



## Minutes

<b>Title of meeting</b>	PINS / Highways Agency meeting		
<b>Venue</b>	Room 200, Temple Quay House, Bristol		
<b>Date</b>	14 August 2014	<b>Time</b>	12:30 – 14:00
<b>Attendees</b>	<b>PINS</b> Simone Wilding (SW (Head of Case Management)) Sheila Twidle (ST (Head of Environmental Services)) Pauleen Lane (PL (Group Manager)) Sarah Green (SG (PINS Lawyer)) Nick Holmes (NH (note taker)) <b>Highways Agency</b> Stuart Wilson (StW) David Hinde (DH)		

StW opened by thanking SW for the minutes from the previous meeting and setting the context for this meeting.

The main reason for this meeting was to go through the two previous papers and finalise them.

StW advised that Natural England were unable to make the meeting.

### Paper One

SG advised that she had looked at this paper and that it would be helpful to clarify if the referral to Schedules 8 and 9 were in fact referring to Regulations 8 and 9. It was agreed that they were. SG also pointed out that she thought the paragraphs did not add anything to the paper.

StW advised that the reason they were included was to illustrate the inconsistent use of the term 'alteration' between the Planning Act 2008 and the Highways Act. DH said that when Highways Agency project teams were trying to establish if a project was a NSIP or not, there was a clear need for them to ensure they understood the definition under the PA.

StW also advised that there was confusion between the use of the terms 'improvement' and 'alteration' – these are two separate terms that are not consistently used in either the Planning Act, the Highways Act or the Highways and Railways Order. There is a definite need for an awareness of how the terms are used in the different Acts.

PL advised that it would be sensible to present the paper to DfT Legal as they had drafted the section.

PL also suggested using the A14 as a pilot test case in draft form.

ST advised that sometimes scoping requests are received. ST made it clear that if an opinion is given it does not automatically constitute an NSIP.

**Action – ST to provide specific cases of where this has happened to DH.**

**Action – StW to email DfT Legal and copy SW in.**

**Action – SG to provide comments on the paper to StW.**

## **Licensing**

NE are providing developers with options to take more consents into DCOs. This is meaning more work upfront; duplication of surveys, more work into the DCO application. This is not a good use of resource when the DCO has not been agreed.

SW advised that the key issue is if things are kept separately, how much work will this entail, as NE want the same level of information on a draft DCO as the proper DCO application.

StW advised that NE do not want to be in a position whereas they are viewed as an impediment to progression, and that NE will maintain the line that a full licencing application is to be submitted. NE are aware at a senior level of the need to discharge responsibilities.

NE officers have a statutory function which is supported by their legal view – any variation in this may lead to a questioning of their existing practices. HA are aware that NE are receptive to things that will reduce workload burden – currently the EPS team are working to twice their committed timescales.

NE need a meeting with PINS to discuss the HAs proposed proportionate approach to EPS licensing.

**Action – PINS to organise a meeting with NE to discuss this.**

**Action – StW needs feedback from all as soon as possible in order to come to a statement of common ground.**

HA are currently working towards a self-certified, self-regulated service from NE.

## **Previous meeting**

StW advised that Ian Askew is the sole point of contact. Ian sits in a non project delivery part of HA, so will need to be kept informed.

PL suggested that it could be beneficial for PINS to run a briefing / training event, as lots of organisations are not aware of PINS. StW advised that he would present this proposal to HAs Centre of Excellence to see how this could be worked through.

DH advised that he is currently working on a refreshment of an interim advice note, which is about to go to internal consultation and asked if PINS would be happy to look at it. This was agreed.

**Action – DH to send draft advice note to all PINS staff present.**