



Meeting note

File reference	EN020001
Status	Final
Author	Siân Evans
Date	10 March 2016
Meeting with	National Grid
Venue	Temple Quay House, Bristol
Attendees	Simon Best – National Grid Joe Turner – National Grid Sue Adams – National Grid Sarah Clark – Bircham Dyson Bell Kathryn Dunne – Planning Inspectorate Frances Russell – Planning Inspectorate Chris White – Planning Inspectorate Siân Evans – Planning Inspectorate
Meeting objectives	Feedback meeting
Circulation	All attendees

Summary of key points discussed and advice given:

Pre-application stage

The Planning Inspectorate (PINS) advised that the meetings National Grid (NG) held with the local authorities and focus groups at the pre-application stage seemed beneficial but it may also be worth further engagement at an early stage with the parish councils. This would assist the parish councils when it comes to the examination and clear up any misunderstandings they may have about the project.

PINS advised that all parties need to understand that they can influence the Development Consent Order (DCO). NG held a session to go through the DCO prior to the application being submitted but only the local authorities and the Environment Agency attended. PINS advised that early engagement with statutory undertakers is essential as issues, such as protective provisions, can take up valuable examination time. NG stated that it has not achieved the success rate it wanted in seeking to achieve agreement with statutory undertakers to agree to protective provisions before an application is submitted, there is no incentive for such parties to agree protective provisions prior to submission.

NG stated that they assumed the local authorities were liaising and working with Parish Councils and is considering whether to include wording in their future Planning Performance Agreements (PPAs) in this regard.

NG explained that, at the pre-application stage regarding the need case for a project, there is a difference between the information required by Ofgem ('reasonably anticipated project') and the National Policy Statement EN-5 (contract with the generator).

Acceptance stage

NG commented that the application was accepted in good time, the s55 checklist was very thorough and the s51 advice was extremely helpful.

Pre-examination stage

NG stated that it is helpful to have an estimate for the PM date within a 6 week window, as the start date of the 6 month examination affects their tendering process and team holidays. PINS advised that the PM date cannot be arranged until after the Panel has been appointed.

NG are aware of PINS trialling holding a DCO hearing the same day, or the day after, the preliminary meeting (PM). NG consider this could be effective. NG consider that holding an open floor hearing after the PM is also a good idea however PINS stated that they would have to consider any implications of this if, for example, any changes to the application are submitted at the PM.

NG commented that when drawing up the Examination timetable some submissions raised at the PM were not taken forward. For example, Deadline 7 was a very tight deadline following the DCO hearing and all parties seemed to be in agreement that it should be adjusted.

NG queried whether they could have done anything differently with regard to the submission of the Environmental Sensitivity test information as a result of the new connection date. PINS stated that the fact it was submitted early made it easier to manage – it would have been much more difficult if the Examination had started. NG advised that any change to the connection date is not within their control.

NG stated that it is useful for them to see the Relevant Representations (RR) as early as possible so that they can understand any issues raised and try to resolve them. PINS advised that preparing any RRs for publication can sometimes take time but they are published as soon as possible. There was a delay in publishing the RRs for this application as the RR period was extended for a small number of parties due to s56 notices having to be re-served. PINS do not consider it fair to publish RRs until the RR period has closed for everyone.

NG asked if PINS can include, on its relevant representation form, information that would allow PINS to send the applicant the contact details of those persons who made a relevant representation to enable direct engagement to take place, where appropriate. Without this information, it can often be difficult to establish who has submitted certain representations, particularly given the scale of this project.

Examination stage

NG queried how many hard copies of documents are required. PINS advised that deposit locations are usually electronic. When sending documents to PINS two hard copies will usually suffice but PINS will need the flexibility of being able to request further copies if needed. NG advised that the more printed documentation that is required the less time there is to prepare the documents due to printing timescales. This is particularly challenging during the examination, when occasionally only a day or two was allowed for the materials to be produced.

PINS advised that NG's use of indexing and the Guide to the Application was very useful in being able to find documents and keep track of the latest versions when they had been superseded.

PINS stated that the Project News used at the pre-application stage was very useful to understand the project and would be helpful to have an updated version upon submission too. NG recognise that this could be useful but advised that they do not continue this after the application has been submitted as they do not want to appear to be cutting across PINS. NG consider it is a formal process once the application has been submitted and so communications from NG stop as PINS takes over. NG commented that they could produce a summary guide for parties to easily understand the project, and that a change in guidance or rules to make this a requirement might assist.

PINS advised NG to consider how documents are submitted. Some hard copy documents may be able to be combined in folders, which would reduce the number being submitted. The size of electronic files should also be considered as they are slow to download if they are too large, which could be a particular problem for members of the public living in rural areas.

PINS advised that applicants should avoid too much repetition in documents. For example, it is not necessary for all documents to include a description of the development and this can cause problems for the ExA if any of the descriptions differ.

PINS advised that the use of colour within the table of matters in the Statements of Common Ground (with, for example, matters not agreed shaded in dark orange) made them quick and easy to read.

NG advised that the deadline for the first written questions was very tight, given the number of questions which were asked. NG was only able to meet this deadline due to the preparation they had put in beforehand. NG also commented that some of the questions appeared to be repetitious. PINS advised that the earlier appointment of ExAs will assist with this in future.

NG commented that some of the deadlines were very close to hearings and therefore the Panel would have had limited time to read and understand the material submitted. This sometimes resulted in oral questions repeating what was in the recently submitted documents.

NG stated that the publication of the hearing agendas a week in advance worked well but they were not always followed. PINS advised that the aim was to try and publish

the agendas as soon as possible to allow sufficient time for attendees to review, but had to ensure that the agendas were as up to date as possible and took into account submissions received at deadlines.

PINS noted that NG made efficient use of time before and after hearings, and during the breaks by arranging meetings with some of those parties attending the hearings. This can be a useful way of getting matters resolved and save time within the hearings themselves.

PINS commented that NG made excellent use of a projector at the hearings to show relevant plans and photomontages, which saved time within the hearings.

NG stated that the use of Action Lists was good but it would be more helpful if they could be agreed at the end of each hearing. This is something that PINS has started to do.

PINS commented that the summaries provided by NG were useful. The cover letters provided with the documents submitted for each deadline were also very useful as they served as a summary and checklist. It was also very helpful to receive all the application and deadline documents on the flashcards as they could be quickly distributed to all Panel and case team members.

ES

The 'value' of landscape designation and views was discussed. PINS commented that NG should ensure that effects were not underplayed.

With regard to protected species PINS queried whether NG could have done more to receive letters of no impediment. NG thought the relationship with NE had been very productive. In one case the ExA sought a letter of no impediment where NE had confirmed no licence was required. NG will discuss with NE to seek to avoid this problem in the future.

Offsite planting and enhancement was discussed. PINS queried whether landowners were happy to engage at the pre-application stage and whether they would sign up to the proposals earlier. PINS commented that the proposals need to be deliverable. NG explained that they prefer planting and enhancement within the boundary of the scheme.

Recommendation/ Decision

PINS and NG commented that submitting an application with two options made the Examination more challenging but that it had allowed both options to be considered by PINS and the Secretary of State. NG explained that it will consult more at the pre-application stage on options and is unlikely to submit options in the future.

NG explained that the working hours as consented within the DCO are rigid and they would have preferred local flexibility to ensure some local variation could be agreed to take account of particular circumstances (for instance if by working a little later, additional working periods might be avoided, thereby reducing local impacts).

Other key issues

NG commented that the approach and process adopted by PINS helped keep communications consistent throughout. The interview PINS did prior to the first hearing did a good job explaining the process to journalists.

NG stated that the system set up for the preparation and delivery of documents was being rolled out to other schemes, unless they received contrary comments from PINS. NG are reviewing the findings of the recommendation report and will check to see whether, for future schemes, there are any issues that could be resolved in advance to save time at future examinations. These could include comments raised on the methodologies used in the ES, and the approach taken on mitigation measures, including clarification as to whether these are essential and 'embedded' in the scheme, or additional mitigation.

PINS also welcomed the submission of matrices by NG to support their Habitats Regulations Assessment Report, as these assist in clearly presenting the outcomes at each stage of the HRA process.