

Meeting Note

File reference	Nuclear Interest Group Meeting
Status	Draft
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Meeting with	Non Governmental Organisations with an interest in Nuclear
Meeting date	9th June 2010
Attendees (IPC)	Sir Mike Pitt, Helen Adlard, Amy Cooper
Attendees (non IPC)	Dr Paul Dorfman – Nuclear Consultation Group Prof. Any Blowers – Blackwater Against New Nuclear Group Crispin Aubrey – Stop Hinkley Bill Howard - Sizewell
Location	IPC Boardroom, Temple Quay, Bristol

Meeting purpose	Gain a broader understanding of the new planning regime under the Planning Act 2008 and how NGO's can engage in the process.
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Summary of outcomes	<p><u>Introductions</u> – Our openness policy, Impartiality is paramount. The IPC cannot discuss the merits of any proposal.</p> <p>IPC comments made:</p> <p><u>Future of the IPC</u> - Currently no NPSs have been designated therefore Secretary of State (SoS) will be the decision maker. The IPC has the status of a recommending body. The intention of the new government is to maintain the SoS as the decision maker. It is unclear whether CLG will make the decision or the SoS of the relevant Government department. (e.g DECC to decide upon energy proposals).</p> <p><u>Future of NPSs</u> – These documents have to undergo parliamentary scrutiny before designation. Public consultation of these documents was undertaken. The IPC responded to the consultation with comments on their fitness for purpose. The new government has stated it will provide a national planning framework; we expect in any</p>
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event the NPSs will be progressed.

The Planning Process under Planning Act 2008 –
An inquisitorial approach.

Pre-application

Emphasis on frontloading and the importance of the pre-application stage. In principle, comprehensive consultation at this stage should aid a project's development, enabling a fully formed application to be submitted and minimising the likelihood of new issues being raised during examination.

Promoters are at the centre of the consultation process at this stage and it is vital that public participation is encouraged and consultation properly carried out. The IPC has the power to reject an application for examination if the consultation is deemed inadequate.

The IPC has been facilitating this stage by hosting Outreach events which inform participants of the new planning process and the opportunities to engage.

Acceptance

The IPC has 28days to decide whether to accept the application for examination.

Post Acceptance/ Pre-examination

The promoter must publicise that the application has been accepted.

There is no statutory period within which the preliminary meeting must be held after accepting the application, however must provide a minimum of 21days notice prior to the meeting. [Post meeting note: CLG guidance for the examination of applications for development consent (paragraph 49) states that a preliminary meeting should be held within a period of 6 weeks that begins on the day after the deadline for receipt of relevant representations.]

NGO's may attend this meeting if they have registered as an interested party. NGO's have 28days to register as an interested party and outline their main concerns by filling in a relevant representation form which will be available on the IPC website. Thereafter interested parties will be notified of the application's progress (e.g. by being invited to the preliminary meeting.)

How the application is to be examined will be determined by the Commissioners appointed to examine the application after the preliminary meeting.

Examination

The examination of an application must be completed within 6months. This period begins on the day after the

	<p>last day of the preliminary meeting.</p> <p>If an open floor hearing is requested it will be held in a suitable venue and wherever possible within the locality of the proposal.</p> <p>During examination a Commissioner may appoint expert assessors if they consider they need specific technical support on any matter.</p>
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Record of any advice given	<p><i>Q. The IPC was set up to make fair and balanced decisions. However, the SoS may have a particular view on a development type, will the decision making authority's view conflict with the impartial recommendation of the IPC?</i></p> <p>The SoS's decision will properly take into account the IPC's independent recommendation and will be made in accordance with the law and in the light of Government policy.</p> <p><i>Q. From a NGOs perspective how can we get involved in the new process?</i></p> <p>At the pre-application stage it is key to engage with the relevant local authority where the aim is to influence the appropriate <u>method</u> of consulting the community. The LA has an important role in commenting upon the adequacy of the Statement of Community Involvement. LA's could highlight the need for promoters to consult NGO's. NGO's should also respond to the promoter's consultation directly concerning the merits of the proposal.</p> <p><i>Q. NGOs may not feel the SoCC is adequate, even after the LAs comments. What channel of communication will NGOs have with the IPC on this matter?</i></p> <p>LAs have a democratic mandate to listen to its community so we would hope the NGOs comments would be taken into account. However, the role of the Commission is to look at the quality of consultation so NGOs can write to us with their concerns.</p> <p><i>Q. LAs feel under resourced for their role in the new planning process. How can they be helped?</i></p> <p>We would encourage LAs both at county and district level to collaborate and produce joint reports/comments where appropriate.</p> <p><i>Q. What can and cannot be raised during the examination?</i></p> <p>Under section 94(8) of the Planning Act 2008 the Examining Authority may refuse to allow representations to be made at a hearing if they a) are regarded as irrelevant, vexatious or frivolous; b) relate to the merits of policy set</p>
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	<p>out in a NPS; c) repeat other representations already made or d) relate to compensation for compulsory acquisition of land or of an interest in or right over land. If NPSs have been designated representations on the merits of the policy should not be made.</p>
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Specific decisions/follow up required?	
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Circulation List	