



## Meeting note

<b>File reference</b>	TR040009
<b>Status</b>	<b>Final</b>
<b>Author</b>	Kate Mignano
<b>Date</b>	8 July 2016
<b>Meeting with</b>	Network Rail
<b>Venue</b>	Temple Quay House
<b>Attendees</b>	<b>Network Rail</b> Anthony Bolton – NR Senior Project Manager Michaela Payne – NR Consents Manager Simon White – EIA Co-ordinator, Jacobs  <b>Planning Inspectorate</b> Susannah Guest - Infrastructure Planning Lead Richard Hunt – Senior EIA and Land Rights Advisor Kate Mignano – Case Officer
<b>Meeting objectives</b>	Project Update Meeting
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given:

The developer was reminded of the Planning Inspectorate's openness policy that any advice given would be recorded and published on its website under s51 of the Planning Act 2008 (as amended by the Localism Act 2011) (PA 2008) and that any advice given does not constitute legal advice upon which the developers (or others) can rely.

Introductions were made by everyone present, and individual roles were explained.

### Project Update

Network Rail (NR) explained how the project had progressed since the last meeting in December 2015. They confirmed the first stage of consultation with the public was now complete and that the single option selection workshop will be taking place in September 2016.

The Statement of Community Consultation (SoCC) has been reviewed by the Inspectorate, the host local authorities and a number of the neighboring local authorities. NR is currently amending the SoCC in response to the comments received. NR plans to publish the SoCC in October 2016 with a single phase of statutory

consultation for S42, 47 and 48 due to finish in February 2017. The Inspectorate confirmed that they would review the updated SoCC prior to NR sending this out.

The Inspectorate asked about the progress of draft documents and whether NR intended to submit them for review. NR confirmed that progress is being made on the draft documents and that the host local authorities would be provided with some draft documents including chapters of the environmental statement for review prior to submission. NR also intends to submit draft documents to the Inspectorate for review. The Inspectorate confirmed they would review a Habitats Regulations Assessment (HRA) as part of the draft documents, if the screening assessment demonstrates the need for a full HRA. NR suggested that the need for HRA was likely to be screened out but this would be confirmed with Natural England. The Inspectorate confirmed that in advance of the application they would only review the Environmental Statement introductory chapters including methodology.

NR stated they have been in discussion with the host local authorities regarding Planning Performance Agreements and that they are using Natural England's pre-application service. NR asked if it would be appropriate for them to hire a consultant to assist the drainage authorities with work required to meet the Water Framework Directive. The Inspectorate agreed that this was an option open to the developer.

NR asked how often meetings should take place on the lead up to submission of the application. The Inspectorate advised monthly engagement over the telephone would be beneficial and face to face meetings could be held before and after consultation.

NR are expecting sign off from the internal Governance for Railway Investment Projects (GRIP) process in August 2017 and a letter confirming funding in September 2017. Submission of the DCO application is then expected to be made Q4 2017.

A PowerPoint presentation then followed which demonstrated the results of the recent public consultation. NR stated that the consultation responses included both positive and negative responses to the scheme, with concerns expressed in relation to the cumulative effect of multiple potential projects coming forward in the area (e.g. Heathrow Express, Smart Motorways, Pinewood, CEMEX gravel extraction). Buckinghamshire County Council has commissioned a separate study to assess the wider cumulative transport impacts of these schemes.

NR stated that some feasibility work had been prepared by the promoter of an alternative solution using the Windsor branchline, however this did not meet NR's connectivity or speed requirements.

## **S42 Consultation**

NR enquired about identification of S42 consultees and asked if the list of consultees provided with the Scoping Opinion could be relied upon when considering whom to consult. The Inspectorate advised NR to have regard to CLG Guidance on pre-application consultation and Advice Notes 3, 14 and 16 when compiling their S42 consultee list and to seek their own legal advice if required.

## **Environmental Impact Assessment (EIA)**

NR confirmed that ecology surveys are underway and will continue through the summer.

NR discussed a list of potential submission documents and noted that there was overlap between certain documents and the Environmental Statement (ES). NR asked if it would be acceptable to produce a sign-posting document to identify where the information could be found within the ES. The Inspectorate advised that producing a sign-posting document is beneficial, but stated that certain documents were not automatically addressed in the ES and must be stand-alone; a typical example of this was the statement on Statutory Nuisance. The Flood Risk Assessment and HRA were highlighted as stand-alone documents that could form an appendix to the ES. The Inspectorate advised NR to ensure explicit requirements set out in the National Policy Statement are complied with in the ES.

NR confirmed there have been slight redline boundary changes and methodology changes (due to updated guidance) since EIA Scoping took place in 2014 and asked if this could be addressed through on-going dialogue as part of the EIA to review and refine the scope or if it would be more appropriate to produce an addendum to the Scoping Report. The Inspectorate confirmed they had not seen an addendum to a Scoping Report before and explained that it would effectively be a re-scoping of the project, which has been done before however it would depend on the nature of the changes and the significance of the redline boundary changes. NR indicated that due to their design development and following internal review of scoping there were minor changes to methodologies e.g. ecology and review of matters such as the extent of the study area for particular topics. The Inspectorate advised that there would need to be robust justifications for any changes to the proposed scope within the ES.

NR asked about the level of detail required for the Preliminary Environmental Information (PEI). The Inspectorate advised NR to engage with stakeholder organisations and confirmed that the level of detail to be provided is a decision for the developer. However, the more information provided results in more robust PEI. The Inspectorate advised NR to explain why certain matters are not included in the PEI (e.g. due to the stage of assessment/availability of data). It was explained that adequacy of consultation considered at acceptance and does not form part of the examination of an application if accepted.

Cumulative effects were briefly discussed regarding several other projects in the area and it was decided that this should be addressed with the Inspectorate at a later date. The Inspectorate advised NR that Advice Note 17: Cumulative Effects Assessment should be considered in developing their assessment.

### **Specific decisions / follow up required?**

NR to send PowerPoint presentation to the Inspectorate in due course.