



Meeting Note

File reference	WW010001
Status	Final
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Meeting with	Thames Water
Meeting date	3 October 2012
Attendees (Planning Inspectorate)	Pauleen Lane (Group Manager) Mark Wilson (Case Manager) Chris White (Case Officer) Jeffrey Penfold (Case Officer) Michael Baker (Assistant Case Officer) Will Spencer (EIA and Land Rights Advisor) Frances Russell (EIA and Land Rights Advisor) Lynne Franklin (Legal Manager)
Attendees (non Planning Inspectorate)	Ian Fletcher Sarah Beattie Michael Parsons Rick Fornelli
Location	Temple Quay House, Bristol

Meeting purpose	To discuss the draft Development Consent Order (DCO).
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Summary of key points discussed and advice given	<p>The Planning Inspectorate advised that as part of their openness policy a note of the meeting would be taken and any s51 advice given would be published on the website.</p> <p>Public Rights of Way The applicant explained that the DCO has been amended to authorise extinguishment of City walkway and other permissive paths. These are being treated as Public Rights of Way as set out in the Explanatory Memorandum.</p> <p>The Planning Inspectorate advised that, in relation to these walkways and paths, further consideration should be given to the extent and relevance of the power under s120 and paragraph 17 of Schedule 5 to authorise the stopping up of highways and the relevance of s136 (to provide an alternative right of way).</p> <p>The applicant may wish to explain further in the Explanatory Memorandum.</p> <p>Statutory undertakers and extinguishment of rights The applicant informed the Planning Inspectorate that the current draft is a work in progress and that protective</p>
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provisions within the DCO will be based on those used in previous projects.

Discharge of Requirements

The Planning Inspectorate advised that some statutory bodies may not have discharged such requirements previously, and that they should be made fully aware of their role in discharging requirements.

New Points in the DCO

Safeguarding – the applicant informed the Planning Inspectorate that those provisions relating to safeguarding of the operations of the scheme from development remain a work in progress.

Schedules – Transport and Traffic – the applicant informed the Planning Inspectorate that those Schedules (5-10) relating to these matters are work in progress and that there is a need to distinguish between temporary and permanent works.

Land acquisition – The applicant explained that the methods of land assembly as reflected in the draft were under consideration. The Planning Inspectorate advised that a “two-speed” approach may be adopted (as per other DCO proposals) that considers the worst case scenario, with non-required powers relating to works remaining unused as the project progresses.

Consultation Report

The applicant informed the Planning Inspectorate that the Phase 2 consultation has received over 6000 responses and that work on the Consultation Report is ongoing. The applicant stated that it has gone beyond the requirements of the Act and included authorities that would not have been included under s43. In relation to consultation, the Planning Inspectorate advised that:

- The Consultation Report should contain a clear separation of phases which took place before and after the scheme became an NSIP under the Act to demonstrate that all statutory consultees have been consulted
- The report should make clear, succinctly and logically, how the applicant has had regard to the consultation responses from the different strands of consultation.
- The applicant should ensure that the Book of Reference, the Consultation Report (where listing persons consulted under s42 (1) (d) and any mailing list of persons (who have been notified in accordance with s56/s59) sent to the Inspectorate with the s56 certificate are consistent with one another.
- The applicant must demonstrate how their consultation ran in line with the Statement of

	<p>Community Consultation (SOCC) and explain any instances where the SOCC ran contrary to the views of a Local Authority.</p> <p>Habitats Regulations Assessment The Planning Inspectorate produced matrices to be prepared at this stage to make sure all designations have been taken into consideration. These would sit alongside the Report and would evolve through the Examination of the application before being submitted to the competent authority (the SoS).</p> <p>The applicant enquired how the distance to the proposal should be expressed in the assessment considering the large and linear nature of the scheme. The Planning Inspectorate advised that a radius can be drawn from each point of the project and that examples are available from other projects.</p> <p>Any Other Business The applicability and implications of s131 certification, compulsory acquisition of commons and open spaces, were discussed. Also discussed was the procedure for discharge of requirements and that the Secretary of State's powers to determine the appeal would arise from the DCO as a statutory instrument and not from s78 of the Town and Country Planning Act 1990.</p> <p>The applicant raised concerns about the impact of the project on the Planning Inspectorate's resources.</p> <p>The possibility of regular update meetings was discussed as the project moved toward submission, to be held once every two or three weeks.</p>
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Specific decisions/ follow up required?	Regular meetings will be arranged between the applicant and the Planning Inspectorate every three weeks up to submission.
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Circulation List	All attendees