



Preliminary Meeting Note

Application:	M3 Junction 9 Improvement Project
Reference:	TR010055
Time and date:	16 May 2023
Venue:	Mercure Wessex Hotel, Winchester and Microsoft Teams (Blended)

This meeting note is not a full transcript of the Preliminary Meeting. It is a summary of the key points discussed.

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/m3-junction-9-improvement/>

1. Welcome and Introduction

Wendy McKay, welcomed those present and introduced herself as panel lead and introduced Matthew Sims and confirmed that together, they constituted the Examining Authority (ExA) to examine the M3 Junction 9 Improvement application.

The ExA explained the appointment was made by delegation from the Secretary of State (SoS) for the Department of Transport on 18 April 2023.

The ExA explained that the ExA would be examining the application made by National Highways ('the Applicant') before making a recommendation to the Secretary of State who will decide whether an Order granting Development Consent for the proposed project, which is a Nationally Significant Infrastructure Project (NSIP), should be made.

The ExA explained the purpose of the Preliminary Meeting (PM) and noted that the Examination will commence after the PM closes.

The ExA confirmed that all documents and submissions received and accepted during the Examination will be published on the project-specific page of the National Infrastructure Planning website.

2. Audio recording

The full audio recording of this Preliminary Meeting is available on the National Infrastructure Planning website and can be accessed [here](#)

3. General Data Protection Regulation

The ExA explained the Planning Inspectorate's duties under General Data Protection Regulation (GDPR).

Further info relating to the GDPR can be found in the Planning Inspectorate's [Privacy Note](#).

4. The ExA's Remarks about the Examination Process

The ExA briefly explained the examination process under the Planning Act 2008 (PA2008), further info can be found in the [Advice Note 8.4](#)

Christopher Gillham on behalf of Winchester Friends of the Earth confirmed he understood the Examination process but queried whether if oral evidence is given at a hearing as part of the examination process should a response/ questions be raised directly by the submitter or through the ExA. The ExA confirmed that normally all responses are to be made through the ExA and there will also be opportunities to provide written material in response through the examination process in accordance with the deadlines outlined in the examination timetable.

5. Initial Assessment of Principal Issues

The ExA explained the purpose of the Initial Assessment of Principal Issues (section 88 of the PA2008), which can be found in [Annex C](#) of the Rule 6 letter of 18 April 2023 and asked for any observations on them.

The ExA confirmed the Initial Assessment of Principle Issues consider the responses detailed within the relevant representations and submitted within the DCO application. The ExA have noted responses made at Procedural Deadline A which will be considered by them. However, the ExA explained that they will not reissue the assessment of Principal Issues but will continue to take account of all written and oral evidence provided during the examination

No further comments have been made by any of the parties in attendance.

6. Draft Examination Timetable

The ExA noted requests, already received to amend the draft Examination Timetable contained in [Annex D](#) of the Rule 6 letter and also welcomed further suggestions from the parties in attendance.

All comments received were duly noted by the ExA and considerations will be reflected in the Rule 8 Letter.

The ExA noted the Applicant's Procedural Deadline A submission which states that the dates for the reserved dates for the Issue Specific Hearings (ISH) in week commencing 31 July and 7 August fall within the school holiday period which may impact representations and noted the Applicant's request to move the date to one week forward to 24 July and that their Landscape and Visual Impact team are unavailable between 31 July and 11 August. The ExA acknowledged the impact of hearing dates, but advised the timetable is constrained by the fixed examination period and other

statutory timings. The ExA however advised they will consider 27 and 28 July for the Landscape and Visual Impact ISH's and possibly the Historic Heritage ISH.

The Applicant confirmed they are available for both dates and will look at possible venues.

Kelly Porter on behalf of South Downs National Park Authority confirmed that those dates would be suitable.

Robert Green on behalf of Winchester City Council advised they will provide further detail in their local impact report regarding their request to have hearings dedicated to specific topics such as climate change, air quality and impacts on the communities outside the boundary of the application site.

Christopher Gillham on behalf of Winchester Friends of the Earth questioned the six-month deadline for completion of the examination and whether this deadline could be extended. Both the ExA and Applicant confirmed that whilst it is a statutory deadline, there is scope for it to be extended by the Secretary of State.

Phil Gagg on behalf of Winchester Action on the Climate Crisis queried if court cases will be referred to during the examination and reporting period. The ExA confirmed that relevant case law would be taken into account.

All comments received were duly noted by the ExA and considerations will be reflected in the Rule 8 Letter.

7. Hearings and Site Inspections

The ExA clarified the purpose of:

- Issue Specific Hearings
- Compulsory Acquisition Hearings
- Open Floor Hearings
- Accompanied Site Inspections
- Unaccompanied Site Inspections

The ExA sought comments on the arrangements for the above events. These were duly noted and considered by the ExA.

Further information relating to hearings and site inspections can be found in our [Advice Note 8.5](#)

8. Procedural decisions

The ExA clarified the procedural decisions made under section 89(3) of the PA2008 and asked for any observations.

Procedural decisions can be found in [Annex F](#) of the Rule 6 Letter.

The ExA confirmed the Accompanied Site Inspection (ASI) will be held week commencing 10 July 2023.

The Applicant confirmed they have provided a draft ASI schedule so is available for comment.

The ExA explained that Statements of Common Grounds (SoCG's) are to be submitted at Deadline 2 and finalised at Deadline 8.

The ExA noted the Applicants comments on Statement of Common Grounds (SoCG's) in response to Procedural Deadline A. The ExA confirmed that at Deadline 2, they are requesting the initial SoCG's at drafting stage, and an updated progress with SoCG's document can be provided and will satisfy the same purpose as the Statement of Commonality (SoC).

Christopher Gillham on behalf of Winchester Friends of the Earth requested an explanation on the difference between a Statement of Common Ground (SoCG) and Statement of Commonality (SoC). The Applicant confirmed they are the same document achieving the same purpose but that the SoC is a summary of progress on the issues. The Applicant advised they currently have SOCG's with 6 six parties. They also have a progress document as an overview document which is known as a SoC. The Applicant proposed that a SoCG could be pursued with Winchester Friends of the Earth which Mr Gillham agreed to and the ExA agreed would be beneficial.

The ExA confirmed they have received the updated draft DCO as an additional submission from the Applicant and it has been accepted into the Examination.

The ExA highlighted the deadline of 6 June for Statutory Parties who wish to be considered as an Interested Party.

9. Any other matters

Christopher Gillham from Winchester Friends of the Earth queried if all hearings will be held in Winchester. The ExA (WM) confirmed that yes, all hearings will be held in Winchester unless there is a specific reason why it should be held in a different location.