



## Meeting note

<b>File reference</b>	TR010019
<b>Status</b>	Final
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<b>Date</b>	14 February 2014
<b>Meeting with</b>	The Highways Agency
<b>Venue</b>	Conference Room 4, 2 Rivergate, Bristol BS1 6EH
<b>Attendees</b>	<p>The Planning Inspectorate (the Inspectorate) - Jackie Anderson (Case Manager), Hannah Dickson (Case Officer), Karen Jones (EIA Advisor), Lucy Hicks (EIA Advisor) and John Gordon (Consent Service Unit Manager)</p> <p>The Highways Agency (HA) - Lynne Stinson (Highways Agency Project Manager), Liz Sheerin (Project Manager – M4 Alliance), Graham Martin (Design Manager – M4 Alliance), Caroline Soubry-Smith (Environmental – M4 Alliance) and James Cuthbert (M4 Alliance Lands and Orders Lead) all representing the Highways Agency.</p>
<b>Meeting objectives</b>	Initial meeting between the Planning Inspectorate and the Highways Agency to discuss the proposed M4 Junctions 3-12 Smart Motorway scheme.
<b>Circulation</b>	All attendees

### Introductions

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

The Highways Agency (HA) was made aware of the Planning Inspectorate's (the Inspectorate's) openness policy, and was informed that a note of the meeting would be published, together with any advice given in accordance with s51 the Planning Act 2008 (PA2008).

## **Applicant presentation**

HA delivered a project presentation which provided an overview of the proposed scheme and timescales for submitting the application –

<http://infrastructure.planningportal.gov.uk/Document/2350299>

Discussion was structured around the presentation slides and the following points were raised:

### **Scheme overview and objectives**

HA's environmental representative stated that HA is considering if a statutory Environmental Impact Assessment will be required. HA confirmed that they will be requesting a screening opinion from the Inspectorate. The Inspectorate queried what associated development works there would be. HA confirmed that this is currently being considered.

The need for Compulsory Acquisition (CA) was discussed, and whether there would be any. HA stated that there could possibly be some CA of land for side roads, and access tracks, but CA is unlikely for any main land works as the highway is already owned by HA.

HA provided their rationale in classifying the scheme as an NSIP. The proposal is an alteration to an existing highway and is thought to fall under s22(4) of the 2008 act.

### **Programme**

When discussing the proposed timescales of the indicative Scheme Programme section, The Inspectorate asked HA if they had a contingency should there be a delay to their timetable. HA confirmed that they plan to deliver and meet the programme. HA confirmed that the timetable may change depending on what consultation responses are received. HA confirmed that there are approximately 20,000 properties near the scheme therefore it is possible that the level of responses received from residents could alter the timetable.

The Inspectorate queried the EIA screening opinion timescale which is currently scheduled for March. HA confirmed that the proposed deadline was achievable for them. The Inspectorate requested that as much information as possible is sent to the Environmental services team, including any correspondence with SNCBs.

The anticipated submission date was discussed. HA suggested quarter 4 of 2014 or quarter 1 of 2015. The Inspectorate advised to avoid submission over the Christmas holiday periods if possible.

The Inspectorate asked when they could expect the s46 notice and HA suggested August or September 2014. The Inspectorate queried when HA would be undertaking their s42 consultation. HA responded to say that they would as soon as possible but indicatively August or September 2014. HA stated that the current situation regarding flooding could potentially change this as well as delay the proposed consultation programme

HA referred to the Highways National Policy Statement (NPS). The Inspectorate confirmed that irrespective of the NPS position, HA could submit the application at any

time even if the NPS is only in draft at the time, however to be aware of any impacts that this may have during the examination period.

The Inspectorate recommended that HA submits as much environmental information as possible. If they wish to, they can submit an Environmental Statement. HA confirmed that they were not intending to submit one unless significant effects were likely to occur, although an Environmental Assessment Report would be included with the application in any case.

With regards to associated development, the Inspectorate queried whether works such as control centres would be included in the DCO. HA confirmed that this type of infrastructure was already in existence.

The Inspectorate queried whether funding for the scheme was in place. HA confirmed that it was.

At the end of the presentation, Lynne Stinson identified herself as the main point of contact at the Highways Agency.

### **Questions and AOB**

After HA's presentation, the Inspectorate explained the role of the Consent Service Unit (CSU). The Inspectorate informed HA that the unit can give advice about which of the 12 main environmental consents the scheme requires, and can draw up a consents management plan for HA to work to. HA confirmed that they were not sure at present which consents they would need. CSU gave HA a list of the consents that they deal with, for HA to consider. It was agreed that, once the environmental assessment is underway, it will be clearer which consents are required and further discussions will be arranged between HA and CSU as necessary. CSU also explained that, whilst the unit's involvement is most effective at the pre-application stage, CSU will continue to provide assistance post decision, should the DCO be granted by the Secretary of State. HA was advised by the Inspectorate to look at what consents they think they will need and to contact the CSU so that a draft Consents Management Plan can be drawn up if required. HA confirmed that they will know more once the results of the protected species surveys that they are currently doing are known.

With regards to communication, the Inspectorate asked HA to deal directly with the Inspectorate's CSU and Environmental Services Team (EST) although to ensure that Jackie Anderson (JA) as Case Manager was copied into any correspondence to keep her informed. The Inspectorate also confirmed for HA's information, that CSU is not covered by the same s51 advice restrictions and will therefore not need to publish any advice that they give.

The Inspectorate continued to advise HA of a service that they provide, of checking draft documents including DCOs and Consultation reports. The Inspectorate suggested that HA provide copies of any plans, ES (if required) etc ahead of submission so that they can be checked ahead of formal submission. The Inspectorate also recommended that HA also complete their own version of the section s55 checklist. The Inspectorate explained more details of the stages of the Planning Act 2008 (PA2008) and advised HA that they can arrange to meet to discuss the application prior to submission in the pre-application stage, and that as the application gets closer to being submitted, more regular meetings will be advisable where the Inspectorate can have their own lawyers present. During pre-examination and examination stages of the process, the Inspectorate will consult HA about the Preliminary Meeting (PM) arrangements. HA

asked the Inspectorate whether a pre-application examiner would be appointed to the project. The Inspectorate confirmed that this is unlikely.

Regarding consultation, HA confirmed that there are eleven B Authorities that they currently have meetings arranged with or are attempting to set up meetings with. Some of the Local Authorities are also land owners, 3 are effected by the 'over bridges'. Those authorities may require more meetings than the others. The Inspectorate asked that when HA has carried out their consultation and met with LA's, could they advise whether the Inspectorate should carry out any outreach. HA will be able to assess whether there is a need for it.

HA asked the Inspectorate a final question regarding EIA screening, querying whether the Inspectorate consults anyone on their screening opinion. The Inspectorate confirmed that no one is consulted as it is the Inspectorate opinion. The screening opinion will be published on the website.

**Specific decisions/follow up required?**

HA will email details of the scheme on the proforma provided to them, to enable the Inspectorate to create a project page on the National Infrastructure pages of the Planning Portal website.

The Inspectorate will create a project page on the website.

HA will email a copy of their presentation to the Inspectorate so that it can be published on the website with this meeting note.