behalf of Development Management Services

Email received from Nottinghamshire County Council 05.08.2019

From:
Sent: 05 August 2019 14:33
To: consultation@bostonaef.co.uk
Subject: Boston Alternative Energy Facility, Consultation

Good afternoon,

Thank you for consulting the Nottinghamshire County Council on the intention to submit an application for the Boston Alternative Energy Facility. It is recognised that this is a large scale scheme that would contribute to the management of non-recyclable waste that is currently exported. It is also recognised that both national planning and energy policy support the use of energy recovery where this assists in moving waste up the waste hierarchy and can offset reliance on fossil fuels. There are not anticipated to be any direct land-use impacts within Nottinghamshire arising from this proposal and the Council does not therefore wish to raise any objection.

Please do not hesitate to contact me if you have any questions,

Planning Policy Team
Place Department
Nottinghamshire County Council
County Hall
Nottingham
NG2 7QP

The following message has been applied automatically, to promote news and information from Nottinghamshire County Council about events and services:

Email received from RSPB 07.08.2019

August 2019

By email only

Dear Sir/Madam

RSPB response to the Boston Alternative Energy Facility Preliminary Environmental Information Report

The RSPB has briefly reviewed the Preliminary Environmental Information Report (PEIR) for the Boston Alternative Energy Facility. 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. It is therefore disappointing that despite an indication that Alternative Use Boston Projects Ltd indicated to the Planning Inspectorate in January 2019 (file note of meeting with PINS dated 24th January 2019; File reference EN10095) that they would meet with the RSPB in the Spring no meeting to review the details of the scheme and address any concerns the RSPB may have has yet taken place. Our immediate concerns are set out below, but we have further comments which we will address to the applicant in due course.

The RSPB

The Royal Society for the Protection of Birds (the RSPB) is a registered charity that takes action for wild birds and the environment. We are the largest wildlife conservation organisation in Europe with a membership of over one million.

The principal objective of the RSPB is to save nature. The RSPB therefore attaches great importance to all international, EU and national law, policy and guidance that assist in the attainment of this objective, including those aimed at mitigating climate change.

The RSPB's Frampton Marsh is located approximately 2.7km from the application site and we will be reviewing this project to ensure our reserve and the features it supports that are associated with The Wash Special Protection Area (SPA) will not be adversely affected by the proposed alternative energy facility.

Headline comments on the PEIR

Overall, we consider that the PEIR information is presented logically and clearly, however, there appear to important gaps in the information presented to ensure that robust assessments are being completed. This is essential to ensure that the ecological context of the proposed site is accurate and that any proposals for mitigation will address the potential impacts adequately.

Key concerns

Key areas of concern which we expect to be addressed within the Environmental Statement are:

Eastern England Regional Office
Stalham House
65 Thorpe Road
Norwich
Norfolk NR1 1UD

Tel 01603 660066
Fax 01603 660088

rspb.org.uk

- **The Haven as a winter refuge for The Wash SPA features.** During cold weather birds can be forced off The Wash to more sheltered areas. This includes the Haven. It is not clear that the data presented has assessed the relative importance of the Haven and application area during these periods of cold weather and the potential impact that displacement from the application area could have to SPA populations relying on these alternative areas to safely feed and roost. This issue is critical, as no mitigation is proposed for the loss of the mudflat to provide alternative feeding or roosting areas.

- **Bird distribution variability along the Haven.** It appears that WeBS data have been used to determine potential impacts from the proposal. It does not appear from Figure 17.3 that any WeBS units cover the application area and therefore there does not appear to be an accurate assessment of species distribution along the Haven. Species will aggregate differently depending on habitat, prey availability and factors such as disturbance. Sufficient information must be presented to understand the importance of the intertidal habitat to be directly impacted by the proposal, as well as areas that will be exposed to increased disturbance around the planned wharf area. Greater information must be presented to demonstrate that the application site and its impact on adjacent intertidal areas will not adversely affect birds using the area and which are likely features of The Wash SPA. If data from the Boston Barrier works are being relied upon to fill in the WeBS data gaps the RSPB notes that the reports were written in 2014. The latest CIEEM guidance highlights any data that is over three years old would require updating to inform decisions on any projects. We request clarity on the full suite of data that has been used to inform decisions about the project and confirmation that all data are not more than three years old. **Irrespective of the age of the data, if no bird data is currently held for the area of intertidal habitat that will be directly impacted by the development the RSPB expects additional data to be collected in advance of a DCO application to ensure any decisions are based on up-to-date and appropriate evidence.**

- **Impact of the planned wharf.** Adding a new structure into the mudflat area has the ability to alter the dynamics of the river. This could increase erosion in some areas or affect accretion rates. This needs to be fully considered in understand potential impact on intertidal habitats and mitigation requirements. In addition, this will allow vessels to moor in areas they have not previously. This activity could cause disturbance and displace birds from an additional zone around the wharf. It is not clear that this has been adequately assessed at this time.

- **Increase in container vessels transiting the Haven and The Wash.** Whilst it is stated that the increase in vessel movements will be a minor increase, this does not appear to appreciate the change in vessel type. It is anticipated that many of the movements will be smaller vessels, typically fishing boats, that will be smaller. It is essential that the impact of bigger vessels is clearly assessed. It is assumed that the wash from such vessels would be greater and the overall disturbance potential greater. The potential impact must be based on vessel type and not simply vessel numbers.

- **Impact on water quality.** It appears that water management on the site will be managed through an attenuation pond and then released to the River Witham via surface water drains. It is essential that enough information is provided at submission to demonstrate that water quality

will not be reduced as a result of any discharges arising from the site. The RSPB also highlights that impacts on water quality may arise from vessels using the wharf area. Sufficient information must be provided to demonstrate that potential adverse impacts on water quality as a result of the container vessels will be avoided.

- **Managing invasive non-native species.** It is essential that measures be put in place to ensure container vessels will be managed to limit risk on invasive non-native species being introduced.

- **Air pollution.** The RSPB is not in a position to comment on the potential air pollution that might arise from such a facility. We expect this to be covered by colleagues in the Environment Agency and Natural England.

- **Habitats Regulation Assessment (HRA).** It is not clear why a relatively narrow range of issues have been covered by the HRA. Any factor that could potentially give rise to a Likely Significant Effect must be considered. As stated in 'Guidance on the use of Habitats Regulations Assessments' issued by the Ministry of Housing, Communities & Local Government in July 2019: "*An appropriate assessment must contain complete, precise and definitive findings and conclusions to ensure that there is no reasonable scientific doubt as to the effects of the proposed plan or project.*"[1] In making decisions about potential impacts, recent European Court Judgments "…*clarified that when making screening decisions for the purposes of deciding whether an appropriate assessment is required, competent authorities cannot take into account any mitigation measures*."[1] The assessment must consider impacts on functional linked areas that support features such as cold weather refuges and high tide feeding and roosting areas.

- **The level of mitigation and enhancement to address impacts and deliver biodiversity net gains in line with the National Planning Policy Framework**. It appears limited mitigation is being proposed to address impacts from the facility. There appears no evidence to justify the position that the mudflat for the wharf is of limited use by features from The Wash SPA, especially at certain times of year. The loss of intertidal habitat should, we believe, be mitigated. We also consider greater enhancement measures in line with the NPPF should be provided and support the statement provided by Lincolnshire Wildlife Trust on this point.

The RSPB reserves the right to add to and/or amend its position in light of any new information and/or analysis submitted by the Applicant. We are happy to, and would welcome the chance to, meet to discuss our concerns and look forward to this happening prior to the submission for a Development Consent Order.

[1] https://www.gov.uk/guidance/appropriate-assessment

Please do not hesitate to contact me should you require any clarification or further information.

Yours faithfully,

Senior Conservation Officer
RSPB Eastern England Regional Office

Email received from Stephenson Smart 20.06.2019

From:
Sent: 20 June 2019 16:55
To: consultation@bostonaef.co.uk
Subject: Post

Good afternoon

We have received some post addressed to Utility Distribution Networks Limited, this is not known at our address, would you like us to return it you?

Regards

Stephenson Smart
Chartered Accountants & Registered Auditors

E: | W: www.stephenson-smart.com
A: 22-26 King Street, King's Lynn, Norfolk, PE30 1HJ

REPORT

Boston Alternative Energy Facility - Appendix 5.4

Appendix 5.4 Section 44 consultation 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-3005.4
Status:	Final/0.0
Date:	23 March 2021

baef
Boston Alternative Energy Facility

Royal HaskoningDHV
Enhancing Society Together

Appendix 5.4 Section 44 consultation response

This appendix contains the section 44 consultation response from Aggregate Industries.

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From:
To: consultation@bostonaef.co.uk
Cc:
Subject: BAEF - Consultation
Date: 21 June 2019 17:07:34
Attachments: BAEF Letter (2).pdf
Boston Alternative Energy Facility (1).pdf

Dear Sirs,

Thank you for your letter, a copy of which is attached to this email. We assume you are referring to a registered leasehold interest, title number LL261030, registered in the name of Aggregate Industries UK Limited. We have exercised our right to break this lease and are currently dealing with the Land Registry formalities relating to this. As such we would like to inform you that we do not intend to respond to this consultation.

Kind regards

Planning & Environment

AGGREGATE INDUSTRIES UK LIMITED
Bardon Hill, Coalville, Leicestershire LE67 1TL

www.aggregate.com

A member of LafargeHolcim

REPORT

Boston Alternative Energy Facility - Appendix 5.5

Appendix 5.5 Section 46 letter to Secretary of State

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-3005.5
Status:	Final/0.0
Date:	23 March 2021

baef
Boston Alternative Energy Facility

Royal HaskoningDHV
Enhancing Society Together

Appendix 5.5 Section 46 letter to Secretary of State

This appendix contains a section 46 notification letter sent to Secretary of State.

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20 June 2019

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

FAO:

Dear ,

Re: Boston Alternative Energy Facility, Riverside Industrial Estate, Boston, Lincolnshire
PINS Reference: EN010095
Section 46 Notification under the Planning Act 2008 (the 2008 Act)

The Secretary of State is hereby notified that Alternative Use Boston Projects Ltd (the 'Applicant') intends to make an application (the 'Proposed Application') under Section 37 of the 2008 Act for a Development Consent Order ('DCO') to authorise 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:

- A gasification facility comprising three gasification units and steam turbine generators to generate up to 102 MW (gross) of energy;
- A wharf with cranes and berthing points;
- A storage area for the temporary storage of Refuse Derived Fuel (RDF) bales;
- A processing facility for RDF preparation, including storage silos;
- Conveyors to transfer RDF bales and processed material;
- An on-site Grid Connection and sub-station to facilitate the export of up to 80 MW to the National Grid;
- A lightweight aggregate manufacturing plant to process the gasification facility residues into an aggregate product;
- A carbon capture facility, allowing a proportion of the carbon dioxide (CO_2) from one of the three gasification units to be captured and converted to high grade CO_2 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 Sections 42 and 47 of the 2008 Act. The consultation will run from 25th June to 6th August (inclusive).

Section 46 of the 2008 Act requires the Applicant to send to the Secretary of State the information that it has provided to consultees under Section 42, on or before commencing Section 42 consultation. As such, please find enclosed the information that has been sent to the Section 42 consultees:

i. A covering letter;
ii. Notification pursuant to Section 48 of the 2008 Act and Regulation 13 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009; and
iii. A project brochure.

Should you require any further information, please do not hesitate to contact us.

Yours faithfully,

Bethan Griffiths

Senior Account Manager, Athene Communications Ltd

For and on behalf of Alternative Use Boston Projects Ltd

Enclosures:

i. A covering letter;
ii. Notification pursuant to Section 48 of the 2008 Act and Regulation 13 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009; and
iii. A project brochure.

REPORT

Boston Alternative Energy Facility - Appendix 5.6

Appendix 5.6 Section 46 response from Secretary of State

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-3005.6
Status:	Final/0.0
Date:	23 March 2021

baef
Boston Alternative Energy Facility

Royal HaskoningDHV
Enhancing Society Together

Appendix 5.6 Section 46 response from Secretary of State

This appendix contains a formal acknowledgement of receipt of the section 46 letter received via email from Secretary of State.

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The Planning Inspectorate

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: BostonAlternativeEnergyFacility@planninginspectorate.gov.uk

Bethan Griffiths

Your Ref:

Our Ref: EN010095

Date: 28 June 2019

Dear Ms Griffiths

Planning Act 2008 (as amended) – Section 46 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Regulation 8

Proposed application by Alternative Use Boston Projects Limited for an Order Granting Development Consent for the Boston Alternative Energy Facility (BAEF)

Acknowledgement of receipt of information concerning proposed application

Thank you for your letter of 20 June 2019 and the following documentation:

- A covering letter;
- Notification pursuant to Section 48 of the 2008 Act and Regulation 13 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009; and
- A project brochure.

I acknowledge that you have notified the Planning Inspectorate of the proposed application for an order granting development consent for the purposes of section 46 of the PA2008 and supplied the information for consultation under section 42. The following reference number has been given to the proposed application, which I would be grateful if you would use in subsequent communications:

EN010095

I also acknowledge notification in accordance with Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that you propose to provide an environmental statement in respect of the proposed development.

I will be your point of contact for this application – my contact details are at the end of this letter.

The role of the Planning Inspectorate in the application process is to provide independent and impartial advice about the procedures involved and to have open discussions with potential applicants, statutory bodies and others about the processes and requirements of the new regime. It is important that you keep us accurately informed of your timetable and any changes that occur.

We will publish advice we give to you or other interested parties on our website and, if relevant, direct parties to you as the applicant. We are happy to meet at key milestones and/or provide advice as the case progresses through the pre-application stage.

Once you have prepared draft documents we are able to provide technical advice, in particular on the draft development consent order, explanatory memorandum, the consultation report and any draft HRA. You may therefore wish to build this into your timetables.

In the meantime, you may wish to have regard to the guidance and legislation material provided on our website including the Infrastructure Planning (Fees) Regulations 2010 (as amended) and associated guidance, which you will need to observe closely in establishing the correct fee to be submitted at the successive stages of the application process.

When seeking to meet your pre-application obligations you should also be aware of your obligation under the current data protection legislation to process personal data fairly and lawfully.

If you have any further queries, please do not hesitate to contact me.

Yours Sincerely

Case Manager

National Infrastructure Planning
The Planning Inspectorate,Temple Quay House,Temple Quay, Bristol BS1 6PN
Direct Line:
Email:

REPORT

Boston Alternative Energy Facility - Appendix 5.7

Appendix 5.7 Section 48 newspaper notice and coverage

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-3005.7
Status:	Final/0.0
Date:	23 March 2021

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Boston Alternative Energy Facility

Royal HaskoningDHV
Enhancing Society Together

Appendix 5.7 Section 48 newspaper notice and coverage

This appendix contains a copy of the published section 48 notice in newspapers.

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SECTION 48, PLANNING ACT 2008

Regulation 4 Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Boston Alternative Energy Facility

Notice publicising a Proposed Application for a Development Consent Order

Notice is hereby given that Alternative Use Boston Projects Ltd (the 'Applicant') of 26 Church Street, Bishop's Stortford, Hertfordshire, England, CM23 2LY (Company number 11013830), intends to make an application (the 'Proposed Application') to the Secretary of State 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').

The Proposed Development would comprise:

- A gasification facility comprising three gasification units and steam turbine generators to generate up to 102 MW (gross) of energy;
- A wharf with cranes and berthing points;
- A storage area for the temporary storage of Refuse Derived Fuel (RDF) bales;
- A processing facility for RDF preparation, including storage silos;
- Conveyors to transfer RDF bales and processed material;
- An on-site Grid Connection and sub-station to facilitate the export of up to 80 MW to the National Grid;
- A lightweight aggregate manufacturing plant to process the gasification facility residues into an aggregate product;
- A carbon capture facility, allowing a proportion of the carbon dioxide (CO2) from one of the three gasification units to be captured and converted to high 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.

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 (EIA) 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.

Information compiled so far about the likely significant environmental effects of the Proposed Development is set out for consultation in a Preliminary Environmental Information Report (the 'PEIR') and summarised in a non-technical summary of the PEIR.

The PEIR, together with plans, maps and other documents, which show the nature and location of the Proposed Development (the 'consultation documents') are available for inspection free of charge from 25th June to 6th August 2019:

- on the project website at **www.bostonaef.co.uk** (from 17th June); and
- at the locations and times set out in the following table (opening days and times may be subject to change):

Document Inspection Locations

Venue name and location	Opening Times	
Boston Borough Council Municipal Buildings West Street, Boston PE21 8QR	Monday - Thursday Friday Saturday Sunday	8.45am – 5.15pm 8.45am – 4.45pm Closed Closed
Boston Library County Hall Boston PE21 6DY	Monday - Wednesday Thursday Friday Saturday Sunday	9.00am – 5.00pm 9.00am – 6.00pm 9.00am – 5.00pm 9.00am – 4.00pm Closed
Kirton Library Wash Road Kirton Boston PE20 1AN	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	Closed 10.00am – 1.00pm Closed 2.00pm – 4.00pm Closed 10.00am – 12.00pm Closed
Kirton Town Hall 19 Station Road Kirton, Boston PE20 1LD	Monday Tuesday Wednesday Thursday Friday Saturday - Sunday	1.00pm – 9.00pm 6.00pm – 8.00pm 6.00pm – 9.00pm 7.00pm – 10.00pm 9.00am – 11.00am Closed

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 Leaflet

The Applicant is consulting on the Proposed Application and has prepared a leaflet summarising the project. The consultation leaflet is available between 25th June and 6th August 2019 as follows:

1. to view on the project website **(www.bostonaef.co.uk);**
2. to take away free of charge from the document inspection locations as listed in this notice;
3. to take away free of charge from the public exhibition events ('Public Information Days' or 'PIDs') as listed in this notice.

For more details of the consultation please see the Boston Alternative Energy Facility Statement of Community Consultation (available to view on the project website) or contact the Applicant using the contact details at the end of this notice.

The consultation documents will also be available to view free of charge at public exhibitions, which will be held by the Applicant between 27th June and 6th July. Members of the project team will be available at each event to answer questions about the Proposed Development and the consultation. The exhibition events are taking place at the following locations and times:

Venue	Date	Time
Fishtoft Pavilion, Playing Fields *Church Green Road, Fishtoft, PE21 0RP*	Thursday 27th June 2019	3.00pm – 7.00pm
Frampton Church House Village Hall *140 Middlegate Road, Frampton, PE20 1AW*	Friday 28th June 2019	3.00pm – 7.00pm
St Thomas' Church *London Road, Boston, PE21 7EJ*	Saturday 29th June 2019	12.00pm – 4.00pm
Ridlington Centre *Sibsey Lane, Boston, PE21 6HB*	Thursday 4th July 2019	3.00pm – 7.00pm
Wyberton Parish Hall *London Road, Boston, PE21 7DE*	Friday 5th July 2019	1.00pm – 5.00pm
St Nicholas Community Centre *Fishtoft Road, Boston, PE21 0AA*	Saturday 6th July 2019	12.00pm – 4.00pm

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.

Responding to the Consultation

The consultation leaflet and the project website (www.bostonaef.co.uk) explain the specific topics on which the Applicant is seeking feedback. Consultees are not, however, restricted to commenting on these issues, and the Applicant welcomes feedback on any aspect of the Proposed Development.

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 email to 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 midnight on 6th August 2019.

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 Application or wish to request copies of any of the consultation documents, please contact the Applicant using the details below:
Email: consultation@bostonaef.co.uk
Post: Freepost RTLY–RLGH–GKSE, Boston Alternative Energy Facility,
25 Priestgate, Peterborough, PE1 1JL
Phone: 01733 207330

SECTION 48, PLANNING ACT 2008

Regulation 4 Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Boston Alternative Energy Facility

Notice publicising a Proposed Application for a Development Consent Order

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The Proposed Development would comprise:

- A gasification facility comprising three gasification units and steam turbine generators to generate up to 102 MW (gross) of energy;
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- A carbon capture facility, allowing a proportion of the carbon dioxide (CO2) from one of the three gasification units to be captured and converted to high grade CO2 for off-site industrial use;
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The consultation leaflet and the project website (www.bostonaef.co.uk) explain the specific topics on which the Applicant is seeking feedback. Consultees are not, however, restricted to commenting on these issues, and the Applicant welcomes feedback on any aspect of the Proposed Development.

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Email: by email to consultation@bostonaef.co.uk
Freepost: in writing to Freepost RTLY–RLGH–GKSE, Boston Alternative Energy Facility, 25 Priestgate Peterborough, PE1 1JL
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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.

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25 Priestgate, Peterborough, PE1 1JL
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SECTION 48, PLANNING ACT 2008

Regulation 4 Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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- An on-site Grid Connection and sub-station to facilitate the export of up to 80 MW to the National Grid;
- A lightweight aggregate manufacturing plant to process the gasification facility residues into an aggregate product;
- A carbon capture facility, allowing a proportion of the carbon dioxide (CO_2) from one of the three gasification units to be captured and converted to high grade CO_2 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.

Preliminary Environmental Information

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The PEIR, together with plans, maps and other documents, which show the nature and location of the Proposed Development (the 'consultation documents') are available for inspection free of charge from 25th June to 6th August 2019:

- on the project website at **www.bostonaef.co.uk** (from 17th June); and
- at the locations and times set out in the following table (opening days and times may be subject to change):

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Kirton Library Wash Road Kirton Boston PE20 1AN	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	Closed 10.00am – 1.00pm Closed 2.00pm – 4.00pm Closed 10.00am – 12.00pm Closed
Kirton Town Hall 19 Station Road Kirton, Boston PE20 1LD	Monday Tuesday Wednesday Thursday Friday Saturday - Sunday	1.00pm – 9.00pm 6.00pm – 8.00pm 6.00pm – 9.00pm 7.00pm – 10.00pm 9.00am – 11.00am Closed

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 Leaflet

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3. to take away free of charge from the public exhibition events ('Public Information Days' or 'PIDs') as listed in this notice.

For more details of the consultation please see the Boston Alternative Energy Facility Statement of Community Consultation (available to view on the project website) or contact the Applicant using the contact details at the end of this notice.

The consultation documents will also be available to view free of charge at public exhibitions, which will be held by the Applicant between 27th June and 6th July. Members of the project team will be available at each event to answer questions about the Proposed Development and the consultation. The exhibition events are taking place at the following locations and times:

Venue	Date	Time
Fishtoft Pavilion, Playing Fields *Church Green Road, Fishtoft, PE21 0RP*	Thursday 27th June 2019	3.00pm – 7.00pm
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Wyberton Parish Hall *London Road, Boston, PE21 7DE*	Friday 5th July 2019	1.00pm – 5.00pm
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The consultation leaflet and the project website (www.bostonaef.co.uk) explain the specific topics on which the Applicant is seeking feedback. Consultees are not, however, restricted to commenting on these issues, and the Applicant welcomes feedback on any aspect of the Proposed Development.

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Website: by completing a comments form on the project website at www.bostonaef.co.uk
Email: by email to 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 midnight on 6th August 2019.

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 Application or wish to request copies of any of the consultation documents, please contact the Applicant using the details below:
Email: consultation@bostonaef.co.uk
Post: Freepost RTLY–RLGH–GKSE, Boston Alternative Energy Facility,
25 Priestgate, Peterborough, PE1 1JL
Phone: 01733 207330

SECTION 48, PLANNING ACT 2008

Regulation 4 Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Boston Alternative Energy Facility

Notice publicising a Proposed Application for a Development Consent Order

Notice is hereby given that Alternative Use Boston Projects Ltd (the 'Applicant') of 26 Church Street, Bishop's Stortford, Hertfordshire, England, CM23 2LY (Company number 11013830), intends to make an application (the 'Proposed Application') to the Secretary of State 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').

The Proposed Development would comprise:

- A gasification facility comprising three gasification units and steam turbine generators to generate up to 102 MW (gross) of energy;
- A wharf with cranes and berthing points;
- A storage area for the temporary storage of Refuse Derived Fuel (RDF) bales;
- A processing facility for RDF preparation, including storage silos;
- Conveyors to transfer RDF bales and processed material;
- An on-site Grid Connection and sub-station to facilitate the export of up to 80 MW to the National Grid;
- A lightweight aggregate manufacturing plant to process the gasification facility residues into an aggregate product;
- A carbon capture facility, allowing a proportion of the carbon dioxide (CO_2) from one of the three gasification units to be captured and converted to high grade CO_2 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.

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 (EIA) 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.

Information compiled so far about the likely significant environmental effects of the Proposed Development is set out for consultation in a Preliminary Environmental Information Report (the 'PEIR') and summarised in a non-technical summary of the PEIR.

The PEIR, together with plans, maps and other documents, which show the nature and location of the Proposed Development (the 'consultation documents') are available for inspection free of charge from 25th June to 6th August 2019:

- on the project website at **www.bostonaef.co.uk** (from 17th June), and
- at the locations and times set out in the following table (opening days and times may be subject to change):

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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 Leaflet

The Applicant is consulting on the Proposed Application and has prepared a leaflet summarising the project. The consultation leaflet is available between 25th June and 6th August 2019 as follows:

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The change of use of industrial land to car sales, including landscaping and provision of portakabin buildings ancillary to car sales; closure of an existing highway and change of use for car sales, including remodelling of topography and landscaping; and the provision of covered walkways and modified building access ancillary to existing car sales use at Ron Skinner & Sons Car Sales, adjacent highway and former Unit 6A Tafarnaubach Industrial Estate, Tredegar, Blaenau Gwent.

The development has been authorised in accordance with the planning permission granted by Blaenau Gwent County Borough Council on 4 December 2017 under Part 3 of the Act under reference number C/2017/0248.

(3301202)

ALTERNATIVE USE BOSTON PROJECTS LTD
SECTION 48, PLANNING ACT 2008
REGULATION 4 INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009
BOSTON ALTERNATIVE ENERGY FACILITY
NOTICE PUBLICISING A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER

Notice is hereby given that Alternative Use Boston Projects Ltd (the 'Applicant') of 26 Church Street, Bishop's Stortford, Hertfordshire, England, CM23 2LY (Company number 11013830), intends to make an application (the 'Proposed Application') to the Secretary of State 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').

The Proposed Development would comprise:

- A gasification facility comprising three gasification units and steam turbine generators to generate up to 102 MW (gross) of energy;
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- Conveyors to transfer RDF bales and processed material;
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- A carbon capture facility, allowing a proportion of the carbon dioxide (CO_2) from one of the three gasification units to be captured and converted to high grade CO_2 for off-site industrial use;
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	Friday	9.00am – 5.00pm
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	Sunday	Closed
Kirton Library Wash Road Kirton Boston PE20 1AN	Monday	Closed
	Tuesday	10.00am – 1.00pm
	Wednesday	Closed
	Thursday	2.00pm – 4.00pm
	Friday	Closed
	Saturday	10.00am – 12.00pm
Kirton Town Hall 19 Station Road Kirton, Boston PE20 1LD	Sunday	Closed
	Monday	1.00pm – 9.00pm
	Tuesday	6.00pm – 8.00pm
	Wednesday	6.00pm – 9.00pm
	Thursday	7.00pm – 10.00pm
	Friday	9.00am – 11.00am
	Saturday - Sunday	Closed

The consultation documents will also be available to view free of charge at public exhibitions, which will be held by the Applicant between 27th June and 6th July. Members of the project team will be available at each event to answer questions about the Proposed Development and the consultation. The exhibition events are taking place at the following locations and times:

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Phone: 01733 207330

(3301194)

Roads & highways

ROAD RESTRICTIONS

CITY OF WOLVERHAMPTON COUNCIL
WOLVERHAMPTON CITY COUNCIL
HIGHWAYS ACT 1980 – SECTION 116
STOPPING UP OF SUBWAY,
CRADDOCK STREET, WOLVERHAMPTON

NOTICE IS HEREBY GIVEN that the Wolverhampton City Council intends to apply to the Black Country Magistrates Court sitting at the Law Courts, North Street, Wolverhampton, at 10:00am on 18 July 2019 for an Order under Section 116 of the Highways Act 1980 authorising the stopping up of the subway at Craddock Street, Wolverhampton comprising an area of 43 square metres.

A plan showing the effect of the Order to be applied for may be inspected free of charge during normal office hours at the front Reception Desk situated on the Ground Floor, Civic Centre, St Peter's Square, Wolverhampton.

Dated 12 June 2019

Tracey Christie
Head of Legal Services
Civic Centre,
St Peter's Square,
Wolverhampton WV1 1RG

(3301200)

LONDON BOROUGH OF HILLINGDON
THE HILLINGDON (WAITING AND LOADING RESTRICTION) (CONSOLIDATION) ORDER 1994 (AMENDMENT) ORDER 2019
THE HILLINGDON (ON STREET PARKING PLACES) (SOUTH RUISLIP) (RESIDENTS) ZONES SR & SR2 ORDER 2019
THE HILLINGDON (HILLINGDON HILL STOP AND SHOP SCHEME) (ON STREET PARKING PLACES) ORDER 2019

Hillingdon Council gives notice that it proposes to make these Orders which will:

1. Install 'at any time' waiting restrictions is sections of roads as set out in the schedule to this notice below.
2. Change the no return time for the pay & display parking bays near Manor Parade, Hillingdon Hill to be no return within six hours.
3. Install 'Monday to Friday 9.30am to 10.30am and 3.30pm to 4.30pm' waiting restrictions opposite Nos. 21 to 27 Melville Close, Ickenham.
4. Extend the existing 'Monday to Friday 9.30am to 10.30am and 3.30pm to 4.30pm' waiting restrictions outside No. 176 Aylsham Drive, Ickenham by 7.7 metres.
5. Remove the 'at any time' waiting restrictions in the following section of Watersplash Lane, Hayes - between a point in line with northern flank wall of No. 5 Watersplash Lane southwards to a point in line with the southern flank wall of No. 1 Watersplash Lane.
6. Remove 3.5 metres of 'at any time' waiting restrictions outside No. 34a Leybourne Road, Hillingdon.
7. Remove the previously proposed Zone SR permit holder parking place outside Nos. 54 & 56 Masson Avenue, replace with double yellow lines extending across the access leading to the park and school.

Copies of the notice of proposals, proposed Orders together with full details, plans and the Council's statement of reasons for the proposals can be seen at Botwell Green, Charville, Eastcote, Ickenham, Harlington, Hayes End, Manor Farm, Northwood Hills, Oak Farm, Ruislip Manor, South Ruislip, Uxbridge and Yeading libraries and by appointment at, Civic Centre, Uxbridge during normal office hours until 3rd July 2019 Further information can be obtained by telephoning Residents Services on 01895 250631. If you wish to comment on, or object to the proposals please write by 3rd July 2019, stating grounds for objection and your home address to Transport & Projects, Residents Services, Civic Centre, Uxbridge, Middlesex UB8 1UW quoting reference 3N/04/12/06/19.

Dated this the 12th day of June 2019.

JEAN PALMER,
Deputy Chief Executive & Corporate Director of Residents Services.

SCHEDULE - PROPOSED 'AT ANY TIME' WAITING RESTRICTIONS

HILLSIDE ROAD, NORTHWOOD - Both sides of the road outside Nos. 28 to 36 and Nos. 37 to 47 Hillside Road.

GLEDWOOD CRESCENT, HAYES - On the inside of the corner outside No. 7 Gledwood Crescent, opposite the junction with Marshall Drive.

CHESIL WAY, HAYES - Behind Nos. 240 to 260 Kingshill Avenue, extending around the turning area and continuing to a point outside Nos. 26 & 32 Chesil Way.

BOURNE AVENUE, HAYES (the rear access road behind Gloucester Parade)

i) North side, from the western kerb line of Carnarvon Drive westwards to a point 3.6 metres south of the northern Flank Wall of No 15 Tenby House, Bourne Avenue.

ii) South side, from the western kerb line of Carnarvon Drive westwards to a point opposite a point in line with the eastern flank wall of No 1 Gloucester Parade Bourne Avenue.

PRINCES PARK LANE, HAYES - At the junction with Princes Park Close.

PRINCES PARK CLOSE, HAYES - At the junction with Princes Park Lane.

ALPHA ROAD, HILLINGDON - At the junction with Sheridan Close.

SHERIDAN CLOSE, HILLINGDON - At the junction with Alpha Road.

HITHERBROOM ROAD, HAYES - Extend the existing double yellow lines outside No. 50 Hitherbroom Road by 7.3 metres.

DAWLEY AVENUE, HILLINGDON - At the junction with Cromer Close.

CROMER CLOSE, HILLINGDON - At the junction with Dawley Avenue.

CHERRY GROVE, HILLINGDON

i) Extend the existing double yellow lines adjacent to Nos. 114 and 144a West Drayton Road by 6 metres.

ii) Extend the existing double yellow lines adjacent to No. 112 West Drayton Road by 9.1 metres.

REPORT

Boston Alternative Energy Facility - Appendix 5.8

Appendix 5.8 Letter sent at Phase Three to local political representatives and local groups and list of organisations it was sent to

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-3005.8
Status:	Final/0.0
Date:	23 March 2021

baef
Boston Alternative Energy Facility

Royal HaskoningDHV
Enhancing Society Together

Appendix 5.8 Letter sent at Phase Three to local political representatives and local groups and list of organisations it was sent to

This appendix contains a copy of the letter sent to local political representatives and local groups and a full list of representatives who were sent letters.

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31st May 2019

Dear ,

Update on Boston Alternative Energy Facility

We've previously written to you regarding Phase One and Two consultations of the proposals for Boston Alternative Energy Facility, a state-of-the-art power-generation plant that will lead the way in land-based renewable power across the UK. We are now writing to you to invite you to participate in Phase Three.

The second phase of consultation ended on 25 March 2019, with feedback again largely positive and supportive of the proposals. I have attached a copy of our Phase Two feedback summary, which provides further details of the responses received. This information is also available on the project website www.bostonaef.co.uk.

We remain committed to open and honest two-way engagement and are about to commence Phase Three of the consultation. The purpose of this is to consult on the Preliminary Environmental Information Report (PEIR).

The PEIR provides details of the environmental assessments that have been undertaken to establish potential impacts of the Facility and proposes mitigation measures suggested to reduce any significant impacts. It will be available to view at the project website www.bostonaef.co.uk from Monday 17 June and the below locations from Tuesday 25 June to Tuesday 6 August.

Venue	**Opening Hours**	
Boston Borough Council, Municipal Buildings, West Street, Boston, PE21 8QR	Mon - Thurs Friday	8.45am – 5.15pm 8.45am – 4.45pm
Boston Library, County Hall, Boston, PE21 6DY	Mon - Wed Thursday Friday Saturday	9.00am – 5.00pm 9.00am – 6.00pm 9.00am – 5.00pm 9.00am – 4.00pm
Kirton Library, Wash Road, Kirton, Boston, PE20 1AN	Tuesday Thursday Saturday	10.00am – 1.00pm 2.00pm – 4.00pm 10.00am – 12.00pm
Kirton Town Hall, 19 Station Road, Kirton, Boston, PE20 1LD	Monday Tuesday Wednesday	9.00am – 9.00pm 1.30pm – 3.30pm 9.00am – 11.00am 2.00pm – 4.00pm

As part of this consultation process, we would like to invite you to attend a round table briefing at Morgan House, Gilbert Drive, Boston, PE21 7TQ at either 1pm or 3pm on Wednesday 19th June 2019. The meetings are an opportunity for us to introduce the PEIR to you in advance of the public consultation (details below). We will also answer your questions and listen to your feedback.

If you'd like to take us up on our offer, please call 01733 207330 or email consultation@bostonaef.co.uk to confirm your acceptance and preferred timeslot.

We are also holding a series of Public Information Days, open to all the community, giving everyone the opportunity to find out more about our proposals, offer feedback and help shape our plans. You're very welcome to come and talk to us during these events if you're unable to make the round table briefing. The Public Information Days will have information on the following:

- Preliminary Environmental Information Report
- Mitigation measures
- Traffic management and access
- Project time scales; and
- How to keep up to date about the project

Details of these events are below:

Venue	**Date**	**Time**
Fishtoft Pavilion, Playing Fields, Church Green Road, Fishtoft, PE21 0RP	Thursday 27 June 2019	3.00pm – 7.00pm
Frampton Church House Village Hall 140 Middlegate Road, Frampton, PE20 1AW	Friday 28 June 2019	3.00pm – 7.00pm
St Thomas' Church London Road, Boston, PE21 7EJ	Saturday 29 June 2019	12.00 noon – 4.00pm
Ridlington Centre Sibsey Lane, Boston, PE21 6HB	Thursday 4 July 2019	3.00pm – 7.00pm
Wyberton Parish Hall London Road, Boston, PE21 7DE	Friday 5 July 2019	1.00pm – 5.00pm
St Nicholas Community Centre Fishtoft Road, Boston, PE21 0AA	Saturday 6 July 2019	12.00 noon – 4.00pm

Yours sincerely

Bethan Griffiths

On behalf of Boston Alternative Energy Facility

List of local political representatives and local groups Phase Three letter sent to

Organisation	Role/ Ward
Boston Borough Council	Chief Executive
Boston Borough Council	Wyberton Ward
Boston Borough Council	Skirbeck Ward
Boston Borough Council	Old Leake & Wrangle Ward
Boston Borough Council	St Thomas' Ward
Boston Borough Council	Wyberton Ward
Boston Borough Council	Coastal Ward
Boston Borough Council	Fenside Ward
Boston Borough Council	Kirton and Frampton Ward
Boston Borough Council	Five Villages Ward; Leader of the Council
Boston Borough Council	Swineshead & Holland Fen Ward
Boston Borough Council	Fenside Ward
Boston Borough Council	Skirbeck Ward
Boston Borough Council	Witham Ward
Boston Borough Council	Staniland Ward
Boston Borough Council	Station Ward
Boston Borough Council	Trinity Ward; Portfolio holder for housing and communities
Boston Borough Council	Witham Ward
Boston Borough Council	Fishtoft Ward
Boston Borough Council	Old Leake & Wrangle Ward
Boston Borough Council	Staniland Ward
Boston Borough Council	Swineshead & Holland Fen Ward; Portfolio holder for town centre
Boston Borough Council	Fishtoft Ward; Portfolio holder for regulatory services
Boston Borough Council	Fishtoft Ward
Boston Borough Council	Five Villages Ward; Portfolio holder for finance
Boston Borough Council	Trinity Ward; Portfolio holder for environment

List of local political representatives and local groups Phase Three letter sent to

Boston Borough Council	Kirton and Frampton Ward
Boston Borough Council	Coastal Ward
Boston Borough Council	Kirton and Frampton Ward; Deputy Leader of the Council; Portfolio holder for tourism, arts, culture and heritage
Boston Borough Council	Skirbeck Ward
Boston Borough Council	West Ward
Lincolnshire County Council	Head of Paid Services
Lincolnshire County Council	Leader of the Council; Exec. Councillor for Resources and Communications
Lincolnshire County Council	Deputy Leader of the Council; Exec. Councillor for Adult Care, Health and Children's Services
Lincolnshire County Council	Exec. Councillor for Economy and Place
Lincolnshire County Council	Exec. Councillor for Highways, Transport and IT
Lincolnshire County Council	Exec. Councillor for Commercial and Environmental Management
Lincolnshire County Council	Exec. Councillor for NHS Liaison and Community Engagement
Lincolnshire County Council	Exec. Councillor for Community Safety and People Management
Lincolnshire County Council	Ward Councillor for Boston South
Lincolnshire County Council	Ward Councillor for Boston Coastal
Lincolnshire County Council	Ward Councillor for Skirbeck
Lincolnshire County Council	Ward Councillor for Boston West
Lincolnshire County Council	Ward Councillor for Boston North
Lincolnshire County Council	Ward Councillor for Boston Rural
Lincolnshire County Council	Ward Councillor for Holbeach Rural
Lincolnshire County Council	Ward Councillor for Holbeach
Lincolnshire County Council	49 further councillors
Wyberton Parish Council	Clerk

List of local political representatives and local groups Phase Three letter sent to

Fishtoft Parish Council	Clerk
Freiston Parish Council and Butterwick Parish Council	Clerk
Holbeach Parish Council	Clerk
Frampton Parish Council	Clerk
Kirton Parish Council	Clerk
Butterwick Parish Council	Clerk
Algarkirk Parish Council	Clerk
Amber Hill Parish Council	Clerk
Benington Parish Council	Clerk
Bicker Parish Council	Clerk
Fosdyke Parish Council	Clerk
Holland Fen with Brothertoft Parish Council	Clerk
Leverton Parish Council	Clerk
Old Leake Parish Council	Clerk
Sutterton Parish Council	Clerk
Swineshead Parish Council	Clerk
Wigtoft Parish Council	Clerk
Wrangle Parish Council	Clerk
Lincolnshire Waste Partnership	
Parliament	MP for Boston and Skegness
Parliament	MP for South Holland and the Deepings
The Fishermen's Mission	Boston Officer
The Fishermen's Mission	Grimsby Superintendent
Angling Trust	Communications Manager
Institute of Fisheries Managments	President
Boston and District Angling Association	
Boston and Fosdyke Fishing Society	Representative
NFFO	General Manager
NFU	

List of local political representatives and local groups Phase Three letter sent to

CLA East	
Small Farmers Association	
Tenant Farmers Association	
Lincolnshire Rural Support Network	
Black Sluice Internal Drainage Board	Chief Executive
Witham Fourth District Internal Drainage Board	Chief Executive
Greater Lincolnshire LEP	Chair of Greater Lincolnshire Enterprise Partnership
Greater Lincolnshire LEP	LEP Director
Lincolnshire Chamber of Commerce	Chief Exec Lincolnshire Chamber of Commerce
Lincolnshire Wolds	Lincolnshire Wolds Countryside Service Manager

REPORT

Boston Alternative Energy Facility - Appendix 5.9

Appendix 5.9 Minutes from Phase Three meetings with local authorities

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-3005.9
Status:	Final/0.0
Date:	23 March 2021

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Royal HaskoningDHV
Enhancing Society Together

Appendix 5.9 Minutes from Phase Three meetings with local authorities

This appendix contains the minutes from meetings held with local authorities during Phase Three.

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Boston Borough Council meeting 3pm 19/06/19

Richard Austin - Wyberton Ward
Alison Austin - St Thomas' Ward
Peter Watson - Kirton and Frampton Ward
Peter Bedford - Coastal Ward

Gary Bower - RHDHV
Helen Scarr - Athene Communications

GB - the PEIR has now been published and is on the website.
AA - I looked at the NTS on the PINS website.

RA - does the PEIR put the emissions in a layman friendly way?
GB - not at the moment. The NTS is quite long as it is summarising such a lot of information. We take your feedback on board that we need to produce materials the local people can find.
AA - the consultation days should help the local people.

RA - can you take the materials that are being sent to Malaysia?
GB - no, our facility is specifically taking household waste. That material can't be recycled due to the way it has been manufactured. We aren't limited by volume we can take, it is how much energy we can put into the National Grid at this point.
RA - could you negotiate an increase?
GB - potentially in the future.

PW - were you planning to have an event in Kirton?
HS - we are having one in Frampton, Kirton will not really be affected but Frampton will be visually.
PW - fair enough.

GB presented his PP on the facility.

RA - does the crown have jurisdiction even over The Haven?
GB - yes, up to the high water point.

AA - the map in the NTS doesn't show Bittern Way connecting to Nursery Way.
GB - we are using Ordnance Survey maps, which are out of date.

GB - one of the emissions trigger points has been met in our assessments - we need to do more work to look into how we can address this.

PW - are the bale storage times affected by temperature?
GB - yes, we will adjust this based on the temperature.
PW - you could spray it with water too.
GB - we may do.
PW - would the bales expand if they get hot?
GB - there will be gaps in the materials which will allow expansion.
AA - will they be in black wrapping?
GB - most likely white or blue - we will consider this.
PW - do you liaise with the local fire service?

GB - we will have a fire plan and will agree this with the fire authority - we have already met with them. The biggest fire risk is in the silos when the material has been shredded. We have a plan in place for these. We have a fire advisor on our project team.
RA - Fishtoft are very sensitive to smell. You need to be careful when loading/unloading.
GB - we have plans in place to control odour eg. Not going to unload any damaged bales in case of odour and pollution.

RA - in the silos your material won't flow freely - how do you get this to happen?
GB - we have a screw inside which feeds the material in and allows it to flow through, so there is no build up of moisture. It is constantly flowing.

AA - why are you only capturing carbon from one unit?
GB - the developer only has an intended market for one at the moment. We could expand this in the future. We don't have to capture any carbon as we are below the threshold.
AA - how is it taken offsite?
GB - by tanker - there will be 6 tankers a day. We are looking at local opportunities for the carbon dioxide.

AA - metal recycling off site - does this mean just outside the red line boundary?
GB - yes.

PW - what sort of aggregate is it?
GB - lightweight, 0.75 density. You can use it in road manufacturing or building.

AA - you can't read the site diagram on the online NTS.
GB - this is because it has to be a stand-alone document.

AA - how long does it take to unload one vessel?
GB - 6-8 hours. I can't remember the exact durations. They must arrive on one tide, then leave on the next high tide.

AA - how do they get taken into the facility?
GB - they'll taken out by a crane and onto a trailer which takes them to the storage area. Trailers will take 100 tonnes each.

PW - what is the height of the cranes?
GB - they aren't currently modelled in the PEIR, they won't be any taller than our largest building though.
PW - so the cranes don't have a huge visual impact then.
GB - the cranes will be on caterpillar tracks so we have a bit more freedom.

RA - are the fisherman happy now?
GB - we are engaging with them regularly which they are pleased about. They didn't want to be lumped in with the Port so we are liaising with them individually.

RA - what is happening to the footpath?
GB - I will show you the proposed new route which follows an existing path.
RA - does the scheme impact the Haven countryside park in any way?
GB - there will be an impact from emissions which needs to be mitigated. Our models show an absolute worst case impact - to the closest point of the park.
RA - footfall to the park might increase so people can come and see the construction.

GB - we are also putting a visitor centre in the facility.

PW - where will the vessels turn around?
GB - either in the knuckle point or the port itself.
RA - we need to ensure the vessels don't try to turn in The Haven and get stuck as has historically happens.
PW - do the vessels need to be piloted?
GB - yes they do. All vessels will be piloted up the Haven.

GB explained the relocation of the footpath along Roman Bank and how that has been agreed.

GB - the air condensed cooler is the noisiest thing on site as it contains fans.
PW - the water inside can't cause legionalla, for example?
GB - no, it's a closed system. We are aware of the bungalows nearby which could be affected. This is the only noise issue related to the site we have identified.
RA - the wind usually blows away from Heron Way.
GB - we can't use the wind in our assessments, we have to assume worst case scenario.

RA - did you assess Boston 1's noise?
GB - we have used some proposed figures but we have used a baseline of no noise because we are doing worst case scenario.

PW - how do you control the ash from the aggregate plant?
GB - the ash goes through a pipe and is blown to the plant. It is never outside.

RA - do you need lights on the stacks?
GB - we aren't above the aviation threshold but we probably will anyway.

RA - Boston Heritage Forum is holding a heritage event in September which is looking for sponsorship.
GB - I have passed this on to the client to consider.

AA - will piling take 24 months? Concerned about the vibration impact of piling.
GB - we aren't close to residential areas. The construction of the silos will take 10 weeks and that will need piling down to about 20m.

AA - traffic movements in construction seem high.
GB - the construction of the silos means a lot of vehicle movements due to the volume of concrete required.
AA - and they will be coming down the A16?
GB - yes and we have assessed this on the worst case, a significant impact in a small period of time.
RA - it's about 5000 lorry movements. They don't want to be held up in a traffic jam.
GB - we haven't modelled it, but we may create a concrete batching plant on the site which mitigates this problem.
AA - the peak time for getting into the industrial estate is 7.30am.
GB - our transport assessments take this into account.
AA - they can't use the A52 because people will cut through the rural areas which is not safe.
GB - there will be a construction traffic management plan which will govern which routes can be used.

Boston Borough Council stakeholder meeting 1pm 19/06/19

Yvonne Stevens - Trinity Ward; Portfolio holder for environment (newly elected)
Clive Gibbon - Economic Development Manager
Christian Allen - Head of Environmental Operations
Peter Udy - Ex-Forward Planning Officer
Gary Bower (RHDHV)
Helen Scarr (Athene)

GB presented his PP on the site.

YS - can you take plastic that is currently going to Malaysia?
GB - no, we are taking household waste only.

GB - the minerals and waste plan and the new local plan don't align on the land use of the site.
CA - is there any issue with the conflict between the local plan and waste and minerals plan?
PU - it's not in the plan because it wasn't thought we needed all of it for employment land. It's not quite the same allocation but it's near.

YS - what comes out the chimney is clear, is it?
GB - we have to stay within government levels. Our levels will be within the guidelines.
YS - birds won't sit on the top and drop dead?
GB - what comes out will not harm people or the environment. No one can say there are no emissions but they will be at a level which is safe.
CA - that's regulated by the Environment Agency?
GB - yes, they regulate the environmental permit for the Facility (separate to the DCO)
YS - are the emissions smelly?
GB - no, there won't be an odour from the stack. Odour is more likely to come from waste and we have measures in place to prevent this from happening during transport and storage.
YS - the old landfill site didn't cause too many problems - and this should be better than that.
GB - no it shouldn't, and the prevailing wind is going in the same direction towards Skirbeck.
PU - this will need a habitats regulation assessment as well due to its proximity to the Wash which is highly protected.
GB - this will look at species and ship movements and whether anything will have a detrimental effect. There are a large amount of vessels in the Wash (22,000 per year) so our cumulative impact won't be great there. It will be greater with movements on The Haven, however. We will double the number of commercial boats on The Haven with our Facility.
GB - we also look at the sediment profile of the impact of our site.
CA - do you also look at the emissions from the boats themselves?
GB - yes all of this is cumulatively assessed.
CA - is it based on the exact ships you will be using?
GB - we use models. There are two different types of ship which will come in. Everything is done on a 'worst case' basis.

CG - I am excited about the idea of the carbon capture from an economic point of view, as well as the aggregate.

YS - why can't we use the aggregate in Boston? Could we produce something to stop it being taken away?

GB - you can, although it is market driven. The aggregate doesn't have to put onto a ship, it's a marketable product. If there is a need in Boston it can be used in Boston.
CA - does the aggregate plant create any emissions?
GB - it is under the same restrictions as the gasification facility. It will be continually monitored under operation.
PU - is the air cooling system like the first Spalding power plant?
GB - yes, it is similar.

YS - what about the dredging of the wharf, as the mud will come back?
GB - we will use some of the mud in building the facility. We also do maintenance dredges every year and use the material within the Facility. Port of Boston don't dredge this area currently as the power of the river clears the sediment. We are using something which otherwise would have been deposited offshore in the Wash.

CG - do you have any plans for a haul road?
GB - there are no plans for new roads, we will use existing roads.
CA - I think we were thinking of the pressure on certain roads.
GB - the transport chapter looks at 16 links - where the key constraints are. We have modelled our impacts on all of these.

YS - was Boston your first choice for this Facility?
GB - this site was selected because it had the allocation in the plan, onsite grid connection and navigable river. The developer has also been involved previously with Boston 1.

CA - the traffic assessments have been undertaken - so is there going to be any impact by the site?
GB - construction will have an impact as we are bringing everything in by road. One two-week period of the construction will have an impact on the road network, when we are making the silos. Over the whole period it is non-significant but this period will be.

YS - can't you cut through by Costa? Put a road in? You should consider this.
GB - this will be looked at when we agree the statements of common ground with you. This may lead to us having to amend the road. We also haven't assessed the impact on this proposed road.
YS - I think this should be seriously looked at.
GB - you need to formally raise this with us. A voice of BBC needs to recommend that we build a link road. We would then look at this in terms of merits of the scheme.
CA - if we raise it formally you are obliged to consider it?
GB - yes, we will be.

YS - your concrete may set because of the congestion in Boston.
GB - we have considered this with our concrete supplier. We are looking at putting a concrete plant in the Facility which takes away the risk and reduces lorry movements by a fifth. Our models don't represent this, they represent the worst case. A concrete plant would be one way we mitigate traffic impacts.

YS - will the facility have an impact on Boston 1? Particularly their chimney?
GB - we have to factor them in to our plans and look at the cumulative impact with our emissions and theirs.

CA - what's the potential for linking up the facility with the waste transfer station - local waste?
GB - the developer wants it to happen, and you want it. We need to follow procurement rules to make this happen. The waste needs to be baled etc. Someone already has the contract for the

waste. This would come by road, but it's better than taking it to North Hykeham. We haven't included this in our current traffic assessments, however. Because it's not going to definitely take place, we don't know how many vehicle movements it would reduce from North Hykeham.
PU - could you have a conveyor belt to take the material to the site?
GB - maybe, or an electric trailer. Even if it is driven, it's still beneficial compared to journeys to North Hykeham.

CA - we have modelled the future EfW versus the amount of waste Lincolnshire is producing - we can share this data with you.

CG - we are interested in tangible benefits and added value e.g. Diversifying our business base. We are interested in the CO2 extraction and heat extraction. How can we work with you to use these benefits to gain investment/attract businesses? How far can the heat travel before it's of no use?
GB - at the moment the Facility is using its own heat. Our modelling is currently around this. We could use the heat offsite, it's something we need to look into.
CG - the key interest is in the CO2 - we didn't have enough last year.
GB - at the end of the examination phase we will have determined exactly what the project will be. This is when we need to ensure that everything has been considered/requirements met. Latter part of 2020 would be when we need to make plans for the heat/CO2 business.
GB - it will produce 120 tonnes of CO2 a day.

CA - if you take our waste and recycle the parts that can't be used in the facility, we need to make sure the recycled materials go into our figures if possible.

REPORT

Boston Alternative Energy Facility - Appendix 5.10

Appendix 5.10 Minutes from Phase Three meetings with key stakeholders, community groups and community 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-3005.10
Status:	Final/0.0
Date:	23 March 2021

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Boston Alternative Energy Facility

Royal HaskoningDHV
Enhancing Society Together

Appendix 5.10 Minutes from Phase Three meetings with key stakeholders, community groups and community consultees

This appendix contains minutes from meetings held with key stakeholders, community groups and community consultees during Phase Three.

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2019 06 19 Meeting with RSPB Frampton

John Badley - RSPB Frampton

Chris Adnitt - RHDHV
Gary Bower - RHDHV
Helen Scarr - Athene Communications

JB - RSPB has topsoil to get rid of to create pools for wildlife. In talks with Boston Barrier to sell the soil to them to use on banks. Soil testing taking place. Potential partnership - Frampton is the biggest tourist attraction in the area.

JB - Boston wharf: thin strip of salt marsh and mud flats lost. Birds use higher part of the estuary when they need shelter/in bad weather. We do boat trips into town sandpipers, red shanks, oyster catchers seen upriver. Godwits & ruff.

CA - have any surveys been done upriver in our site?
JB - not really. We do the boat trips. No one has done a count/survey there.
CA - we are using the Boston Barrier figures.
JB - migration and extreme weather are the two times when birds come up the river.

GB - we can come back and speak to you regarding section 106 next year, if there is any grounds for compensation and whether there is anything we can do for the local area.
JB - what is the impact of your ships on the whole wash and river.
GB - we have done an HRA assessment.
CA - we have looked at relative numbers of shipping. The Boston area has lower number of movements than Kings Lynn, for example.
GB - we are doubling the physical number of commercial ships going up The Haven.
JB - you can see the shops from Frampton as the river is higher than where we are. We don't have much disturbance other than the wake sometimes pushes waders off. Concerned about erosion of the river.
GB - we take all this into account in our surveys. We are doing a more detailed assessment of air quality.
CA - do you see any seals?
JB - not up here.
CA - is the wake the only impact?
JB - I can't say that it necessarily is causing an impact.
GB - the river is quite controlled with a speed limit.
JB - not sure if people obey that!

Note - Phil Pearson, the RSPB conservation office, will examine plans.

Meeting with Lincs Wildlife Trust
Tuesday 25 June 2019
2pm

Present
Amanda Jenkins, Wildlife Trust
Gary Bower, RHDHV
Kelly Linay, Athene

AJ

- Seen the site from Havenside Country Park
- What does 1.3m mean in shipping terms – 520 ships
- How big are the vessels – they can carry 2,500 tonnes
- Asked what Boston 1 is – referring to the photo on the front of the brochure
- Asked for Slippery Gowt to be pointed out on the map
- Where will the waste come from
- Does the 200,000 tonnes leave by road
- How many vehicle movements
- What about the ash
- Is there any pipeline
- How long is the berth
- You are losing the saltmarsh and mudflat – yes a little bit
- Will there be some form of mitigation – yes there will
- Do you tap into the pylons
- Its going to have quite an impact on the landscape – yes it will, it's blocky
- Is there public access there – yes we're going to close the footpath. There is another footpath
- The ditches in the fens have some critically endangered species that often get overlooked - do the ditches run – they do a little bit of surface water
- Unlikely that we will ever object to this but ask that net gain is considered – can we improve it for wildlife near the visitor centre e.g. log piles or the way you put fencing in – we may not be able to manage this onsite but we can consider off site
- It would be nice to get together with NE and RSPB and respond collectively
- There will be removal of vegetation so I assume this will be mitigated
- Have you done tests on the sediment – no we are using the barriers data
- Local BAP species, has that been included – Boston Horsetail – we've consulted the records – ask that question – sea aster mining bee
- Would be good to allow species through the fence
- Net gain – something that we will be identifying in this phase of the development assessment – we need to identify what is appropriate – TWT will be looking for net gain – e.g. green rooves, photovoltaic on rooves
- Offsite – what you sow at the edge of paths
- Are we doing anything at Havenside Country Park – S106 possibly
- People and wildlife benefit is important
- Has council had any conversation about Havenside – No they've not explicitly mentioned this to us
- Do you consider the national character – yes in heritage assessment and also in landscape and visual
- Would be good to see some interpretation boards in the visitor centre on what's around the side

GB

- Advised about the project team and that it is a DCO application due to the size of the scheme and the SoS will determine the outcome
- Our role is to produce the DCO application
- Explained about the site and how we take black bin bag waste
- Brought to site by ship – Scotland, probably Grimsby and possibly Tilbury
- Provided by a supplier
- Around 1.3 million tonnes per year
- Diverting from landfill or from going abroad – planning on bringing it here and using a process called gasification – different to incineration
- Doubling shipping on the Haven
- 22,000 vessel movements on the wash, mainly going to Kings Lynn or Wisbech
- We need to build a wharf that will have a storage facility behind it
- Boston 1 is built but not yet commissioned – owned by Aviva – consented in 2009 – developer is our developer but he sold it in 2012 – it is a completely separate operation that uses wood – supplied by Mick George
- All land is owned by one company – Alchemy Farms
- We are working around the island in the middle
- The road that runs alongside the site is private
- Allocated in the Lincs waste plan for industrial development
- All areas in pink are employment land in the local plan, yellow is countryside – landfill is in countryside and current facility is in countryside
- There is going to be a housing development within the pink area
- About 3.5km from the SPA, SSSA
- Explained the process – no bale will be loaded onto the ship that is damaged, if its damaged during transit it won't be off-loaded. Each bale will be labelled
- Waste will come from anywhere in the UK – none will come from abroad
- Bales stored for a maximum of five days
- We will recycle up to 20% of the material, over 200,000 tonnes will be recycled. This will leave by road but travel less than a mile – it doesn't leave the industrial estate
- It will be shredded to smaller than credit card size
- Shredded wasted put into 800 degrees but no oxygen so chemically converted into a gas
- Two solid wastes produced - ash is a solid residue produced by the process and APC residues (air pollution control residues)
- Ash will remain on site and be combined with clay which will come in by ship
- We're not discharging or extracting from the river
- About 110 ships for aggregate – 624 is the total number of ships
- Aggregate will be placed into the clay units once the clay has been removed and then shipped out
- 120 tonnes of co2 made a day
- Wharf is 400m with two berthing points
- We can only come in within a high tide window. We will go up to the port and turn around
- Flood defence will be integrated into the wharf
- We are tapping into one of them and will feed directly into the national grid
- Diverting the route into an existing footpath
- We will improve the passage through the footpath. It's currently overgrown and we will probably improve the pleasantness of the journey through the path. The footpath will cross through the site so will have to be monitored
- All grade 1 agricultural land as it is allocated for industrial development and it is not farmed
- We will do a topsoil scrape across the site so that will have to be moved and could be of benefit to somewhere else

25.06.2019 Meeting with Lincolnshire Wildlife Trust

- Our stack will be 70m high – Boston 1 had planning permission for 65m
- Noise is of concern – 2 receptors – residential properties
- There is not a lot of wildlife there – bat and vole survey happening today
- Not many tall trees for bats
- We need to be mindful of where we do the planting and would welcome advice on that
- Considerate contractor and construction
- There is a pond on site
- Laydown site may be redeveloped during operation – it could be anything – recommendations welcome of what it can be used for. Approx 1 hectare#
- The barrier will just be operational just before construction
- We've also done a mini HRA (habitats regulations assessment)
- Most sensitive marine feature likely to be fish, seals are used to seeing vessels in the wash – collision and noise perspective is not deemed to be significant on them
- Piling during construction which will impact fish
- Not yet completed the assessment of the construction noise so assessment on ornithological is yet to be completed – this will be completed in the next phase of assessment
- Submission end of October 2019
- 6th August to make comments on PEIR
- Construction will hopefully start early 2021 and will take four years to build
- The vast majority of people use the opposite side of the river

To action - Get copy of presentation from Gary for reference – Helen/Bethan can you request this

26/07/2019 Boston and Fosdyke Fishing Society workshop

Gary Bower, RHDHV

Helen Scarr, Athene Communications

F - fishermen

Awaiting list from BFFS on who their attendees were.

GB - explains navigation risk assessment process - we have to act on anything that is assessed as having a moderate or major impact.

Types of impact on navigation:

- Safety impact
- Operational impact
- Business impact

Construction phase/operational phase impacts.

Construction impacts

- Capital - dredging for the proposed wharf and berth.
  Excavator working from the land backwards. Majority of operation from land.
  F - Where is the dredged material going to go?
  GB - It will be kept on land, not put out to sea.
  GB - we have an option to move the wharf further north away from the narrowest part of the river.
  F - is it 24-hour operation?
  GB - that's to be decided. We will probably do it 7am-7pm.
  F - when will you know how much of it will be from land and from the river?
  GB - the edges with the mud flats will probably need approaching from the river.
  F - so that vessel might be in our way.
  GB - will dredging from land impact you?
  F - not really but the silt and mud released into the river from the dredging will have an impact. Where will the runoff come out at?
  GB - it will be localised and plume will disappear quickly. The deposition of silt will be about 5mm.
  F - you won't be able to keep the sediment out of the river and on land.
  F - do you have a contingency plan if the wall falls down when you're dredging?
  GB - we would have to use suction dredging to deal with that.
  F - the cockle bed at the mouth of the river would be affected by the 5mm of sediment/the poison in the mud that's been dredged killing the cockle bed. This would also impact the birds that feed on the cockles/shrimp beds.
  GB - this is 8km away. We've done work that says the sediment won't get that far from dredging.
  F - I've asked the council why these massive ships are coming up one of the smallest rivers in the UK.
  F - has anyone done an analysis of the mud to see what chemicals are in it?
  GB - yes this has been done and governs whether the mud can be taken out into the Wash.
  GB - we need to ensure the sediment dispersed by dredging is managed and does not get as far as the cockle bed. V high sensitivity and high magnitude - Major adverse impact.

Jim - we are interested in low water and the impact of a 15m wide ship.
F - the port entrance is being widened so there will be wider ships coming down due to that.
F - have you spoken to Natural England about the impact on wildlife?
GB - We are going through the same process with them as we will need to replace mud flats, perhaps at Frampton.
GB - we will need to dredge 1500 cubic metres of the channel we have estimated.
F - we need compensation if we are being financially impacted.

- <u>Installation of the proposed wharf structure.</u>
  GB - There will be piling when the wharf structure is created from land. Is there any impact on you when the wharf is being constructed?
  F - how deep are the piles going, what is there circumference?
  GB - there are 250-300 piles.
  F - when would they be going in? Which tide?
  GB - the answers to this will come out of the studies that are taking place now. It will only take place during the day.
  F - what about the shockwaves in the water and their impact on the fishermen?
  F - if it's on land it won't impact us.

- <u>Installation of scour protection underneath/adjacent to the proposed wharf?</u>
  GB - we don't foresee needing too much scour protection. However, we don't want any scouring to damage any boats coming up the river. It will be minimal and we will ensure it is not, for example, rocks which could cause damage.
  F - this will be done at low water won't it? (less traffic)
  GB - yes.
  F - will you use divers to install it? If so you will have to close the river.
  GB - the Port have said we cannot close the river at any point.

- <u>Presence of lighting for construction of the wharf and the main facility.</u>
  F - all the permanent lighting and construction lighting needs to be shielded.
  GB - the current power station at the Haven caused problems for you in terms of lighting so we need to ensure the same thing doesn't happen here.
  F - it's like going down in a road in a car and looking at full beam lights, you can't see anything to navigate. It's dangerous.
  GB - construction is between 7am-7pm.
  F - construction workers are going to put the lights wherever they want and need them. We need a way of communicating that the lighting is causing us a problem.
  Major adverse impact.

- <u>Delivery of construction material by ship.</u>
  GB - we are not planning on delivering much construction material by ship. It will come on normal construction ships.
  F - as long as we are made aware there won't be a large impact.

- <u>Cumulative impacts with the Boston Barrier project.</u>
  GB - the barrier is due to finish construction by December 2020. Our project should not be commencing construction until 2021. Is there is an overlap would it be a concern?
  F - if you're working off the land only doing your dredging at that time it won't have an impact.

- <u>Other risks?</u>
  F - pollution/things falling into the river.

Operational impacts

- Increased number of vessels.
  GB - 646 (11 a week) ships extra going up the river per year.
  F - is there a tidal aspect? What tides will they use?
  GB - we anticipate we can come up on all tides.
  F - you will have to dredge continuously to get them up there.
  F - will it be 11 a week or will numbers vary week to week?
  GB - we need a regular supply so it should be a regular number each week.
  F - what's the turnaround for the ships, one tide?
  GB - it needs one tide to unload and turn around.
  F - are you unloading and loading?
  GB - not on the same ships.
  GB - the key thing is that there is potential for you to be held up behind a ship related to the project (time, fatigue and lost earnings from extra fuel) and more chance of collision/safety concerns.
  F - also the cumulative impact with the larger boats already coming in once the port gate is widened. Is there a way of guaranteeing the boats arrive mainly on a Friday/Saturday/Sunday when the fishermen generally don't go out?
  F - delays will mean that we can't get out and we miss our slot and lose our day's work.
  Mitigation - relocation of fishermen?
  Major adverse impact

- Operation of the wharf and berthed vessels
  GB - when there are three ships there what will be the impact on you?
  F - we need to know the distances from the ships to the navigable river.
  F - are the vessels self-powered or towed?
  GB - self powered.
  Can't come to any conclusions at present without these figures.

- Use of the in-river turning circle
  F - delays are going to affect the fishermen's livelihoods.
  GB - pilots will be used to guide boats in and out of the channel.
  F - safety concerns regarding turning as well.
  GB - how can we mitigate turning 11 boats a week? There could be a way of making sure you go out first before we turn the boats?
  F - that won't work because we would end up working even longer days. The only answer is relocate. This is one of the biggest issues for us.
  F - how long does it take to swing a boat?
  GB - 20 mins.
  F - you will have 20 fishing boats waiting to go past, and they will be using fuel while waiting around. Safety impacts of lots of boats being kept together while waiting - higher chance of collision.
  F - the only way we can avoid all these impacts is to relocate down to the mouth of the river.
  GB - there is potential for the boats to turn in the wet dock but will this also have an impact on you?
  F - it costs more to go into the wet dock and turn and it takes longer. It won't happen.
  F - weather conditions e.g. Fog/high winds will make it even more dangerous.
  Moderate adverse

- Maintenance dredging at the proposed wharf
  Similar issues to the construction dredging and potential consequences. Toxic mud affecting cockles etc.
  Major adverse impact.

- Presence of lighting for the operation of the wharf and facility
  GB - there will be lighting all the time and operation at all times.
  F - will it be fixed lighting?
  GB - yes.
  F - so maybe we can ensure the lighting doesn't impact the fishermen too much.
  F - it won't cause an issue if the lighting is pointing down at activity. We will have to flag anything that is a problem.
  GB - we will share the design of the lighting for you to review and assess if you think there are any potential issues.

- Offloading/loading of material (release of material into the river)
  F - pollution or a bale falling into the river and obstructing navigation.
  GB - rubbish in the river moving down river towards the cockle beds etc. And causing an environmental impact.
  F - plastic wrapping around boat propeller causing damage to boats.
  Major adverse impact.

- Other risks
  F - what about flooding and if there's a tidal surge, polluted water has the potential to rejoin the water table?
  GB - we have a sealed drainage system and will take the water out.
  F - you won't be able to stop the sea coming in and going back. There is no way you can protect against this.
  GB - this is an emergency situation which we need to take provisions against in our flooding plans.

Action - GB to send the figures for the distance between the berthed vessels and the navigable river. Also send a list of who is building each different section of the Facility. Send chapters on sediment and marine assessments.

Action - Send minutes from meeting to Jim

12.07.2019 Meeting with members of the local community

Friday 12 July 2019

Meeting with Mr and Mrs

Mr

Mrs

Gary Bower

Helen Scarr

Alison Austin

GB – explained the NSIP/DCO process and that the final decision will be made by the Planning Inspectorate. But the local councils still have a say as do local residents.

MF – concerns that people didn't open the maildrop due to the branding/not personally addressed.

HS – we can't address the maildrop personally due to GDPR. We add a sentence to the envelope saying 'important information enclosed'.

REPORT

Boston Alternative Energy Facility - Appendix 5.11

Appendix 5.11 Phase Three email to subscribed 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-3005.11
Status:	Final/0.0
Date:	23 March 2021

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Appendix 5.11 Phase Three email to subscribed consultees

This appendix contains an email sent on 20 June 2019 to all consultees who had subscribed to receive project updates.

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From: consultation@bostonaef.co.uk
Bcc:

Subject: Phase Three Consultation commences for Boston Alternative Energy Facility
Date: 20 June 2019 13:46:18

Good afternoon,

We are writing to inform you of our Phase Three pre-application consultation for the proposed Boston Alternative Energy Facility, as you have registered to receive updates on the proposed project. The community consultation starts on Thursday 27 June 2019, when our Public Information Days commence, and ends at midnight on 6 August 2019. The Boston Alternative Energy Facility is being developed by Alternative Use Boston Projects Ltd.

Preliminary Environmental Information Report (PEIR)

The PEIR provides details of the environmental assessments that have been undertaken to establish potential impacts of the Facility and proposes mitigation measures suggested to reduce any significant impacts.

It is available to view at the project website at https://www.bostonaef.co.uk/consultation/preliminary-environmental-information-report/ and in hard copy at the below locations from Tuesday 25 June to Tuesday 6 August 2019.

Venue	**Opening Hours**	
Boston Borough Council, Municipal Buildings, West Street, Boston, PE21 8QR	Mon - Thurs Friday	8.45am – 5.15pm 8.45am – 4.45pm
Boston Library, County Hall, Boston, PE21 6DY	Mon - Wed Thursday Friday Saturday	9.00am – 5.00pm 9.00am – 6.00pm 9.00am – 5.00pm 9.00am – 4.00pm
Kirton Library, Wash Road, Kirton, Boston, PE20 1AN	Tuesday Thursday Saturday	10.00am – 1.00pm 2.00pm – 4.00pm 10.00am – 12.00pm
Kirton Town Hall, 19 Station Road, Kirton, Boston, PE20 1LD	Monday Tuesday Wednesday	9.00am – 9.00pm 1.30pm – 3.30pm 9.00am – 11.00am

		2.00pm – 4.00pm

Phase Three Consultation Public Information Days

Phase Three drop-in Public Information Days will be held at the following locations and times, where experts will be on hand to discuss the proposed project with you and answer any questions that you may have.

Venue	Date	Opening Times
Fishtoft Pavilion, Playing Fields, Church Green Road, Fishtoft, PE21 0RP	Thursday 27 June 2019	3.00pm – 7.00pm
Frampton Church House Village Hall 140 Middlegate Road, Frampton, PE20 1AW	Friday 28 June 2019	3.00pm – 7.00pm
St Thomas' Church London Road, Boston, PE21 7EJ	Saturday 29 June 2019	12.00pm – 4.00pm
Ridlington Centre Sibsey Lane, Boston, PE21 6HB	Thursday 4 July 2019	3.00pm – 7.00pm
Wyberton Parish Hall London Road, Boston, PE21 7DE	Friday 5 July 2019	1.00pm – 5.00pm
St Nicholas Community Centre Fishtoft Road, Boston, PE21 0AA	Saturday 6 July 2019	12.00pm – 4.00pm

Responding to the consultation

Consultation responses must be submitted by **midnight 6 August 2019**. We will consider relevant responses received when preparing the final Development Consent Order application for the proposed Boston Alternative Energy Facility. We plan to submit the application in Q4 of 2019.

You can respond in the following ways.

By post to:

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

By email to: consultation@bostonaef.co.uk

Via the project website contact form: www.bostonaef.co.uk

We look forward to hearing from you.

Yours faithfully,

Bethan Griffiths

On behalf of Alternative Use Boston Projects Ltd

REPORT

Boston Alternative Energy Facility - Appendix 5.12

Appendix 5.12 Phase Three media release and media coverage

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-3005.12
Status:	Final/0.0
Date:	23 March 2021

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Appendix 5.12 Phase Three media release and media coverage

This appendix contains copies of the media release sent to various media outlets and the subsequent coverage.

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Media Release

14 June 2019

Local people invited to third phase of consultation for proposed renewable energy plant in Boston

A third and final round of Public Information Days 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 third phase consultation will run from Tuesday 25th June until 6th August 2019.

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.

The first round of consultation events for the proposed Facility was held in September 2018 and the second round of events in February 2019. Following these consultation phases, feedback from the local community and stakeholders has been incorporated into the proposals and associated draft documents to be presented at Phase Three.

The third round of consultation will focus on the potential environmental impacts of the proposed Facility. It will provide further information on the proposals, including the Preliminary Environmental Information Report (PEIR) and the key findings of the Environmental Impact Assessment. Attendees will be asked to leave their feedback on the latest plans and will have the opportunity to talk to the project team.

The events will be held at following venues:

- **Thursday 27th June 2019, 3pm – 7pm:** Fishtoft Pavillion, Playing Fields, Church Green Road, Fishtoft PE21 0RP
- **Friday 28th June 2019, 3pm – 7pm:** Frampton Church House Village Hall, Middlegate Road, Frampton, Boston PE20 1AW
- **Saturday 29th June 2019, 12pm – 4pm:** St Thomas' Church Hall, London Road, Boston PE21 7EJ
- **Thursday 4th July 2019, 3pm – 7pm:** Ridlington Centre, Sibsey Lane, Boston PE21 6HB
- **Friday 5th July 2019, 1pm – 5pm:** Wyberton Parish Hall, London Road, Boston PE21 7DE
- **Saturday 6th July 2019, 12pm – 4pm:** St Nicholas Community Centre, Fishtoft Road, Boston PE21 0AA

The Facility will use gasification technology 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 Facility includes a purpose-built wharf with cranes for unloading and removing RDF from the ships, a storage area and a material processing facility, including storage silos. The Facility will also include a lightweight aggregate plant to process the residues from gasification into aggregate and the infrastructure required to recover carbon dioxide created by the process. A visitor centre will be provided to allow people to visit the Facility and find out about how it works.

Hard copies of the consultation material, including the Preliminary Environmental Information Report, will be available from 25th June 2019 until 6th August 2019 at the following locations:

Venue name and location	**Opening Times**	
Boston Borough Council Municipal Buildings West Street, Boston PE21 8QR	Monday - Thursday Friday Saturday Sunday	8.45am – 5.15pm 8.45am – 4.45pm Closed Closed
Boston Library County Hall Boston PE21 6DY	Monday - Wednesday Thursday Friday Saturday Sunday	9.00am – 5.00pm 9.00am – 6.00pm 9.00am – 5.00pm 9.00am – 4.00pm Closed
Kirton Library Wash Road Kirton Boston PE20 1AN	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	Closed 10.00am – 1.00pm Closed 2.00pm – 4.00pm Closed 10.00am – 12.00pm Closed
Kirton Town Hall 19 Station Road Kirton, Boston PE20 1LD	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	1.00pm – 9.00pm 6.00pm - 8.00pm 6.00pm - 9.00pm 7.00pm - 10.00pm 9.00am - 11.00am Closed Closed

Copies of these documents can also by viewed from 17th June 2019 on the project website at www.bostonaef.co.uk

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

“We would like to thank everyone who attended the first two rounds of Public Information Days in September 2018 and February 2019 and offered feedback on the proposed Facility. The feedback received from these events was largely positive and has helped to shape the proposals as they progress.

“During the third phase, we will be consulting with stakeholders and the local community on the environmental reports as well as providing a general update on the project.

“We encourage as many people as possible to engage with our Phase Three consultation by asking questions and providing feedback. Community views play an important part in shaping our proposals.”

All comments must be submitted before the consultation ends on 6th August 2019.

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)
Bethan Griffiths, Athene Communications (bethan@athene-communications.co.uk)

George Smith

Trust apology over asthma death of boy, 11

BY STANDARD REPORTER
news@bostonstandard.co.uk
Twitter: @StandardBoston

East Midlands Ambulance Service have offered their condolences to the family of an 11-year-old Lincolnshire boy after a coroner ruled he died from a survivable asthma attack.

An inquest heard George Smith was not "thoroughly assessed" and would have probably survived if he had been taken to hospital after the first 999 call from his parents.

A crew came to George's home in Stickney in October 2017 after an attack - but despite assessment, it was decided that he did not need to go to hospital.

Hours later, after they returned and decided to take him, he died.

Now the devastated family have spoken of their heartache - and the East Midlands Ambulance Trust has accepted that he would probably have lived if he had been taken to hospital.

Coroner Paul Smith gave a narrative conclusion that read: "George Robert Smith was known to suffer from brittle asthma. He suffered a severe asthma attack at his home address at around 11pm on October 22.

"An ambulance was called. He was not thoroughly assessed in accordance with policy and he was not taken to hospital.

"He suffered a further severe asthma attack and another ambulance was called. He was taken to Boston Pilgrim Hospital at 4.35am. Attempts to revive him stopped at 4.55am.

"On the balance of probabilities he would have survived if he was taken in the first ambulance."

In a statement released after the inquest Sue Cousland, EMAS General Manager for Lincolnshire, said: "I would like to offer my sincere condolences to George's family, all of whom will have faced a very difficult time.

"We undertook a detailed internal review after this incident to learn important lessons, and the lead clinician underwent a formal investigation as part of our disciplinary process.

"When a child dies, there is never enough we can do to prevent it from happening again, but what we have done is implement major changes to our frontline processes.

"We have introduced a paediatric early warning scoring system during assessment of patients aged under 18. This is similar to the system we use for adults and helps to identify seriously unwell children.

"We have also included this incident in all our mandatory training for frontline ambulance crews as an example of lessons that have been learned.

"We also have clinician to clinician support available via our Clinical Assessment Team to aid clinical decision making, including when a patient should be taken to hospital.

"All of this comes too late for George and his parents, and we deeply regret this."

Consultation on power plant in final stages

More information about the environmental impact of the planned Boston Alternative Energy Facility will be given to the public in a series of consultation events over the next few weeks.

The proposed power plant, which would use household waste to generate electricity, is set to create more than 300 jobs during its construction, with 80 full-time jobs once completed.

It would take up a large site alongside The Haven on the Riverside Industrial Estate, with the development including a wharf with cranes and berthing points to allow the waste to be brought in by river as well as the generation, storage and processing facilities needed.

The third round of consultations run from next Tuesday (June 25) until Tuesday August 6 – with the deadline for comments being midnight that day. It will include a significant focus on the potential environmental impacts.

Rachel Wild, spokesperson for the Boston Alternative Energy Facility, said: "During the third phase, we will be consulting with stakeholders and the local community on the environmental reports as well as providing a general update on the project.

The consultation events are: Thursday June 27, 3pm – 7pm: Fishtoft Pavillion, Fishtoft; Friday June 28, 3pm – 7pm: Frampton Church House Village Hall, Frampton; Saturday June 29, 12pm – 4pm: St Thomas' Church Hall, Boston; Thursday July 4, 3pm – 7pm: Ridlington Centre, Boston; Friday July 5, 1pm – 5pm: Wyberton Parish Hall; Saturday July 6, 12pm – 4pm: St Nicholas Community Centre, Boston

The material can be viewed at www.bostonaef.co.uk

PEDESTRIAN HURT

ROAD CLOSED AFTER BOY, 10, HIT BY CAR

A 10-year-old boy was taken to hospital for treatment after being hit by a car in Boston on Monday afternoon.

Police were called to the collision in Broadfield Lane shortly before 3.40pm. The road was closed until around 5.30pm.

Police say the boy's injuries are not believed to be too serious. They ask anyone who witnessed the collision to call 101 using reference number 273 of June 17.

NOSTALGIA EVENT

TOWN IS HEADING BACK TO THE 40S

Boston is set to go back in time this weekend for the annual 40s event. A Spitfire flypast is due to take place on Sunday at around 2.30pm, weather permitting. There will also be outdoor cinema shows, a vintage fair, tea dances, live music, vintage vehicles, and trade stands. Events start Friday. More information at visitbostonuk.com

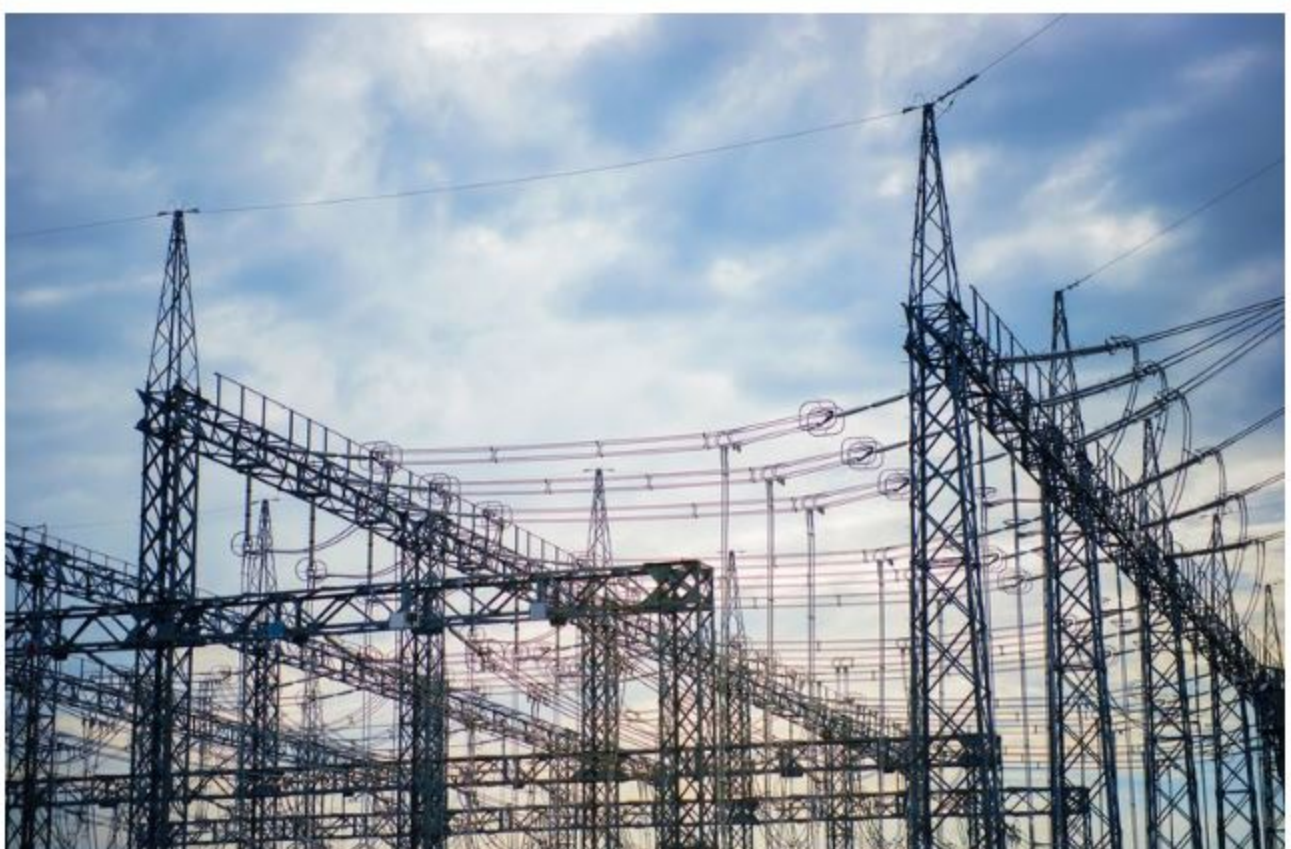
New consultation date for energy facility that could create 380 jobs

21.06.2019 Lincolnshire Live

Here's the latest

By Matty Hewitt
14:26, 21 JUN 2019

NEWS



Getty image of an energy facility. (Image: Lincolnshire Live)

RECOMMENDED

Here's why paramedics and ambulance crews were spotted in Boston

REPORT

Boston Alternative Energy Facility - Appendix 5.13

Appendix 5.13 Phase Three maildrop flyer 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-3005.13
Status:	Final/0.0
Date:	23 March 2021

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Appendix 5.13 Phase Three maildrop flyer and list of postcodes

This appendix contains a copy of the newsletter sent regarding the Facility and Phase Three consultation, the envelope it was enclosed in and postcodes it was sent to.

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Boston Alternative Energy Facility

Welcome to the second edition of the Boston Alternative Energy Facility newsletter.

The proposed Facility is a state-of-the-art power generation plant located on the Riverside Industrial Estate, south of Boston town centre. The Facility will generate approximately 102 MW of renewable energy, of which approximately 80 MW will be exported to the National Grid with the rest used for the running of the Facility.

This energy will be generated using over one million tonnes of refuse derived fuel (RDF – derived from non-recyclable household waste) sourced from UK suppliers. This will generate power that is approximately equivalent to the annual demand of 206,000 homes (equivalent to over 66% of the households in Lincolnshire).

Project Update

- Our Phase Two consultation closed on 25 March. The feedback summary has been published on the project website.
- A third phase of consultation has been added to allow us to consult formally on the Preliminary Environmental Information Report (PEIR) which was not available in time for the Phase Two consultation in February.

Dates and venues for the Phase Three consultation events can be found overleaf.

- The PEIR provides details of the environmental assessments that have been undertaken to establish potential impacts of the Facility and proposes mitigation measures suggested to reduce any potential impacts.
  It will be available to view at the project website **www.bostonaef.co.uk** and the below locations following publication for 42 days.

Venue	Opening Hours
Boston Borough Council *Municipal Buildings, West Street, Boston, PE21 8QR*	**Mon - Thurs** 8.45am – 5.15pm **Friday** 8.45am – 4.45pm
Boston Library *County Hall, Boston, PE21 6DY*	**Mon - Wed** 9.00am – 5.00pm **Thursday** 9.00am – 6.00pm **Friday** 9.00am – 5.00pm **Saturday** 9.00am – 4.00pm
Kirton Library *Wash Road, Kirton, Boston, PE20 1AN*	**Tuesday** 10.00am – 1.00pm **Thursday** 2.00pm – 4.00pm **Saturday** 10.00am – 12.00pm
Kirton Town Hall *19 Station Road, Kirton, Boston, PE20 1LD*	**Monday** 9.00am – 9.00pm **Tuesday** 1.30pm – 3.30pm **Wednesday** 9.00am – 11.00am 2.00pm – 4.00pm

- The Statement of Community Consultation (SoCC) has been revised to reflect the additional phase of consultation. The revised document is available on the project website **www.bostonaef.co.uk**.

Site layout

Phase Three Consultation

Phase Three of consultation will begin on Monday 17 June 2019, when the PEIR is made available on the project website, and will end at midnight on Tuesday 6 August 2019.

The purpose of this phase is to consult on the Preliminary Environmental Information Report.

As part of our commitment to ensure local people are well informed and consulted with during the pre-application stage, Alternative Use Boston Projects has organised a series of Public Information Days in June and July where experts will be on hand to discuss the proposed Facility with you.

The Public Information Days will have information on the following:

- Preliminary Environmental Information Report
- Mitigation measures
- Traffic management and access
- Project time scales; and
- How to keep up to date about the project

Feedback forms will be available at the events and on the project website.

The dates of the Phase Three Public Information Days are shown below.

Venue	Date	Time
Fishtoft Pavilion *Playing Fields, Church Green Road, Fishtoft PE21 0RP*	**Thursday** 27 June 2019	3.00 – 7.00pm
Frampton Church House Village Hall *140 Middlegate Road, Frampton PE20 1AW*	**Friday** 28 June 2019	3.00 – 7.00pm
St Thomas' Church Hall *London Road, Boston PE21 7EJ*	**Saturday** 29 June 2019	12.00 – 4.00pm
Ridlington Centre *Sibsey Lane, Boston PE21 6HB*	**Thursday** 4 July 2019	3.00 – 7.00pm
Wyberton Parish Hall *London Road, Boston PE21 7DE*	**Friday** 5 July 2019	1.00 – 5.00pm
St Nicholas Community Centre *Fishtoft Road, Boston PE21 0AA*	**Saturday** 6 July 2019	12.00 – 4.00pm

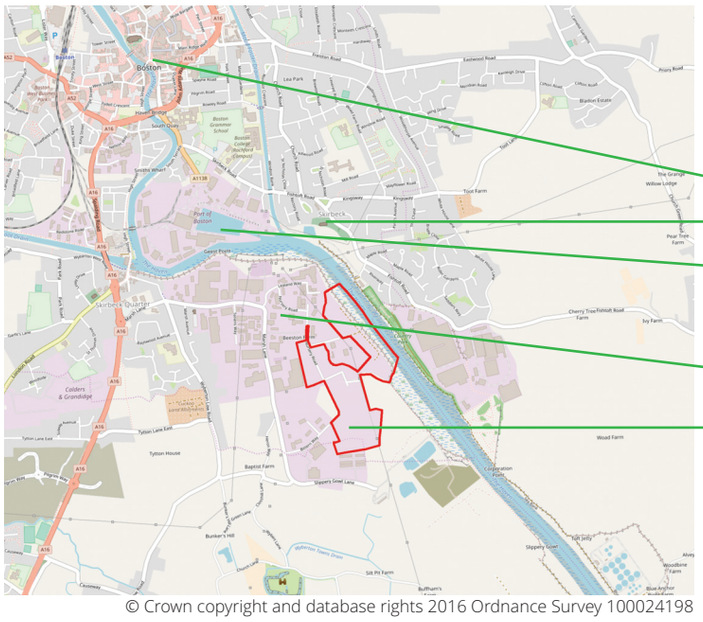
Contact us:

You can find out more about the project via our website **www.bostonaef.co.uk** or by contacting us in one of the following ways:

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
Freepost
25 Priestgate, Peterborough, PE1 1JL



IMPORTANT INFORMATION

about **Phase Three** of our consultation

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Boston Alternative Energy Facility

The Occupier

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

SIF

List of postcodes Phase Three maildrop was sent to

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

REPORT

Boston Alternative Energy Facility - Appendix 5.14

Appendix 5.14 Poster advertising Phase Three Public Information Day locations and dates and list of venues where this 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-3005.14
Status:	Final/0.0
Date:	23 March 2021

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Enhancing Society Together

Appendix 5.14 Poster advertising Phase Three Public Information Day locations and dates and list of venues where this was displayed

This appendix contains a copy of a poster advertising the Phase Three consultation along with a list of locations where it was displayed.

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Boston Alternative Energy Facility

Phase Three Public Information Days

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 102MW* of renewable energy from refuse derived fuel (RDF – derived from non-recyclable household waste).

As part of Phase Three consultation, Public Information Days are being held to give project updates and provide Preliminary Environmental Information, giving local communities the opportunity to find out more and share their feedback.

Details of these events are below:

Venue	Date	Time
Fishtoft Pavilion *Playing Fields, Church Green Road, Fishtoft PE21 0RP*	**Thursday** 27 June 2019	3pm – 7pm
Frampton Church House Village Hall *140 Middlegate Road, Frampton PE20 1AW*	**Friday** 28 June 2019	3pm – 7pm
St Thomas' Church *London Road, Boston PE21 7EJ*	**Saturday** 29 June 2019	12pm – 4pm
Ridlington Centre *Sibsey Lane, Boston PE21 6HB*	**Thursday** 4 July 2019	3pm – 7pm
Wyberton Parish Hall *London Road, Boston PE21 7DE*	**Friday** 5 July 2019	1pm – 5pm
St Nicholas Community Centre *Fishtoft Road, Boston PE21 0AA*	**Saturday** 6 July 2019	12pm – 4pm

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 форматов.

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

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
FREEPOST
25 Priestgate, Peterborough, PE1 1JL

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* MW hour equivalent

List of venues where posters were displayed

Posters

Posters were placed on **Friday 14 June 2019** within the Boston Borough Council area in the following locations:

Cost Cutter, Wrangle	Bricklayers Arms, Old Leake
Old Leake Community Centre	Co-op Old Leake
Traveller's Rest Café, Leverton	Freiston Post Office
One Stop, Eastwood Road	Wilkinsons, Pescod Square
Scooby Doo Discount Stores, St George's Road	Len Medlock Voluntary Centre, St George's Road
Tatry Store, West Street	Boston College, Skirbeck Road
Co-op Skirbeck	Tesco, New Hammond Beck Road
Co-op Wyberton	Frampton Village Hall
Co-op Kirton	Co-op Swineshead