



Meeting note

File reference

Status**Final****Author**

Susannah Guest

Date

10 November 2016

Meeting with

Suffolk County Council

Venue

Mouchel Offices, London

Attendees

Michael Wilks – Suffolk County Council
Jon Barnard – Suffolk County Council
Emma Bethell – Suffolk County Council
Joanna Lyon – Mouchel
Ian Baker – Mouchel
Hywel Roberts – Mouchel

Susannah Guest – The Planning Inspectorate
David Price – The Planning Inspectorate
Katherine King – The Planning Inspectorate

Meeting objectives

Project introduction – Lake Lothing Third Crossing

Circulation

All attendees

Summary of key points discussed and advice given:

The Applicant was reminded of the Planning Inspectorate's openness policy that any advice given will be recorded and published on the National Infrastructure website under s51 of the Planning Act 2008 (as amended by the Localism Act 2011) (PA 2008) and that any advice given does not constitute legal advice upon which Applicants (or others) can rely.

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

Project Introduction

The Project Team provided a presentation covering the following topics: project team; project history; project description; policy background; stakeholder engagement; informal consultation; constraints and; programme and dependencies.

Key areas for discussion are noted below.

Project team

The Project Team explained the Governance structure and the clear separation of responsibilities and functions between the Lake Lothing Third Crossing Project Team and Suffolk County Council's status as a PA2008 s43 authority 'relevant local authority'. The Inspectorate queried when the information in respect of the separation of function would be in the public domain.

Project history

The Project Team provided an overview of the project to date, noting in particular the s35 Direction by the Secretary of State that directed the project to be considered under the PA2008 regime. The location of this scheme in respect of other Nationally Significant Infrastructure Projects was noted, as is mentioned in the s35 Direction.

Project description

The Project Team outlined the project and noted its location in respect of the existing Bascule Bridge on the A12, the operational port of Lowesoft (including its turning circle) and existing infrastructure including the local road network and Network Rail assets.

There was a discussion around the existing functions and powers of Suffolk County Council as a Highway Authority and a query in respect of an Applicant solely discharging relevant requirement as set out in a Development Consent Order (DCO). The Planning Inspectorate pointed to other similar projects and reminded the Applicant of the important role that third parties can play in providing assurance and impartial advice.

It was noted that a Deemed Marine Licence would be required as part of the DCO application and the Applicant noted the on-going discussions with Marine Management Organisation.

The Planning Inspectorate queried the legal situation in respect of rights and powers to own and operate the new bridge and the intended highway classification of the new bridge.

Project timescale

The Project Team anticipated that a Scoping Request might be submitted to The Inspectorate in Q1 2017, with statutory consultation being undertaken in summer 2017 and that final submission of the application might be towards the end of 2017.

Engagement and consultation

The Project Team provided an overview of stakeholder engagement and non-statutory consultation undertaken to date. The Project Team explained the intention to carry out statutory consultation over summer 2017. A Community Consultation Statement is being produced by Suffolk County Council.

Other developments/proposed developments in the area

The Project Team outlined the on-going dialogue with ABP, owners of the operational port and noted that there were plans to submit a Transport and Works Act application for a new flood barrier to be constructed to the east of this scheme. The timing of this application was not certain at this time. The Planning Inspectorate drew attention to its Advice Note on Cumulative Impacts and the approach to diminishing levels of certainty applicable to a project. The location of the proposed scheme in respect of extant planning permissions was also discussed.

Environmental survey works

The Applicant discussed their general approach to Environmental Impact Assessment (EIA) with the Planning Inspectorate. The Applicant asked if the Environmental Statement (ES) should include a standalone transport chapter or if reliance on the standalone Transport Assessment was sufficient. The Planning Inspectorate stated its preference for a separate transport chapter within the ES but that it can cross reference to the Transport Assessment as necessary. The Planning Inspectorate also noted that some Applicants have chosen to append their Transport Assessment to the ES and that this can support the accessibility of information.

The Applicant explained their proposed programme and the anticipated timing of a EIA scoping opinion request. The Planning Inspectorate discussed the options based on the indicative timescales and explained the potential issues if the Applicant chooses to consult on Preliminary Environmental Information (PEI) at the same time as approaching the Planning Inspectorate for a scoping opinion.

The Applicant sought views from the Planning Inspectorate regarding the approach to establishing the air quality baseline position. The Planning Inspectorate suggested that the question might be better addressed either formally in writing perhaps as s.51 advice or through the EIA scoping process.

The Applicant sought views from the Planning Inspectorate on the new EIA Directive and how Applicants are to take this into account. The Planning Inspectorate explained the EIA Directive is due to be transposed into UK legislation by May 2017. The Planning Inspectorate reminded the Applicant of the transitional measures included within the new Directive specifically Article 39.