

Meeting Note

File reference	TR010008 Heysham to M6 Link Road
Status	Final
Author	Jolyon Wootton

Meeting with	Lancashire County Council (LCC) (promoter)
Meeting date	26 October 2011
Attendees (IPC)	Kath Haddrell (Senior Case Officer) Robert Upton (Pre-application Commissioner) Lynne Franklin (Lawyer) Luke Barfoot (Lawyer) Andrew Luke (EIA and Land Rights Advisor) David Price (Senior EIA and Land Rights Advisor) Jolyon Wootton (Assistant Case Officer)
Attendees (non IPC)	Steven McCreesh (Project Director - LCC) (promoter) Mike Kirby (Director of Transport and Strategic Highways - LCC) (promoter) Ian Blinkho (Assistant County Solicitor, Environment & Resources - LCC) (promoter) Claire Hallwood (Solicitor, Environment & Resources - LCC) (promoter)
Location	IPC Offices, Temple Quay House, Bristol

Meeting purpose	Update on the timetable for submission of the application and project update.
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Summary of key points discussed and advice given	<p>The following discussion took place (the promoter was previously advised of the IPC's openness policy, that any advice given will be recorded and placed on the IPC's website under s.51 of the Planning Act 2008 and that any advice given does not constitute legal advice upon which applicants (or others) can rely).</p> <p>LCC was only represented in its capacity as scheme promoter.</p> <p><i>Draft consultation report</i></p> <p>The IPC acknowledged that the consultation report was in draft form but asked LCC to clarify the phrasing used in the 'limits of consultation' section and paragraph 3.2.5. In relation to s.42 consultation, particularly with environmental bodies and work undertaken to date, the IPC reaffirmed the need for LCC to distinguish between past consultation work carried out for the non-IPC application and consultation required for the application to the IPC.</p> <p>LCC explained that it was important for the consultation report to capture the complex history of the scheme, referring to both</p>
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applications. LCC said that consultation with prescribed persons such as Natural England has taken place over a long period, spanning the non-IPC application and the present scheme but that they would take IPC's comments under advisement and review the report before submission.

Draft DCO

The IPC referred to its previous written comments on the draft development consent order (DCO). The IPC discussed the importance of the explanatory memorandum (EM) as a means of explaining the purpose and effect of each provision in the DCO as well as any departures from the statutory model provisions (MP). The appointed Examining Authority would scrutinise deviations from the MP. The IPC referred to the need to identify 'special category land' and to explain the scope of and justification for any 'associated development'.

LCC were aware of the issues raised by the IPC and understood that, unless a certificate is obtained for special category land from the Secretary of State, the DCO would be subject to the special parliamentary procedure.

The IPC suggested to LCC to review the draft DCO against the recent Rookery South decision [link](#).

Draft land plan and works plan

The IPC discussed with LCC the criteria for considering the land plan and works plan at the 'acceptance' stage set out by the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP 2009), and the format requirements for all plans provided under regulation 5(2).

The IPC suggested that LCC review the s.55 acceptance checklists published on the IPC's website for other applications. The IPC indicated that it will be for the promoter to ensure that all required information, such as the inclusion of 'special category land' on the land plan, are adequately denoted and referencing corresponds to those in the DCO, schedules and book of reference. Any non-compliance poses a risk at the 'acceptance' stage.

LCC advised it is familiar with the s.55 checklist and explained that the details in the plans and book of reference may be subject to revision up to the date of submission.

Draft HRA

The inclusion of the screening checklist was noted as a positive approach taken by LCC in helping to demonstrate the necessary information has been included. The IPC commented, however, that the document needs to be provided in report format as stipulated by the APFP regulations and to include sufficient information to enable the Competent Authority to carry out its

	<p>own assessment. The IPC advised that the application should be complete at point of application with all required surveys provided to inform the assessment process. The IPC advised that LCC should always include reasons for omitting information referred to by the checklist.</p> <p>The IPC advised that the HRA report should incorporate key correspondence with the statutory nature conservation bodies, specifically any correspondence indicating agreement on the scope and approach to assessment, the adequacy and relevance of survey data, mitigation, and conclusions.</p> <p>The IPC agreed to provide LCC with written comments on the draft HRA.</p> <p><i>Timetable for acceptance</i> LCC gave a revised proposed submission date of 28 November 2011, and indicated that the consultation report would be finalised by 11 November 2011. The IPC cautioned that the 28 day acceptance period could prove challenging for the local authorities required to make representations on the adequacy of consultation during December. LCC said it was updating Lancaster City Council about the potential application submission date.</p> <p>The IPC confirmed that three copies of the application form and other supporting documents and plans are required under Regulation 5(2)(r) of the APFP 2009.</p> <p>LCC asked the IPC to provide information about application fees and payment details.</p> <p>The IPC requested the GIS Shape File before the application is submitted.</p> <p><i>Draft book of reference and draft requirements</i> LCC commented that final revisions to the draft book of reference would be made before submission.</p> <p>The IPC discussed with LCC the precision expected in the requirements, and how the wording and definitions in the requirements should be clear and consistent and suitable for a modern statutory instrument. The IPC agreed to provide written comments on the draft requirements.</p>
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Specific decisions/ follow up required?	IPC to provide LCC with written comments on the HRA and Schedule 2 Requirements.
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Circulation List	Attendees
