



## Meeting note

<b>Project</b>	Western Rail Link to Heathrow
<b>File reference</b>	TR040009
<b>Status</b>	<b>FINAL</b>
<b>Author</b>	Lisa Spice
<b>Date</b>	23 May 2018
<b>Meeting with</b>	Network Rail
<b>Venue</b>	TQH
<b>Attendees</b>	<b>The Planning Inspectorate:</b> Kathryn Dunne (Infrastructure Planning Lead) Emre Williams (Case Manager) Lisa Spice (Case Officer) <b>Network Rail:</b> Malcolm Armstrong (Consents Manager)
<b>Meeting objectives</b>	Statutory Consultation Update Meeting
<b>Circulation</b>	All Attendees

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

The Applicant and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Applicant was aware that a note of the meeting would be taken and published on its website in accordance with section 51 (s51) of the Planning Act 2008 (the PA2008) (as amended). Any advice given under s51 would not constitute legal advice upon which applicants (or others) could rely.

The Inspectorate had received a copy of the Applicant's consultation letter (dated 10 May 2018) and supporting documents, and noted that the letter did not clearly state that the consultation being carried out was in accordance with s42 of the PA2008. The Inspectorate advised that clearly referencing 's42' on the consultation letter would alert the consultees to the significance of this statutory consultation and not confuse this with any other statutory consultation required under the PA2008 e.g. s47 and s48 consultation.

In addition, the s46 (of the PA2008) notification letter was not received at the same time or prior to starting the statutory consultation (as required), the letter was received by the Inspectorate after the Applicant had commenced their consultation.

The Inspectorate also noted that the documents accompanying the May 10 consultation letter did not include the eight Fact Sheets about the proposed development, which is available to view on the Applicant's website. (The Applicant

confirmed that these Fact Sheets were never intended to be s42 documents, but had been prepared for the s47 community consultation events.)

The Applicant clarified that its Statement of Community Consultation (SoCC) was published on the Network Rail website in April 2018. The Inspectorate advised the Applicant that it had been unable to locate the SoCC in the consultation section of the Applicant's website (though the Inspectorate confirmed it was available elsewhere on the website), and suggested that it may be beneficial to users visiting the website that all documentation associated to their statutory consultation be in the same location as the above consultation documents, as it served to inform consultees of the deposit locations for hard-copy documents relating to the proposed scheme. The Applicant confirmed that a copy of the SoCC has been made available at all of the deposit locations.

The Applicant informed the Inspectorate that they were intending to send a follow-up letter to the s42 consultees, the Inspectorate advised the Applicant to clearly state in the letter that it is being sent in accordance with s42 consultation. The Inspectorate also advised the Applicant to draw attention in the letter to the eight Fact Sheets and information about where to find the SoCC

The Applicant confirmed these points: it would encourage s42 consultees to attend the s47 public meetings and exhibitions, where experts and advisors would be available to answer any queries.

The Inspectorate noted that the project website details included in the s48 advertisements were different to those included in the s42 letter – the Applicant confirmed that both addresses directed the user to the same webpage.

The Applicant confirmed that a copy of the s48 publicity notice had not been sent to any of the relevant bodies identified in the Environmental Impact Assessment (EIA) Regulations. The Inspectorate advised the applicant of the requirement to do so and advised that it might be done as part of the proposed follow-up letter.

The Inspectorate highlighted the Applicant's requirement to have regard to guidance, and it suggested that the reasons for issuing a further letter be clearly explained in its consultation report. It reminded the Applicant of the importance of ensuring that the full 28 day consultation period was observed. The Applicant was also advised to explain in the consultation report, why the s46 notice was not issued to the Inspectorate at the same time or prior to the s42 consultation taking place.

The Inspectorate advised the Applicant to use the Acceptance checklist (available on the Inspectorate's website) to check that it had undertaken all of their necessary duties pertaining to their statutory consultation (including their SoCC), in addition to thoroughly reviewing the PA2008, relevant regulations, guidance and advice notes.