



Meeting note

File reference	n/a
Status	Final
Author	Richard Price
Date	28 February 2017
Meeting with	Port of Tilbury London Ltd (PoTLL)
Venue	Offices of Pinsent Masons, London
Attendees	The Applicant: Robbie Owen (Pinsent Masons), Francis Tyrrell (Pinsent Masons), Peter Ward (PoTLL), John Speakman (PoTLL), Pamela Smyth (PoTLL), Martin Friend (Vincent + Goring) The Planning Inspectorate: Tom Carpen, Richard Price, David Price, Tracey Williams, Louise Evans
Meeting objectives	Inception meeting for the proposed 'Tilbury2' port terminal on part of the site of the former Tilbury Power Station
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate explained the duties placed upon it under section 51 of the Planning Act 2008 (as amended) (the PA2008). A note of the meeting would be taken recording the key points discussed and any advice issued by the Planning Inspectorate. The note would be published on the Planning Inspectorate's website. Any advice issued by the Planning Inspectorate would not constitute legal advice upon which the Applicant, or others, could rely.

Introduction to the proposed development

PoTLL summarised proposals to expand its existing operations by incorporating a new site to the east of the existing port. The port extension, to be known as 'Tilbury2', would comprise:

- a new 'Roll-on/ Roll-off' (Ro-Ro) terminal (for importing and exporting containers on trailers);
- a facility for importing and processing bulk construction materials; and
- areas of external storage for a variety of other goods such as cars.

To facilitate the operation of the extension the site would also be furnished with new rail sidings to allow movement of goods and containers by train, and a new link road between Ferry Road and Fort Road. Dredging and piling works would be required on the bed of the River Thames to facilitate the safe berthing of commercial vessels and extensions to existing deepwater jetties, respectively.

Attendees discussed the Applicant's intended approach to the delivery of requisite works through the Development Consent Order (DCO). In the context of any flexibility which PoTLL may choose to seek within its DCO, including any provisions enabling permitted development powers, the Planning Inspectorate advised for the development parameters provided in an application to be sufficiently detailed so as to allow a robust assessment/ examination of the development proposed. The Planning Inspectorate drew attention to the examination of applications for development consent for strategic rail freight interchanges, and the issues arising from the parameters approach applied in respective DCOs.

To provide further context, PoTLL summarised the content of its 'Non-statutory Consultation Information Pack' which, at the time of writing, was scheduled to be published to the Tilbury2 website in early March 2017¹.

PoTLL explained the operational, commercial and social history of the port and described the characteristics of the site and its surroundings. This included detailed commentary by PoTLL about neighbouring land uses; the local and strategic road networks; local, national and international designations; and the relationship of the site with the River Thames.

PoTLL explained that a proposed application for planning permission, made to Thurrock Borough Council (TBC) under the Town and Country Planning Act 1990, had been substantially progressed before it had become apparent to PoTLL and TBC that the thresholds in the PA2008 would be exceeded by the development and that an application for a DCO would need to be made instead.

Anticipated programme to submission

PoTLL summarised its provisional programme for Environmental Impact Assessment (EIA) Scoping and the preparation of its Preliminary Environmental Information Report (PEIR).

The Applicant's draft Scoping Report had been issued to consultees on 27 February 2017 and the deadline for comments to be received was 17 March 2017. PoTLL anticipated that having had regard to those comments it would notify the Planning Inspectorate of its intention to submit an Environmental Statement in respect of Tilbury2², and request a Scoping Opinion from the Planning Inspectorate³, late in March 2017. A draft PEIR would be developed in consultation with the relevant bodies between the submission of the Applicant's Scoping Report and the Planning Inspectorate's issue of a Scoping Opinion. Based on PoTLL's projections of this timetable, in conjunction with statutory timescales, it expected the Planning Inspectorate to have issued its Scoping Opinion by early May 2017.

Pending any unforeseen slippage, the anticipated programme would enable statutory consultation to take place in June/ July 2017, with the formal submission of the application for development consent following in Q4 2017.

¹ <http://www.tilbury2.co.uk/docs/>

² Under Regulation 6 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

³ Under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

Update on public consultation and stakeholder engagement to date

PoTLL summarised its engagement with statutory consultees including s43 local authorities; Highways England; Network Rail; The Marine Management Organisation; Crown Estate; Port of London Authority; Environment Agency; Natural England and Historic England.

PoTLL explained that the route of the new road and rail access to the Tilbury2 site could in part cross an area of common land. A public notice had been posted in February 2017 calling for persons who owned, occupied or had common (or other) rights in the area of common land to make themselves known to the Applicant. This would enable PoTLL to facilitate engagement with those persons in the Pre-application process and beyond.

PoTLL summarised the local planning policy context and explained that, in relation to an area of Green Belt that may be required to deliver the proposed development, discussions were ongoing with TBC.

Specific decisions/ follow up required?

- Tom Carpen to confirm the individuals comprising the Planning Inspectorate's case team to Pinsent Masons.
- The Planning Inspectorate to provide convenient dates to Pinsent Masons for a visit to the Tilbury2 site and surrounding area (possibly incorporating tripartite meeting with s43(1) local authorities/ statutory consultees).
- Pinsent Masons to provide the Planning Inspectorate with initial project information to allow the webpage to be set up.
- Pinsent Masons to send shapefile to the Planning Inspectorate at least two weeks in advance of any request for a Scoping Opinion.
- Pinsent Masons to update programme to include further meetings/ telecons with the Planning Inspectorate and the submission of draft application documents for comment.

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.