



Meeting Note

File reference	Thames Tunnel - WW010001
Status	FINAL
Author	Jeffrey Penfold

Meeting with	Thames Water Utilities Limited (TWUL)
Meeting date	17 April 2012
Attendees (Planning Inspectorate)	Dr Pauleen Lane (Pre-application Inspector) Mark Wilson (Principal Case Manager) Lynne Franklin (Lawyer) Jeffrey Penfold (Case Officer)
Attendees (non Planning Inspectorate)	Ian Fletcher (Thames Water Utilities Limited) Rick Fornelli (Thames Water Utilities Limited) Ingrid Lagerberg (Thames Water Utilities Limited) Sarah Beattie (Berwin Leighton Paisner)
Location	1st Floor Temple Quay House, Temple Quay, Bristol

Meeting purpose	To discuss progress to date; Schedule 1 of the Draft Development Consent Order; and the format of project drawings and plans.
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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>Update of project progress:</p> <p>Both the recently designated Waste Water National Policy Statement (NPS) and the s14 (3) Order of the 2008 Act were discussed. The order, which will designate Thames Tunnel as a Nationally Significant Infrastructure Project as per s14 (1) of the 2008 Act, has been laid before Parliament and is pending a Joint Committee Statutory Instruments review in late April.</p> <p>The Water Financial Assistance Bill is also currently going through Parliamentary procedures - awaiting a final session in the House of Lords before Royal Assent.</p> <p>TWUL are currently on track to complete phase two (P2) of its consultation being carried out in accordance with s42 and s47 of the 2008 Act. Responses to P2 are being analysed with a report due in May 2012. Schedule 1 of the Draft Development Consent Order (DCO) will be amended in light of P2 responses with a draft of the Schedule published during s48</p>
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publication as required by the 2008 Act.

With regard to compliance with the Habitats Directive, TWUL confirmed that a draft screening opinion was currently with Natural England.

Update on transition from the Infrastructure Planning Commission (IPC) to The Planning Inspectorate National Infrastructure Directorate:

Transition of the IPC to The Planning Inspectorate National Infrastructure Directorate has been successful with no change in substance. The entire suite of Advice Notes has been amended as a result, and Guidance Note 1 (GN1) deleted. The substantive elements of GN1 have been fed into the redrafts of the Advice Notes.

Thames Tunnel Statement of Community Consultation (SoCC): Targeted consultation and s48 publicity:

P2 consultation received a total of 6500 responses. As a result, alterations to construction access at particular sites may be required which may lead to the need for additional consultation events in specific areas.

The Planning Inspectorate confirmed their view that the wording and table in the SOCC were consistent with the PEIR and other documents not being republished for S48 stage, on the basis that these would remain available on the website.

The Inspectorate advised TWUL to take account of the London Olympic Games when undertaking s48 publicity. The Inspectorate also highlighted that Adequacy of Consultation Representations will be requested from relevant Local Authorities which are material to the application's acceptance decision; therefore this needs to be borne in mind if submitting close to Christmas when key Council staff may not be available.

Draft description of the authorised project:

The Inspectorate noted TWUL's draft description of the authorised project and level of detail. The Inspectorate agreed with the general approach set out in the draft document.

Draft application plans:

TWUL produced plans that identified a number of facilities and installations which will be required above ground, comprising: vent columns; buildings associated with the construction and operation of the tunnel; and kiosks for the housing of electrical and control equipment.

The Inspectorate confirmed that the approach outlined by TWUL was logical. However, TWUL must be clear what project is being assessed in accordance with the Rochdale envelope approach.

TWUL confirmed that identifying elements of the project which comprise or include listed buildings, or that are located within conservation areas, will be identified as such in the description of authorised project

The Inspectorate confirmed that the above approach will prove useful.

TWUL requested whether temporary and permanent elements of the project need to be explicitly specified. There are a number of elements which could be provided purely for the construction phase but may be retained long-term.

Where temporary structures are envisaged as becoming permanent structures, requirements may be necessary to mitigate impacts. There is also an argument that the retention of certain structures may require consent outside of the DCO if it is not development associated with the NSIP.

TWUL explained that the plans showing public rights of way, stopping up etc would be referred to as the "access plans" as opposed to the "rights plans" and the Planning Inspectorate confirmed that this should show public rights only, TWUL explained that in most cases it is difficult to identify the routes of private rights of way but these would be clearly referenced in the Book of Reference by plot. The Inspectorate indicated that this would be an acceptable approach.

TWUL advised that all section and elevation plans will be illustrative giving a clear indication of scale and notably the balance between above ground structures and the much larger underground structures.

The Inspectorate agreed in principle with this format and advised that as long as the pedestrian routes were visible and the information is clear then there is no issue.

Two data sets are used on certain permanent works plans. This should be explained in supporting text. The layout of the plans should be justified and explained.

Drawing numbering system:

A drawing numbering system, for s48 publication and the application is being developed with the intention to provide as much clarity as to the status of the drawings which are provided and the site to which they apply. The Planning Inspectorate advised that, even at S48 stage, plans which are intended for approval and those which are illustrative only should be clearly marked.

The Inspectorate identified no issues in TWUL's proposed numbering system. TWUL confirmed that a key to

supplement plans will be provided.

Nature conservation plans as required under Regulation 5(2)(l) of the APFP Regulations 2009 and the plans required under Regulation 5(2) (m) of the same regulations are not required to be duplicated both in the Environmental Statement and as separate plans accompanying the application. The Inspectorate advised avoiding duplication and to utilise the electronic index which accompanies an application. The index should reference everything that is required by regulations.

Definition of 'offshore development' and applicability to the Thames Tunnel:

The Inspectorate advised TWUL to assemble a reasonable case that will justify the project as not being defined as 'offshore development'. It was suggested that TWUL could focus on the impacts of the development, for example, the scale of discharges, when assessing whether or not the scheme would affect the marine environment.

TWUL confirmed that it will liaise with the Marine Management Organisation in order to discuss the potential impacts / approach.

Arrangements for publicising acceptance of an application:

The Inspectorate advised TWUL not to rely on the minimum statutory period of 28 days for the registration of Interested Parties given the scale and complexity of the project. TWUL commented that they were considering a 6 week registration period.

The Planning Inspectorate confirmed that the application number WW010001 is and will remain the DCO application number which can be quoted on the S56 notices.

Requirements for future advice from the Planning Inspectorate:

TWUL indicated that they would be writing separately, for written advice, on three issues relating to land plans and the Book of Reference. The inspectorate asked whether TWUL could provide a mailing list of affected persons. This would be used to send interested parties the Rule 6 letter and thereafter procedural decisions. The Inspectorate could provide TWUL with a mail merge template if this would assist. TWUL confirmed there were approx. 23,000 affected persons and they would assist the Inspectorate in this respect.

Future meetings and work programmes including date of meeting to discuss draft DCO

The Inspectorate suggested that TWUL send the draft DCO at least 6 weeks in advance of submission. The intention would

	<p>be to provide appropriate feedback that could be considered by the applicant in advance of submission.</p> <p>The Inspectorate welcomed the submission of draft Statement of Reasons and Funding Statements also.</p> <p>AOB: The Planning Inspectorate indicated that they had arranged to meet representatives of the London Boroughs of Southwark, Lewisham and Lambeth to discuss their role in the DCO process. TWUL indicated that they had negotiated a bilateral Memorandum of Understanding (akin to a Planning Performance Agreement) and that 9 Councils had signed. They would check to see if these Councils (those which The Planning Inspectorate are due to meet) had signed.</p>
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Specific decisions/ follow up required?	<p>TWUL to send PINS Case Manager draft DCO and documents when ready.</p> <p>PINS to send Ian Fletcher a mail merge template and respond to the BLP letter of 12th April.</p> <p>PINS to assess the Acceptance Checklist against the unique circumstances of the TT project and flag issues.</p>
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Circulation List	<p>Meeting Attendees.</p> <hr/> <hr/> <hr/> <hr/>
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