

Fens Reservoir Project

Section 51 Advice Log Version: 05 August 2026

This document comprises a record of the s51 advice that has been given by the Planning Inspectorate to the applicant (Anglian Water Services Limited and Cambridge Water) during the pre-application stage. It will be updated by the Planning Inspectorate after every interaction with the applicant within which s51 advice has been given.

The applicant will always be given the opportunity to comment on the Planning Inspectorate's draft record of the s51 advice given before it is published on the relevant project page on the [Find a National Infrastructure Project website](#).

The role of the advice log at the acceptance stage

Section 55(4) of the PA2008 requires the Planning Inspectorate to consider, amongst other things, the extent to which the applicant has had regard to the s51 advice given by the Planning Inspectorate in connection with the application when deciding if the application can be accepted for examination. Section 51 advice includes:

- advice given about applying for an order granting development consent
- advice given about making representations about an application for an order granting development consent

The applicant will use this advice log as the tool for demonstrating:

- regard to the s51 advice given to the applicant by the Planning Inspectorate
- regard to any s51 advice given to others by the Planning Inspectorate

The applicant will submit a final version of this advice log which demonstrates regard to all s51 given by the Planning Inspectorate at the pre-application stage as part of the application.

Fens Reservoir Project – Applicant meeting index

Date of meeting	Meeting overview
05 October 2022	Inception Meeting
09 May 2023	Project Update Meeting
05 March 2024	Project Update Meeting
30 July 2024	Project Update Meeting
25 October 2024	Section 51 advice regarding the Programme Document submitted by Anglian Water and Cambridge Water
27 November 2024	Project Update Meeting
04 March 2025	Project Update Meeting
11 April 2025	Section 51 advice regarding the 2 nd iteration of the Programme Document
01 September 2025	Project Update Meeting
24 October 2025	Section 51 Advice – Pre-application prospectus update
24 March 2026	Project Update Meeting
7 July 2026	Project Update Meeting
16 July 2026	Email advice regarding Planning and Infrastructure Act 2025
5 August 2026	Email advice regarding Scoping and Environmental Impact Assessment (EIA)

Fens Reservoir Project – Log of s51 given to the applicant

Meeting date: 05 October 2022

Topic	s51 advice given	Applicant regard to s51 advice given
Site Selection Process	The Inspectorate noted that the loss of agricultural land might be a topic of interest during consultation. The Inspectorate queried whether the existing ground conditions would contain peat. The applicant confirmed that they are looking to avoid areas containing peat and that a detailed land investigation will be undertaken, although research and assessment to date 2 demonstrates that the proposed location is appropriate both in terms of agricultural soils and peat. In respect of water quality and habitats, it was suggested that derogations under the Water Framework Directive might be required in respect of the Proposed Development, but this would be confirmed through further assessments. The Inspectorate advised the applicant to engage in conversations regarding compensatory measures with landowners as soon as possible, as this can often be a topic of significant discussion during Examinations of NSIPs.	

Scoping Submission	The Inspectorate advised the applicant to have additional meetings with the Inspectorate in advance of the scoping submission, which will be helpful to have a greater idea on what the content will look like.	
Meeting date: 09 May 2023		
Topic	s51 advice given	Applicant regard to s51 advice given
Rapid Gateway Process	The Inspectorate confirmed that it is in conversation with OFWAT about the RAPID Gateway process and requested the applicant provides further updates about the progression with the process.	
Meeting date: 05 March 2024		
Topic	s51 advice given	Applicant regard to s51 advice given
Timing of EIA scoping	The Inspectorate advised that submission of the two scoping requests in parallel may affect the ability of some EIA consultation bodies (those who are consultation bodies for both projects) to respond to the Inspectorate's statutory scoping consultations. The applicant confirmed it had ongoing engagement with key stakeholders (many of whom have separate teams set up for each project) and would continue to update	

	them regarding the applicable timescales. The applicant confirmed it would consider the possibility of phasing submission of the scoping requests to minimise any potential issues. The applicant would keep the Inspectorate informed as the submission timescales become further refined.	
Meetings	The Inspectorate advised that if the applicant wishes, it would be able to attend HRA Evidence Plan Steering Group meetings. The Inspectorate was unable to attend expert topic group meetings.	
Meeting date: 30 July 2024		
Topic	s51 advice given	Applicant regard to s51 advice given
Post meeting notes - PINS level of service: Expression of Interest in the new pre-application services provided by The Inspectorate	The applicant asked the Inspectorate whether the Issues Tracker would be published and if there was any flexibility in terms of the period of two years for enhanced or standard service tiers at pre-application stage. In response, the Inspectorate advises that the Issues Tracker would not be published under the current procedures at the pre-application stage. However, as stated in the 2024 Pre-application Prospectus, the issues tracking process would culminate in a list of Potential Main Issues for the Examination (PMIE) which	

	would be entered into the examination as an application document. The Inspectorate also confirms that there is flexibility to the two-year period at pre-application. Regarding the Evidence Plan Process, the applicant queried whether it could request attendance by a topic expert from the Inspectorate to help resolve an outstanding issue at a specific Steering Group/ Expert Topic Group meeting (for example, a Water Framework Directive expert). For enhanced tier projects, the Inspectorate's Environmental Services Team and/ or an Examining Inspector would attend, dependent on the stage in the process and agenda items/ issues being discussed. For standard tier projects, this would be the Inspectorate's Environmental Services Team only. Any such requests from the 2 applicant would be considered by the Inspectorate in terms of available resource at the time of the request. The applicant queried how many meetings the Inspectorate can attend as part of the Evidence Plan Process. The Inspectorate confirmed that for enhanced tier projects, it can attend up to eight meetings and for standard tier projects, up to five meetings. The Inspectorate's attendance at the meetings can be a mix of steering group and Expert Topic Group meetings. The stated limit of meetings is per annum, but subject to resource availability and the expectation is that	
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	advanced discussions would be held with the applicant and relevant statutory bodies to agree which meetings it would be most valuable for the Inspectorate to attend. The 2024 Pre-application Prospectus differentiates between multiparty meetings within the Evidence Plan Process and outside of the Evidence Plan Process and so these are addressed separately. Where multiparty meetings are held in relation to Evidence Plan matters, these would count towards the stated limit of Evidence Plan meetings (for enhanced tier projects, up to eight meetings per annum and for standard tier projects, up to five meetings per annum). Where the Inspectorate is requested by the applicant to attend multiparty meetings outside of the Evidence Plan process, these would count towards the limit of meetings with the Planning Inspectorate (see 'Meetings and interactions' in the Prospectus - for enhanced tier projects, up to nine meetings per annum and for standard tier projects, up to six meetings per annum).	
Programme Updates	The Inspectorate suggested the applicant considers the Christmas period when determining appropriate consultation dates and DCO submission dates.	

	The Inspectorate requested the applicant provides a separate programme timeline update for each project to aid resourcing.	
Forward programme of engagement	The Inspectorate requested further information from the applicant on the potential need for utilising section 53 of the PA2008, as discussed at the previous project update meeting. The applicant confirmed that it had been engaging with landowners well and had achieved the required access so far. The applicant advised that the preference would always be to seek access by agreement and section 53 request(s) would only be made if needed. The applicant will keep the Inspectorate updated in this regard.	
Advice date: 25 October 2024		
Topic	s51 advice given	Applicant regard to s51 advice given
Section 51 advice regarding the Programme Document submitted by Anglian Water and Cambridge Water	Programme document feedback issued	
Meeting date: 27 November 2024		
Topic	s51 advice given	Applicant regard to s51 advice given

General	The Inspectorate outlined how s51 advice is given and that the applicant has a chance to review the advice before it is published. Further interaction with the Inspectorate can highlight the issues that are being discussed and more commercially sensitive issues that may not yet be publicly available.	
Issues Tracker	The Inspectorate advised that the Issues Tracker should be available for regular review by the Inspectorate and other statutory bodies. The Inspectorate then highlighted that where positions have been agreed/not agreed that should be noted to try to minimise the risk of issues not being resolved before Examination and to encourage dialogue between those bodies on the key issues. The Inspectorate outlined that the enhanced service allows more time for frank discussions on these issues i.e. how things are going locally, and discussions with statutory consultees, etc. The Inspectorate highlighted that at the moment the issues tracker is showing engagement and that things will be resolved but it needs some more detail i.e. the actual risk assessments and how these might be resolved. Mona Offshore Wind Project is in Examination and has a good example in their submission at Deadline 2.	

	Secondly with regards to water resources and flood management the Inspectorate asked if the applicant is engaging with all the relevant agencies i.e. the lead council, the lead flood authority for the area and perhaps the affected consultees as these are not currently indicated. With traffic and transport which came out of the statutory consultation that should be evidenced as being considered in the risk assessment within the issues tracker.	
Adequacy Of Consultation Milestone (AoCM)	The Inspectorate advised that the applicant needs to ensure that the Inspectorate has enough time to review the AoCM to ensure valuable feedback can be provided and relevant time is available to the applicant to assess and act on that feedback. The applicant is reminded of prerequisites pertaining to AoCM under the Statutory Guidance and our Prospectus. The Inspectorate would deem 10 working days as sufficient time to provide feedback dependent on the standards of the submitted AoCM. However, the Programme Document, should reflect in advance the applicants perceived position in timetabling this milestone.	
Programme Document	The Inspectorate advised the applicant to update the summary of the case and the programme timetable in the Programme	

	Document to give readers a better idea of what the project is and how the project is progressing. The Inspectorate advised the applicant to consider outlining when to hold meetings offered under the relevant tier. The Applicant is not required to use all meetings, however the Programme Document should include a comprehensive timetable which indicates when they would want any meetings with the Inspectorate. The Inspectorate advised that the Prospectus lays out all the relevant components and the Inspectorate can bring in specialist support for reviewing relevant documents where appropriate. The Inspectorate outlined that things can also change as the project develops but the Programme Document helps the Inspectorate and other statutory parties to plan resources for each milestone during the pre-application phase. The Programme Document should help to give the Inspectorate plenty of advance notice of planned and/or perceived milestones to allow for adequate resourcing of specialist accordingly to any issue raised by the applicant.	
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	The Inspectorate is unable to signpost to examples of a well structured Programme Document. However, we would be able to review and give feedback on the next iteration of the Programme Document with a view to the public version, once published on the applicant's website, being an example for others to follow in future.	
Meetings	The Inspectorate highlighted that the applicant may decide that they wish to cancel certain meetings closer to the time. The following milestones might lead to useful meetings for example: • AoCM • Post Scoping Meeting • Statutory Consultation	
Technical/specialist advice	The Inspectorate highlighted that if there is an issue with engagement there is the possibility for the Inspectorate to escalate these issues because there are commitments from these statutory bodies to meet the resourcing needs for the enhanced scheme. The applicant asked for the level of engagement that the Planning Inspectorate will have.	

	The Inspectorate advised that initially all contact would be via the project mailbox. The Inspectorate advised that with really technical questions the applicant will still need to engage with their consultants however the Inspectorate will aim to answer what we can based on the issues and experience from other cases and Examination.	
Site Inspection	Following a query from the applicant the Inspectorate highlighted that they can do an Unaccompanied Site Inspection (USI) during the pre-application stage if required.	
Evidence Plan	The applicant asked how the Inspectorate envisages the evidence plan process working. The applicant uses it on Habitats Regulations Assessment and Water Framework Directive but they wondered if this would be suitable for any other aspects or whether there are any other good examples of its use. Post meeting note In response, the Inspectorate advises that Annex H provides guidance on the use of Evidence Planning in the HRA process and also refers to how this can be used to support wider Environmental Impact Assessment matters. The applicant can	

	apply principles within this advice to other aspects and matters within the Environmental Statement. Prior to the start of the pre-application service, other projects have incorporated expert topic groups on cultural heritage within their evidence plan process. The Evidence Plan process is considered most applicable for complex areas of assessment that may require a high level of engagement from stakeholders to agree for example on baseline survey methodologies, assumptions and approaches to modelling and assessment, assessment outcomes and mitigation. The applicant could make use of multiparty meetings to discuss standalone matters. The Evidence Planning Process works best where it is used as a working forum alongside the development of other documents such as Principal Areas of Disagreement Summary Statements (PADSS), rather than as a forum for updates. Materials should be prepared in advance of meetings. It is recommended that time in meetings is used to discuss specific matters and effective use of steering group to support where discussions on particular issues have stalled.	
Outline control documents	The applicant asked what is a good example of a mature control document? Then the applicant highlighted that they may want to	

	discuss the issues on this with the Inspectorate in the future. The Inspectorate agreed to take that away and provide a response. Post meeting note The Inspectorate advises that it would expect a level of detail and completeness as provided at the draft document stage, close to the point of submission allowing for time to address any comments. It is anticipated that mature documents would have been informed by consultation with the relevant stakeholders so that any areas of disagreement, potential 'blockers' or novel approaches can be understood. The Inspectorate is not able to signpost to any specific examples of mature control documents, but would refer the applicant to the <u>Commitments Register</u> advice page on the Inspectorate website.	
Principal Areas of Disagreement Summary Statements (PADSS)	The applicant asked whether there are any particular good practice examples of a PADSS. The Inspectorate advised that it is difficult to signpost to good practice as this is relatively new and recent examples are at Examination. The Inspectorate advised that it is not going to define 'disagreement' as this is a judgement of	

	the stakeholder and applicant, it would be expected that points of principal disagreement would either narrow or become more defined as things progress through pre-application, the purpose is to provide more focus in determining points for examination.	
Policy Compliance Document	The Inspectorate advised that it is good to start this, if not started already, to indicate how your project is complying with policies as this can help with conversations with local authorities or statutory consultations with the policies they will be relying on to come to positions on the scheme. It doesn't have to stick to the National Policy Statement (NPS) but also consider what is significant from the statutory parties. The applicant asked if there is a template/good example for setting compliance out. The Inspectorate highlighted that a number of submissions from National Highways schemes may be a useful starting point however they have tended to concentrate on the NPS incorporating extra information on what the statutory parties deem significant is very useful to show what everyone is working towards i.e. their policy positions.	

Design Approach Document (DAD)	Post meeting note The Inspectorate refers the applicant to advice issued to Outer Dowsing Offshore Wind Farm on <u>26 October 2023</u> and <u>19 January 2024</u> and the <u>submission version</u>. The applicant should refer to the new advice page on Good Design on the Inspectorate website.	
Multiparty meetings	The Inspectorate advised that it could also be the facilitator for multiparty meetings if necessary. The meetings with statutory parties and local authorities should be aimed to get a bit more certainty around positions in terms of what the Applicant is working towards and the methodologies for approach and whether the baseline data is agreed with those other parties. This is all aimed at making the Examination easier. In addition, local issues need to be fed back to the Inspectorate so that the Inspectorate can provide valuable feedback. The Inspectorate highlighted with regards to collaboration, the applicant will be closer to the statutory parties and local authorities than the Inspectorate as they are more aware of what the issues are so the applicant should be leading those discussions but if there are issues that can be fed back to the Inspectorate the	

	Inspectorate can discuss certain issues with statutory parties where necessary.	
Preparation of Compulsory Acquisition and Temporary Evidence Position	Post meeting note The Inspectorate advises that a form of tracker is now required for submission with the application (see the new National Infrastructure Planning guidance and Prospectus). Iterations of the tracker should be made available to inform interactions with the Inspectorate during pre-application. This can only be of benefit to the applicant, Inspectorate preparations and the wider system.	
Multiparty application readiness check	Post meeting note Given the only recent launch of the new pre-application offering, this approach is yet to occur on any projects. Feedback is therefore unavailable. We will be unable to confirm permanency until after any trials have been completed and the experience/value analysed. If the applicant wishes to explore this further, then it could be discussed at a future project update meeting to explain the features of the trial/ next steps.	
AOB	The applicant agreed to provide a list of questions that we did not get round to in the meeting. The Inspectorate agreed to provide	

	responses. (See separate Summary of Questions document). The applicant outlined that if there are any areas where the Inspectorate is keen to be involved in i.e. engagement with other parties they are keen to hear back on that. The Inspectorate outlined that at the next meeting if the applicant can outline what they expect from the Inspectorate over the next six months to a year using an updated Programme Document. We can then discuss any issues within that document at that meeting.	
Next Meeting	The Inspectorate agreed that an early February meeting after the scoping opinion will be useful then a meeting to align with the design phase and to align with the public consultation in the Autumn.	
Meeting date: 04 March 2025		
Topic	s51 advice given	Applicant regard to s51 advice given
Programme Update	The Inspectorate confirmed that the latest version of the Programme Document is dated July 2024. The Inspectorate noted that an	

	updated Programme Document had been requested, however not provided by the applicant and advised that in its preparation for any updated Programme Document it should include the review of draft documents and anticipated meetings. Such detail would enable the service to be able to plan resource effectively, including Inspector input. The applicant advised that an updated Programme Document would be provided once prepared and it had passed through the applicant's internal governance procedure.	
Statement of Community Consultation (SoCC)	The Inspectorate advised the applicant it does not have a preference regarding the timing on Statutory Consultation and explained that the applicant would be best placed to assess this. The Inspectorate asked the applicant if it has had conversations with the local authorities on the timings of the SoCC to ensure there is the necessary resource as this has not been mentioned within the Programme Document. The applicant confirmed it had used an informal consultation document to liaise with the local authorities. The Inspectorate advised the applicant to make it clear within the consultation report what statutory consultation the local authorities are responding to.	

Adequacy of Consultation Milestone (AoCM) statement	The Inspectorate asked the applicant how close to submission it intends to submit its AoCM. The applicant confirmed it will be approximately 4 months beforehand. The Inspectorate recommended it is submitted no less than 3 months before DCO submission.	
EIA Scoping	The Inspectorate advised the applicant it does not have a preferred way of how to further refine the scope of the Environmental Statement (ES) and it would be the applicant's decision as to how to include the Inspectorate in the ongoing conversations. The applicant can request the Inspectorate's involvement in the components of the enhanced pre-application process such as evidence planning and multiparty meetings where required. The applicant should follow the requirements of the prospectus if they would like to use any of these components eg ensuring an agreed terms of reference is in place prior to the Inspectorate getting involved in the evidence planning process. Where the applicant would like to involve the Inspectorate in any of the enhanced pre-application components, this would need to be reflected in the Programme Document in enough detail and within enough time so as to allow the Inspectorate to appropriately	

	resource. The Inspectorate outlined the importance of understanding the position of all relevant parties on matters of complexity or contention so that the Inspectorate can provide useful feedback. With regards to breach, the Inspectorate advised that within the ES it would need to understand how the design has mitigated for any potential failure and how it is secured through the application.	
Habitat Regulation Assessment (HRA)	In response to the applicant enquiring the role of the Inspectorate in multiparty meetings (e.g. Natural England, Environment Agency etc), the Inspectorate advised the applicant to appropriately document agreements/positions agreed and/or not agreed during pre-application stage. Any request for a multiparty meeting, should outline the topics for discussion and what the Inspectorates involvement would be. Subject to acceptance, the Examining Authority (ExA) can then see the narrative of changes, based on the applicant's reviews and how the applicant concluded on decisions or where resolutions were made on certain issues. Particularly with stakeholders that have area-based teams instead of national team set ups. The information would	

	be helpful because there can be change of personnel once examination is reached.	
Forward plan of engagement for 2025	The Inspectorate noted that any construction traffic and transfer routes being considered by the applicant, should consider and settle on the traffic modelling before submission of the DCO. The Inspectorate further suggested that in any future project update meetings, consideration should be given to focus on operational effects, including carbon usage/effects. The applicant agreed to this.	
AOB	The Inspectorate advised that across the board, it would like to undertake an initial assessment of the pre-application tiers, 6 months following implementation. The Inspectorate will be contacting all applicants involved, welcoming feedback. Initially this would be in the format of a survey and then a follow up may be required, if requested. The applicant outlined how face-to-face feedback is better to discuss any complex issues. The Inspectorate advised that ongoing feedback is preferred.	
Next Meeting	The Inspectorate requested the applicant provides exact dates for the next meeting, number of attendees, and	

	the justification for a face-to-face meeting, so the Inspectorate can assess availability of resources and venue. The applicant understood and agreed to this. The Inspectorate also advised the applicant that ideally it would require the presentation notes at least 2 weeks prior to meetings, to enable questions to be answered during the meeting rather than post meeting. This request was noted by the applicant. The Inspectorate also requested the programme document is updated more regularly and is provided at least 10 working days in advance of future meetings, so the appropriate feedback can be given. This request was noted by the applicant.	
Post meeting note	The Inspectorate recommends using the components of the enhanced service to determine where the applicant would like the Inspectorate's involvement. Where it is known that the applicant intends to engage with the pre-application service components outlined in the prospectus, this should be included in an updated Programme Document and reissued to the Inspectorate. Where the need to engage in pre-application service components is not yet known, but may	

	be required at a later date, then the applicant should keep the Inspectorate updated and issue an updated Programme Document when the need to engage in components is identified. Please note that as stated in the prospectus, should the applicant require the Inspectorate to engage in multiparty meetings or evidence plan meetings, then a minimum of 6 weeks' notice is required. The applicant presented two issues that are currently being discussed with consultation bodies, the assessment of the reservoir emergency drawdown and the options for the transfer pipeline – which has implications for the HRA. The applicant and Inspectorate discussed that, depending on the nature of the issues that emerge and the extent of agreement with the relevant stakeholders, involvement could be in the form of attending evidence plan meetings, specific focussed reviews of issues or attending multiparty meetings. Below is an explanation of how some of the components discussed at the meeting are envisaged to be used and what the Inspectorate's involvement would be, noting that other components are likely to be relevant also: • Issues tracker/PADSS:- Having sight of specific key issues in an issue tracker/PADSS is useful for the Inspectorate to understand	
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	the parties positions and provide comment/advice where relevant. Updates of these trackers should be provided 10 working days before the project update meetings in order for the Inspectorate to review relevant topics for discussion before the meeting and so that the applicant can get the most value from those meetings. • Evidence plan process:- The Inspectorate would need to review and agree a Terms of Reference before engaging in an Evidence Plan process. The Inspectorate would also need to review the Programme Document setting out what meetings will be taking place and when and what attendance is expected of the Inspectorate at least 6 weeks before the first meeting. • Multiparty meetings:- where discussions with consultees reach an impasse, the Inspectorate would require a 6 week notice period to attend a multiparty meeting to seek agreement on specific matters to allow the allocation of necessary resources. 10 days before the meeting the Inspectorate would require any relevant information to review in preparation for the meeting. The timeframes provided in relation to the above are noted by the applicant.	
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Advice date: 11 April 2025		
Topic	s51 advice given	Applicant regard to s51 advice given
Programme Document	The applicant supplied the Inspectorate with its second iteration of its Programme Document. The Inspectorate has reviewed the document and considers that it includes the expected content as set out in paragraph 10. The Inspectorate has noted the following points for consideration in future iterations of the document: • include whether the Programme Document has been shared with local authorities, statutory consultees and others and whether they are content with the proposed programme; • include a date for review of draft documents; • the draft documents listed in Appendix A should allow time for addressing any feedback from draft docs given that draft document reviews can take 6 – 8 weeks; • the publication of the Preliminary Environmental Information Report (PEIR) seems to overlap with the draft document review. It is preferable to allow time between feedback from the PEIR and section 42 consultation and	

	submission of the draft docs so that the applicant can address feedback from section 42 consultation before updating the information to submit as draft docs; • further information on the Inspectorate's involvement/input in the evidence plan process; and • whether the applicant will use a pre-application Land and Rights Negotiations Tracker. The Programme Document needs to be published on the applicant's website and updated, as needed, throughout the pre-application stage and be provided to the Inspectorate.	
Flood Risk Assessment	Section 3, paragraph 3.1.4 identifies the applicant's approach to Flood Risk Assessment and its ongoing engagement with the Environment Agency (EA). The applicant is advised to also consider the EA new national flood and coastal erosion risk information, including their new national flood risk assessment (NaFRA) published 25 March 2025 with regards to flood zone data.	
Meeting date: 01 September 2025		
Topic	s51 advice given	Applicant regard to s51 advice given

Programme Update	The Inspectorate acknowledged the applicants confirmation in publishing their programme document, however encouraged the applicant to keep this updated as and when the programme changes. This includes when project update meetings and/or multiparty meetings is anticipated.	
Environmental/consenting challenge	The Inspectorate advised the applicant to give at least 6 weeks of notice for the Planning Inspectorates involvement in any multi-party meeting and an agenda provided 10 working days before. But ideally this would go in the diary now. If it doesn't go ahead it can be cancelled/postponed. The applicant agreed with this approach.	
Evidence plan update	The Inspectorate asked whether the meetings with Natural England and the Environment Agency are a part of an evidence plan process that has already begun or are they separate. The applicant confirmed it's all part of the evidence plan that was produced at least 6 months ago. This is currently being updated.	
Water Framework Directive (WFD) 1 Update. ■	The applicant outlined that if they are unable to come to an agreement with regards to the interpretation of WFD requirements they may	

	seek support from the Inspectorate to attend multi-party meetings. The Inspectorate asked if this is for this project or decisions for all new reservoirs going forward. The applicant believed it was similar for all new reservoirs going forward and that the issues being talked about are strategic issues that would impact other reservoirs using the Development Consent Order (DCO) process. The Inspectorate advised that a multi-party meeting would need cross government involvement as this relates to all reservoir proposals. Therefore, this is a strategic meeting that the Inspectorate would also need to attend.	
Badger Relocation update	The applicant may seek support from the Planning Inspectorate around licencing and powers in the DCO. The applicant asked if the Planning Inspectorate has any examples of experience in section 120 of the Planning Act 2008 to permit the taking (and relocation) of badgers (and any related activity) necessary to enable the reservoir development and section 150 of the Planning Act 2008 to disapply typical section 10 licencing under PoBA (Protection of Badgers Act 1992) (and include an alternative licencing/approval process within the DCO instead).	

	The Inspectorate agreed to come back on finding examples of use of those sections. The Inspectorate asked the applicant if moving the badgers could require additional land take to the current red line boundary. The applicant advised badgers may need to be moved at least twice and any additional land take required will be confirmed following a further survey and at a future consultation. Post meeting note: If the applicant wishes to include certain licenses in the DCO, this can only be done with Natural England's agreement. The Inspectorate has no previous examples where this has been done.	
Trial Embankment	The application for this would be via a Town and Country planning application via Fenland District Council rather than the DCO planning process. This would potentially reduce construction delays post DCO. The Inspectorate asked about the timeline of this compared to the DCO application and whether it feeds into the Environmental Statement.	

	The applicant advised that they are at the very early stages of this plan so need to work through that in terms of the EIA baseline and the DCO. It would ideally run in parallel with an application next year but the applicant does not have a detailed programme for the trial embankment yet. The Inspectorate suggested that the applicant could have a parallel programme document to show how this fits in with/impacts the current DCO programme. The applicant confirmed that they would be looking for temporary planning permission with land restoration afterwards.	
PINS Engagement	The applicant asked for any examples of the use of technical working groups for an evidence plan process. The Inspectorate suggested the A66 Northern Trans-Pennine Project as an example of a project that had a lot of technical working groups. The Inspectorate advised that the applicant considers providing information in advance of evidence plan meetings to allow participants to prepare and to be mindful of the number of meetings being held vs capacity. Keeping an updated programme document is vital so that all	

	stakeholders can understand the programme they are working to. The Inspectorate also outlined that keeping the Inspectorate up to speed on the meetings to understand the barriers of communication is important. The Inspectorate do not need to necessarily attend every meeting due to the complexities of the issues discussed but should be kept up to speed on the progress/barriers to progress of the meetings. The Planning Inspectorate's attendance is led by the applicant under the tiered service and potentially by the content of the meetings where it would be beneficial to involve the Inspectorate where key issues are discussed. The applicant suggested that the Inspectorate could form part of the steering group which the Inspectorate agreed would provide useful oversight. The Inspectorate asked whether the applicant's evidence plan meetings have agreed terms of reference. The Inspectorate advised that it would want to see terms of reference before becoming involved in any evidence plan meetings but can supply some standard text on its roles and responsibilities to insert in the applicant's own terms of reference. The Inspectorate also advised that the applicant consider the timing and content of any evidence plan meetings in relation to other meetings such	
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	as multipartite meetings, that are held with the Inspectorate to avoid duplication. The applicant confirmed they have a terms of reference which have been agreed by all parties at the technical working groups. The Inspectorate requested to have sight of the terms of reference before engaging in evidence planning. The Inspectorate also advised that it is important for everybody involved in the evidence plan to understand the role of each group and what happens when problems arise or issues are not being resolved. It's important everyone knows the consequences of any delayed decisions on the pre-application timeline. The applicant should also be mindful of how this feeds into other areas of the pre-application service like the issues tracker. The Inspectorate requested to see the applicant's proposed plan for meetings and engagement and its suggestion for the Inspectorate's involvement.	
AOB	Looking to schedule next meetings in Autumn so November/December and January.	
Advice date: 24 October 2025		

Topic	s51 advice given	Applicant regard to s51 advice given
Email Advice	IMPORTANT INFORMATION ABOUT UPDATES TO OUR PRE-APPLICATION SERVICES Following a 6-month review of our services, our Pre-application Prospectus has been updated: 2024 Pre-application Prospectus. The update log at the bottom of the page summarises the changes and clarifications that have been applied. As an applicant with a live project at the pre-application stage of the process, please familiarise yourself with the update and consider how it might affect your pre-application programme and interaction with our services. Please note in particular: • the establishment of land and rights negotiations tracking as a primary service feature – this means it is now expected for all applicants to develop and share a land and right negotiations tracker in 1 of 2 available templates, irrespective of the service tier they have subscribed to • clarified expectations of applicants when preparing to interact with the Inspectorate at meetings – including clarified rights for the Inspectorate to delay or refuse	

	service where pre-meeting expectations are not upheld e.g. an updated programme document or issues tracker is not provided, on time, to inform a meeting agenda. Please note that as stated in the Pre-application Prospectus that it is expected for an updated programme document to be provided to the Inspectorate at least 10 working days before each programmed interaction with us. The issues tracker should also be made available to the Inspectorate at least 10 working days before each programmed interaction with us to help us to understand the project issues, review progress and target advice.	
Meeting date: 24 March 2026		
Topic	s51 advice given	s51 advice given
Consultation 3 – Summary and high level feedback	The Inspectorate noted that the road network capacity is limited and based on feedback received from communities and stakeholders, regarding “traffic and transport”, during consultation, the applicant is advised to consider policy section on traffic and transport within the NPS for Water and Resources.	

	The Inspectorate highlighted that the NPS for Water Resources places important consideration on rail and water-borne transport options as “preferred” over road transport options and the applicant should take this into consideration when reviewing options for mitigation. The applicant was advised to review section 4.14 of the NPS.	
Environment/Consenting issues	The Inspectorate advised they would be willing to engage on any environmental matters if required and the preference would be early engagement, so that it could have an understanding of the project, including environmental/consenting issues and therefore advice accordingly/appropriately.	
PINS engagement	The Inspectorate advised that with any substantial issues that need resolution it would be really helpful to understand the context to help focus any questions or reviews that may come during acceptance/examination. It is useful for the Inspectorate to take part in multi-party meetings before any issues become an impasse. The applicant will take away as an action where to engage with the Inspectorate and if any upcoming multi-party meetings would benefit from the Inspectorate’s attendance.	

	In relation to s51 advice, the Inspectorate noted that only advice provided by the Inspectorate either in writing and/or at project update meetings will be recorded within the “Advice Log” and the applicant will have sight thereof prior to publication.	
AoB	The Inspectorate advised that it would be helpful to receive issues trackers and questions in advance to help identify the advice that the applicant may need before the meeting. The Inspectorate suggested the next project update meeting be held in June 2026.	
Meeting date: 7 July 2026		
Topic	s51 advice given	Applicant regard to s51 advice given
Programme and Project Update	The Inspectorate sought clarification regarding project optionality and whether the remaining options would be narrowed down before consultation. The Inspectorate advised the applicant to ensure that the issues tracker is kept up to date, particularly in relation to the progress of negotiations, so that the Inspectorate has a clear understanding of how	The applicant advised that the project programme has been updated and that specific changes to the project have arisen from ongoing water quality assessments, which are informing the design in several areas.

	discussions are advancing and any emerging issues. The Inspectorate also requested that, where options remain open at the point of submission, the applicant clearly sets out when those options are expected to be determined. If optionality is likely to remain at the examination stage, the applicant should explain whether the options are expected to be resolved during examination. The Inspectorate reiterated the importance of maintaining an up-to-date issues tracker, particularly in relation to project optionality.	
Scoping and Environmental Impact Assessment (EIA)	The Inspectorate noted that there have been substantial changes to the project, both in terms of the proposed infrastructure and how the proposed reservoir would operate. The Inspectorate sought to understand how the applicant intends to address these changes within the Environmental Impact Assessment (EIA) and how the scope of the assessment would be developed alongside the changes. The Inspectorate encouraged the applicant to consider whether the existing Scoping Opinion continues to provide a reliable basis for the preparation of the Environmental Statement and whether it remains appropriate to rely upon it.	The applicant sought clarification on the scoping process, specifically whether it would be possible to request scoping for individual elements of the project rather than for the project as a whole.

	The Inspectorate requested that the applicant records this matter within the issues tracker so that the scope of the EIA can be monitored and discussed at future project update meetings. The Inspectorate advised that scoping must consider the proposed development as a whole. Also, that scoping is an optional process and that, should the applicant consider the existing Scoping Opinion to no longer be valid or appropriate, it may choose to undertake a further scoping exercise. The Inspectorate further advised that it would investigate approaches to re-scoping where only specific project elements have changed. The Inspectorate noted a potential concern regarding the proposed water extraction point, given its proximity to residential areas and industrial premises, and highlighted the need to be mindful of potential contamination risks.	The applicant welcomed the provision of any examples where re-scoping has been undertaken.
Habitats Regulations Assessment – engagement with Natural England (NE) and Environment Agency (EA)	The Inspectorate reminded the applicant to ensure the issues tracker is kept up to date with ongoing discussions with the EA and NE. The Inspectorate suggested that notes from key meetings with NE and the EA are recorded and made available where appropriate. This would assist in identifying and understanding any	

	principal areas of concern or disagreement ahead of examination and provide the Inspectorate with a clearer understanding of the issues likely to arise. The Inspectorate also advised the applicant to use multi-party meetings strategically. When planning such meetings, it may wish to consider inviting the Inspectorate to participate where this would assist in progressing discussions or clarifying key issues.	
AOB	The Inspectorate suggested that it may be beneficial for the applicant to prepare a non-technical summary that is accessible to members of the public and clearly explains the project and its implications. The Inspectorate reminded the applicant to take note of the recently published guidance on statutory consultation. The Inspectorate advised the applicant to make contact if there are any questions regarding the interpretation or application of the guidance. The Inspectorate suggested that the next project update meeting be held in September 2026. At the meeting, the Inspectorate suggested it would be helpful to receive updates on the progress of utility diversions, further detail regarding	

	compulsory acquisition, and an update on negotiations concerning protective provisions.	
Advice date: 16 July 2026		
Topic	s51 advice given	Applicant regard to s51 advice given
Planning and Infrastructure Act 2025 updates	In light of the amended legal framework which will be introduced from 24 July 2026 by the Planning and Infrastructure Act 2025, the Planning Inspectorate issued written advice to the applicant on 16 July 2026 requesting for: - evidence within the submitted application in relation to duties under s46 and s48 of the PA2008 to be provided as an appendix to any engagement summary document that the applicant may choose to submit or, where the applicant chooses not to submit such a document, as a discrete document titled 'Section 46 and section 48 information' - evidence within the submitted application in relation to new s55(4)(e) of the PA2008 to be provided in a submission version of this expanded advice log template.	
Advice date: 5 August 2026		
Topic	s51 advice given	Applicant regard to s51 advice given

Scoping and Environmental Impact Assessment (EIA)	The Inspectorate advises that a re-scoping exercise would need to identify clearly the changes in the proposed development (and any other relevant factors that may have changed since the previous scoping e.g. improved understanding of baseline conditions or policy) and the scope of any aspects and matters that would alter as a result of the changes to the proposed development, and those aspects or matters that would remain unchanged. The Inspectorate notes that previous examples of approaches include provision of a new standalone scoping report or a scoping report addendum. The preferred approach to re-scoping will depend on the extent and complexity of changes in the proposed development and implications for the scope of assessment. Examples include Expansion of Heathrow Airport (Third Runway), Wylfa Newydd Nuclear Power Station, Temple Oaks Renewable Energy Park and Lighthouse Green Fuels Project. The Inspectorates advises that where a new scoping report is provided, it must consider the development as a whole but should also identify	
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	where changes have occurred so that a new scoping opinion can focus on these changes. The Inspectorate advises that, where a scoping addendum is submitted, it should focus on the proposed changes and any consequent amendments to the scope of assessment. An addendum approach may be acceptable provided it meets the relevant regulatory requirements and clearly identifies, for each environmental aspect, those elements of the assessment scope that have changed as a result of project design amendments and those that remain unchanged. Any changes should be justified and explained in a manner that can be readily understood without extensive cross-referencing to the previous scoping request or scoping opinion. To aid clarity, a summary table in the introductory chapters may be used to identify design changes and their implications for the proposed scope of assessment for each aspect, with further detail provided in the relevant aspect chapters where required. Regardless of the approach taken, the final agreed scope of assessment and the justification for that scope should be capable of being readily understood by the Inspectorate and other stakeholders	
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	without the need for extensive cross-referencing between documents.	
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Fens Reservoir Project – Log of s51 advice given to others		
Person s51 advice given to	s51 advice given	Applicant regard to s51 advice given
Name and/or organisation	Summary of s51 advice given and link to advice register	Applicant to complete