



Meeting note

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| Status | Final |
| Author | Kate Mignano |
| Date | 13 July 2016 |
| Meeting with | Highways England |
| Venue | Temple Quay House |
| Attendees | Highways England Wole Odetola Richard Quantick Tony Wallis Paul Carey Tom Bennett Nick Atkinson Jon Brittain Yasmin Esmail Nick Atkinson Jonny Door |
| | Planning Inspectorate Susannah Guest - Infrastructure Planning Lead David Price – EIA Manager Kate Mignano – Case Officer |
| Meeting objectives | A47 Project Update Meeting |
| Circulation | All attendees |

Summary of key points discussed and advice given:

The developer was reminded of the Planning Inspectorate's openness policy that any advice given would be recorded and published on its website under s51 of the Planning Act 2008 (as amended by the Localism Act 2011) (PA2008) and that any advice given does not constitute legal advice upon which developers (or others) can rely.

Introductions were made by everyone present, and individual roles were explained.

Project Update

Highways England (HE) explained the progress that had been made on the individual projects which together form the A47 Corridor Improvement Programme:

- A47 Wansford junction (A1) to Sutton (dualling)
- A47/A141 Guyhirn Junction (junction improvements)
- A47 North Tuddenham to Easton (dualling)
- A47/ A11 Thickthorn junction
- A47 Blofield to North Burlingham (dualling)
- A47/A12 junction enhancements

HE noted that they had undertaken further discussions with local authority officers and attended the most recent A47 Alliance meeting. The Inspectorate was invited to attend the next meeting of the A47 Alliance in November 2016.

HE outlined future activities including meeting with key statutory bodies and reviewing the programming of all six projects to understand the more complex traffic management and utility diversion implications should all the schemes progress to construction.

HE provided an overview of likely milestones for the remainder of 2016 including potential design freeze of schemes, commercial assessment work, working with local authorities and parish councils and preparing for non-statutory consultation activities.

HE explained that traffic modelling was on-going with transport assessments for each project progressing at slightly different stages.

Consultation

HE confirmed the plans to meet with Environment Agency, Natural England and Historic England to present the details of the schemes. The Inspectorate advised HE to be clear in their communications with these bodies in respect of the impacts on them as statutory bodies, land owners and asset managers.

HE provided a brief overview of work being undertaken in respect of the strategy for non-statutory consultation later in the year. HE anticipated that letters and leaflets about the A47 projects would be sent in autumn 2016 with public information events being planned from October 2016 to February 2017.

Environmental Impact Assessment

HE confirmed most of the survey work is now completed and environmental survey work will continue through winter 2016/2017.

The Inspectorate advised HE that if it is using data from surveys carried out from more than two years before submission of the application they should seek confirmation from statutory bodies that the data remains relevant. Whilst it was noted that using informed assumptions from other surveys could provide a practical way forward, this would depend on the receiving environment and may necessitate the need for a worst case assumption of assuming presence.

The Inspectorate confirmed that screening and scoping can happen before a preferred route option is confirmed. The Inspectorate explained that as long as the information provided is sufficient, screening would be completed within 21 days of receipt of the request. However, if the information provided is insufficient, The Inspectorate can

request further information from the developer resulting in a longer period of time before a screening opinion is issued.

The Inspectorate discussed the potential for HE submitting screening requests in respect of any of the schemes. The Inspectorate clearly stated that a negative screening opinion did not directly equate with the trigger of 'significant impact on the environment' for a potential improvement Nationally Significant Infrastructure Project under PA2008 s22.

The Inspectorate confirmed scoping can be done where the final route corridor has not been chosen; however it was noted that this would not be ideal. A wider corridor can be used or multiple corridors can be identified as part of the scoping request, however The Inspectorate noted that it would be more difficult to seek to scope out matters under this approach and that it might result in less detailed responses from consultees and the Secretary of State.

The Inspectorate explained that the scoping process takes 42 days and that 28 of those days are to allow for consultation with statutory bodies. The Inspectorate advised HE to plan its statutory consultation around the timetable for scoping, so to avoid confusion, not to have their statutory consultation open at the same time as the Inspectorate's scoping consultation process.

HE asked if once the final route announcement is made, the red line boundary differs slightly to the scoped area, how they could evidence this in their environmental statement and ensure all data is correct. The Inspectorate advised that any changes in area, scope or subsequent methodology should be discussed with the relevant statutory bodies and be recorded in the environmental statement.

Other matters

There was a conversation about the possibilities and logistics of combining several of the current schemes into one Development Consent Order (DCO) application, the three projects being: Blofield to North Burlingham, North Tuddenham to Easton and Thickthorn junction.

The Inspectorate advised HE that if the projects were combined, one DCO would need to cover all three. The advantages and disadvantages of this approach were briefly discussed. The Inspectorate advised HE to seek legal advice regarding this. HE will consider the implications before making a decision on how to progress.

Draft Documents

The Inspectorate stated that the submission of draft documents, although not statutory, is encouraged. The Inspectorate explained that draft documents can be reviewed and commented on, but that they are not published. It was noted that a full draft of the Environmental Statement could not be reviewed, but that a draft Habitats Regulations Report was encouraged to be submitted. The Inspectorate advised HE to start work on their Consultation Reports as soon as possible. HE were advised to get draft documents in to the Inspectorate early to allow time for review and if required, to allow time for the developer to make amendments.

HE was advised that the Rochdale Envelope approach is acceptable; however an application for Development Consent is not an outline application. Detail is necessary

and there must be a compelling need in the public interest for any compulsory acquisition.

Planning Act 2008 Process

HE asked a number of questions regarding the Planning Act 2008 process. These questions were answered briefly during the meeting. The Inspectorate advised HE to refer to the following pages on our website for further information.

- [Primary legislation](#) including The Planning Act 2008 and Localism Act 2011
- [Secondary legislation](#) including rules, regulations and commencement orders

Department for Communities and Local Government guidance on a range of matters relating to the application process can be accessed at the following link:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

The Planning Inspectorate has published a series of advice notes that are intended to inform developers, consultees, the public and others about a range of process matters in relation to the Planning Act 2008 process (as amended by the Localism Act 2011).

These Advice Notes can be accessed at the following link:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

In respect of two specific questions, The Inspectorate noted that it can review a draft Statement of Community Consultation and that an Examining Authority can recommend, and a Secretary of State then amend or add requirements to a DCO. It was noted that the need and justification for any amendments or new requirements should have been aired through the examination process or a Secretary of State can undertake consultation during the three month decision phase.