

Meeting Note

File reference	Daventry International Rail Freight Terminal (DIRFT) 3 -TR050001
Status	Final
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Meeting with	DIRFT 3 development team
Meeting date	15 February 2011
Attendees (IPC)	David Cliff (Case Leader) Susannah Guest (Case Leader) Tim Hallam (Lawyer) Tracey Williams (Case Officer) Jeffrey Penfold (Assistant Case Officer)
Attendees (non IPC)	Morag Thomson – Marrons Robin Woodbridge – Prologis Developments Limited James Wright - Prologis Developments Limited
Location	IPC Offices, Temple Quay.

Meeting purpose	<ul style="list-style-type: none"> • General update on progress • Current anticipated timing of proposed submission • Review of the impact of the Localism Bill – does this have any effect on the proposed application? • Discussion and update of stages undertaken to date: section 42 consultation; publication of Preliminary Environmental Information; community consultation • Next stages: consideration of draft works plan and draft list of application documents; progress with Heads of Terms of any Section 174 obligations; and process for consideration by the IPC of draft application documentation prior to formal application submission. • Technical Questions • Any other business
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Summary of outcomes	<p>The IPC's openness policy and the commitment to publishing any advice under Section 51 of the Planning Act 2008 ("the Act") on the IPC's website were noted. IPC confirmed that they are unable to give legal advice on which applicants or others can rely. Promoters should therefore seek their own legal advice on which they can rely.</p>
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1. Introductions and update on IPC abolition

The IPC gave an update on integration with The Planning Inspectorate. The Localism Bill is currently going through its second reading in Parliament. Essentially it leaves the planning regime for major infrastructure projects largely unchanged but it does introduce powers to the Secretary of State for decision making in all cases. The IPC and the Planning Inspectorate are dealing with practical issues of integration which will be implemented by April 2012. The IPC is committed to ensuring that the projects already in the system should progress as smoothly as possible.

2. General update on progress

The promoter provided an up-date on the scheme. The status and progress of DIRFT II was noted which includes current tunnel works under the A5. Explanations were provided of the relationships between the DIRFT I railport and DIRFT II. The promoter highlighted on a master plan where a replacement Intermodal area is proposed to be developed at DIRFT III replacing the existing rail port at DIRFT I.

The promoter explained how the West Coast Mainline is a key benefit for access purposes; the existing rail connection is proposed to be maintained for future use at DIRFT III.

Through reference to plans, the promoter identified the proposed order limits for DIRFT III and the inclusion within these limits of rail lines that had previously received consent. The key principles of the site and general master planning were also presented via reference to map/plan material. This material formed the basis of the s.42 consultation material issued on 20th January 2011.

3. s.42 consultation – progress update

The promoter's s.42 consultation was commenced on 20th January 2011.

The promoter asked whether the s.42 consultation documentation which had been submitted, including the Preliminary Environmental Information were all in order. The IPC advised it could not comment at this stage.

The consultation period of 6 weeks will end on 4th March 2011. The DIRFT III team were attending public consultation events held throughout February 2011 – all of which are detailed in their Statement of Community Consultation (“SoCC”). The promoter said that the SoCC has been published in local papers and had been covered in local newspaper editorials, as well as on Rugby and Northampton Radio stations.

The promoter has been consulting Parish Councils and the general public since 2003.

The IPC advised that the Consultation Report should be very clear about the stages of pre-application consultation and distinguish between those events/activities that formed part of the formal statutory consultation and those that had been carried out on an informal basis.

The promoter said that current rounds of consultation indicate that people are aware of relevant issues and on a preliminary assessment based only on the exhibitions held to date, about 60% of people are in support of the proposal, 30% opposed and 10% with no view. Having said that the exhibitions had not yet included some communities who may be most concerned of potential impacts from the scheme, it has become apparent from consultation that local communities were principally concerned about the volume of traffic that may be dispersed onto the A5 from commuters as well as potential safety concerns regarding crossroads near the site. Mitigation measures to address these issues were under consideration.

The promoters have hosted meetings with the Highways Agency which they consider have proved successful. They have also been in discussions with relevant Highway Authorities, including Warwickshire County Council.

4. Draft documentation

The promoter is aiming to submit a Development Consent Order (DCO) application for DIRFT III to the IPC in May 2011.

In the meantime, the IPC encouraged the promoter to send a draft DCO as soon as possible and in any event at least six weeks before formal application submission. This should if possible be accompanied by draft explanatory memorandum, works plan and land plan.

The IPC suggested that a draft Consultation Report could also usefully be sent. The IPC said that the Commission would be able to advise on the structure of the draft report but not, at pre-application stage, on the adequacy or otherwise of the consultation. The promoter confirmed that comments on the framework of the draft consultation report would be helpful.

IPC advised that best practice is to submit the draft documents as a package. IPC would undertake to provide comments on the documents.

The IPC had prepared a s.55 checklist for use by the Commission at application acceptance stage. The IPC said that this might also be useful to promoters in identifying and checking those documents/plans that had to be submitted with their DCO application. The IPC confirmed that a blank copy of this will be sent to the promoter.

5. Review of the impact of the Localism Bill

The proposed Sustainable Urban Extension (SUE) to Rugby on land adjoining the proposed DIRFT III site had been examined as part of the recent Rugby Core Strategy Examination in Public, the Inspector's report for which is anticipated around April 2011. A planning application for the SUE was due to be submitted in March 2011, with a decision anticipated within 7-9 months. Consultation events for the proposed SUE have already taken place and post application consultation is due to take place in April 2011. The promoter explained that DIRFT III and the SUE are 'self-contained' schemes, which are complimentary but not inter-dependent.

The promoter did not consider that the revocation of Regional Spatial Strategies or uncertainty regarding their material significance should impact on the NSIP project or the SUE. Rugby Borough Council are aware of the issues surrounding this and remain committed to expansion and the level of growth proposed.

IPC queried whether the DIRFT III site has been allocated in the Local Development Framework. The promoter said that draft Policies E3 and E4 of the Draft West Northamptonshire Joint Core Strategy refer to proposals to expand DIRFT, although the DIRFT III site is not proposed to be formally allocated in these. Although the document is at a pre-submission stage, the promoter noted that if this was adopted it would provide some formal Policy recognition of proposals to expand

the site.

6. Discussion and update of stages undertaken to date

The IPC advised that 'next steps' could include commencing work on the Statement(s) of Common Ground (SoCG). The IPC said that the SoCG(s) could also set out any matters that had not been agreed between the relevant parties. The SoCG may assist the Examining Authority in identifying principal issues following acceptance of an application for examination.

IPC noted the duty under s.48 of the Planning Act 2008 to publicise the application and the related obligations under Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. The promoter confirmed that they are aware of these provisions, but are not currently at that stage.

Possible 'Section 174' obligations were discussed. The promoter said that it is anticipated that the application will include a draft agreement but at the very least it will include proposed Heads of Terms.

The IPC queried whether the draft DCO to be sent prior to formal application submission would include proposed draft requirements. The promoter confirmed that it would and that discussions regarding these and other matters will be held with Daventry Borough Council.

The promoter advised that they were in the process of concluding a Planning Performance Agreement with Daventry Borough Council.

7. Technical Questions

A number of Technical Questions were asked by the promoter of the IPC. A link to those questions and answers is located below:

http://infrastructure.independent.gov.uk/wp-content/uploads/2011/02/110214_Letter-to-Morag-Thomson_v3.pdf

8. Any Other Business

IPC confirmed that the Commission's website will be amended to reflect the correct project name: "Daventry International Rail Freight Terminal".

The IPC offered to host outreach events in local areas to

	<p>advise on process matters under the Act. Such events could, for example, provide 'drop-in sessions' for the local community. The promoter noted that at the current round of consultation events, queries or concerns regarding IPC processes were not being raised. Future meeting dates of the Junction 18 forum were noted.</p> <p>If the DCO application was accepted, the formal notification and publicity under s.56 of the Act would be used to explain the process by which relevant representations could be made.</p> <p>The promoter offered new members of the IPC project team an opportunity to visit the site. The IPC would respond to this invitation in due course.</p>

Specific decisions/follow up required?	The promoter would contact the IPC regarding the Commission's EIA scoping consultation list.
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Circulation List	Susannah Guest
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