



## Meeting note

<b>File reference</b>	TR020003
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	17 December 2019
<b>Meeting with</b>	Heathrow Airport Limited (HAL)
<b>Venue</b>	Planning Inspectorate offices, Bristol
<b>Meeting objectives</b>	Project update meeting
<b>Circulation</b>	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.

### Policy update

The Inspectorate queried whether the Applicant anticipated that a decision on the Airports National Policy Statement (ANPS) challenge would be issued before the end of the calendar year. The Applicant stated that it did not expect the judgement to be made until Q1 2020.

The Applicant acknowledged the recently published report on the examination of the draft London Plan 2019 and noted the Panel's recommendation for Policy T8 to be deleted from it on the basis that it was not consistent with the ANPS.

### Programme

In response to feedback from its summer 2019 Statutory Consultation exercise (now referred to as Airport Expansion Consultation or 'AEC'), the Applicant explained it had decided to carry out a further round of Statutory Consultation in Q2 2020. The further Statutory Consultation exercise would deal with specific aspects including sites required for mitigation in relation to the Water Framework Directive (WFD); Masterplan changes; some redline boundary changes and operational changes. The Applicant outlined the key documents that would be prepared to inform the additional consultation. These would include a document setting out the changes to the

Masterplan; a construction update document; a surface access update document; and a document updating on the preliminary environmental effects of the project, including further information on the community fund. The Applicant clarified that the Q2 2020 consultation would cross-refer / signpost to relevant documents associated with the AEC as necessary.

The Inspectorate queried whether the Applicant planned to consult everyone who was previously consulted on the AEC. The Applicant confirmed it planned to discharge s42, s47 and s48 of the PA2008 as per the AEC, however, there may be fewer venues and consultation events planned than in previous rounds of consultation as this was to be a more targeted consultation. The Applicant indicated that a further Statement of Community Consultation was in preparation. As a consequence of the Q2 2020 consultation the Applicant indicated that it was reviewing the anticipated date for submission of the application.

The Inspectorate queried whether the Q2 2020 consultation would overlap with consultation under the Civil Aviation Authority's (CAA) Airspace Change Process (ACP) and / or Statutory Consultation being carried out by Heathrow West Limited. The Applicant confirmed that it did not believe that either consultation would overlap and that its further consultation would precede the ACP consultation. Separately, the Applicant confirmed ongoing engagement with Network Rail in respect of the emerging application for the Western Rail Link to Heathrow.

The Inspectorate acknowledged the recent decision by the CAA to cap early spending. The Applicant explained that the CAA's decision could affect its programme post-consent, but not significantly impact on the programme up to submission.

## **AEC feedback**

The Applicant outlined the key issues raised by Statutory Consultees and other stakeholders during the AEC. The Inspectorate enquired whether any unexpected matters had arisen from the responses received. The Applicant stated that it had anticipated most of the matters raised following regular engagement with the Heathrow Strategic Planning Group (HSPG), Statutory Consultees and the community.

The Inspectorate queried whether further information on schools would be included in the consultation material for its Q2 2020 Statutory Consultation. The Applicant stated that it anticipated one school would need to be relocated as result of the scheme and confirmed further information would be provided in the additional consultation material.

The Inspectorate sought various clarifications on the Applicant's proposals for 'early growth' ie to introduce up to 25,000 additional air traffic movements on its two existing runways before the three-runway airport is operational. It was agreed that this would be discussed further at a future project update meeting.

The Inspectorate requested for the Applicant's approach to compliance with the WFD and the derogation provisions to also be included as an agenda item for a future project update meeting.

## **Stakeholder engagement**

There was discussion regarding the CAA's engagement with the Inspectorate and the Applicant, and about how the CAA might engage in a future Examination eg whether the Applicant would seek for the CAA to provide a document equivalent to a 'letter of no impediment', supplemented by a Statement of Common Ground (SoCG). The Applicant stated that it was in discussions with the CAA on these matters.

The Applicant provided an update on its programme of engagement with the HSPG which had recently included technical green and blue infrastructure sessions attended by key environmental Statutory Consultees such as the Environment Agency, Natural England and the Colne Valley Regional Park Authority. Further sessions scheduled late 2019 / early 2020 would focus on other EIA aspects and provide detail on the Applicant's planned 2020 engagement programme.

The Applicant explained that it was also collaborating with the HSPG on its economic strategy and noted that the HSPG's Joint Spatial Planning Framework (JSPF) was due to be published in March 2020 having been released to its members for comment.

The Applicant explained that it was encouraging the HSPG to begin recording areas of agreement (eg EIA baseline, methodology, proposed mitigation) with a view to establishing an early draft SoCG. The Inspectorate noted its recent meeting with the HSPG at which discussion had in the main focused on the timing and composition of Adequacy of Consultation Representations and Local Impact Reports.

The Applicant summarised ongoing engagement with the Heathrow Community Engagement Board (HCEB). The Applicant also noted ongoing bilateral engagement with the Environment Agency and Natural England; in respect of the latter concerning waterbody netting for bird strike mitigation.

## **Green Belt update**

The Applicant illustrated the amount of Green Belt land that it anticipated it would require to deliver the scheme. In respect of the tests set out in the ANPS, the Applicant outlined its considerations regarding the re-provision of Green Belt land and a proposed approach to providing appropriate evidence to an Examination.

The Inspectorate considered that Green Belt re-provision would be a matter for the Secretary of State at the Decision stage. The Applicant stated that it would continue to consider the policy requirements for re-provision of Green Belt land.

## **Application accessibility**

In the event that its application was ultimately accepted for examination, the Applicant stated that in addition to its statutory s56 notice it proposed to prepare a press pack, media updates, letters and adverts to provide wider notice of the accepted application and the instructions for submitting Relevant Representations (RR).

The Inspectorate emphasised that the s56 notice should signpost to the application documents and electronic RR form on the National Infrastructure Planning (NIP) website. The Applicant agreed but expressed its preference for the application documents hosted on the NIP website to adopt the same structure / order as on HAL's website. The Inspectorate advised that it would consider how the application

documents could be presented and organised in the 'Examination Library', but clarified that due to constraints with the current website it would be unable to guarantee that the application documents could appear under the 'Documents tab' in a way that reflected the Applicant's preference.

The Inspectorate provided an overview of its website development programme which would establish a portal to enable Interested Parties to make Examination submissions via the NIP website. The portal would be trialled on a PA2008 case in the first half of 2020.

### **DCO architecture and future bodies**

The Inspectorate queried whether the Applicant had commenced its land referencing exercise and whether drafting of the DCO had commenced. The Applicant confirmed its land registry work was well progressed and that it had begun to draft its DCO, outlining various contributory workstreams.

The Applicant explained that it was engaging with a number of key stakeholders, including the HSPG, to explore a panel-led structure to approve, monitor and manage the exercise of various powers acquired through the DCO, post-consent. The Applicant illustrated the draft proposed structure which would include discrete strategic and technical panels comprised of relevant Statutory Bodies, local authorities and other specialist interest groups. The Applicant confirmed that the panels may include HAL representatives in order to assist within a factual remit.

### **Environmentally Managed Growth**

The Applicant outlined its proposed Environmentally Managed Growth (EMG) framework which would act as the overarching framework for monitoring, control and mitigation for the scheme. The Applicant explained that the framework was broken down into three categories: embedded mitigation; construction mitigation; and operational growth. Whilst EMG is intended to control the primary effects of airport intensification (Noise, Air Quality, Carbon and Surface Access). HAL stated that EMG would also incorporate the control of effects associated with construction such as licensing, pollution and standards.

The Inspectorate enquired as to what controls would be put in place for each of the categories within the framework. The Applicant clarified that it would be looking at effects on a proactive monitoring and management basis. With the EMG framework proposed to manage them via DCO limits, requirements and mitigation 'levers', including if absolutely necessary controls on further growth, instead of setting definitive numeric capacity limits or caps. The Applicant highlighted the importance of terminal capacity release in informing forecasts, which in turn influence the scale of effects.

The Inspectorate queried whether the EMG process would be operated by a strategic board. The Applicant confirmed it would. The board would scrutinise Heathrow's ongoing monitoring of effects and react and advise if effects showed potential breaches of DCO limits and requirements. The Inspectorate queried whether enforcement would be secured through Requirements in the draft DCO, or in some other form. The Applicant stated that it proposed to secure limits in a separate document with embedded provision for the Secretary of State to review.

The Inspectorate requested clarification about whether there would be associated timeframes involved. The Applicant stated that timeframes would be put in place only when breaches were likely or had taken place. The Inspectorate queried whether the Applicant had made assumptions regarding its future fleet of aircraft. The Applicant confirmed that there are assumptions made on future aircraft performance but noted difficulties presented to its assessment by uncertainties forecasting a future fleet.

### **Other matters**

The Applicant acknowledged that the ANPS sets out that it is required to have a Community Fund. The Applicant summarised the core principles of the Community Fund, including what it could be used for, and the AEC responses that had related to it. The Inspectorate queried whether further detail in respect of the fund would be consulted on in the Q2 2020 Statutory Consultation. The Applicant confirmed it would be.