

To all Interested Parties

9 March 2012

Dear Sir/Madam

Planning Act 2008 (PA 2008) and the Infrastructure Planning (Examination Procedure) Rules 2010

Notice of availability of relevant representations¹ and of the Preliminary Meeting² regarding an application for a new dual carriageway connecting the junction of the A683 and A589 with junction 34 of the M6 (Heysham to M6 Link Road)

IPC Reference Number: TR010008

I am writing to you following my appointment as the Single Commissioner Examining Authority to examine and report on this application for a Development Consent Order (DCO).

1. *Confirmation of your status as an 'Interested Party'*

As you have submitted a relevant representation to the Commission, or you are one of those persons referred to in the PA 2008³, I can confirm that you are an Interested Party and will therefore receive notifications from the Commission about the examination throughout the process⁴. Your unique reference number is provided at the head of this letter or within your covering email. All relevant representations submitted are available for you to access on the Commission's website or to inspect at various locations. Further details are provided in **Annex A** to this letter.

2. *Invitation to the Preliminary Meeting*

I am also writing to inform you of the date, time and place of the Preliminary Meeting and to invite you to attend the Preliminary Meeting⁵.

The Preliminary Meeting will take place on 3 April 2012. Registration will start at 09:30 and the meeting is scheduled to start at 10:30 in the Ashton Hall, Town Hall, Dalton Square, Lancaster LA1 1PJ⁶.

If you wish to attend the Preliminary Meeting, please write or email to the Case Leader (Kathrine Haddrell) at the address on the front of this letter by 23 March 2012. It will help us manage the meeting in an efficient way if you are able to:

- Confirm attendance; and

¹ Rule 21 of the Infrastructure Planning (Examination Procedure) Rules 2010

² Planning Act 2008 (PA 2008) S88 and Rule 6

³ S102(1)(a)-(c) PA 2008

⁴ S102 PA 2008

⁵ S88(3) PA 2008 and Rule 6

⁶ Rule 6

- Inform us whether you wish to speak at the meeting and to note the agenda items you wish to speak to, listing the points you wish to make.

3. *The purpose of the Preliminary Meeting*

The purpose of the Preliminary Meeting is to enable views to be expressed about matters set out in the agenda (**Annex B**) and in particular to hear representations about the way in which the application is to be examined.

It is important to recognise that the Preliminary Meeting it is about procedure. It is about **how** the examination will be conducted; it is **not** about the merits of the application. If you do not attend this meeting you will still be able to participate during the examination. The merits will be considered when the examination of the application takes place, through the written representations and programmed hearings. Further information about Preliminary Meetings is given in the enclosed Advice Note.

After the Preliminary Meeting I, as the Examining Authority, must decide how the application is to be examined⁷. You will find my initial view regarding the way in which the examination will be run at **Annex C**; this sets a timetable giving proposed deadlines for information to be submitted to the examination and dates for hearings that are envisaged⁸. I wish to hear from Interested Parties particularly where they consider that issues may need to be examined in a different way from that set out in **Annex C**.

The agenda for the meeting has been set following my initial assessment of the principal issues arising on the application. These are set out in the Statement of Principal Issues at **Annex D**. These are the principal issues that I have so far identified; I would wish to hear from Interested Parties where they consider there may be other significant issues that need to be examined.

4. *Arrangements for the Preliminary Meeting*

Please bring this letter with you to the Preliminary Meeting as proof of your identity and status as an Interested Party. On arrival at the venue you will be asked to register your name and unique reference number with IPC staff; you will then be directed to the seating area. Priority will be given to those registered as Interested Parties before any seating in the room is allocated to other attendees.

I aim to run an efficient and effective Preliminary Meeting and therefore strongly encourage one representative to speak on behalf of groups or individuals with related procedural concerns and only then if another Interested Party has not already made the point.

If you wish to make any submissions on matters not set out in the agenda and which would enhance the discussion at the Preliminary Meeting, I ask that you write to the Case Leader, Kathrine Haddrell, setting out the submissions that you wish to make at least 7 days before the Preliminary Meeting. Please use the address at the top of this letter or email: HeyshamM6link@infrastructure.gsi.gov.uk. I will seek to accommodate reasonable requests and will augment the agenda on opening the Preliminary Meeting if I consider additional points will assist a discussion on the procedure that will be followed in the examination of the application.

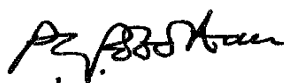
⁷ S89(1) PA 2008

⁸ Rule 8

A note will be taken of the Preliminary Meeting and circulated to you as soon as practicable⁹ after the meeting. You will also receive a copy of the procedural decisions I make about how the application is to be examined¹⁰ in the light of discussion at the Preliminary Meeting as soon as practicable after the meeting.

Please note that you are not required to attend the meeting and you will still be able to make written representations on the application by the deadline set for such representations, whether or not you attend the Preliminary Meeting.

Yours sincerely



**Peter Robottom MA(Oxon) DipTP MRTPI MCMI
Commissioner
Examining Authority**

For and on behalf of the Infrastructure Planning Commission

The IPC gives advice about applying for an order granting development consent or making representations about an application (or a proposed application). The IPC takes care to ensure that the advice we provide is accurate. This communication does not however constitute legal advice upon which you can rely and you should note that IPC lawyers are not covered by the compulsory professional indemnity insurance scheme. You should obtain your own legal advice and professional advice as required.

We are required by law to publish on our website a record of the advice we provide and to record on our website the name of the person or organisation who asked for the advice. We will however protect the privacy of any other personal information which you choose to share with us and we will not hold the information any longer than is necessary.

Before sending information to the IPC, please consider our Openness Policy, which can be viewed on our website or a copy will be provided free of charge on request

⁹ Rule 7 (2)

¹⁰ S89 PA 2008 and Rule 9

Annex A

Availability of relevant representations and documents

On the Commission's website at www.independent.gov.uk/infrastructure following the links: *Projects – North West – Heysham- M6 Link Road – Relevant Representations* (which will be in the tab on the right of the page).

For inspection and copying at:

- **Lancaster Town Hall**

PO Box 4
Town Hall
Lancaster
LA1 1QR

Copying Charges: 10p per sheet A4/A3

Opening hours: 09.00 to 17.00 Monday and Friday

- **Morcambe Town Hall,**

Marine Road East
Morecambe
LA4 5AF

Copying Charges: 10p per sheet A4/A3

Opening hours: 08.30 to 17.00 Monday to Friday

- **Morcambe Library**

Central Drive
Morcambe
LA4 5DL

Opening hours: 09.30-17.00 Monday, Wednesday and Friday, 09.00-19.00 Tuesday and Thursday, 09.30-16.00 Saturday

Copying charges: 10p per sheet of A4, 10p per sheet of A3.

- **Infrastructure Planning Commission**

Temple Quay House
Bristol
BS1 6PN

Copying Charges: 10p per A4 sheet, 28p per A3 sheet,

£9.90 per A1 plan and £14.90 per A0 plan, other sizes at additional cost.

Opening Hours: 10:00 to 16:00 Monday to Friday

(Coping charges quoted are indicative costs as at March 2012).

Annex B

Agenda for the Preliminary Meeting

Date: Tuesday 3 April 2012

Time: Registration from 09:30, meeting starts at 10:30.

Venue: The Ashton Hall, Lancaster Town Hall, Dalton Square, Lancaster LA1 1PJ

09:30 Registration and Orientation
10:30 Welcome and Introductions
Principal Issues and other matters to be examined – see Annex D
Methods of Examination, including the need for hearings
Timetable for the Examination – see Annex C
Deadline for submissions: <ul style="list-style-type: none">• Comments on Relevant Representations• Written Representations• Local Impact Report (LIR)• Responses to Examining Authority's (ExA) first written questions• Comments on Written Representations• Comments on Local Impact Report (LIR)• Comments on Responses to ExA's first written questions• Responses to ExA further written questions if any• Statements of Common Ground• Notifications relating to hearings• Comments on Responses to ExA's further written questions if any
Hearings and Accompanied Site Visit: <ul style="list-style-type: none">• Time periods reserved for accompanied site visits to application site and surrounding area

- Time period reserved for issue-specific hearings on alternative options and alignments, traffic flows and noise assessments
- Time period reserved for compulsory acquisition hearing
- Time period reserved for open floor hearing
- Time periods reserved for issue-specific hearing relating to any amendments to the draft development consent order, requirements, section 106 undertakings.
- Time period reserved for any additional hearings (if required)

Questions and Any Other Business

Close of the Preliminary Meeting

Annex C

Draft Timetable for Examination of the Application

Item	Matters	Relevant Dates
1	Preliminary Meeting (This is the start day for the purposes of determining the period of the Examination)	Tuesday 3 April 2012
2	Issue of: <input type="checkbox"/> Procedural timetable (Rule 8(1) and (2)) <input type="checkbox"/> ExA first written questions (Rule 8(1)(b)(i) and (iii))	Thursday 12 April 2012
3	Deadline for receipt by the ExA of: <input type="checkbox"/> Comments on relevant representations (RRs) (Rule 8(1)(c)(i) and (d)(i) and Rule 3(2)(b)) <input type="checkbox"/> Any summaries of RRs exceeding 1500 words (Rule 8(1)(i)) <input type="checkbox"/> Written representations (WRs) (Rule 8(1)(a) and Rule 10(1) and(2)) <input type="checkbox"/> Any summaries of WRs exceeding 1500 words (Rule 8(1)(i)) <input type="checkbox"/> LIR by all local authorities (Rule 8(1)(j)) <input type="checkbox"/> Responses to ExA's first written questions (Rule 8(1)(b)) <input type="checkbox"/> Statements of common ground (SoCG) (Rule 8(1)(e)) <input type="checkbox"/> Notification of wish to make oral representations on the specific issue or issues being examined at the Issue Specific (IS) hearings, relating to alternative options and alignments, traffic flows and noise assessments; any amendments to the draft development consent order (DCO), requirements, s106	Friday 4 May 2012

	<p>undertaking by interested parties (IPs) (s91 (PA 2008) and Rule 8(1)(k))</p> <p><input type="checkbox"/> Notification of wish to be heard at a compulsory acquisition (CA) hearing by affected persons (APs) (s92(2) (PA 2008) Rule 8(1)(f) and Rule 13(1))</p> <p><input type="checkbox"/> Notification of wish to be heard at an open floor (OF) hearing by interested parties (IPs) (s93(1) PA 2008, Rule 8(1)(f) and Rule 13(1))</p>	
4	<p>Notification by ExA of confirmed date(s) time(s) and place(s) for:</p> <p><input type="checkbox"/> IS hearings (s91 PA 2008 Rule 13(3)(a) and Rule 8(1)(h))</p> <p><input type="checkbox"/> CA hearing (s92 PA 2008 and Rule 13(3)(b))</p> <p><input type="checkbox"/> OF hearings (s93 PA 2008 and Rule 13(3)(a))</p> <p><input type="checkbox"/> Accompanied site visits (Rule 16(3))</p>	Thursday 10 May 2012
5	<p>Deadline for receipt by the ExA of:</p> <p><input type="checkbox"/> Comments on WRs and responses to comments on RRs (Rule 8(1)(c) and (d) and Rule 10(5))</p> <p><input type="checkbox"/> Comments on LIRs (Rule 8(1)(j))</p> <p><input type="checkbox"/> Comments on responses to ExA's first written questions (Rule 8(c)(ii) and(d)(ii))</p>	Thursday 31 May 2012
6	Issue of 2 nd ExA written questions	Wednesday 6 June 2012
7	Deadline of receipt by ExA of responses to 2 nd ExA questions	Thursday 28 June 2012
8	Date reserved for initial accompanied site visit to application site and surrounding area (Rule 16(2))	Monday 9 July 2012 (pm)
9	Time period reserved for IS hearings on (1) Alternative options and alignments, (2) traffic	(1) Tuesday 10 and Wednesday 11 July

	flows and (3) noise assessments (Rule 8(1)(h))	(2) & (3) Thursday 12 and Friday 13 July 2012
10	Time period reserved for any CA hearings (Rule 8(1)(h))	Tuesday 17 and Wednesday 18 July 2012
11	Time period reserved for any OF hearings	Friday 20, Tuesday 24 and Wednesday 25 July 2012
12	Deadline for receipt by ExA of any comments on responses to ExA 2 nd questions	Wednesday 25 July 2012
13	Time period reserved for IS hearing on alterations to draft DCO, requirements and S106 obligations and any further accompanied site visits arising out of the Examination	Thursday 26 and Friday 27 July 2012
14	Deadline for receipt by ExA of: <input type="checkbox"/> Any proposed amendments to the draft DCO, requirements and s106 undertakings (Rule 8(1)(k)) <input type="checkbox"/> Any written summary of the oral cases put at the IS, CA or OF hearings (Rule 8(1)(k))	Monday 6 August 2012
15	If required, any further ExA questions would be issued no later than Thursday 26 July 2012 and any further hearings, if required, would take place in w/c 3 September 2012.	
The Examining Authority is under a duty to complete its examination of the application by the end of the period of 6 months beginning with the day after the start day (s.98(1) PA 2008)		

Annex D

Initial Assessment of Principal Issues

This is the initial assessment of the principal issues arising from consideration by the Examining Authority of the Application Documents and relevant representations received concerning the Heysham to M6 Link Road. It is not a comprehensive or exclusive list of relevant issues; regard will be had to all relevant material matters in making findings and reaching conclusions and a recommendation after the examination is concluded.

Planning Policy Context

- The extent to which the proposed works are consistent with statements of National Policy and with local planning policy as set forth in Development Plan documents and with emerging policy frameworks.

Consideration of realistic alternative options and alignments

- The extent to which the history by which the DCO scheme has arisen determines the general nature of the scheme and its alignment
- The extent to which the HRA assessments of the impact on European protected sites and species of alternative routes inform the broad choice of preferred route
- The effectiveness of the DCO scheme and suggested alternatives in meeting the transportation, regeneration and environmental objectives sought

Traffic flows

- The soundness of traffic flow predictions and their consequences for the local environment in key locations such as:
 - Torrisholme
 - Halton
 - Lancaster Town Centre and its approaches
 - Hest Bank
- Impact on travel times, traffic volumes and road safety on the surrounding highway network
- The extent to which the predictions can be relied on to underpin cost-benefit analyses?

Visual, Noise and Air Quality Impacts including

- Impact of the embankment and bridge over Torrisholme Road on nearby residential properties
- The effect of the raising of the Shefferlands roundabout as compared to the scheme previously approved upon nearby properties
- The general impact of the scheme on the Green Belt, countryside and amenity

Natural Environment including

- Impacts on protected species, local wildlife and ecology and proposed mitigation measures, in particular in relation to bats and otters
- Effects on local drainage during construction and operation

Socio-economic Impact including

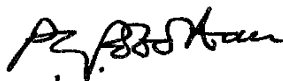
- Impact on the local and wider economy with particular reference to the operation of the port of Heysham, the regeneration of Morecambe and the economic development of the area

Compulsory Acquisition including

- Justification for the proposed compulsory acquisition of the land, rights and temporary access rights and powers sought by the draft DCO.

Overall

- Whether consistency of the project with relevant policy, the economic impact and environmental benefits to some interests outweigh harm to other interests including harm arising through development within the Green Belt so as to justify recommending that the DCO be made with appropriate requirements and obligations.



Peter Robottom MA(Oxon) DipTP MRTPI MCMI

**Examining Authority
9 March 2012**

Putting your case to the IPC about the application

The Preliminary Meeting

What is the purpose of the Preliminary Meeting?

The purpose of the Preliminary Meeting is to give people who are interested parties in the Heysham to M6 Link Road proposal the opportunity to make representations to the Commissioner, Peter Robottom, about how the application should be examined.

Interested parties are those who have either registered to make their case to the IPC, or those who are by right interested parties such as organisations which have been defined as statutory consultees.

The Preliminary Meeting will be about the procedure for examining the application only, including setting the timetable for making more detailed written representations. It is **not** an opportunity to discuss the merits of the application.

Who runs the meeting?

The meeting is run by the Commissioner who has been appointed to examine the application. The Commissioner can be addressed as orally as Sir and can be referenced in writing as the Examining Authority.

Where will the meeting be held?

The meeting will be held at the **The Ashton Hall, Lancaster Town Hall, Dalton Square, Lancaster LA1 1PJ**. Registration will start at 09:30 and the meeting is scheduled to start at 10:30 on **Tuesday 3 April 2012**.

Will the meeting venue have wheelchair access? Will there be a hearing loop?

The venue at Lancaster Town Hall has both wheelchair access and a hearing loop available. Please let the IPC Case Team for the Heysham to M6 Link Road know (see contact details at end of this note) at least 7 days before the meeting if you have any specific needs, for example due to visual or hearing impairment. This will enable us to ensure that appropriate provision is made if this is reasonably possible.

Can anyone attend?

The Preliminary Meeting is held in public. Where space is limited because of the maximum capacity of the venue, priority will be given to interested parties. Please notify us in

advance that you will be attending the meeting, using the contact details at the end of this note. In the registration period before the start of the meeting interested parties should make themselves known to IPC staff and be directed to seats reserved for interested parties.

The meeting will be audio recorded and for those not able to attend they will be able to download and listen to the recording from the IPC's website. This will be available on the IPC website as soon as possible after the event.

Can I speak at the meeting?

Any person wishing to speak at the meeting should inform the IPC in writing in advance of the meeting, including the relevant agenda item on which they wish to speak. The Commissioner will call those wishing to speak in an appropriate order for the efficient running of the meeting. In doing so, he will seek to ensure that everyone who requests to speak is given a fair opportunity to do so. If unable to do so in advance of the meeting, requests to speak can also be made by informing a member of the IPC staff before the start of the meeting or, if there has been no previous opportunity, to the Commissioner during the relevant part of the meeting.

Where several people or organisations wish to express the same view, they are encouraged to identify a representative who can speak on their behalf. The Commissioner will not wish to hear the same point repeated by different parties.

Will there be a time limit for speaking at the meeting?

The Commissioner may need to set time limits for people to speak to ensure that all views can be heard. Everyone who speaks should aim to be clear, concise and to remain focused on the agenda item being discussed.

The Commissioner may wish to ask a speaker questions if they need more information about a particular matter.

What's the agenda for the Preliminary Meeting?

The proposed agenda for the meeting is set out in advance in the letter to all interested parties. This includes a list of the initial principal issues for the examination. These are issues which have been identified at this stage by the Commissioner, based upon the information provided in the application and the representations submitted to the IPC about the application.

The letter also includes a draft timetable for the examination, including deadlines for more detailed information to be submitted to the examination, along with any proposals for hearings.

When do I get to state my views on the proposal?

The Preliminary Meeting is **not** the forum for stating your views on the proposal. Nor is it necessary to attend the Preliminary Meeting in order to have an opportunity to do so

during the examination. Whether or not you attend this meeting, you will later be able to provide further written details of your views and to attend hearings.

The IPC examination will rely heavily on the written views people have submitted. Any initial representation made when registering as an interested party is already part of the evidence the Commissioner will consider in their examination.

At the Preliminary Meeting, one of the issues that will be discussed is whether it will also be necessary to hold any additional issue-specific hearings as part of the examination. The Commissioner will only hold an additional issue-specific hearing if he considers that it is necessary to ensure adequate examination of the issue or to ensure that an interested party has a fair chance to put forward its case. If an issue is not being dealt with by way of an issue-specific hearing this does not mean that it has any less significance than other issues that have been identified.

There will be an opportunity for anyone who is an interested party to request an open floor hearing. An open-floor hearing must be held if one is requested. It will provide interested parties with an opportunity to make oral representations, based on their relevant or written representation about aspects of the application that are not being covered in issue-specific hearings, subject to the Commissioner's running of the hearing.

There will also be an opportunity for anyone who is an affected person (a person with an interest in the land the subject of compulsory acquisition) to request a compulsory acquisition hearing. A compulsory acquisition hearing must be held if one is requested. It will provide affected persons with an opportunity to make oral representations, on compulsory acquisition related matters, subject to the Commissioner's running of the hearing.

What do I do if I think that a key issue is being overlooked?

The list of principal issues is intended to assist the Examining Authority in developing lines of enquiry which will evolve during the examination and to help parties in preparing for the examination of the application. It is not intended to be a definitive statement of all the issues to be considered.

If you think that a key issue is being overlooked, please write to the IPC Case Leader, Tom Carpen, explaining what the issue is and why you think it is important for this to be discussed at the Preliminary Meeting. Your request should be received by the IPC at least 7 days before the Preliminary Meeting.

Can I ask the Commissioner a question?

The Commissioner will allow reasonable questions from those attending that are relevant to the agenda items and provide an opportunity after discussion on these items has been completed for any other matters relevant to the conduct of the Examination to be raised. In the interests of efficient use of time, it is helpful to raise any questions you have with the IPC before the meeting, by telephoning the IPC helpline on 0303 444 5000 and asking to

speak to a member of the Heysham to M6 Case Team. It is not possible to email or telephone the Commissioner directly.

What happens next?

Following the Preliminary Meeting, the Commissioner will provide written notes of the meeting to all interested parties. A copy of the decisions made about how the application is to be examined will also be sent and will include:

- The deadline for providing more detailed written views to the IPC on the application.
- Details of any hearings – including: issue-specific, compulsory acquisition and open floor hearings.
- The deadlines for providing comments on others' representations.

These documents will also be published at the IPC's website.

All interested parties will be kept up to date, in writing, about any changes to the examination timetable and the arrangements for any hearing(s).

Where can I get further information?

Further information is available from the IPC through the website. The IPC Case Team can be contacted on:

Telephone: **0303 444 5000**

Email: HeyshamM6link@infrastructure.gsi.gov.uk

Address: Kathrine Haddrell - Case Leader, Infrastructure Planning Commission, Temple Quay House, Temple Quay, Bristol, BS1 6PN.

Website: <http://infrastructure.independent.gov.uk/projects/north-west/heysham-to-m6-link-road>

To all Interested Parties

IPC Reference: TR010008

9 March 2012

Dear Sir/Madam,

Notice of Appointment of Examining Authority

Application for a Development Consent Order by Lancashire County Council for a new dual carriageway connecting the junction of the A683 and A589 with junction 34 of the M6 (Heysham to M6 link road) located at Heysham, Lancashire (Ref. TR010008)

I am writing to notify you that I have appointed a *single Commissioner* to hold the examination of this application. The Commissioner ("the Examining Authority") is as follows.

- Peter Robottom MA(Oxon) DipTP MRTPI MCM

Further information about the Commissioner can be found on the IPC website. The Commissioner, Peter Robottom, is writing to you separately with details of the forthcoming Preliminary Meeting and providing details of the Examining Authority's initial assessment of the issues for this application.

Yours sincerely



Sir Michael Pitt
Chair

Switchboard: 0303 444 5000

Email: HeyshamM6link@infrastructure.gsi.gov.uk

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