



Meeting Note

File reference	EA Liaison Meeting
Status	Final
Author	Hannah Pratt

Meeting with	Environment Agency (EA)
Meeting date	28 June 2012
Attendees (Planning Inspectorate)	Sheila Twidle (Head of Environmental Services) Andrew Luke (Senior EIA and Land Rights Advisor) Tom Carpen (Case Manager) Hannah Pratt (EIA and Land Rights Advisor)
Attendees (non Planning Inspectorate)	Carol Bolt Simon Holbrook Caroline Duckworth Andrew Mozley Sally Holloway
Location	Temple Quay House, Bristol

Meeting purpose	Liaison meeting to discuss Nationally Significant Infrastructure Projects (NSIPs) and Environmental Permitting
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Summary of key points discussed and advice given	<p>EA's Environmental Permitting Regime</p> <p>The EA presented an overview of their Environmental Permitting (EP) regime. It was agreed that submission of an EP at least 6 months in advance of a DCO application was the best way forward. The need for PINS and the EA to co-ordinate their advice to applicants was highlighted.</p> <p>PINS stated that it would be helpful if the EA identify whether they are confident that assessments undertaken for Environmental Impact Assessment (EIA) purposes have been done so robustly when they make representations to PINS. If they have concerns, it would be useful if the EA state the further information they deem necessary. The EA noted that they will submit representations to PINS regarding assessment methodology (e.g. air dispersion modelling); however they would not draw conclusions on the findings of assessments to avoid the risk of pre-determination of an EP.</p> <p>Planning and Permitting Guidelines</p> <p>The EA summarised the draft Planning and Permitting Guidance they have developed in response to the Penfold Review and the Red Tape Challenge. The document provides guidance to 6 key sectors (disposal of waste by landfill, incineration of waste, combustion installations, anaerobic digestion, composting and intensive pig and poultry) and sets out examples of instances when the EA would consider</p>
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	<p>there to be a serious concern for an EP application. It is currently being consulted upon and the EA intend to publish it in Autumn 2012.</p> <p>Habitats Directive The Secretary of State (SoS) would be the competent authority (CA) for Habitats Regulation Assessment (HRA) for an application for DCO; however the EA would be the CA for HRA for an EP. The group identified the need to ensure good working relationships between PINS and the EA at pre-application stage; the importance of clarifying roles to applicants; and providing consistent messages to applicants.</p> <p>The EA will make representations regarding HRA during the examination process of NSIPs for PINS to present to the SoS with their recommendation. The EA cannot legally undertake HRA until a permit application has been submitted, therefore for non-parallel tracked applications there will be a limit to the level of detail the EA can provide in their representations.</p> <p>AOB The EA permitting team are keen to learn the PA 2008 process in order to recognise trigger points where the EA can influence applicants. PINS are willing to provide training.</p> <p>PINS highlighted the importance of Statements of Common Grounds (SOCGs) which enable examining inspectors to gain an understanding of both agreements and disagreements between applicants and consultees. PINS encourage applicants to submit SOCGs with their application to assist in focussing the examination.</p> <p>The EA noted that during the NSIP examination stage, examining inspectors have requested information with short timescales. The EA noted they are tightly resourced and have a role in incident response; however they aim to respond within deadlines where possible.</p>
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Specific decisions/ follow up required?	<ol style="list-style-type: none"> 1. PINS case leaders to contact the EA in pre-application stage of projects likely to require an EP to encourage early meetings. 2. EA to identify dates for PINS to present the PA 2008 process to individuals within the EA permitting teams. 3. EA to identify a date for next meeting in September/October 2012.
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Circulation List	All attendees