



Meeting note

File reference	BC080001
Status	FINAL
Author	Patrycja Pikniczka
Date	26 March 2015
Meeting with	London Resort Company Holdings (LRCH), Kent CC, Gravesham BC and Dartford BC
Venue	Farrells, 7 Hatton Street, London NW8 8PL
Attendees	Chris Potts -Savills Holly Rhoades -Savills Shabana Anwar - Bircham Dyson Bell Andy Martin -PPS Richard Hutchings - WSP John Letherland - Farrells Debbie Cheng – Farrells Stephen Dukes – Kent CC Liz Shier (Kent CC) Mark Wilson (The Infrastructure Planning Lead) Patrycja Pikniczka (Case Officer) Gail Boyle (Senior EIA and Land Adviser) Apologies: Kevin Doyle – LRCH Peter Price – Gravesham BC Sonia Bunn – Dartford BC
Meeting objectives	Project update meeting.
Circulation	All attendees.

Summary of key points discussed and advice given:

Update on land negotiations

LRCH advised that there are on-going negotiations with outstanding landowners. LRCH clarified that the existing land secured represents the majority of the land needed for the proposed development (85-90%).

The DCO boundary currently includes land along the A2 extending to the Bean Junction, which is under review by the Highways Agency so may not be required by LRCH.

The Planning Inspectorate was advised that the intention is to secure the majority of the land cooperation and agreements with the relevant landowners.

The Planning Inspectorate asked if the applicant intends to submit any s52 requests to seek permission under s53 of the Planning Act 2008 to access the land. The applicant confirmed that it is potentially looking to submit a s53 application. The Planning Inspectorate advised to give at least 2 weeks' notice before submitting s53 application.

Consultation

The applicant confirmed that stages one to three of the non-statutory consultation have been completed.

The stage 3 consultation had run from February to March 2015 and focused on workshops. LRCH explained that non-statutory consultation included 110 hours of public events and other activities. LRCH held 22 workshops (originally 18 planned) on various topics including traffic and transport, environment and ecology, jobs and employment, master planning and infrastructure, tourism and regeneration, and culture and heritage.

LRCH advised that topics of interest included matters such as reduction of traffic and traffic management, use of the river during the construction period, employment, master planning and infrastructure.

LRCH advised that stage four (statutory consultation) will commence in late April running until June 2015 providing 42 days for responses. The Planning Inspectorate was advised that consultation under s42 and s47 will run in parallel.

LRCH advised that venues for potential exhibition events have now been identified in 10 locations.

LRCH advised that draft Statement of Community Consultation (SoCC) has now been prepared and provided to local authorities for comments to be received by end of March 2015. LRCH agreed to send a draft SoCC to the Planning Inspectorate for comments.

LRCH was advised to submit s46 notification to the Planning Inspectorate before formal commencement of the statutory consultation.

The Planning Inspectorate asked whether LRCH had identified groups disproportionately impacted by the construction or operation of the proposed development e.g. schools, old people. The Planning Inspectorate advised LRCH to identify sensitive receptors and vulnerable sections of the community in

close proximity to the draft DCO boundary and to be proactive in engaging with them during the pre-application consultation.

LRCH was advised that the pre-application consultation stage is a good opportunity to present and resolve issues at an early stage before submission of the application. While it is understandable that applicants will use the pre-application consultation to "promote" their projects, they should also use the pre-application stage to flush out controversial issues and to be open with consultees about the dis-benefits of a project, as well as the benefits.

In particular, the Planning Inspectorate advised LRCH to be clear during the statutory consultation regarding the possibility of including a controlled parking zone (CPZ) around the proposed resort.

WSP advised that existing parking surveys will help in understanding existing needs in the area and future parking survey areas had been agreed. KCC stated that a Parking Management Plan would normally be expected as part of a planning application and whilst this would identify some specific measures it would need to be flexible to react to unforeseen impacts once the resort was open and operating.

The Planning Inspectorate enquired about the proximity of Swanscombe Station to the main resort entrance and the progress of discussions with Network Rail about any mitigation required to improve the station. In particular, it is important that the need for any Compulsory Acquisition of statutory undertakers land or interests is identified as early as possible in this context. LRCH explained that there is an on-going engagement between LRCH, Network Rail and HS1 Ltd.

LRCH asked about the possibilities of feeding back on the level of detail needed in a draft Development Consent Order with particular reference to the description of works and the works plans. The Planning Inspectorate advised that LRCH must be clear about what is proposed within the red line boundary including the main project and associated development to the extent that it is capable of being adequately assessed in the Environmental Statement. The DCO is not an outline consent and should not be viewed as such. LRCH should follow advice about the Rochdale Envelope approach set out in [Advice Note 9](#).

There are a variety of examples of recent DCOs which have been granted consent based on the Rochdale Envelope approach. The Planning Inspectorate advised LRCH to share early drafts of the DCO with PINS and the local authorities / relevant technical consultees

It was discussed that the local planning authority will be Ebbsfleet Development Corporation (EDC) from the 1 July 2015. The Planning Inspectorate advised that a Development Corporation does not fall within the definition of local authority in s43 of the PA2008. However, for practical purposes the EDC should be treated as if it was a s43 local authority for the purposes of consultation. It is likely that any future Examining Authority would use its discretion to treat the EDC as if it were a local authority.

General

The applicant enquired what information needs to be included to comply with the Rochdale Envelope approach. The Planning Inspectorate explained that although the Rochdale Envelope is a flexible approach, LRCH should be explicit about what is proposed by, for example, setting out design principles, being clear on works plans and where possible setting out minimum and maximum parameters of proposed developments.

The Planning Inspectorate advised that the Examining Authority must have a clear understanding of what the development is, for which consent is being sought. Therefore, a clearly expressed project description and design parameters in the draft DCO and ES are necessary. Any design principles can be agreed with the local authorities and included in any Statement of Common Ground.

LRCH advised that the application is likely to be submitted in August 2015.

Transboundary

LRCH/BDB advised that they were working up their Preliminary Environmental Impact Report (PEIR) and intend to make a draft available to the Planning Inspectorate and the statutory bodies. The Planning Inspectorate enquired regarding timescales and LRCH responded that this was likely to be available at some point after Easter. LRCH noted that some developments in their consideration of trans-boundary effects have arisen and that relevant information would be included in the PEIR.

LRCH asked how the examination deals with Community Infrastructure Levy (CIL). The Planning Inspectorate advised that CIL is usually a matter not dealt with in relation to NSIPs, however, given this is the first B&C NSIP it would require further consideration. The Planning Inspectorate advised LRCH to seek formal s.51 advice from the Inspectorate to consider the CIL issue in more detail.

Specific decisions / follow up required?

- PINS / LRCH and the Councils to consider future meeting dates.
- LRCH has agreed to send a draft SoCC to the Planning Inspectorate for comment.
- At the meeting, LRCH provided the Planning Inspectorate with draft DCO and EM and agreed to provide updated versions in due course.
- LRCH agreed to provide PINS with draft documents following formal consultation. Documents can include draft DCO, EM, Works, Access and Land Plans, Consultation Report and Book of Reference.
- The Planning Inspectorate advised LRCH to seek formal s51 advice in relation to how CIL would be dealt with in the context of a DCO process.