



Meeting note

Project name	Expansion of Heathrow Airport (Third Runway)
File reference	TR020003
Status	Final
Author	The Planning Inspectorate
Date	4 May 2018
Meeting with	Heathrow Airport Ltd
Venue	Planning Inspectorate Offices
Attendees	See Annex A
Meeting objectives	Project update meeting
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Consultation 1 feedback

The Applicant provided an overview of the response received from the 'Consultation 1' non-statutory consultation phase that had closed at the end of March 2018. Approximately 4,500 responses had been received for the consultation specifically focusing on expansion while the consultation focusing on airspace received around 1,800 responses; the Applicant noted that those figures included incomplete but valid responses that had not been formally submitted via the website. There was brief discussion regarding the expected level of response to Consultation 1 and possible reasons for it being lower than anticipated, albeit still a significant level.

The Applicant noted a spike in responses to Consultation 1 in the final two weeks of the consultation phase and explained that it was looking at the lessons learnt in preparation for the 'Consultation 2' statutory consultation phase.

The Applicant set out the emerging key themes that had initially been identified from the responses to Consultation 1 but noted that it was still very much analysing the full scope of the consultation 1 feedback.

The Inspectorate asked whether there had been any international responses to Consultation 1. The Applicant confirmed that the responses had been predominantly from domestic sources.

The Applicant provided an overview of its preparations for Consultation 2, scheduled for early 2019, and noted its aim of making the consultation more accessible and easier to engage with (including for harder to reach groups). The Applicant explained its proposed

two-tiered approach to consultation with local authorities on the draft Statement of Community Consultation (SoCC). This would consist of an informal sharing of the draft SoCC documentation before statutory consultation on the draft SoCC itself.

The Applicant stated that it would begin drafting the preliminary Consultation Report chapters using the Consultation 1 data, and sought to share those chapters with the Inspectorate for feedback on the structure. The Inspectorate agreed and queried whether the Applicant would publish a findings report on the outcome of Consultation 1. The Applicant confirmed the findings report's availability would coincide with Consultation 2 to avoid confusion as to whether feedback was required.

Stakeholder engagement

The Applicant summarised its 2018 engagement plan with local authority and other stakeholders on both the master plan and EIA Scoping which led to discussion regarding which consultees the Inspectorate would consult at Scoping.

The Applicant identified a group of organisations that it wanted to make aware of its Scoping (such as Heathrow Community Engagement Board (HCEB), Heathrow Strategic Planning Group (HSPG) and Colne Valley Regional Park) by providing a link to the Scoping documents on the Inspectorate's project page, and queried whether these organisations would be consulted by the Inspectorate during the Scoping phase. The Inspectorate advised that in order to be able to prepare a Scoping Opinion within the 42 day time period and in accordance with its standard procedures, it would only consult and have regard to responses received within 28 days from the relevant consultation bodies as prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Responses from other organisations would simply be forwarded to the Applicant for information. The Applicant was advised that if it wished to consult with organisations separately during this period, then any prescribed consultation bodies should be reminded to direct their formal Scoping response to the Inspectorate in the first instance to avoid confusion.

The Inspectorate advised that it was in the process of drafting an FAQ document for the Scoping phase, which includes details of the Scoping consultation process.

The Applicant provided a brief update on the HSPG, noting the significant level of engagement proposed in respect of scoping, PEIR, transport assessment and modelling, and scheme development.

The Applicant provided an update on recent meetings with the Civil Aviation Authority (CAA) which had considered the overlap of the planning process with the CAA's statutory functions; including the airspace change process. The Applicant noted the CAA's intention to work towards a 'Letter of No Impediment' approach at examination (similar to Natural England's approach), subject to the receipt of sufficient information.

DCO architecture

The Applicant set out its approach to developing the structure of the Development Consent Order (DCO), including how mitigation could be secured, and requested for a topic-specific meeting dealing with DCO architecture to be scheduled with the Inspectorate if and after the Airports NPS is designated.

The Inspectorate asked for clarification that the Applicant intended to include all Nationally Significant Infrastructure Projects (NSIPs) required to deliver the scheme within a single DCO. The Applicant confirmed that this was its anticipated approach. Clarification was also sought by the Inspectorate in respect of how the Applicant proposed to deal with the discharge of requirements. The Applicant stated that, in consideration of the likely range of discharging bodies, options would need to be considered in due course.

Category 3 interests

The Applicant provided an overview of how it intended to identify the Category 3 interests for the scheme. It summarised a 'three phase' approach, noting that it proposed to conduct a residential property study to confirm whether it is possible to use a noise contour to inform identification of the extent of potential Category 3 interests.

The Inspectorate queried whether the Category 3 interests would be identified before the start of Consultation 2 and whether the Applicant had a rough idea of the potential numbers. The Applicant confirmed that it aimed to identify all Category 3 interests in advance of Consultation 2 and noted that it expected in the region of 200,000 interests to be identified but that this would be informed by the property study.

The Applicant stated that it was investigating what it believed constitutes 'diligent inquiry' for the purposes of identifying affected land interests. The Inspectorate advised that it was for applicants to decide what constitutes diligent inquiry, and to include robust justification for their approach within the application documents.

There was brief discussion on the implications of the new GDPR with regards to how the Book of Reference is drafted, maintained and shared in the public domain.

Scoping update

The Applicant stated that the Scoping Report was in its final phase of production and on track for anticipated submission on 18 May 2018. The Applicant confirmed that the GIS shapefile would be sent to the Inspectorate by Monday 7 May 2018, accompanied by Heathrow Airport Ltd's standard list of consultee contacts.

The Inspectorate advised that submission of the Scoping Request should preferably be before noon on Friday to help maximise the time for checking the documents and issue of the scoping consultation letters.

The Applicant provided an update on its Transboundary effects assessment, advising that it was likely to scope out potential transboundary effects for most environmental aspects. However, the Applicant was still considering the potential for significant transboundary effects on migratory species. The Applicant stated that it was unlikely to be able to provide conclusions on this matter at the Scoping stage since it was still gathering data. The Applicant hoped to have further clarity by the time it consulted on its Preliminary Environmental Information Report at Consultation 2.

The Applicant noted that Scoping may generate public interest and correspondence. The Inspectorate advised that it would redirect any queries from the public to the Applicant in the first instance.

The Applicant noted that it was in the process of scheduling workshops with environmental Statutory Consultees to begin work on Scoping methodologies.

In respect of Habitats Regulations Assessment, the Inspectorate drew the Applicant's attention to recent case law, being: [C-323/17 - People Over Wind, Peter Sweetman v Coillte Teoranta \(2018\)](#).

Land access/ s53 update

The Inspectorate provided an update on the Applicant's live s53 applications and asked whether it could expect any further applications. The Applicant identified one further plot that may require s53 consent to gain access. The Applicant indicated that an application, if necessary, would be likely to be made at the end of May 2018. The Inspectorate noted that this would be during the Scoping period and could impact on resources.

Notwithstanding the above, the Applicant advised that no other s52 or s53 applications were likely to be submitted in the immediate future.

Security

The Inspectorate advised that it was currently in the process of looking at a variety of areas that may require additional security measures that would ensure the safety of the public, the Applicant and the Inspectorate's staff during the course of the decision-making process.

The Inspectorate queried whether the Applicant, following the completion of Consultation 1, could share any helpful approaches. The Applicant explained that the planned measures put in place for Consultation 1 were successful (although no problems had occurred). It was agreed that the Applicant and the Inspectorate would share the contact of their designated security teams. The Applicant acknowledged dialogue with the Department for Transport on security issues and stated it would also provide a contact for their security team.

AOB

The potential to undertake a site visit during Scoping was discussed. The Inspectorate advised it would confirm attendees and convenient dates in due course.

The Applicant queried whether there had been any contact from the HCEB or the HSPG. The Inspectorate confirmed it had not received any updates from either.

Specific decisions/ follow-up required?

The following actions were agreed:

- The Applicant to provide an appropriate contact for the CAA.
- The scheduling of the next meeting concentrating on DCO architecture.
- The Inspectorate would provide details of convenient dates and attendees for a site visit during Scoping.
- The Inspectorate would provide a further s53 update.
- Both parties would swap details of their respective security teams.

Meeting attendees

Organisation	Name	Role
The Planning Inspectorate	Richard Price	Case Manager
	Susannah Guest	Infrastructure Planning Lead
	Richard Hunt	Senior EIA and Land Rights Advisor
	Conor Rafferty	EIA and Land Rights Advisor
	Paul Hudson	Examining Authority
	James Bunten	Case Officer
Heathrow Airport Ltd	Ian Frost	Head of Planning
	Daniel Freiman	Head of Legal, Expansion
	Robbie Owen	Partner (Pinsent Masons)
	James Good	Partner (BCLP)
	George Davies	Head of Sustainability and Environment
	Charlotte Twyning	Consents Director
	Jonathan Deegan	Head of Land Acquisition