

We note that Passenger Focus did not receive notification under section 56(2) of the Planning Act 2008 (the PA 2008) and Regulation 13 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009, and that this issue is being addressed by yourselves.

I understand from Network Rail that a deadline of 3 October 2011 has been given to Passenger Focus for them to make any relevant representation. We will accept any relevant representation received from Passenger Focus by your deadline of 3 October 2011. As discussed, the facility to submit an electronic version of the form via the IPC website will close at the published deadline of 5pm on 9 September 2011.

In terms of the certificate of compliance, we agree that the deadline for receipt is 10 working days following the published deadline of 5pm on 9 September 2011. You will be aware that the certificate must be in the prescribed form. As discussed it is for an applicant to certify that they have complied with section 56 of the PA 2008 in accordance with Regulation 10 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. In view of this and the circumstances of this case, you may wish to consider how you can meet the statutory requirements.

Please also note that whilst we will continue to process administrative tasks for example, preparation for the preliminary meeting, once the Examining authority (ExA) is appointed, they will not be able to make an initial assessment of the issues until after the 28 day period you identify has expired (Regulation 5 of the Infrastructure Planning (Interested Parties) Regulations 2010. Subject to the final deadline for receipt of relevant representations being 3 October 2011, the ExA must make their initial assessment within 21 days of 4 October 2011.

During our telephone conversation I advised that we will only be able to issue hard copies of relevant representation forms, however after further consideration we feel that this body should still have an opportunity to submit an electronic form so we are looking at a way in which we can issue a form via email should a request be received by Passenger Focus after the closure of the online form at 5pm on 9 September 2011.

We previously agreed to send you an electronic database of the relevant representations received at the end of the representation period. Once the final period for receipt of all representations has expired (which you have identified at present as 3 October 2011) a copy of the representations will be forwarded to you. Please note that these will not be published on our website or placed on public display until that period has ended.