



## Meeting note

<b>File reference</b>	Daventry International Rail Freight Terminal (DIRFTIII) – TR050001
<b>Status</b>	<b>Final</b>
<b>Author</b>	James Bunten
<b>Date</b>	9 May 2013
<b>Meeting with</b>	Daventry District Council, Rugby Borough Council, Warwickshire County Council, Northamptonshire County Council and Marrons
<b>Venue</b>	Daventry District Council Offices
<b>Attendees</b>	Eamon McDowell – Daventry District Council Paul Knight – Daventry District Council Anthony Devenish – Rugby Borough Council Gavin Smith - Rugby Borough Council Greg Vigers - Rugby Borough Council Steve Parkes - Rugby Borough Council Dave Neale - Warwickshire County Council Adam Hart - Warwickshire County Council Lesley Ann Maher - Northamptonshire County Council Verity Chilver - Northamptonshire County Council Rob Sym Jones - Northamptonshire County Council Julie Russell - Marrons
	Susannah Guest – Planning Inspectorate Kate Mignano – Planning Inspectorate James Bunten – Planning Inspectorate
<b>Meeting objectives</b>	An outreach meeting with the two local authorities and the two county councils to discuss what their role is during an NSIP application and how they can prepare for Examination
<b>Circulation</b>	All above

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

The Planning Inspectorate ('the Inspectorate') stated that a note of the meeting would be taken and would be published on the National Infrastructure web pages on the Planning Portal under s51 of The Planning Act 2008 (PA 2008) as amended.

A slide presentation was prepared for the meeting by the Inspectorate [a copy of the presentation is attached to this meeting note].

The Inspectorate queried whether the DIRFTIII application was the first National Significant Infrastructure Project (NSIP) the local authorities present had engaged in. It was noted that it was the first NSIP application for all present.

## **Pre-examination**

The Inspectorate discussed a summary of the Pre-examination period noting the key stages. Daventry District Council asked whether it was prudent for local authorities to register during this stage. The Inspectorate noted that most authorities are automatically "Interested Parties" however, emphasised the importance of registering during the Pre-examination period and submitting a 'Relevant Representation'. The Inspectorate advised that key issues should be brought to the Examining Authority's (ExA) attention early on in the process. This highlights the benefits of a front loaded process.

The Inspectorate referenced a Relevant Representation from a local authority shown to Warwickshire County Council from another NSIP application. Warwickshire County Council noted it was helpful and it was discussed that most authorities would benefit from viewing Relevant Representations submitted for other NSIP applications to get an idea of what to submit.

The Inspectorate advised to keep Relevant Representations simple and limited to a maximum of 500 words noting any issues raised can be later expanded, with evidence, during the Examination.

Daventry District Council asked whether Relevant Representations already submitted can be viewed. The Inspectorate stated that the full set of Relevant Representations can be viewed once the period has closed and advised that they will be published on the project website and later forwarded to deposit locations.

Daventry District Council queried whether parish councils should engage and whether they should represent themselves. The Inspectorate noted that parish councils should be encouraged to engage and, if possible, register independently. Warwickshire County Council queried whether various members of the same local authority can register. The Inspectorate advised that local authorities should register once as an organisation, and then issues can be set out and addressed individually in their representation.

## **Examination**

The Inspectorate discussed what key events/activities/deadlines occur during Examination and provided advice on the role of local authorities. The Inspectorate emphasised the period only lasts for 6 months and highlighted the importance of preparing draft documents as early as possible, ideally during Pre-examination.

The Preliminary Meeting (PM) was discussed and the Inspectorate advised that merits cannot be discussed during this meeting. It was noted that the meeting is primarily to discuss the Examination timetable as well as any legal issues brought to the ExA's attention. Northamptonshire County Council asked if there will be an agenda issued for the PM. The Inspectorate advised that an agenda will be published and distributed at least 21 before the PM. The Inspectorate also noted that local authorities could highlight any deadlines that could potentially be difficult to meet at the PM and provide reasons.

The Inspectorate noted that the process is predominantly a written process and advised the local authorities to resource appropriately for the period so that statutory deadlines have a greater chance of being met. The Inspectorate noted the project website

[<http://infrastructure.planningportal.gov.uk/projects/East%20Midlands/Daventry-International-Rail-Freight-Terminal/>] is very useful to reference for information and

advised a copy of the up-to-date timetable would be available to view on the website once it has been issued.

The Inspectorate discussed the Hinkley Point C NSIP Examination timetable and noted the importance of engaging early to meet the statutory deadlines that would apply to the local authorities.

## **Local Impact Reports**

The Inspectorate explained that a Local Impact Report (LIR) - a factual document which reports on likely impacts of the proposed development including economic, environmental and social issues - is requested from the local authorities. The Inspectorate noted that the deadline for submission is included in the Examination timetable but advised work should start on the report as early as possible.

The Inspectorate advised that joint LIRs can be produced in order to share knowledge and resources with other local authorities. It was queried whether joint LIRs can be submitted for a particular issue proposing a large joint LIR focusing on one topic. The Inspectorate noted the question and advised they would return with further advice.

It was noted that Rugby Borough Council and Daventry District Council have discussed potentially issuing a joint LIR but this has not been confirmed. The Inspectorate also noted that if local authorities have different views regarding a topic, they can be addressed separately at the Written Representations stage.

The Inspectorate suggested attendees could view published LIRs online for other NSIPs along with Advice Note 1 for more information.

## **Statements of Common Ground**

The Inspectorate explained briefly about Statements of Common Ground (SoCG) and noted that SoCG should not be overcomplicated and delay of submission should be avoided if possible. The Inspectorate advised that SoCG's should state what is agreed and what is not agreed and emphasised that agreed issues may still be examined by the ExA and therefore reasoning may be beneficial.

## **Hearings**

The Inspectorate explained the three types of hearings held during Examination:

- Open Floor Hearing (OFH)
- Issue Specific Hearing (ISH)
- Compulsory Acquisition (CPA)

The Inspectorate noted that the first hearing held is generally a draft DCO hearing followed by Issue Specific and Open Floor Hearings and often ending with a second draft DCO hearing using a track changed version of the DCO. The Inspectorate stressed that local authorities need to be clear what the powers/requirements are in the draft DCO in order to answer any questions the ExA might ask during hearings and written questions.

The Inspectorate advised that local authorities can choose to represent themselves during these hearings. The Inspectorate noted that the ExA will take an inquisitorial role during Examination, elaborating on existing written submissions with questions as no new evidence is generally permitted once the application is accepted.

## **Considerations for Local Authorities**

The Inspectorate highlighted important considerations that the local authorities need to remember when engaging in NSIP applications and advised that viewing published examples from other local authorities on the Planning Portal Infrastructure website would be helpful.

Rugby Borough Council noted they have received very little correspondence from the Inspectorate so far and queried whether it will be similar to the Town and Country Planning Act regime regarding contact. The Inspectorate advised that it is the developer's responsibility to contact the local authorities and Statutory Consultees to note accepted application and the Relevant Representation period. However, the Inspectorate noted they will issue Procedural Decisions throughout the Examination period, such as the 'Rule 6 and 8' letter, which includes information regarding the appointed ExA, the ExA's draft timetable, a list of deposit locations, primary issues of the scheme and invitation to the PM.

The Inspectorate went on to highlight the importance of notifying the ExA with what they feel are the primary issues of the scheme by submitting a Relevant Representation. The Inspectorate also noted that the PA 2008 has changed and Statutory Consultees can now register at any point during the application however, it was noted that it is beneficial to engage as early as possible.

There was a brief discussion regarding possible venues for the PM and hearings. The Inspectorate queried the potential local interest and asked if these events might be well attended. Daventry District Council advised that people are aware of the scheme and noted that no local opposition groups have come to their attention. Daventry District Council asked whether they need to consult with the local parish councils. The Inspectorate advised that although not statutory, it would be helpful to forward details on how to register to these organisations.

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

Response to query regarding preferred method of joint LIRs.