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Councillor Botterill
Leader of the Council
Hammersmith & Fulham Council
Hammersmith Town Hall
King Street
LONDON
W6 9JU

Your Ref: LDR/NB/YG
Our Ref: WW010001
Date: 1 March 2013

Dear Cllr Botterill

Thames Tideway Tunnel - adequacy of consultation representation

Thank you for your letter of 28 February to my colleague Peter Burley regarding the above. Mr Burley has passed your letter to me. I am the Case Manager responsible for handling the Thames Tideway Tunnel application at the Inspectorate.

The statutory process set down by the Planning Act 2008 allows 28 calendar days for the Inspectorate to decide whether or not to accept an application for development consent for examination. This statutory deadline applies regardless of the scale of the project.

Inevitably, this means that any adequacy of consultation representations, which relevant local authorities wish to make, must be made within this timescale. We stipulate 14 days because this allows the decision maker time to consider any representations made.

Given the relatively short acceptance stage, as soon as a developer confirms a submission date to us we write to the relevant local authorities to inform them, advising them to prepare for our request for an adequacy of consultation representation and the 14 day deadline.

In respect of the Thames Tideway Tunnel application we wrote to and emailed H&F Council and the other relevant local authorities on 13 February informing them of Thames Water's intention to submit an application to us on 28 February, and highlighting the need to prepare for the 14 day period to make an adequacy of consultation representation.

In addition, my team and I have attended and presented at three Thames Tunnel Forum events over the course of the last 18 months where we explained this part of the process to those in attendance, and explicitly warned attendees from local authorities of the 14 day turn-around. We also filmed a video specifically for local authorities affected by the Thames Tunnel project, which was emailed to them on 30 January. Again, this made specific reference to the 14 day period and the need to ensure that Councils put in place agreed delegation arrangements to facilitate the production of this representation.

The letter emailed to your officers on 28 February, requesting the adequacy of consultation representation, explains exactly what is being asked for. We are seeking the Council's views

on the extent to which the applicant has complied with their duties under sections 42, 47 and 48 of the Planning Act 2008. As such, at this stage it is not necessary for your officers to read the application documents, except for the Consultation Report. The remaining application documents will not in fact be made available unless and until the application is accepted by us for examination.

In the body of our emailed letter of 28 February is a web link to the Consultation Report that was submitted by the applicant. I also understand that the applicant has sent paper copies of their Consultation Report to the relevant local authorities in advance of the submission of the application, acting on our advice.

At this stage we are not seeking the Council's views on the merits of the application. The Council will have an opportunity to submit a Local Impact Report and written representations in due course, if the application is accepted by us for examination. There will be hearings as part of any examination at which the Council will also have the opportunity to make oral representations on the application.

Yours sincerely

Mark Wilson

Mark Wilson
Principal Case Manger

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.