



Meeting note

File reference	TR010006
Status	Final
Author	Callan Burchell
Date	19 May 2016
Meeting with	Highways England
Venue	Temple Quay House, Bristol
Attendees	Developer Salvatore Zappala – Highways England Nicholas Coombes – Highways England Julian Boswell – Burges Salmon Cathryn Tracey – Burges Salmon Fay Tresidder – Mott MacDonald Sweco Abi Hooper – Mott MacDonald Sweco Zoe Walne – Mott MacDonald Sweco The Planning Inspectorate Susannah Guest – Infrastructure Planning Lead Hannah Nelson – EIA and Land Rights Advisor Emma Cottam – EIA and Land Rights Advisor Callan Burchell – Assistant Case Officer
Meeting objectives	M20 Junction 10a draft documents feedback and logistics of submission
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 will be recorded and published on the planning portal 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 the Applicant (or others) can rely.

Project Update

Highways England (HE) provided a project update on the M20 Junction 10a scheme, outlining key progress since the last teleconference with The Planning Inspectorate (the Inspectorate). HE explained that the second round of statutory consultation had ended in May 2016. HE were having regard to any relevant responses from that consultation and would be up-dating the draft Consultation Report in due course.

HE advised that they are continuing consultation with the statutory bodies in order to develop their Environmental Statement. HE are currently undertaking a mineral assessment and have reviewed the climate change allowances assessed in their Flood Risk Assessment in light of advice received from Kent County Council and Ashford Borough Council.

HE advised that they held a meeting with Natural England (NE) in April. Protected species licences have been submitted to NE for consideration and the applicant intends to obtain Letters of No Impediment from NE and submit these with the Development Consent Order (DCO) application.

HE had provided The Inspectorate with a suite of draft documents for review. The Inspectorate raised a series of questions in respect of these documents and a log of the points raised can be found in Appendix 1 to this note.

General

The Inspectorate noted that given the draft nature of the documents, some elements were understandably incomplete or in draft and there were elements of the final submission documents that the Inspectorate had not seen. In light of this, the Inspectorate noted that the comments below relate to the specific set of documents reviewed; if the Inspectorate did not raise a query in respect of a document or the detailed contents of a document it should not be taken that The Inspectorate has determined that it is of a satisfactory nature or technically accurate.

Assessment of the Implications on European Sites (AIES)

The Inspectorate requested for HE to provide more information in the AIES regarding the assessment methods to confirm how HE has assessed the potential effects on European sites. The Inspectorate highlighted that sections within the AIES are not specific to each qualifying feature/interest of every European site screened into the Habitats Regulation Assessment (HRA), and confirmed that the AIES should demonstrate specifically how each qualifying feature/interest has been assessed. The Inspectorate requested for all sections in the AIES to cross refer to the evidence used to reach the assessment conclusions. The Inspectorate requested for the AIES to include detailed descriptions of the mitigation measures used to reach the conclusions of the HRA.

The Inspectorate requested a description of all of the consultation undertaken and the level of agreement reached within the AIES. The Inspectorate also requested that evidence to support the extent of the agreements should be provided in an appendix to the AIES.

Definition as a Nationally Significant Infrastructure Project (NSIP)

The Inspectorate requested clarity over the definition of the project against the requirements of PA2008 in particular s14 and s22. The Inspectorate noted that the

terms 'construction' and 'alteration', that have particular meaning under PA2008 s22, had been used throughout the suite of documents. The Inspectorate noted this as a general consistency point. However, the Inspectorate also queried the explanation provided in the Explanatory Memorandum in respect of s22 and noted that the draft DCO Schedule 4 Part 3 appeared to indicate that the majority of the scheme would be creating highways with a speed limit of 40mph or amend the existing speed limit on particular stretches of highway to 40mph. The Inspectorate drew attention to the Explanatory Memorandum that referred to the provisions of s22(4)(b) in respect of a speed limit greater than 50mph.

The Inspectorate advised that HE should provide consistent and clear evidence that the scheme is an NSIP. The Inspectorate suggested that HE could provide a plan and noted that HE had some internal guidance on this point. The Inspectorate further suggested that HE could look to define the scheme into its component parts i.e. identify those elements that would be defined as construction and identify the relevant 'area of development' (in accordance with PA2008 s22(9)), identify those elements that would be defined as alteration and identify the relevant area of development etc. The Inspectorate observed that the calculation of any relevant area of development would reflect the provisions of PA2008 S22(4). It was noted that HE did not consider this to be necessary. The Inspectorate reiterated that a decision under PA2008 s55 must determine whether a scheme is an NSIP and suggested that the current suite of draft documents did not provide clear and consistent evidence on this point.

Approach to an 'Alternative' in the application documents

HE had provided the Inspectorate with an explanation of their proposed approach to having an 'alternative' to the 'main' scheme. This explanation had specifically related to precedents from other NSIP applications and to the proposed wording in the DCO in respect of articles and requirements. The Inspectorate noted and understood the principles outlined as part of that explanation. It was noted that the draft documents had not been up-dated to reflect this approach and therefore .. the Inspectorate could not draw clear observations on whether the approach appeared sufficient, clear and understandable in the specifics of this case.

Provisions in the draft DCO were discussed, most notably Article 5. The Inspectorate drew attention to the approach taken in Article 30 of the [Hirwan Generating Station DCO](#). The Inspectorate queried whether consideration had been given to a provision (possibly within Article 5) that would indicate that if a planning permission for the Stour Park Development or a permission for particular defined use on the area in question, had not been granted by [insert a suitable date no later than the likely 5 year date associated with any compulsory acquisition powers] then Alternative B could not be constructed.

The Inspectorate noted that the draft Land Plans did not appear to have been up-dated to reflect the approach to an alternative. The Inspectorate noted that compulsory acquisition of the land associated with an alternative would need to be fully justified against the relevant compelling need tests. The Inspectorate queried why the red line on the draft Land Plans appeared so extensive at this location if the plans had not taken into account the alternative approach. The Inspectorate noted any such land in respect of the 'main' scheme would similarly need to be fully justified.

During previous discussions and published consultation material, HE had been clear to indicate that the need for the new access was related to the future development of the Stour Park Development site and that it would be financed through external funds. From this standpoint, the Inspectorate understood the rationale for including the new access as an alternative to the 'main' scheme. The Inspectorate believed clarity and consistency in respect of the nature and significance of the respective need arguments and funding arrangements for the new access would be critical to understanding and justifying the approach taken to the alternative and any compulsory acquisition powers associated with it.

Red Line Boundary / Works Plans / Land Plans

The Inspectorate raised matters relating to the Red Line Boundary (RLB) noting that a complete RLB had not been sent as part of the suite of draft documents – the complete RLB was not included on the draft Works Plans or Land Plans. The Inspectorate queried whether there would be a definitive and complete RLB submitted as part of a formal application and this was confirmed by HE. The Inspectorate further enquired whether any changes to the red line boundary over the evolution of the scheme had caused additional consultation requirements that should be reflected in the Consultation Report, for example including additional parish councils.

It was noted that the Works and Land plans were at a different stage of drafting from the Draft DCO and therefore direct correlation between DCO schedule 1 and the plans had not been possible. However, the Inspectorate noted that the draft Works Plans did not contain limits of deviation and the extent of each work in respect to other works was not clear.

The Inspectorate requested further clarification between the area of development and descriptions of the site size. HE noted that this would be resolved prior to submission.

Development Consent Order

The Inspectorate asked for an up-date on discussions with relevant parties in respect of protective provisions and with the relevant bodies in respect of discharging requirements. HE noted that they hoped to share a draft of the DCO with the relevant authorities in advance of submission.

Statement of Reasons

The Inspectorate noted that Appendix 1 had not been completed at this stage of drafting and indicated it would be critical in understanding the compulsory acquisition elements of the application. The Inspectorate noted that the current approach in the Statement of Reason appeared to be discussing the scheme as a whole, however evidence by work and by plot would assist the examination process.

The Inspectorate asked about on-going discussions with Ashford Borough Council in respect of replacement land. HE hoped that this would be resolved by submission.

Consultation Report

The Inspectorate noted detailed points in respect of the Consultation Report and indicated that a Compliance Table is often a very helpful element of a Consultation Report; the Inspectorate noted that this should be as comprehensive and accurate on the statutory requirements as possible and can usefully cross-reference to where the relevant evidence is in the body of the Consultation Report.

The Inspectorate noted the information in the Appendices and stressed the importance of including copies of all relevant and required information either in the appendices or through clear cross-referencing. The Inspectorate also highlighted the importance of providing explanation in the narrative in respect of, for example, whether an applicant's list of s42 consultees differed from the list the Inspectorate consulted in respect of any Scoping Request; noting any difference can be helpful, but providing the narrative about why the difference exists is critical.

The Inspectorate encouraged a thorough consistency check in the Consultation Report with the other application documents in respect of terminology used and accurate referencing to legislation and its effect. The Inspectorate encouraged a consistent and correct reference to the second round of consultation.

Pre-Submission activities

HE informed the Inspectorate that they intend on submitting the application on 23 June 2016 and that they would provide an update in the week commencing 10 June 2016 as appropriate. The developer made the Inspectorate aware that they will submit a draft s55 checklist as part of the application.

The Inspectorate reminded the developer that all representations can be requested where it is seen as necessary (under Applications: Prescribe Forms and Procedures Regulation 5(5)).

The Inspectorate informed HE that a Shapefile and Electronic Index must be sent to the Inspectorate at least two weeks prior to submission. The Inspectorate reminded HE of Advice Note six: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/05/Advice-note-6-version-71.pdf> The Inspectorate checked that the DCO would be in the required Statutory Instrument template.

The Inspectorate requested two hard copy sets of application documents, one extra hard copy set of plans and 3 electronic copies of the whole application upon submission (1 DVD and 2 memory sticks).

Specific Decisions / Follow up

- The Inspectorate requested comments on two outstanding meeting notes.
- The Inspectorate would provide HE with further information regarding the pre-submission activities and logistics.

- HE would update the Inspectorate with regards to the submission date.

Post-Meeting s51 advice

If the Alternative (new access) is only to be provided if finance is forthcoming from a private developer, then there is a conditional need for the new access and the land (subject of CA) associated with it. The need is presumably conditional on something happening, in this case being the grant of planning permission. In terms of the CLG guidance on procedures in respect of Compulsory Acquisition the ExA would be looking for a reasonable prospect that the alternative and the CA for it would be funded. This reasonable prospect would naturally be tied to the relevant planning permission. In order to confirm the CA in respect of the alternative, the following specific paragraphs of the CLG guidance might be relevant paragraphs 10, 17 and 18.

AIES	Comment
1.2	References are made to the Environmental Statement (ES), when it is assumed this should be to the Assessment of Implications on European sites (AIES).
1.3	The Consenting Regime: This section does not reflect the current position of the application (i.e. it should reflect the position at the time of submission). This will need to be updated.
1.3	You are advised to consider whether all information included in the AIES is relevant to the HRA. As an example, section 1.3 provides a description of the Environmental Impact Assessment (EIA) process.
1.4	Location: It would be helpful to include a location plan of the proposed development in the AIES.
1.6	The designer: As per comments above, this section will need to be updated to reflect the position of the application at submission.
1.8	Purpose of the AIES: As above.
2	<p>Assessment Method: More information should be included in the AIES to confirm how you have assessed effects on European sites. This should include (but is not limited to):</p> <ul style="list-style-type: none"> • the process of determining whether there are any likely significant effects (LSE), and how you have defined a LSE; • the baseline data used to inform the assessment (surveys undertaken, methodologies adopted etc.); • the approach taken to assess in-combination effects, including the plans/projects considered for inclusion in the assessment. It may be helpful to discuss with the local authority the relevant plans/projects to include in the in-combination assessment; • confirmation whether Natural England (NE), as the Statutory Nature Conservation Body (SNCB) agree with the assessment methods adopted. Evidence of any agreements should be appended to the AIES and/or through cross reference to a signed Statement of Common Ground (SoCG).
2.1	<p>Screening matrices: It is noted that the Applicant intends to append the PINS AN10 screening matrices to the final version of the AIES. The following are pointers to consider when preparing the screening matrices:</p> <ul style="list-style-type: none"> • a separate matrix should be provided for each relevant European site, even where the boundaries overlap; • all qualifying features/interests should be included in the matrices; • all impacts considered within the AIES (section 4.4 and the DMRB matrices in section 5) should be reflected in the matrices where relevant to a particular European site and feature/interest; • the footnotes should include paragraph references to the evidence provided in the AIES and other documents (e.g. the ES) used to support the screening conclusions; and • where mitigation is being relied on to reach the conclusion of no LSE, the footnotes should confirm what mitigation this is, and how this is secured in the draft DCO. <p>Please can a separate word version of the screening matrices be provided alongside the AIES.</p>

AIES	Comment
3.1-3.3	As previously highlighted, you may wish to consider whether all information included in this section is relevant to the HRA.
3.3	History of the project to date: This section will need to be updated to ensure it reflects the pre-application stage in its entirety. For example, this should describe the work that has been conducted since the Stage 3 consultation up until the submission date.
3.4	Project description: Please ensure that the project description provided in the AIES is consistent with the description provided in the ES and the draft DCO.
3.4.2	Alternative Scheme project description: Cross reference is provided to section 3.4.1 for a description of the alternative scheme but this does not appear to be provided in this section. Suggest providing a description of the alternative or cross referencing to section 1.2 of the AIES.
3.4.3	Potential Environmental Effects: Main Scheme: This section of the Report appears to consider the general environmental effects of the proposed development. Please ensure that all information provided in the AIES is relevant to the HRA.
3.4.3	As previously highlighted, this section of the AIES will need to be updated to reflect the current position of the application; i.e. the detailed air quality assessment should now be available in the ES.
3.4.4	Mitigation: As per comments on 3.4.3, it is unclear whether the description of the proposed mitigation measures relates to the general environmental effects, or are measures which are specifically relied on to reach the conclusions in the HRA. This should be made clear to avoid confusion as to what measures are being relied on in the HRA.
4.1	Proximity to European sites: Confirmation should be provided as to whether NE agree with the European sites screened into the assessment. Evidence of any agreement should be appended to the AIES and/or through cross reference to a signed SoCG.
4.1	It would be helpful for a plan illustrating the location of the European sites in relation to the site boundary to be provided as an Appendix to the AIES.
4.1	Information on the Ashford Borough Council (ABC) Appropriate Assessment (AA) of the Core Strategy is provided within the section of the AIES. It may be helpful to provide information on the ABC AA in a separate section of the AIES so not to confuse this with the applicant's HRA of their own scheme.
4.4	Initial Assessment of Effects: It is unclear what the difference is between the information provided in this section of the AIES in respect to the assessment of effects and the information provided in the DMRB screening matrices provided in section 5. There are for example, different impacts described in section 4.4 in comparison to Section 5. The assessment of the effects should be presented in one location in the AIES, and it should clear which impacts have been assessed.
4.4	The information provided in this section of the AIES is not specific to each European site and the qualifying features/interests of each European site. You will need to ensure that the Report specifically assesses and concludes on each qualifying feature/interest of every European site screened into the HRA.

AIES	Comment
4.4	This section of the AIES does not cross refer to the evidence used to reach the assessment conclusions. This section should be updated to reference the precise source of all evidence used e.g. the air quality assessment, with cross references to paragraph numbers in the ES.
4.4	<p>The AIES should include a detailed description of the mitigation measures relied on to reach these conclusions of the HRA and confirmation provided as to how these measures are secured in the draft DCO.</p> <p>You might want to consider providing a mitigation summary table in the AIES which sets out all mitigation measures required, and includes direct references to text in the draft DCO and any draft mitigation plans such as a CEMP, to confirm how all proposed mitigation is secured.</p>
4.4	In-combination effects: The Report concludes that no LSE in-combination with other plans/projects would arise because the assessment of the project alone has not identified any adverse effects on European sites. Confirmation should be provided as to whether NE agree with the conclusion that there would be no in-combination effects on any European site screened into the assessment. Evidence of any agreements should be appended to the AIES and/or through cross reference to a signed SoCG.
5	Summary and Conclusions: The DMRB screening matrices provided in this section may be better located in section 4 as they include information relating to the assessment of effects.
5	DMRB screening matrices: The DMRB screening matrices include the qualifying features/interests as specified on the Natura 2000 data forms/Ramsar Information Sheets on the JNCC website. For clarity purposes, you may wish to seek confirmation from NE that they agree you have identified the correct qualifying features/interests for inclusion in the HRA. Evidence of any agreements should be appended to the AIES and/or through cross reference to a signed SoCG.
5	The same points highlighted against section 4.4 apply to section 5.
5.2	Conclusion: You are advised to review your use of terminology to make it clear that you have concluded no LSE and therefore an AA is not required. Where no LSE has been concluded, there is no requirement to consider the effects on the integrity of European sites (an AA).
6	Consultation: Information on consultation is also provided in section 3.3 (history of project to date). You are advised to consolidate this information to ensure that information on consultation is provided in one place within the AIES.
6	Some of the information provided in this section of the AIES does not relate to the HRA and therefore this section should be reviewed and only the information relevant to the HRA (and associated survey work in the ES) should be reported.

AIES	Comment
6.2	<p>Proposed consultation: This section will need to be updated to describe the consultation undertaken and the level of agreement reached, particularly with NE, up until the date of submission. It is expected that the AIES should clarify the level of agreement on the following matters:</p> <ul style="list-style-type: none"> • study area adopted and the European sites screened into the assessment; • data used to inform the assessment; • impacts considered; • the correct features/interests of the European sites have been identified and assessed; • what mitigation is required to agree the conclusions and whether this has been secured in the draft DCO; and • the assessment conclusions. <p>Evidence to back up the extent of the agreements reached should be provided in an Appendix to the AIES (including for example, minutes of the meeting held with NE held on 20 April 2016 referenced in the DMRB screening matrices in section 5). It would also be helpful to reflect this information in a signed SoCG.</p>
Appendix A	<p>Red line boundary plan: This plan is not to a sufficient scale or quality; all plans provided should be legible, to a recognisable scale and clearly labelled.</p>
n/a	<p>Decommissioning: Decommissioning is not mentioned in the AIES. The final AIES will need to confirm how decommissioning has been considered in the HRA, or whether this has been screened out of the assessment with agreement from NE. Evidence of any agreements should be appended to the AIES and/or through cross reference to a signed SoCG.</p>
n/a	<p>Presentation:</p> <ul style="list-style-type: none"> • It would be helpful for the AIES to include paragraph numbers to assist with referencing purposes, for example when you are drawing on information provided in AIES within the PINS AN10 screening matrices; and • where you are referring to other documents outside of the AIES (e.g. the ES and DCO), it would be useful to insert the application document references.

M20 Junction 10a Draft Documents

Funding Statement	Comment
Para 2.1	Clarity: is it possible to explain when the latest cost estimate was derived and whether any changes to the Red Line Boundary (in respect of the Alternative) have significantly affected the Compulsory Acquisition (CA) cost estimate.
General	Clarity: as HE is the undertaker, HE must be capable of under-writing the cost of the scheme and most significantly any costs associated with CA powers being sought (including blight).

Statement of Reasons	Comment
Para 1.5	Consistency of terminology: the scheme is defined as an 'alteration' compared with other descriptions throughout the suite of documents that relate to the definition of the scheme under PA2008 s22 provisions. Note internal consistency between para 1.5 and para 2.1.
Para 2.6 and para 2.7	See comments under meeting note discussion.
Para 2.14	Clarity and consistency: The Explanatory Memorandum explains that there is no associated development.
Para 2.14	Clarity and consistency: "authorised works" only appears in the Statement of Reasons compared with references in the DCO to "authorised development" (Schedule 1 and Article 2).
Para 4.2	Clarity and consistency: reference to scheme boundary encompassing 58.8ha and relationship and clarity in respect of area of development being 51ha.
Para 6.7	Further explanation: it is advised that the Statement of Reasons make clear that "written to" should be more than writing a letter to affected persons; the narrative should explain the level of engagement undertaken including face-to-face engagement (as para 7.6 suggests). More evidence in respect of the project specific engagement could be provided. The intension may be to include the information in an Appendix; this should relate to CA engagement and negotiations and not just engagement under s42 consultation.
Para 11.23	To note: check that the appropriate 'paperwork' has been completed for the transfer of the relevant land to Highways England.
	To note: there is a statement that HE is under a duty to acquire land at best value and ... required to deliver the scheme within a specified time frame. Is it possible to provide some explanation or referencing for these statements.

Book of Reference	Comment
Part 4	To note: The Inspectorate sought confirmation that there is no Crown Land.

Works Plans	Comment
Introduction	Consistency of terminology: Para 1.2 states grant powers to “construct the new motorway junction 10a”. Clarity and consistency required in respect of the definition of the scheme under PA2008 s22 provisions.
Key Plan	To note: the red line boundary is incomplete to east and western extents of Works Plans. The Inspectorate sought confirmation that a suitable plan would be part of the application documents that would show the entire red line boundary.
Works	To note: the list of works in the draft DCO does not directly correlate to the Works Plans. The Inspectorate sought confirmation that this was due to each document being at a different drafting stage.
Works	To note: the Works Plans currently do not show any limits of deviation for individual works and could provide a clearer indication of where particular Works start and finish; this would be particularly important in respect of the articulation of an Alternative on the Works Plans.
Alternative	To note: Sheet 4 of 4 shows the ‘Alternative’ but does not accord with references in the Draft DCO and Schedule 1. The Inspectorate enquired about the level of detail and clarity that would be provided in respect of individual works in the submitted plans.
Work 7 and Work 10	To Note: noted as examples of where the current Works Plans do not provide information about the geographical extent of such works particularly in respect of other works.

Land Plans	Comment
Introduction	Consistency of terminology: Para 1.2 states grant powers to “construct the new motorway junction 10a”. Clarity and consistency required in respect of the definition of the scheme under PA2008 s22 provisions.
Key Plan	To note: the red line boundary is incomplete to east and western extents of Works Plans. The Inspectorate sought confirmation that a suitable plan would be part of the application documents that would show the entire red line boundary.
Key	To note: the Plot Boundary and Public Path annotations on the Key are very similar.
Key	To note: land shown in white is not explained; assume this is Highways England owned land. This land appears to be separated in to plots, but no explanation is provided as to the significance of this.
Sheet 3	To note: The Inspectorate enquired about the status of the ‘watercourse/stream’ on Sheet 3.

Development	Comment
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Consent Oder	
A5	Article 5(3) was discussed in more detail – see comments under meeting note discussion.
A7	Clarity: The Inspectorate queried the purpose and detailed drafting of the Article.
A8	To note: does the Explanatory Memorandum explain and justify the 2m provisions for vertical limits of deviation.
A10	To note: could the Explanatory Memorandum provide more detail in respect of why sign off by the Secretary of State is not considered necessary.
A44	Clarity: The Inspectorate queried the purpose and effect of the Article.
Requirements	To note: the current mechanism for discharging (relevant) requirements is with the Secretary of State. Has this been justified in the Explanatory Memorandum and has the approach been discussed with the relevant local authorities.

DCO Sch 1	Comment
Works	To note: The Inspectorate checked that this element of the DCO had not been up-dated in accordance with the approach outlined in respect of the 'Alternative'.
Introduction	Clarity and consistency: The Explanatory Memorandum explains that there is no associated development.

Explanatory Memorandum	Comment
Section 2.1	To note: The Inspectorate checked that the scheme description will include the 'Alternative'.
Section 2	Consistency of terminology: the scheme is defined as an 'alteration' compared with other descriptions throughout the suite of documents that relate to the definition of the scheme under PA2008 s22 provisions. The Inspectorate queried the relevant provisions and thresholds of PA2009 s22 in respect of DCO Schedule 4 Part 3 Speed Limits.

Consultation Report	Comment
General	To note: The document appeared to be at a relatively early stage of preparation and would be subject to drafting checks, additional text and content review. The Inspectorate did not provide detailed feedback on smaller drafting matters but noted the importance of checking correct referencing and completing all Appendices.
General	To note: a compliance table can be an extremely helpful tool in a Consultation Report. The Inspectorate

	also suggested that references in the text to certain requirements would be helpful for completeness e.g. confirmation that no part of the scheme relates to off-shore development and therefore certain consultation requirements are not required for this scheme. The Inspectorate also stressed the importance of providing all necessary evidence in the Consultation Report (appendices) or including clear cross-references to other application documents e.g. providing a copy of a Scoping Opinion; providing copies of all relevant letters quoted in the text of the Report; and providing copies of all relevant newspaper adverts.
General	Consistency in terminology: certain terms had been used throughout the Consultation Report that could usefully be clearly explained and consistently used. For example the terms engagement and consultation could have specific meanings in respect of activity on this project (linked to statutory and non-statutory activities). If so, it would be useful to clearly set this out early in the document. The Inspectorate noted that precise, accurate and consistent use of terminology is essential in assisting our checks under PA2008 s55 upon formal submission.
General	Clarity and consistency: various terms and terminology has been used in respect of the consultation that closed in May 2016, including re-run, re-open, additional consultation etc. Clear and consistency referencing will be helpful in undertaking the relevant checks under s55 during Acceptance.
General	To note: no location map has been included.
Contents	To note: Perhaps Chapter 4 could be "Statutory" Consultation Methodology to aid clarity in drawing a distinction.
Exec Sum	Purpose of Executive Summary: the current version could appear rather lengthy and widely drawn.
Exec Sum	Clarity of description: see notes above in respect of clarity and consistency of definition and description of the project against the provisions and thresholds of PA2008 s22.
Exec Sum Table XX	Clarity: suggest review content in respect of 'plain English' and use of abbreviations; the inclusion of some elements appears rather confusing as to the purpose of the Table at this location of the document (e.g. level of detail in respect of post-coding mapping). Note that some elements could be considered statutory and to be denoted in blue, for example local authority comments on the Statement of Community Consultation (SoCC).
Section 2.3	To note: the document does not provide a succinct overview of the change in status of Highways Agency to Highways England.
Para 3.2.3	To note: the terminology of "non-statutory prescribed stakeholders" might appear confusing.
Map of local LAs	To note: whilst this information is provided in map form, it would be helpful to have the names and status of each authority clearly set out in a table/text.
Table under 4.2.1	To note: this appears to contain incomplete references to PA2008 and perhaps partial identification of statutory elements (e.g. the timeframe provided by s45 does relate to consultation).
Paras 4.2.3	To note: under s55 PA2008 is the requirement to check that an applicant has had regard to published and relevant DCLG guidance. Whilst the statements in para 4.2.3 and para 5.16 are helpful, signposting this in detail (where relevant) throughout the document would help in a review under s55.

Para 5.1.4	To note: it was amendments to the PA2008 that updated the requirements in respect of publishing a SoCC, not Inspectorate guidance.
Table under para 5.1.9	To note: the table is helpful. Where a suggestion is made but not taken on board by an applicant, more explanation can be helpful in any review under s55 PA2008; note in particular item 14.
Para 6.1.3	To note: there is not such requirement in respect of 28 days for s47 consultation.
Section 6.3	To note: PA2008 s55 requires evidence that an applicant has carried out consultation in accordance with the SoCC. It is helpful if a Consultation Report sets this out as clearly as possible in respect of the elements included in a SoCC. It is also helpful to include in the text clear statements against the requirements, e.g. that the SoCC noted that the development was EIA and referred to the PEIR.
Section 7	To note: it would be helpful to reference EIA Reg 6 in this chapter. It is helpful when an applicant indicated whether their s42 consultee list has omitted bodies/organisation that were included as part of the Inspectorate's list under EIA Reg 9 and provide clear reasons for that. The Inspectorate enquired about the use of the term 'redundant' in the Appendix update to the s42 & s48 consultee list.
Section 8	To note: this section had not been fully drafted but the Inspectorate encouraged that all evidence is included and explained.