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Mr George Wilyman
Turley
By Email

Your Ref:

Our Ref: TR050004

Date: 5 August 2019

Dear Mr Wilyman

Application by Gazeley GLP Northampton s.a.r.l. and Ashfield Land Management Ltd for an Order Granting Development Consent for the Rail Central Strategic Rail Freight Interchange

Further procedural correspondence in connection with a request that the Preliminary Meeting should be deferred

I refer to the request from the Applicant, Gazeley GLP Northampton s.a.r.l. and Ashfield Land Management Ltd, that the Preliminary Meeting (PM) should be deferred. The Applicant set out the full details of and reasons for this request in its letter dated 11 March 2019.

The Examining Authority (ExA) responded in its letters of 18 March 2019 and 24 April 2019.

We note your milestone updates of 30 April 2019 and 28 June 2019 which have been published on our project page on the Planning Inspectorate Website at:

<https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/rail-central-strategic-rail-freight-interchange/>

Following your latest update on the 28 June 2019, the ExA has serious concerns about the level of detail provided in the milestone returns and the implications of the limited progress on the revised programme.

Proposed programme

In neither of the submitted updates is there sufficient detail to see what work has actually been undertaken to allow the ExA to have confidence in the progress claimed by the Applicant.

We remain concerned that the proposed programme set out in your letter of 11 March 2019 cannot be achieved and that the dates for the Rule 6 Letter (November 2019) and start of the examination (December 2019) are at risk of not being met. Your milestone update of 28 June 2019 confirms that you are not likely to be in a position to undertake to set out your Change Proposal to the ExA on 16 August 2019 or confirm that you will undertake a consultation on your proposed changes to the application during September 2019.

It is important that everyone involved in the process are kept up-to-date with the current position on the application and your programme in respect of the proposed change to it. Local people are understandably concerned as they are being faced with continuing uncertainty about the project and it will be necessary to inform them if there is to be delay to the consultation, giving the reasons for it.

There are other implications which arise from the delay. The Examination Guidance anticipates a delay of no more than 3 months to the programme, in order to ensure the relevance of the environmental information. This was to have been reviewed at to Stage 8 of the change request programme issued by the ExA on 24 April 2019. Therefore, the ExA needs your substantive comments on the current position regarding new or materially different environmental effects and advise on progress with respect to preparation of any updated Environmental Report being prepared for the purposes of the non-statutory consultation.

Information required

Please confirm by **Milestone C (16 August 2019)** your anticipated programme to resolve the issues raised in your letter of 11 March 2019. These should include details of the work undertaken to date, any revised programme including a revised date for the Preliminary Meeting and the implications of the delay and revised programme, if known, in terms of the currency of the environmental information. You should also make provision for informing local people of the change to the consultation arrangements and the revised date for the consultation.

Costs regime

Your attention is drawn to the [Awards of costs: examinations of applications for development consent orders](#) departmental guidance, and in particular the first purpose of the guidance in paragraph 4; that of ensuring that "all parties involved in an examination behave in an acceptable way and follow good practice ... in terms of timeliness [and] the preparation of their representations or other written material."

Yours faithfully

E A Hill

Elizabeth Hill

Lead Member of the Panel of Examining Inspectors

This communication does not constitute legal advice.

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