



Meeting Note

File reference	EN010046
Status	Final
Author	Chris Nash

Meeting with	Veolia Environmental Services (UK) Plc
Meeting date	08 June 2012 10:00 – 14:30
Attendees (Planning Inspectorate)	Chris White (Case Manager) Robert Hanson (Legal) Alison Down (EIA) Oliver Blower (Case Team, Case Officer) Chris Nash (Case Team, Assistant Case Officer)
Attendees (non Planning Inspectorate)	Tim Leinster (Veolia) Andy Milsted (Veolia) Nick Hollands (Veolia) Richard Turney (Landmark Chambers) Richard Foster (PinSENT Masons) Andrew Wooddisse (URS) Sarah Merritt (PinSENT Masons) Sent Apologies
Location	Rivergate - Conference Room 6, Temple Quay, Bristol

Meeting purpose	Developer to provide update on the project and the consultation undertaken to date. Discussion with regard to Draft DCO and acceptance process.
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Summary of key points discussed and advice given	PINS advised on its openness policy, and that any advice given will be recorded and placed on our website under s51 of the Planning Act 2008 (PA2008), and also to note that any advice given under s51 does not constitute legal advice upon which applicant (or others) can rely. <u>Project Update</u> The Developer advised that the Phase 2 consultation was carried out late April/early May. They had received around 30 responses on the published s42 information so far including Environment Agency, Natural England, Broxbourne Borough Council, Hertfordshire County Council, and Lee Valley Regional Park Authority. Natural England has accepted the position on air quality regarding the nearby European site, and the Environment Agency was also in agreement with most of the points raised. The Developer noted that Broxbourne Borough Council had raised issues regarding the compatibility of the development with the Regional Spatial Strategy and Local Plans. They had also raised issues concerning the scale and visual impact (including architectural detail) of the proposed development.
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PINS queried whether Essex County Council had been consulted. The **Developer** stated that they have had a brief response from Essex CC.

The Combined Heat and Power (CHP) element of the proposal was discussed. The **Developer** noted that this will not be part of the DCO application, and this has been acknowledged in the Environmental Impact Assessment.

S47 consultation was carried out at the same time as the s42 consultation. Six public information events were held in late April and a leaflet was issued regarding progress and providing more details on issues raised as concerns during phase 1 consultation. This went out to around 28,000 homes. Attendance in phase 2 (about 100 attendees) was lower than phase 1 (about 230 attendees). At the last count 20 comment forms and 10 e-mail replies were received.

PINS enquired whether a Statement of Common Ground will be submitted with the application with Natural England. The **Developer** and Natural England are working towards completing their Statement of Common Ground and this should be completed shortly after submission of the application.

PINS enquired as to the progress of the Environment Agency permit. The **Developer** noted that this should be submitted a few weeks after the written letter on key issues which are due in late July/early August.

The **Developer** noted they are in discussions with Broxbourne BC's Environmental Health Officer with regard to noise levels.

Environmental Impact Assessment (EIA)

The **Developer** stated that the EIA is nearly complete and surveying has finished. There are ongoing discussions with Broxbourne BC on noise levels and there should be an agreement on permitted noise levels shortly.

Once completed the DCO will be updated with specific mitigation measures to be written into the Environmental Statement.

Land Referencing updates.

Land referencing is advancing, with the Book of Reference and statutory plans being developed. The **Developer** noted there are Statutory Undertakers but they have not identified any Crown or special category land interest at present.

	<p><u>Developer comments on Draft DCO</u></p> <p>The Developer is meeting with Broxbourne BC on 18 June to discuss what requirements are necessary and to discuss and comments arising. The DCO should refer to the relevant Planning Authority (Broxbourne).</p> <p>PINS stated that requirements/provisions for deemed consent may need to be justified at the Examination. Reference to article 7 – may need more detailed provision.</p> <p>The Developer is looking for further clarification regarding article 8.</p> <p><i>Railways Act</i> – ongoing discussion with Network Rail regarding what is required within the land and rail network where it falls.</p> <p><i>Schedule 1 point 1</i> – The developer will insert reference to works plan and provide more detail.</p> <p>It is noted that “emergency conditions” should refer instead to “contingency conditions”.</p> <p>A further meeting with PINS is proposed and the Developer will provide a further draft DCO and a draft explanatory memorandum a week before the scheduled meeting.</p>
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Acceptance Criteria

PINS referred the Developer to Advice Note 6 and the s55 checklist for guidance, which could be found as an annex. This advice note provided guidance on the preparation of application documents, and how they should be organized and submitted.

Plans, Design Drawing and Application in general

The Developer should ensure all relevant plans are no smaller than 1:2500 in scale and show the north direction. There was also a need to provide a key plan where the plan comprises 3 or more sheets. It would also be useful if a schedule was provided showing the submitted plans revision numbers for checking that the correct version has been submitted.

The **Developer** asked whether the land plan/works plan and rights of way could be combined in to a single plan and whether any subsequent amendment would have a knock on effect. **PINS** suggested it might be better to keep separate.

	<p><u>Consultation report</u></p> <p>It was noted that the submitted report will include both the 1st and 2nd phases of consultation.</p> <p>There is a need for the Developer to clearly add all the dates and deadlines for the various consultation stages, and an explanation as to whether the consultation was carried out in accordance with the SoCC. The Developer should clearly identify how they have responded to any relevant responses, and whether this has led to changes to the project. Consultees should clearly be able to find their response in the report, and the steps taken and regard that has been had to their response. There should also be clear indication as to the s42 consultees consulted, and at what stages.</p> <p>PINS further advised that:</p> <p><i>Transitional Arrangements</i> - The Developer should explain in the report how the steps taken comply with the requirements of the 2008 Act as amended by the 2011 Localism Act.</p> <p><i>Application Supporting Statement</i> - The application should clearly specify which category in s14-30 of PA2008 the application scheme falls within.</p> <p><i>Funding Statement and Statement of Reasons</i> - With regard to compulsory acquisition, the statement of reasons should give a plot by plot account of why the land is required.</p> <p><u>Any Other Business</u></p> <p>The Developer confirmed that the date of submission was likely to be 17 July but the Developer will notify PINS if this changes.</p> <p>PINS confirmed that they will contact the Developer with further guidance on pre-submission tasks and guidance before the proposed submission date. The Developer should also note that the Secretary of State (PINS) can request all responses to the consultation carried out under Part 5 of the PA2008 and the Developer should prepare for this eventuality in view of the tight timescales at the acceptance stage.</p> <p><u>Date of next meeting</u></p> <p>3 July 2012 10:00 – 12:00</p>
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