



## Meeting Note

<b>File reference</b>	<b>EN070001</b>
<b>Status</b>	<b>Final</b>
<b>Author</b>	<b>Oliver Blower</b>

<b>Meeting with</b>	National Grid regarding the proposed Yorkshire and Humber CCS Cross Country Pipeline
<b>Meeting date</b>	<b>8 November 2012</b>
<b>Attendees (Planning Inspectorate)</b>	<b>David Price</b> (EIA Manager) <b>Laura Allen</b> (Senior EIA Advisor) <b>Oliver Blower</b> (Case Officer)
<b>Attendees (non Planning Inspectorate)</b>	<b>Richard Gwilliam</b> (National Grid) <b>Simon Leigh-Hunt</b> (National Grid) Liz Wells (National Grid) <b>Giles Pink</b> (Berwin Leighton Paisner for National Grid)
<b>Location</b>	Conference Call; The Planning Inspectorate Offices, Temple Quay House, Bristol

<b>Meeting purpose</b>	Section 53 Advice
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<b>Summary of key points discussed and advice given</b>	<p><b><i>The Planning Inspectorate's openness policy, protocol for meeting notes and exchange of information</i></b></p> <p><b>The Planning Inspectorate</b> advised on its openness policy, that any advice given will be recorded and placed on the Planning Inspectorate's pages on the Planning Portal website under s.51 of the Planning Act 2008 ("the 2008 Act") and also to note that any advice given under s.51 does not constitute legal advice upon which the Applicant (or others) can rely.</p> <p><b>The Planning Inspectorate</b> advised that the Applicant should seek independent legal advice on which they can rely.</p> <p><b><i>Project Update</i></b></p> <p><b>National Grid</b> confirmed that the intended submission date for the DCO application will be either quarter 3 or quarter 4 of 2013.</p> <p><b>National Grid</b> confirmed that consultation work is ongoing. The preferred route for the pipeline is approximately 85km in length. National Grid has been successful in gaining access to the majority of land to conduct survey work. However, a small number of land owners have refused access.</p>
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### ***Section 53 – Rights of entry***

**National Grid** confirmed that approximately 1000 land owners have been identified thus far. Approximately 10 land owners have refused access to their land. If negotiations fail, National Grid proposes to request rights of entry under section 53 of the 2008 Act.

**National Grid** clarified that each land owner may own more than one registered or unregistered area of land.

**The Planning Inspectorate** advised that s.53 is attached to the land and not to the owner of the land.

**National Grid** suggested that a single s.53 submission for each land owner would be made, which may include multiple registered or unregistered areas of land.

**The Planning Inspectorate** advised that careful consideration should be given to how each s.53 request is packaged. The Planning Inspectorate recommends that each registered title or unregistered area of land is identified as a separate land parcel, which will be treated as constituting a separate s.53 authorisation request. There may be occasions where the applicant considers multiple parcels should be treated as a single request. Where this applies, the applicant should provide reasons to the Planning Inspectorate as to why one fee would be adequate bearing in mind the complexity of the titles and the size of the overall scheme.

**National Grid** offered to provide the Planning Inspectorate with a draft request prior to formal applications being made. National Grid queried whether the Planning Inspectorate would accept Core documents in support of the 'pack' of applications, or whether individual justifications would be required per submission

**The Planning Inspectorate** advised that a draft plan identifying each of the land parcels to be included within the s.53 authorisation requests would be helpful, as this would enable the Inspectorate to advise the applicant on the likely number of s.53 authorisation requests. However, the Planning Inspectorate would not be able to confirm the total number of authorisation requests until the s.53 authorisation requests have been submitted to the Planning Inspectorate and reviewed. The Planning Inspectorate confirmed a set of 'Core Documents' in support of the applications would be acceptable to avoid unnecessary duplication of supporting paperwork.

**National Grid** asked if the Planning Inspectorate would advise on any lessons learnt from previous submissions.

	<p><b>The Planning Inspectorate</b> advised the applicant to double-check all cross-referencing. The applicant may wish to check the audit trail and provide copies of letters as evidence of attempts to obtain access to land by agreement with the affected land owners. All plans should make clear that the land to which the s.53 request relates is located within the land owned by the affected land owner. As part of this check, the applicant should check plans identifying the land to which the s.53 request relates against title plans, where the land is registered. The applicant should ensure that they have corresponded with all persons named on any registered titles and provide an explanation where this is not the case. Where agents are engaged by the owners, the applicant should be satisfied that the agent is acting for the relevant landowners. If assertions are made as part of the application, which are not rebutted by the landowners in the notification process, then there may be no further requirement for corroborative evidence in relation to those assertions</p> <p><b>The Planning Inspectorate</b> confirmed that any redaction of material provided by the applicant with the s.53 authorisation request will take place in-house, in accordance with the Planning Inspectorate’s redaction policy. Therefore, the Planning Inspectorate requests that copies of documents are submitted in full, including electronic copies in ‘unlocked’ PDF format alongside hard copies.</p> <p><b>The Planning Inspectorate</b> confirmed that there was no formal timeframe for the s.53 process, although advised that two months would be a suitable timescale, dependant on the information provided with the authorisation request.</p> <p><b>AOB</b></p> <p><b>The Planning Inspectorate</b> confirmed the attendance of Laura Allen on behalf of David Price at the next meeting scheduled for the 23 November 2012.</p>
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<b>Specific decisions/ follow up required?</b>	
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<b>Circulation List</b>	Attendees