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The Head of Planning
Local Authority Consultees

Your Ref:
Our Ref: WW010001
Date: 13 February 2013

Dear Sir/Madam

Chapter 2 'Pre-Application Procedure', Planning Act 2008 (as amended by the Localism Act 2011) (PA 2008)

Proposed Application for a Development Consent Order by Thames Water Utilities Limited for the Thames Tideway Tunnel (the application)

I am writing to you in respect of the above proposed application, which we have been informed by the developer (Thames Water) is likely to be submitted to the Planning Inspectorate on 28 February 2013.

In advance of this submission, we thought it would be helpful to inform you that we will be requesting a representation from your authority on the adequacy of the applicant's pre-application consultation, and to confirm contact details for future correspondence with your authority.

Adequacy of consultation representations

On receipt of an application the Planning Inspectorate has 28 days to decide whether or not to accept the application. The developer must submit a consultation report with the application¹, which should set out the developer's pre-application consultation processes, a summary of the relevant responses to its consultation and how it has taken account of responses received in developing the application. Developers must have regard to relevant guidance on the pre-application process issued by the Secretary of State.²

As soon as we receive the application, the Planning Inspectorate will be inviting you as a host or neighbouring local authority³, to submit an 'adequacy of consultation representation' which the Planning Inspectorate must have regard to in deciding whether or not to accept an application.⁴ This 'adequacy of consultation representation' means a representation about whether the developer has complied, in relation to the proposed application, with its duties under sections 42, 47 and 48 of PA 2008 relating to consultation and publicity.

Given the short statutory time limit for the acceptance stage, we will be seeking a representation from you **within 14 calendar days of the date of our invitation**. In light of this, you will obviously want to ensure that your authority has appropriate internal approval procedures in place to meet this deadline.

¹ s37(3)(c) PA 2008

² s50(3) PA 2008

³ A "local authority consultee" – s55(4) and (5) PA 2008

⁴ s55(4)(b) PA 2008

Contact details for future correspondence

In order to give you as much time as possible to respond, we would like to email your invitation to submit an 'adequacy of consultation representation' together with an electronic copy of the developer's consultation report.

To accord with s229 of PA 2008, I therefore ask if you could **confirm by 20 February 2013 the appropriate email address and contact name** for us to send an electronic communication for this purpose. It would be very helpful if you could also confirm that you will accept email communications of other procedural notices and correspondence from the Planning Inspectorate in connection with the examination of this application, should it be accepted.

Local impact reports

We will not consider the merits of an application unless it is accepted for examination. The 'adequacy of consultation representation' is not, therefore, a representation on the impacts of the scheme or the merits of the case; and the submission of any such representations prior to an acceptance would be premature.

Should the application be accepted, host authorities will automatically be registered to participate in the examination. Neighbouring authorities are encouraged to register on our website at the appropriate time.

If the application is accepted for examination, the Examining authority will invite local authorities to submit a Local Impact Report which should give details of the likely impact of the proposed development upon your authority's area. The deadline for the submission of the Local Impact Report will be set by the Examining authority following the Preliminary Meeting, which is likely to take place a few months after the acceptance of an application. You are therefore encouraged to begin preparation of your Local Impact Report now, and put in place internal approval procedures.

For further information on the above or any other queries, please do not hesitate to contact me. In my absence, please contact Robert Ranger who is the case officer.

Further details of the process for development consent applications including relevant legislation, guidance and advice notes can also be found on our website:
<http://infrastructure.independent.gov.uk>.

Yours faithfully

Mark Wilson

Mark Wilson
Principal Case Leader
Email: thamestunnel@infrastructure.gsi.gov.uk

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.