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Sent via e-mail to Rowan Smith  
and Anna Dews, Leigh Day

Your Ref: RWS/ADS/00195130/1

Our Ref:

Date: 3 May 2019

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Dear Leigh Day

## **The Planning Act 2008**

### **Proposed application by Heathrow Airport Limited for an order granting development consent for the Expansion of Heathrow Airport (Third Runway)**

#### **New detention centre and Heathrow Airport expansion**

Thank you for your letter dated 4 April 2019. It has been passed to the Heathrow Airport Project Team in the Planning Inspectorate (the Inspectorate) to respond.

Your letter notes that a meeting took place between the Inspectorate and the Home Office on 21 June 2017. The notes of this meeting are available on the National Infrastructure Planning (NIP) website:

<https://infrastructure.planninginspectorate.gov.uk/projects/london/expansion-of-heathrow-airport-third-runway/>

Your letter goes on to raise a number of questions in respect of that meeting, the published meeting note and any subsequent meetings between the Inspectorate and the Home Office (HO). We address them in order below.

*"6.1 Details of any previous or subsequent meetings between the Planning Inspectorate (PI) and the Home Office (HO) on this issue, including: time, date, attendance list and copies of any meeting notes"*

We can confirm that no previous or subsequent meetings on this matter have taken place with the HO.

*"6.2 Explanation of why it is HO's preference that any new centre is included in Heathrow Airport Limited's (HAL) Development Consent Order (DCO) application, how that preference has been arrived and why that option is preferred to an application for planning permission under the 1990 Act"*

That would be a matter for the HO to address and we note that you have copied your original letter to the HO.

*"6.3 Explanation of why it is HAL's preference that any new centre is included in HAL's DCO application, how that preference has been arrived at and why that option is preferred to an application for planning permission under the 1990 Act"*

That would be a matter for HAL to address and we note that you have copied your original letter to HAL.

*"6.4. Explanation of what role HO and PI will play in HAL selecting that preference as the way forward"*

The Inspectorate can provide Pre-application advice to applicants or others engaged in the Planning Act 2008 process before an application is submitted. An applicant or another party may ask for advice on a matter such as this. If any such advice were requested from and subsequently provided by the Inspectorate, it would be recorded and published on the NIP website.

*"6.5. Details of how and when the selection of that preference as the way forward will be subject to public consultation"*

It would be a matter for the HO and/ or HAL to determine the way forward and therefore which regime any subsequent application would be subject. Should any proposal fall for consideration under the Planning Act 2008, in the first instance it would be for an applicant to determine the timing of any Pre-application public consultation as guided by the statutory requirements of the process.

*"6.6. Confirmation that neither the HO nor HAL has made a final decision in respect of their preference"*

This would be a matter for the HO and HAL to address and we note that you have copied your original letter to both the HO and HAL.

*"6.7. Details of what further steps the HO and/or HAL have taken in exploring the option of an application for planning permission under the 1990 Act, and confirmation of whether or not that option will be the subject of a public consultation"*

This would be a matter for the HO and HAL to address.

*"6.8. Clarification that it is not HO's view that there is not a national need for the proposed development of a new detention centre rather a national need for the proposed development of a third runway"*

The view of the HO is a matter for the HO to address. However, for clarification purposes, we can confirm that the intent of the sentence re-produced below from the published meeting note of 21 June 2017 was that the "proposed development" was the expansion proposals at Heathrow Airport: *"The HO accepts the national need for the proposed development, but must secure appropriate replacement facilities."*

*"6.9. Clarification of what the PI meant by its advice to HO on effective engagement if the preference is selected as the way forward"*

The discussion would have noted general guidance that is available to all parties in respect of consultation activities in the Pre-applications stage and engagement in an examination process after formal submission of an application. That Guidance and Advice is available on the NIP website:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/>

*"6.10. Clarification of what the purpose was of the HO asking for PI's advice about "closed hearings", including whether the PI's advice was more detailed than that recorded in the Note and, if so, copies of that more detailed advice"*

The purpose of the HO asking for that advice is a matter for the HO and we note that you have copied your original letter to the HO. There are no other records that more detailed advice was provided in that meeting.

*"6.11. Confirmation as to whether the site has been selected yet or not"*

This would be a matter for the HO and HAL to address and we note you have copied your original letter to both the HO and HAL.

Yours sincerely

The Heathrow Airport Project Team

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