

From: [Lynch, Eamon \(Planning\)](#)
To: [Millar, David \(ROADS\)](#)
Cc: [Greer, Michelle](#); [Campbell, Darren \(DfI\)](#); [Walker, Graeme](#); [Beggs, Alistair](#)
Subject: HPRM: RE: Dalradian - Meeting with PAC 8th October 2020
Date: 12 October 2020 14:47:44

Davy

Alistair and I met with PAC on 8th to raise the Dalradian applications with them. This was the first time details of the various applications were discussed with them and the aim was simply to have the applications recorded as part of the PAC's potential work pipeline. No programme or timeline is expected to be outlined with any party until the Department formally requests a Public Inquiry.

Main points highlighted:

- Scale and complexity of main goldmine application, including the WMP, financial contribution, S76 HoTs etc;
- The road abandonment application;
- The powerline applications;
- Conjoining roads and planning applications given interdependencies;
- DfI also want powerline apps at PI but it is behind main application in processing stage;
- No of representations - 40,000+;
- Volume of information with ES on its own extending to 15,000+ pages.

PAC agreed:

- to continue discussions as project is further processed;
- to appoint a Programme Officer.

At future meetings it was agreed to review:

- the stage applications are at;
- digital delivery of data/representations;
- potential to conjoin planning and abandonment applications.

Regards

Eamon

[REDACTED]

[REDACTED] Internal: [REDACTED] Email: [REDACTED]

From:

To:

From: Greer, Michelle

Sent: Tuesday, March 16, 2021 5:06 PM

To: [REDACTED] Noble, Gordon

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Subject: 2021-03-16 MEG-All: Counsel required for Public Inquiry - Proposed abandonment - Crockanboy Road, Greencastle, Co Tyrone

All

A short synopsis of the meeting between DfI Roads, DfI Strategic Planning, NIEA, and PAC today:

1. **Current position:**

- a. DfI Roads draft Abandonment Order consultation period closes on 30 April. It would likely be end of May before Ministerial approval was given to proceed to PI
- b. NIEA have 2 discharge consents, and 2 abstraction applications relating to the gold mine site. Circa 600 objections have been received to their advertisement of same.
- c. There are 3 Planning Applications associated with the gold mine site; The main one has already received circa 200 objections and the ES has not yet been published. This Application will be ready to pass to PAC by end of May/start of June. However it could be a couple of months before the others will be in a similar position.

CONCLUSION/ACTION: DfI Roads & NIEA will follow DfI Strategic Planning re when all relevant docs will be issued to PAC, likely the end of the summer

2. **Public Inquiry logistics:**

- a. PAC agree that the hearing for the gold mine will be considerably resource intensive for them, and are content that a conjoined inquiry is the best mechanism for dealing with all issues.
- b. The inquiry is most likely going to be conducted remotely, but PAC will determine how best to ensure that all parties are treated equitably in terms of being able to give evidence.
- c. PAC will draft specific instructions to ensure that all parties are clear as to how the inquiry will be run, due to the conjoined, and on-line, aspects.
- d. The earliest date they feel they could be ready for hearings is early 2022, but that will depend on the volume of material to be reviewed. They noted that it was 5 months from being provided with all the representations for the A5WTC until the Inquiry started, and they felt that this PI would be of a bigger scale.
- e. PAC will require hard copies of all objections/representations from DfI Roads, DfI Strategic Planning, and NIEA, plus an index of same.

CONCLUSIONS/ACTIONS:

- a. Davy Millar to instruct DSO to engage Counsel

IN PROGRESS: see attached & below

b. MEG to ensure that an index of all objections is prepared

IN PROGRESS: all 2016 objections were catalogued in December 2020. Additional objections received to the 2021 consultation will be added to this list.

PAC listed a number of concerns they have re the administration of the PI (high profile/controversial nature of proposal, safety & security during site visits, number of commissioners needed etc) but nothing that requires DfI Roads input.

Davy & I spoke after the meeting, and discussed who the DfI Roads rep would be for the Inquiry; whoever it is will have to draft the Departmental Statement etc, and there will be quite a bit of work in it. When [REDACTED] asked me to get involved last year, it was to progress the scheme to publishing of Nol, which happened this week.

I realise while typing this that we were just thinking about the Abandonment part of it, but it occurs to me now that DC will also require a rep.

We will need to have a discussion re how all this is managed.

regards

Michelle Greer

BEng(Hons) CEng MICE MCIHT

Network Maintenance Manager
Department for Infrastructure
DfI Roads - Western Division
County Hall, Omagh, BT79 7AF






#BeDistanceAware

PACWAC & Dfi RPD Meeting

14 April 2021

Via Zoom

Agenda

1. Welcome & Introductions – Dfi, PAC
2. DFI update
3. PAC update
4. AOB

DfI Planning and PAC Meeting

Wednesday 14 April 2021

Attendees:

Angus Kerr

Mairead Philips (DoJ)

Scott Symington

[REDACTED]

Andrea Kells (PAC)

[REDACTED]

[REDACTED]

Welcome and introductions

Angus welcomed everyone to the meeting and introductions were done. Andrea said she had invited DoJ because of recent changes in personnel in the Department and said that Mark Goodfellow was taking over the Grade 5 role.

Relationship between RPD and PAC going forward

Angus said he felt that under the two tier planning system there was potential for RPD to work more closely with the PAC, particularly in relation to policy and legislation development without compromising the independent role of the PAC.

Andrea said she recognised the potential benefits of this and was happy to take this forward with us as long as there was no conflict of interest and appropriate safeguards in place. It was agreed that it would be useful to establish a terms of reference and memorandum of understanding in relation to making this communication. Angus agreed that RPD would produce an initial draft.

Policy Update

Angus explained that the Minister is taking forward a formal review on planning policy and renewable energy with involvement from DfE. There are issues to be addressed and planning are aligning with what DfE are doing in Energy Strategy.

He said that RPD intends to produce a 'clarification document' to assist with the interpretation of regional policy on development the the countryside and its intent.

Angus said that it would be useful to get perspective from the PAC on this and other policy areas.

Andrea agreed and commented that this will be very relevant for the LDP process and the policies that councils will be bringing forward. Andrea also asked about the implications of new policy for LDPs already published. Angus said that we are constantly engaging with councils on policy development and timings etc, but ultimately the Minister will not delay new policy and the councils will need to react to it accordingly.

Angus advised that work is ongoing on revising the definition of flood plains in the SPPS. A consultation is expected to go out before summer recess.

He also highlighted for information that DfC have changed their definition of affordable housing to give it a broader definition and that this will be applied to the planning system through the SPPS.

Angus also explained that planning is involved in the Energy Strategy and DfC Social and Affordable Housing Strategy.

Improving the Planning Process

Angus advised that work is currently ongoing to try to make improvements to the planning system. One of the main areas of work is the new IT system and it was felt a good link was needed between planning and PAC. Andrea said that PAC hope to get their IT system running by March 2022 and that engagement has started with the planning portal team in DfI.

Andrea asked about an update regarding Mid Ulster. Angus advised that they had decided to set up a standalone system and that PAC would have to negotiate with them separately.

Angus said he would be keen for electronic transfer between planning and PAC. Andrea agreed and said the theory was that the systems would link and they were keen to achieve this.

Review of the implementation of the Planning Act

Angus advised that the call for evidence was due to close on 16 April 2021. Andrea said that she would like to discuss a response to this separately.

The issue of third party appeals was raised. Angus said that the Minister doesn't see the review as a fundamental change to the 2 tier system (which is still young) and the message is to try to focus on helpful 'fixes' with subordinate legislation changes.

DoJ asked if fees/charges for PAC services were being considered as part of the review. Angus said that it had not been considered at this stage and was probably something for DoJ to consider in first instance, but we will take it away and consider.

Scott raised the specific issue of S59 of the Act for which there is particular interest and we would be very interested in the PAC's views on how it has been operating etc.

Scott and Angus provided a general update on other ongoing related processes including the Planning Forum work and the NIAO review into the planning system (Andrea confirmed that the NIAO had not spoken to them as yet).

PAC Update

Andrea said that COVID has had a huge impact on the way the PAC operates. All submission of evidence was effectively stopped for 4 months but they are now in reasonably good shape, but performance measures obviously affected.

They have greatly improved their internal processes – remote hearings working well and they have had very positive feedback from the BCC LDP process. It is proving harder for hearings on individual planning appeal cases but Commissioners are becoming more confident. They will be moving back to some ‘hearings in person’ as some appellants still want them, but they are also developing ‘hybrid’ hearings (mixture of both).

Andrea confirmed that the Fermanagh & Omagh LDP hearing will be run remotely.

As touched on earlier, the PAC are working on their IT system and have set up a couple of pilot projects with a couple of councils iro exchange of information etc. This is working quite well but they are not broadcasting it as taking small steps to see if it works.

Following approval of business cases they have recruited 5 new Commissioners with more to be appointed.

Actions

1. Next meeting TBA for mid-end June to focus primarily on review of the implementation of the Act.
2. Arrange meeting with Irene, Joy & Philip to discuss drafting TOR for engagement with PAC and what we want to say iro review of the Act.
3. Also discuss the PAC fees issue raised by DoJ with Irene – linked to Review of Act.

PACWAC & Dfi RPD Meeting

Tuesday 4 April 2023

@3pm

Agenda

1. Introductions – Dfi, PAC
2. DFI update
3. PAC update
4. AOB

DfI Planning and PAC Meeting

Tuesday 4th April 2023

Attendees:

Alistair Beggs (DfI)

Kathryn McFerran (DfI)

Andrea Kells (PAC)

[REDACTED]

[REDACTED]

1. Welcome and introductions

Andrea welcomed everyone to the meeting. Andrea advised that this was the first official meeting since Angus had left his current post in Planning.

2. DfI Update

Casework/LDP Update

Alistair advised that he had sent an update of the new roles within Planning to PAC. Alistair said that there may be a few applications coming to PAC within the next 3 or 4 months. Alistair asked if there was any update from PAC on the Dalradian application? Andrea informed that most administrative processes had been finished and it was hoped a commissioner would be allocated shortly. Alistair also said that there had been more objections sent to PAC recently and his team were happy to liaise with PAC regarding these if necessary.

Alistair also advised that DfI had recently written to PAC regarding the policy situation pertaining since Fermanagh and Omagh Council's adoption of their plan strategy and that a similar letter would be sent regarding Belfast City Council when they adopt their plan strategy.

Alistair also informed that there had been engagement with Renewables NI regarding speeding up the planning applications process and a workshop is planned for May. An invite will be sent to PAC.

Planning Improvement Agenda

Kathryn informed that the first meeting of the Independent interim Commission had been held in February with Rosemary Thomas appointed as Chair. A second meeting will take place in May. Kathryn advised that there were representatives from several sectors, a second representative from the environmental sector has been approached and will hopefully confirm soon. Kathryn said there had been a lot of interest in the Planning Improvement Agenda and so a webpage would be provided with an overview and information. Workstream groups have been setup and work is progressing on a number of actions, with the Fees Uplift going live on 6th April.

Kathryn also advised that the Department is currently considering legal advice received in relation to the dispute mechanism for the validation checklist proposals, including the potential role of the PAC. There was general discussion on next steps and timeframes.

Planning IT System.

Kathryn asked for an update regarding an email that had been issued to Jonathan Stewart regarding API requirements for PAC as this needed to be resolved as soon as possible. Andrea advised that this may not be needed now given the positive feedback from councils in respect of the PAC system. Andrea to liaise with Jonathan who will provide a response.

3. PAC Update

Andrea thanked Kathryn for the update on Planning Fees. Andrea said that she would liaise with Mairead regarding validation checklists but until resources were agreed in principle, PACWAC are not in a position to take this forward. Andrea advised that resources are however a challenge at the minute and several recruitment schemes have taken place with another having gone live last week. Andrea expects there will also be a vacancy within their management team which will put additional pressure on the organisation. Andrea advised that Dalradian is next to be allocated but going forward Dfl may wish to look at alternatives for LDPs due to lack of resource within PAC. Andrea to write formally on this. Andrea recorded her thanks to Susan for her LDP updates.

Andrea informed that their IT system has been operational since last September with the system working well but work is still ongoing in the background.

Andrea said that PAC are happy to participate with the planning improvement work going forward.

Alistair asked if there was an update on the timescale for the Antrim and Newtownabbey Plan. Andrea indicated that there was no further update at this time.

Actions

- Andrea to liaise with [REDACTED] to provide a response regarding API requirements.
- Update on resourcing and for dispute mechanism for the validation checklists
- [REDACTED] to setup next meeting for the end of July.