



Meeting Note

File reference	Thames Tunnel - WW010001
Status	FINAL
Author	Jeffrey Penfold

Meeting with	Thames Water Utilities Limited (TWUL)
Meeting date	12 June 2012
Attendees (Planning Inspectorate)	Janet Wilson (Head of Case Management) Mark Wilson (Principal Case Manager) Jeffrey Penfold (Case Officer)
Attendees (non Planning Inspectorate)	Ian Fletcher – Thames Water Utilities Limited Richard Fornelli - Thames Water Utilities Limited John Rhodes - QUOD Sarah Beattie - Berwin Leighton Paisner LLP
Location	Temple Quay House, Temple Quay, Bristol.

Meeting purpose	A meeting to discuss the preparatory measures for the Thames Tunnel Waste Water project with regard to the examination timetable and general programming logic.
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Summary of key points discussed and advice given	<p>Attention is drawn to The Planning Inspectorate - National Infrastructure Directorate's openness policy and commitment to publishing any advice under s51 of the Planning Act 2008 (the 2008 Act) on The Inspectorate's website.</p> <p>TWUL commenced by confirming the anticipated submission date of an application for a Development Consent Order (DCO) to The Planning Inspectorate in Q1 of 2013 for the Thames Tunnel proposal.</p> <p>The Inspectorate drew TWUL's attention to the requirements of s56 of the 2008 the 2008 Act in that when an application is accepted for examination by The Inspectorate, a duty lies upon the developer to notify persons as prescribed of the accepted application. S56(4) requires that the applicant must, when giving such notice to persons, notify those persons of the deadline of the receipt of relevant representations by The Inspectorate. The applicant must allow for a minimum of 28 days to register as an Interested Party (IP).</p>
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TWUL aim to provide 42 days for the Relevant Representation registration period. This time period is based on experience from NSIP projects of similar complexity. The Easter Holidays will be discounted from the registration period with further days added on to compensate. The final 42 day period for registering as an IP will depend on the actual application submission date to The Inspectorate.

TWUL confirmed the registration period will not commence on either a Thursday or a Friday. The reason being that both days are considered as 'clear days' which allows for people wishing to contact TWUL the opportunity to do so whilst resources are fully available.

TWUL queried whether the Examining Authority (ExA) will consist of a panel of either 3 or 5 Examining Inspectors?

The Inspectorate advised that the initial choice of a Panel or Single Examining Inspector under s61 of the 2008 Act is dependent on the size, complexity and level of public interest of a proposed application. It is therefore likely that a panel of 5 Examining Inspectors will be appointed to examine the TT application.

TWUL clarified that the procedural Preliminary Meeting (PM), held shortly after the appointment of the ExA may receive a large level of public interest with attendance anticipated in excess of 800 people.

The Inspectorate gave preference to a single PM rather than a series of PMs at numerous locations. This is to avoid any ambiguity with regard to PM location.

TWUL suggested the Central Westminster Hall as a potential venue due to its capacity of 2,200 people. TWUL used this venue during their pre application consultation. The Inspectorate confirmed its support in principle for the location and size of this venue and would try to visit it as soon as possible.

The Inspectorate discussed practical matters about how they envisaged the PM and also Open Floor Hearings would be run, without prejudice to any decision in this regard that would be taken by the appointed Examining Authority.

TWUL confirmed that the Book of Reference to be

submitted with the application will identify over 22 000 affected persons, the majority having sub-soil interests. A large attendance is anticipated at Compulsory Acquisition Hearings.

Staffing and budget issues are currently being planned by TWUL in order to achieve the target submission date of Q1 2013. TWUL aim to comply with the requirements of s56 (2) (d) 'notifying persons of accepted application' by using Royal Mail to ensure the large number of relevant persons are informed correctly. If other routes of correspondence are requested then this will be catered for. The Inspectorate confirmed that it is likely to use an external mail-shot company in order to issue procedural decisions and other letters as required. Time would therefore have to be built into the examination timetable to accommodate this.

During the examination of a project, the submission of Local Impact Reports (LIR) is invited roughly six weeks from the start date of the examination. This will be specified at the PM. It is envisaged that more than ten LIRs will be submitted during the examination of the Thames Tunnel project along with lengthy submissions made via Written Representations. The Inspectorate advocated joint working between local authorities on areas where synergy can be achieved but cannot require local authorities to work in this way.

The Inspectorate advised TWUL that it advised local authorities at a recent meeting to aim to reduce the amount of information in a LIR by bringing forward Statements of Common Ground early in the process. Any issues that cannot achieve common ground should be fed into Written Representations. TWUL expressed concern about the length of time they would have to comment on the large number of LIRs and other representations that may be submitted, particularly in terms of The Inspectorate's turn around time for publishing the representations on the website.

A Memorandum of Understanding (MoU), which was issued in October 2011 has been signed by 9 of 14 London Borough Councils (category A)– TWUL are awaiting the remaining Boroughs to sign the MoU.

TWUL questioned the request by the ExA of the receipt of an LIR under s60 of the 2008 Act and the opportunity to extend the period to submit comments upon it. The

	<p>Inspectorate confirmed that TWUL's concerns about periods allowed for commenting should be raised at the PM.</p> <p>The Inspectorate confirmed that the level of challenge in respect of Compulsory Acquisition Hearings could be a determining factor for the length of the Thames Tunnel examination stage. TWUL are keen to address such issues in order to aim for an examination period lasting no longer than 6 months.</p> <p>The Inspectorate advised that concurrent CPA hearings, hearings may need to be considered by the ExA to expedite the examination.</p> <p>TWUL will be adding to its suite of plans with a land acquisition plan in order to identify clearly what land is proposed to be compulsorily acquired.</p> <p>The organisation of the examination was discussed with TWUL confirming their level of involvement in organising events. The Inspectorate is in the process of recruiting Programme Officers who will be the first point of contact for event management. The Inspectorate strongly supported TWUL's intention to invest time and resources in the examination. The example of the arrangements put in place by EDF Energy, in respect of the Hinkley Point C examination, was referred to in a positive light.</p> <p>The potential for Outreach events, hosted by The Inspectorate was discussed. Liaison with relevant local authorities, aimed for the period after the project becomes an NSIP, will raise awareness of appropriate and potential venues for hosting Outreach events, held post-acceptance, aim to help stakeholders register with The Inspectorate to become IPs and submit Relevant Representations.</p>
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Specific decisions/ follow up required?	<p>The Inspectorate to reply to TWUL letter dated 1 June regarding offshore development.</p> <p>The Inspectorate also noted the letter of 7 June relating to three issues re formalities and format and will respond in due course.</p>
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Circulation List	Meeting attendees.

