

Planning Act 2008 – Section 88

and

The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6

**Application by Four Ashes Limited for the West Midlands Interchange  
Strategic Rail Freight Interchange.**

Issue Specific hearing on 28 February 2019

Draft DCO Schedule

**Post–Hearing Submissions** and written submissions of oral case

Updated Draft Development Consent Obligation dated 11 February 2019 -  
Eversheds Sutherland

General Comments on Draft Development Consent Obligations

(Annex 5, Agenda Item 7 of Issue Specific hearing of 28 February 2019)

Inspectorate reference: 20015760

Paul F Windmill (private individual)

## **Introduction**

These comments are made on the content of the Draft Obligations as discussed on 28<sup>th</sup> February 2019. Many of the comments are made as questions rather than suggestions for alterations.

## **Rail Terminal**

- Has Network Rail unambiguously agreed that there is no impediment?  
This is really not clear from the Memorandum of Understanding
- What should be delivered on the rail terminal development in the early years, exactly what comprises 'commencement'?
- Why no Bonding or similar related to development in the early years?
- Other than reporting on progress the rail co-ordinator seems to have no role or accountability wouldn't it be better to be the applicants (or successors responsibility?)
- Too generous an occupation allowance and too great a potential delay; 8 years is excessive for the Initial Stage.
- Phased development of terminal is envisaged but exactly what is to be done in the 'Initial Stage' and 'Expanded Terminal' seems unclear.
- Surely the 'Expanded Terminal' stage should be tied to dates and the programme co-ordinated with the development of warehouses with their construction and occupancy linked to progress, completion and operation of the RFI?
- What does 'To retain, manage and keep available for use' mean?  
(Especially in the light of experience at the Telford International Freight Terminal)

## **Green Infrastructure**

- Exactly what is to be included? Does this include landscaping, the parks within the site and other matters?
- When are the parks to be provided?
- Who is to pay for layout and initial maintenance?
- How is long term maintenance to be assured?
- What happens if the providing Company fails?

- Where will ownership lie?

This is of concern because I am aware that where an initial owner 'loses interest' once a development is complete, it can cease to maintain and transfers ownership to another Company, perhaps with no other assets. The new company then tries to secure permission for other development e.g. on a park or goes into liquidation. It would be helpful if, in the event of this happening a contingency – long stop – is provided to protect the interests of all users.

### **Community Fund**

- How much is it?
- What is it for? (and not for)
- Has the District got any others?
- One-off or continued commitment and funding?
- Time limited?

### **Transport Steering Group and Site Wide HGV Management Plan**

Environmental Statement Appendix 15.1 Appendix H Site Wide Travel Plan  
6.2 Environmental Statement Appendix 15.1 Appendix I Site Wide HGV  
Management Plan<sup>1</sup>

A thorough and comprehensive approach.

There remain real doubts about the effectiveness of management once vehicles are off the site. Concerns remain about increased vehicles (especially HGVs) on the A5 west of Gailey Island, on the A449 through Penkridge and on the A5 east of M6 Junction 12.

- Other schemes have had problems of vehicles parking up off the site in laybys and elsewhere. (This is a particular problem when vehicles are only allowed on site for specific periods/times and off-site parking is needed) It is accepted that the applicants are trying to reduce this by reliance in on-site laybys and on-unit parking and facilities for drivers.

6.2 Environmental Statement Appendix 15.1 Appendix I Site Wide HGV  
Management Plan on page 7, final bullet point reads

---

<sup>1</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR050005/TR050005-000421-ES%20TR%20App%2015.1%20-%20TA%20App%20I%20-%20Site%20Wide%20HGV%20Man%20Plan.pdf>

*'A449 Penkrudge Ban – Prohibit WMI HGVs from travelling on the A449 between M6 Junction 13 and the Gailey Roundabout.'*

- It is not explained why this route only and not the A5 east of Gailey roundabout.
- There are no legal sanctions to ensure compliance.
- Reliance on ANPR- Section 5 Of the Appendix quoted above (But I failed to find evidence of who would provide, maintain and examine results or how it would be known which vehicles were using the RFI units in WMI) It is accepted that if this can be made to work and leases with occupiers of units included potential for annual fines under the terms of the lease that there would be a disincentive to use unauthorised routes.
- Seems to be time limited

### **Site Wide Travel Plan, Travel Plan Contingency Fund, Contingent Traffic Management Fund and Site Wide Transport Co-ordinator**

The Environmental Statement Appendix 15.1 Appendix H Site Wide Travel Plan<sup>2</sup> is thorough and comprehensive including walking and cycling, car sharing, EV charging on each site and financial incentives to employees

- Who holds the money?
- What happens in the longer term – is it to be a long term organisation and how will it be funded?
- Who holds the money and decides how it is to be spent?
- Why only 'following the Occupation of 187,000 sq.m. of Warehousing'?

### **Bus Services and Shuttle Bus Services**

Admirable but what about longer term funding?

- What are the Bus Services Subsidy Cap and the Shuttle Bus Cap?
- How much are they?
- Why must they be used?

---

<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR050005/TR050005-000420-ES%20TR%20App%2015.1%20-%20TA%20App%20H%20-%20Site%20Wide%20Travel%20Plan.pdf>

## **Personal Note**

The Planning Obligations document for the approved DIRFT 3 is very similar to that of WMI although some aspects – particularly rail - are more detailed. It is accepted that the same principles are being followed.

Prologis at DIRFT <https://www.prologis.co.uk/park-life/park-services> appears to have a better model for provision and seem to be clearer on long term funding.

In particular, the provision of services seems to be more comprehensive and designed for the longer term than at WMI and might be considered to be a better model. Perhaps FAL could consider a similar approach to set out their intentions?

(I have no financial or other connection with Prologis.)

At Prologis, we aim to create a high quality working environment for all our customers. Our buildings are on Prologis Parks, which we own, manage and maintain, so when customers move to one of our buildings, they can benefit from a range of park-wide services that we have designed to support their business operations.



## Transport

We offer our customers a number of options to help staff travel to and from work. **Green Travel Plans** encourage employees to share lifts, walk or cycle, while for those who drive electric vehicles we provide charging points. We also work with local bus operators to run work buses, making sure that bus timetables co-incide with customer shift patterns.





## Security

We know how important site security can be for our customers and we take care to install the best measures for each Prologis Park. These include on-site security teams and Police Community Support Officers, parking controls, Automatic Number Plate Recognition systems and site-wide CCTV.



## Environment

We own and manage Prologis Parks, which means that we maintain the private roads, the park drainage and all the landscaped areas. We install signage both for the park and the individual buildings and we take responsibility for litter picking to make sure that every park is an efficient, attractive place to work.





## Wellbeing

We design our parks to include plenty of open space, so that everyone who works there can walk, run, cycle or just take a break during a busy day. Some of our sites also have country parks, which have become valuable amenities for our neighbours in the local community.



## Working community

Working together can benefit everyone. We arrange regular tenants' meetings at all Prologis Parks, so that customers can share information and agree on a range of joint initiatives from sharing the cost of cleaning buildings to reciprocal car parking.



## Transport



### Green travel plan

A Green Travel Plan is run through a website dedicated to each individual park. Employees of participating companies are encouraged to join so that they can **share lifts** or find a companion with whom to cycle or walk to work.



### Bus services

Prologis works with local bus operators to run a fleet of work buses, making sure that bus timetables coincide with customer shift patterns.



### Electric vehicle charging

Charging points are available for both commercial and private vehicles.

## Security



### On-site security

Prologis has installed the best security measures for each park, including on-site security teams.



### Dedicated PCSO route

Police Community Support Officers have been allocated to the site to reinforce the on-site security service for the benefit of customers and their employees.



## On-site parking controls

Prologis controls vehicle parking across our parks to safeguard our customers' security and maintain a high quality working environment.



## ANPR control and regulation

Prologis has installed Automatic Number Plate Recognition systems at the park entrance. This can be used to record all vehicles entering the park or to regulate access, allowing entry only to vehicles that frequently visit the park.



## Dedicated CCTV

An estate-wide CCTV system is in place to help safeguard the security of customers and their employees.

## Environment



## Maintained private roads

Prologis is responsible for maintaining the roads across the park.



## Maintained park drainage

Prologis is responsible for maintaining the drains to a high standard across the park.



## Snow clearance/road gritting

An on-site service to keep the estate roads clear of snow, helping customers to operate efficiently in bad weather.



## Maintained landscaping

Prologis is responsible for maintaining all areas of public open space on the park.



## Park signage

Prologis has installed all signage for both the park and the individual buildings.



## Litter picking

The park management is responsible for litter picking and emptying bins across the park to maintain a pleasant working environment.

## Wellbeing



## Amenity space

Outside areas available for customers' employees to enjoy during break periods.



## Country park

Large areas of open space for everyone working on the park or living in the local community.



## Fitness trail

A dedicated fitness area complete with outdoor exercise equipment.



## Defibrillator on site (AED)

A defibrillator is available to customers for emergency use.

## Working community



## Shared external building clean

Prologis can arrange for a contractor to clean the facades of buildings on the park, with costs shared between customers.



## On-site recruitment service

A dedicated service to help customers recruit staff for their operations on the park.



## Customer estate meetings

Regular on-site meetings for customers, arranged by Prologis.



## Community liaison

Ongoing liaison with the local community to address any issues and share information.