



## Meeting note

<b>File reference</b>	A30 Temple to Higher Carblake Improvement (TR010014)
<b>Status</b>	<b>Final</b>
<b>Author</b>	Kate Mignano
<b>Date</b>	12 September 2013
<b>Meeting with</b>	Cornwall Council (Applicant)
<b>Venue</b>	Telephone conference
<b>Attendees</b>	Mark Allott, John Moritz, Helen Ward, Isabella Tafur, Tim Walmsley, Michael Hunt, Dave Philips, Emma Burden, Amy Hallam (Applicant) Richard Price, Frances Russell, Hannah Pratt, Sarah Green, Robert Upton, Kate Mignano (The Planning Inspectorate)
<b>Meeting objectives</b>	Issue of section 51 advice following the decision to accept the application to proceed to examination on 9 September 2013
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given:

The Planning Inspectorate advised on its openness policy, explaining that any advice given would be recorded and placed on the National Infrastructure Planning Portal website under s51 of the Planning Act 2008 (as amended) (the PA2008). Any advice given under s51 does not constitute legal advice upon which applicants (or others) can rely.

In follow-up to the meeting noted below, the Inspectorate issued detailed s51 advice to the applicant by letter. That advice was published to the project webpage and is available to view here: <http://infrastructure.planningportal.gov.uk/projects/south-west/a30-temple-to-higher-carblake-improvement/?ipcsection=advice&ipcadvice=26895b87cc>

### s55 Acceptance checklist

The Inspectorate drew attention to its commentary within the s55 acceptance checklist, which had been issued to the applicant and published to the project webpage on 9 September 2013.

The Inspectorate drew attention to section 3.1 of the checklist regarding commencement of the applicant's s42 consultation. Cornwall Council (CC) explained that although the letters sent to s42 consultees were dated 2 January 2013, consultees would not have received them before the Inspectorate was notified under regulation 6 of the (Environmental Impact Assessment) Regulations 2009 (as

amended) on 3 January 2013 as the letters were sent to consultees by second class post.

The Inspectorate drew attention to section 3.4 of the checklist regarding the applicant's pre-application consultation under s42(1)(a) of the PA2008. The Inspectorate emphasised the requirement for clear explanation to be provided in Consultation Reports where an applicant has made a decision not to consult one or more of the bodies prescribed under s42 of the PA2008 and in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The Inspectorate advised that when certifying under s56 of the PA2008 the applicant must satisfy itself that all persons who should have been consulted, had been. The applicant was urged to seek its own legal advice to ensure compliance with s56.

### **Environmental Statement (ES)**

The Inspectorate drew attention to section 4.4(a) of the checklist regarding the Environmental Statement (ES). The Inspectorate summarised its observations in relation to the ES, and recommended that the applicant consider the submission of further/updated environmental information.

### **Non-technical Summary (NTS)**

The Inspectorate explained that the Non-technical Summary provided with the ES was of a poor quality and that the applicant should consider updating the document. It was explained that the NTS would likely form a key document in the Examination and that it would be advantageous to the Examining Authority and the conduct of the Examination if the information summarised in the NTS was clearly cross referenced to relevant locations in the wider ES.

### **Next Steps**

The Inspectorate enquired whether the applicant had decided on the details and timeframe for the 'Relevant Representations' period. The applicant suggested that the Relevant Representations period was anticipated to run between 25 September and 30 October 2013 [in the period between the taking place of this meeting and the publication of this note, Cornwall Council amended its Relevant Representations period to run from 10 October 2013 to 22 November 2013].

The applicant asked when it should submit the requested updated environmental information. The Inspectorate advised that the first opportunity for it to be formally introduced to the process would be at the Preliminary Meeting.

The Inspectorate advised that a draft s56 notice could be submitted to it for comment.

### **Specific decisions / follow up required?**

The Inspectorate summarised the actions for consideration by the applicant arising from the advice issued in the meeting; as follows:

i) CC to produce revised, definitive and properly annotated versions of ES Figures 08.06.06 through .08 and 08.06.01 through .05; showing vertical alignment of overbridges, cuttings and other relevant features.

ii) CC to produce revised, definitive and properly annotated version of ES Figure 01.02 showing the route design; including information on vertical alignment.

iii) CC to produce revised, definitive and properly annotated version of ES Figure 13.01 identifying PRow diversions.

iv) CC to produce a revised version of the NTS, to include:

- A revised, definitive and clearly annotated version of Figure 1.1; showing all elements of the proposal; and
- more detail on the alternative route options/design solutions considered by the applicant.

v) CC to satisfy itself that the omission of the consultees listed in the s55 checklist would not prejudice the examination, and to remedy appropriately with it's certification under s56 of the PA2008.

vi) CC to ensure that for any future applications the requirements of EIA Regulation 6 are fully met.

vii) The Inspectorate to issue a detailed letter to the applicant under s51 expanding upon the observations made and advice issued in the meeting.