



The Planning Inspectorate

Meeting Note

File reference	Daventry International Rail Freight Terminal (DIRFT III) - TR050001
Status	Final
Author	James Bunten

Meeting with	DIRFT III Project Team
Meeting date	28 March 2013
Attendees: Planning Inspectorate	Mark Southgate – Director of Major Applications and Plans Robert Upton – Senior Examining Inspector Tim Hallam – Legal Manager Susannah Guest – Principal Case Manager James Bunten – Assistant Case Officer
Attendees: non Planning Inspectorate	Morag Thomson – Marrons Julie Russell – Marrons Robin Woodbridge – Prologis Chris Lewis – Prologis
Location	The Planning Inspectorate Offices, Temple Quay House, Bristol

Meeting purpose	To discuss any issues arising following Acceptance and to discuss future project timescales.
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Summary of key points discussed and advice given	<p>The Planning Inspectorate ('the Inspectorate') stated that a note of the meeting would be taken and would be published on the National Infrastructure webpages on the Planning Portal under s51 of The Planning Act 2008 (PA 2008) as amended.</p> <p>Confirmation of Acceptance</p> <p>The Inspectorate confirmed that an Acceptance decision had been issued and that the application had entered the 'Pre-Examination' stage. The Acceptance decision and associated documents have been published and are available to view on the project webpage.</p> <p>The Inspectorate confirmed that they have completed a transboundary screening opinion under Infrastructure Planning (Environmental Impact Assessment) Regulations 2009, Regulation 24; no impacts have been identified. The completed screening matrix would be published on the project webpage shortly.</p> <p>Project up-date</p>
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The DIRFT team advised that a planning application on behalf of Sainsbury's as part of DIRFT II had been submitted to both Rugby Borough Council and Daventry District Council. Respective committee meetings are scheduled for 3 April and 24 April, and it is the DIRFT team's understanding that the application will have positive officer recommendations. It would be necessary for the earthworks to be constructed as one engineering task. The DIRFT team explained that the rail track alignment choice for DIRFT III (Work No 2) could be finalised in the event that permission for the Sainsbury's development had been received and construction had commenced. However, it was unlikely that the choice of the alignment of the track itself would be made in time to inform the DIRFT III Examination.

Matters arising during Acceptance

Consultation with Parish Councils

The DIRFT team agreed that Churchover Parish Council had been omitted from their s42 consultation. The DIRFT team confirmed that Churchover and the other Parish Council referred to in the s55 checklist would be included within their s56 notification and advised that they intend to offer to visit Churchover Parish Council to discuss the scheme in detail.

The DIRFT team confirmed that the s56 letter and notice have been drafted. The Inspectorate stressed the importance of serving the notice on the correct statutory bodies and noted delays that could occur in the Pre-examination stage as a result of any procedural oversights and errors. These in turn could delay the commencement of an Examination.

Level of information in plans accompanying application

The Inspectorate stressed that an Examining Authority (ExA) would need to be clear what proposals they are being asked to examine and have sufficient certainty in the proposals in order for them to reach a recommendation. As per comments in the published s55 checklist, the Inspectorate provided more detail about elements of the proposals in Schedule A of the draft Development Consent Order (DCO) where experience from other Examinations would indicate that more detail would be required at an early stage in the Examination, preferably at the time of the Preliminary Meeting.

These elements are listed below under their sub-headings; the DIRFT team advised that they have more information and detail for most of the elements.

Rail (Works No 1, 2 and 3)

Works No 1

Within the area of land described on the works plans as Works No 1, plans and sections showing:

- (a) the proposed new rail track and sidings and associated rail infrastructure including a new rail tunnel under the A5 highway (Bridge A)
- (b) the sidings to be removed, new reception sidings to be constructed and modifications to existing rail tracks and associated rail infrastructure
- (c) the proposed new second rail track including an enlarged rail tunnel under the A5 highway (Bridge A)
- (d) + (e) the proposed new private access way and parking area for Network Rail
- (f) the existing Network Rail access to the main line which is proposed to be removed
- (g) + (h) the proposed earthworks, acoustic barriers, retaining walls and cutting slopes

Works No 2

Within the area of land described on the works plans as Works No 2, plans and sections showing:

- (a) the proposed new rail track and associated rail infrastructure on embankment or viaduct including a bund to screen adjacent development to the west
- (e) the proposed second rail track and associated rail infrastructure

Works No 3

Within the area of land described on the works plans as Works No 3, plans and sections showing:

- (b) the proposed new rail tracks and associated rail infrastructure
- (d) the proposed new cripple siding
- (g) the proposed new internal roads

In respect of Works Nos 1 and 2, the DIRFT team advised that they could seek to make explicit more information on the vertical parameters in the description of works in the Order. This may be particularly relevant for Works No 2 where the main vertical change would be for the rail track to cross the A5 and then return to the ground level of Works No 3. This could be of particular interest for sections of tracks on bends.

The DIRFT team explained that in respect of Works Nos 1, 2 and 3, they have further, indicative plans for the rail terminal; however they are not to be considered definitive due to changing technology and business needs. They emphasised the need for the terminal to be flexible to meet its customers' demands. They would provide illustrative detail. It was intended that the actual details be approved pursuant to a requirement by the District Council following the issue of the DCO.

Roads (Works No 5)

Within the area of land described on the works plans as Works No 5, plans and sections showing:

- (a) the proposed new roundabout to provide the southern access
 - (b) the proposed new roundabout on the A5 to provide the northern access
- the proposed earthworks, acoustic barriers, retaining walls and cutting slopes associated with (a) and (b)

Following discussions regarding any s278 agreements with the Highways Agency, the DIRFT team confirmed that s278 powers were not being sought through the DCO but would be sought after the Examination. The DIRFT team confirmed that a draft 106 undertaking had been included in the submitted application documents.

The Inspectorate explored the situation as it currently stands with the Highways Agency's understanding of the scheme and particularly the access proposals for the A5 northern roundabout and the southern roundabout to access the main site. The DIRFT team noted that they are working towards a Statement of Common Ground (SoCG) with the Highways Agency and the Highway Authorities; the document is currently being developed and the DIRFT team hoped that it could be completed in time for the Preliminary Meeting. It was noted that once the 6 month Examination period had commenced, the time available to respond to ExA questions and provide information was more constrained.

The DIRFT team explained that, in respect of the southern access roundabout, this roundabout together with all the roads within the principal part of the proposed development would be privately owned, non-adopted roads. In this way the ability of DIRFT II and future DIRFT III occupants to use tugs would not be prejudiced.

Site Wide Development

In connection with Works Nos 1 – 10 plans at a suitable identified scale not less than 1:2500 showing the following elements of site wide development within the Order limits:

- (d) proposed bunds, embankments, earthworks and earthwork retaining structures, and landscaping
- (f) proposed water supply works
- (g) proposed primary and secondary electrical substations and gas pressure reducing stations
- (j) proposed security fencing
- (k) temporary concrete batching plants
- (l) temporary construction compounds and materials and aggregate store

The Inspectorate noted several elements of the site wide works where provision of more information would provide more certainty for an ExA to understand what is being proposed. The DIRFT team believed that the approach to site wide works reflected that in the approved Rookery South

DCO. It was confirmed the proposals were within the scope of works assessed within the EIA and that a requirement should be included in the Order providing for the approval of the works by the local planning authority. The Inspectorate suggested that the DIRFT team look at the Ipswich and Doncaster Chord Orders for assistance.

Timeframe for any additional plan work

The Inspectorate advised that the earliest appropriate time to seek to introduce supplementary material to the process would be through the Preliminary Meeting.

The DIRFT team noted that from their review of the made Hinkley DCO, they may wish to make modifications to the format or wording of the DIRFT DCO. The Inspectorate noted that the formal timetable for the Examination would almost certainly contain hearing sessions in respect of the draft DCO and that experiences from other Examinations have shown that a DCO may be changed on several occasions over the course of an Examination, as well as potentially being amended when made by the relevant Secretary of State. The Inspectorate pointed out that the Hinkley DCO had been approved by the Secretary of State for Energy and Climate Change and that for DIRFT it might be better to look at the Orders approved by the Secretary of State for Transport since they operate independently.

Relevant Representation Period

The DIRFT team summarised that they plan to publish the first notice no earlier than 11 April 2013 with a view to closing the representation period around 17 May 2013. The DIRFT team advised they will confirm the representation period shortly [later confirmed to be closing on 20 May 2013].

Examination Timetable

The DIRFT team queried when the ExA will be appointed and whether it would be a single Examining Inspector or a panel. The Inspectorate advised that the consideration of a single Examining Inspector or panel as an ExA for this scheme is on-going, however an appointment cannot be formally made until the relevant representation period has closed and the applicant has submitted their certificates in accordance with s58 PA 2008. The notice of the appointment of an ExA has so far been included with the notification of the holding of the Preliminary Meeting.

The DIRFT team asked whether Examination timetables are structured in the same or similar way for all schemes. The Inspectorate outlined that all Examination timetables are different and advised that timetables can change once they have been issued. The DIRFT team asked about the flexibility

	<p>of hearing dates. The Inspectorate confirmed that hearing dates could be subject to change for reasons of an effective Examination (if, for example, a later hearing date would be better informed because something would by then have happened) but hearing dates are at the discretion of the ExA and would not be changed for the convenience of the participants (e.g. holidays).</p> <p>AOB</p> <p>The Inspectorate noted experience from other Examinations in respect of Protective Provisions within DCOs. The DIRFT team noted that no parties have come forward regarding Protective Provisions. Drawing lessons from other Examinations, the Inspectorate suggested that the need for any possible s127/138 applications should be addressed sooner rather than later so as to avoid problems near the end of the Examination.</p> <p>The DIRFT team noted they have already begun researching appropriate venues for meetings and hearings. They advised there is a suitable hotel close to the site and noted they could investigate providing a free bus service from neighbouring towns Rugby and Daventry if there were sufficient interest. The Inspectorate advised they have Programme Officers with whom the DIRFT team can liaise once the relevant representation period opens.</p>
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Specific decisions/ follow up required?	<ul style="list-style-type: none"> • DIRFT team to up-date on the relevant representation period • The Inspectorate's Programme Officer to liaise with the DIRFT team regarding appropriate venues
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Circulation List	All above.
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