

IPC Infrastructure Planning Commission

Date	21 st November 2011
Status	FINAL
Author	Rachel Henson

Meeting with	No Moor Pylons
Meeting date	21 st November 2011
Attendees (IPC)	Kath Haddrell IPC Case Leader - KH Jan Bessell Pre Application Commissioner - JB Rachel Henson Case Administration
	Tessa Munt MP MP for Wells - TM Paul Hipwell No Moor Pylons – PH Chris Ambrose No Moor Pylons - CA Keith Edwards No Moor Pylons - KE
Location	Temple Quay House, IPC Boardroom

Meeting purpose	Review progress since last meeting October 2010? What does forward programme look like? Understand IPC discussions with National Grid Update IPC on local community groups concerns
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Summary of outcomes	<p>IPC advised on its openness policy, that any advice given will be recorded and placed on the IPC's website under s.51 of the Planning Act 2008 (the Act) and also to note that any advice given under s.51 does not constitute legal advice upon which applicants (or others) can rely.</p> <p>IPC Jan Bessell has been appointed as the pre-application Commissioner, to support the case team; she will not be the Commissioner who ultimately decides whether or not to accept the application nor (if accepted) examine, determine or recommend upon the application. Jan also noted that she would shortly be chairing a tripartite meeting of the relevant local planning authorities in due course and notes of that meeting (and this) would be placed on the IPC website. The participants and date were not known at the time of the meeting.</p> <p>IPC Kath Haddrell stated that she lived within the Wells constituency and that her involvement with the project had been cleared by the IPC legal team and IPC directors.</p>
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IPC updated the group on the integration of the IPC with the Planning Inspectorate. It is expected that the new arrangements will be in place by April 2012. A commitment to ensure smooth transitional arrangements for cases has been made by the government.

IPC Copies of the National Grid Meeting Note from 12th October 2011 have been provided and confirmed as present on the IPC website.

CA & TM Highlighted concerns that local authorities seem to be uncertain on what is happening and that manpower is an issue for many local authorities.

IPC noted that Planning Performance Agreements (PPA) can be utilised in this instance, advice on PPA can be found on the Advisory Team for Large application (ATLAS) website at www.atlasplanning.com.

PH stated that all the local authorities consider that the consultation has been flawed. (this is the view as stated by PH)

KE asked whether the IPC has a definition for consultation?

IPC The Government did not wish to be prescriptive and take the approach of one size fits all as Communities vary throughout the Country. The IPC is not best placed to make decisions about the appropriate consultation methodology for a particular locality. The Acceptance Commissioner will look at the Consultation Report - has the applicant done what it said it would in accordance with an agreed SoCC, and did it take account of responses to consultation and publicity, as well as whether the consultation followed CLG guidance:

<http://infrastructure.independent.gov.uk/wp-content/uploads/2009/08/guidancepreapplication.pdf>

KE feel that National Grid say that they are on stage 3 of consultation but the majority of the community feel they have not completed stage 1.

IPC stated that a Statement of Community Consultation (SoCC) was required to be produced by the developer. The developer is also required to consult on this with the local authorities within which the scheme physically falls and should seek agreement on the final form of the SoCC.

At the acceptance stage, the IPC requests an adequacy of consultation response from all relevant local authorities, including neighbouring authorities, the main purpose of

	<p>which is to comment on whether or not the applicant has fulfilled its commitments as set out in the SoCC.</p> <p>The IPC used the Brig y Cwm application as an example, explaining the number of consultation responses reported at the pre-application stage were much lower than the 10,000 responses received at the pre-examination stage after the application was accepted. Many of the relevant representations raised issues relating to consultation. However, the consultation was deemed adequate by the relevant local authorities in their responses at the acceptance stage.</p> <p>Any representations received by the IPC at Pre-Application stage will be provided with advice to discuss the matters directly with the developer, if this has no effect they should speak to their Local Authority so this may be reflected in their Adequacy of Consultation report. The IPC is not under any obligation to take into consideration representations received direct at the pre-application stage, but such correspondence will be made available at the acceptance stage and kept on file.</p> <p>No Moor Pylons provided the IPC with an update on the meeting they had attended with Charles Hendry.</p>
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<p>Record of any advice given</p>	<p>Specific questions from attendees;</p> <p><i>PH What is the likely timescale for the Hinkley C project?</i></p> <p>IPC advised that the deadline for acceptance is Tuesday 29th November 2011.</p> <p><i>PH Will there be any changes to the Hinkley Point C 2018 completion date?</i></p> <p>IPC advised that it has no additional information on this. The IPC is not aware of any date for the connection of Hinkley Point, this is a contractual arrangement between EDF, National Grid and Siemens. IPC confirmed that the two projects are linked in respect of cumulative effects for EIA purposes but that the IPC does not see them as linked projects for any other purpose.</p> <p><i>No Moor Pylons What if National Grid changes its preferred corridor route, decides to under ground part or all of the connection and use the motorway?</i></p> <p>IPC confirmed that the content of an application is a matter</p>
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for the developer at the pre-application stage. Applicants can build flexibility into their application by using for example limits of deviation in their Development Consent Order and requirements. This would require the worst case scenario to be tested in the Environmental Statement.

The Act does provide for some minor amendments to be made, and it is up to the appointed Examining Authority to decide whether the change is a substantial change. There are regulations for some post-decision amendments and compulsory acquisition but no regulations have been made in relation to the examination stage.

http://www.legislation.gov.uk/uksi/2011/2055/pdfs/uksi_20112055_en.pdf

http://infrastructure.independent.gov.uk/wp-content/uploads/2011/11/111130_Ltr-from-Bob-Neill-MP-re-s114.pdf

An application for undergrounding the entire line would not be dealt with by the IPC. The IPC could however deal with an application for part underground, part overground. A Grid connection proposing lines following the motorway route would need to be assessed against the Planning Act 2008 to determine if this is an application the IPC would make a recommendation on.

TM What is the cost of the whole application process?

IPC The IPC confirmed that they could only report on the fees payable element of costs and used the Brig Y Cwm project as an example with a figure upwards of £200,000. Figures will differ for single Commissioner or a panel but reference should be made to the fees regulations.

http://www.opsi.gov.uk/si/si2010/pdf/uksi_20100106_en.pdf

PH stated that the Community Forums are not yet in place but that the terms of reference have been agreed (and handed a copy of these to the IPC)

<http://www.nationalgrid.com/NR/rdonlyres/EFEA9B43-4599-4EFB-A171-6EEB9414FF31/49292/DraftCommunityForumFramework.pdf>

No meetings have been held yet and the Forums say no-one has spoken to them. (This is the view as stated by PH)

CA stated that there are difficulties as to who can attend, as there are 30 places and each person must represent more than five people. Additionally, many communities do not have internet access.

	<p>KE communities are still confused by the consultation, National Grid believe it is consulting but communities don't feel they are being listened to. National Grid are not engaged with hard to reach communities.</p> <p>IPC What would you like National Grid to do at this stage of consultation?</p> <p>No Moor Pylons</p> <ul style="list-style-type: none"> • We would like a statement of responses and the action taken by National Grid on those responses. • What is the problem/need and present all possible solutions in simple terms and all issues involved. • We would like National Grid to change their behaviour to accommodate the needs of local communities and explain why it was not possible to make changes if changes are not made. • The issue of cost is not a good enough reason not to consider undergrounding for an organisation that made £2.6billion last year. • The starting point should be what solution is technically appropriate and not what is the cost as this will skew the answer.
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Specific decisions/follow up required?	
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Circulation List	