



Meeting note

Project name	East West Rail
File reference	TR040012
Status	Final
Author	The Planning Inspectorate
Date	17 June 2024
Meeting with	East West Railway Company Limited (“The Applicant”)
Venue	Microsoft Teams
Meeting objectives	Project Update Meeting
Circulation	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.

Project Update

The Applicant provided an update on the Proposed Development and explained that due to the general election coinciding with their anticipated period to undertake statutory consultation in summer 2024 Statutory Consultation has been postponed.

The Inspectorate inquired whether the delay to Statutory Consultation will have an impact on the proposed 8 week consultation period and whether this may be an opportunity to re-consider the Applicant’s preferred approach of submitting their Scoping Request at the same time. The Applicant confirmed that running Statutory Consultation for 8 weeks is sufficient for what they want to engage upon and they do not anticipate that this will change.

The Inspectorate noted that they are dealing with correspondence from a party raising concerns about the approach of running Statutory Consultation and scoping at the same time. The Applicant was reminded to ensure that local authorities, statutory bodies and the general public are well informed on the distinct difference between responding to Statutory Consultation and consultation undertaken in regard to the Scoping Report.

The Applicant noted that they are aware that they need to make sure that consultees understand the difference between the two processes and given the delay with the election they are revisiting their strategy as to how to proceed. The Applicant noted that they have been holding locally specific engagement activities with Parish Councils and local members, to ensure all groups are aware on the differences.

The Inspectorate queried whether there was still optionality associated to the Proposed Development. The Applicant confirmed that there is still limited optionality within the scheme, however their intent is to consult on these matters to seek to ensure when the Application is made that there would be no options.

Environmental Scoping Report update

The Inspectorate advised the Applicant that 10 working days' notice of the scoping request is required, as set out in Advice Note Seven. The GIS shapefile is also required at the same time. Environmental Services Team (EST) would appreciate as much notice as possible of the expected submission date to assist in allocation of resources. The Applicant confirmed that when it has firmed up its programme it will provide the Inspectorate an update on timescales; however, it did not expect that the scoping request will be made over the summer holidays.

The Inspectorate's new pre-application services

The Applicant confirmed that it had read the Inspectorate's 2024 Pre-application Prospectus and was preparing a response to the Expression of Interest (EoI) concerning which pre-application service tier it would prefer to engage.

The Applicant asked how constrained it would be by its initial choice of tier service. The Inspectorate drew attention to the ability for applicants to request to change the tier service during the pre-application stage, set out in the Prospectus. Such a request would require 3 months' notice, and movement to higher tier service could not be guaranteed pending the availability of resources within the system to support the higher tier service at that time.

The Applicant queried from when it should be expected to be charged for the Inspectorate's pre-application service. The Inspectorate confirmed that because in this case the Applicant had not requested a scoping opinion before 30 April 2024, charging would commence from 1 October 2024. All projects engaging an enhanced tier service following the EoI, irrespective of when they requested a scoping opinion, would be charged from 1 October 2024.

The Applicant requested clarification about the new Adequacy of Consultation Milestone. The Inspectorate identified that the milestone is intended to check the progress of the Applicant's consultation process and consider how to undertake any additional engagement that may be needed. Practically, it will involve the submission by the Applicant of a short statement of the elements of consultation which have been carried out compared with the components set out in the Programme Document and the Statement of Community Consultation. The statement should include the views and any relevant supporting material from the affected local authorities if available. The milestone is intended to de-risk the acceptance process. The Inspectorate confirmed that the Adequacy of Consultation Milestone is a universal service feature which applies to all tiers.

Specific decisions/ follow-up required?

The following actions were agreed:

- The Applicant is to keep in contact post-election on next steps particularly for scoping request and statutory consultation.
- The Applicant is to submit their EoI (deadline 10 July) to the Inspectorate.