

To the Secretary of State for Transport,
Sir, Thank you for the late opportunity to respond.

I am writing this in the Atacama desert; its been cold with strong rain. Rain in this arid place is a recent consequence of climate change; the cold is solar shading caused by the circumnavigation of Australia's bush fire smoke. The locals are complaining about damage to their crops & livelihood. Back in UK, climate change may not affect us so radically due to the protective gulf stream and a whimsical jet stream; however the effects reach us indirectly so resilience and protective measures are increasingly important and must take precedence over profiteering.

Most of South Staffordshire was very disappointed to find WMI's lawyers had submitted late information so long after the examination had closed.

Many of us have battled this unsuitable project for over two years and were enjoying a brief respite whilst PINS and the Secretary concluded.

Evershed's late representation attempts to influence the decision process with a beneficial interpretation of the National Network National Policy Statement (NPS).

In particular, paragraphs 4.83, 4.88, 4.89; and interpretation of the word "**should**"

The Stop the WMI Group's solicitor very aptly dispatches their argument in its official response. My personal comments are thus:

(1) Morag Thompson and Eversheds are not newly acquainted with the 2008 Planning Act or the NPS. Both names featured prominently in the 2016 East Midlands Gateway and 2019 Northampton Gateway SRFI applications.

A look at Hansard shows the involvement of their clients and peers in lobbying for the policy and the "countryside" revision to it in 2011 (see (4)).

So they are fully aware of the process timetable and had adequate time to debate those definitions within the examination period.

The afore mentioned SRFI sites are both non-Green Belt and have strategic locations - EMG adjacent to UK's biggest freight airport and NG in the logistics Golden Triangle.

(2) My understanding is that "**should**" is used to cope with a broad range of potential locations in SRFI applications, rather than being badly chosen wording.

If prescriptive statements were used then:

An SRFI in an industrial area next to a railway and major road **should** have sufficient rail connectivity in place, when economically possible;

An SRFI near London **ought** to have connectivity as soon as possible - but the Government will accept whatever is on offer;

A site that **may** need to be located in the countryside **must** have sufficient rail connectivity and proximity to a urban population to justify that location - from the outset;

But a site that is proposed in Green Belt better have both damn good reason and every box ticked including rail path availability and better-than-the-minimum rail connection before completion of any usable accommodation, to justify that most serious breach of protection - or it should be refused.

(3) The comments referring to paragraph 4.89 also seeks to subvert the application.

The requirement is not just for four rail paths to appear on a site plan but for four available paths to be capable of manoeuvring and entering the proposal site within the timetabling, capacity and speed constraints of the rail network. That imperative has certainly not been demonstrated and failure to guarantee that for a Green Belt site would be a huge failing. This weeks rail crash in Italy between a high speed train and freight train is a timely reminder of the dangers.

(4) The previous issue of NPS shows better clarification in requirement; the applicant and others lobbied strongly to expand those requirements to the current blank cheque:

4.2 Transport Links and Location

The provision of new SRFI (and other RFI) capacity is entirely commercially driven by the private sector. Clearly, developers of SRFI or proposed extensions to existing RFIs will wish to ensure that they are appropriately located relative to the markets they will serve, which will largely focus on major urban centres, or groups of centres, with links to key supply chain routes. This means that SRFI capacity needs to be provided at a wide range of locations, particularly but not exclusively serving London and the South East, to provide the flexibility to match the changing demands of the market, possibly with traffic moving from existing RFI to new larger facilities

(5) Evershed's late representation suggests that a rail connection is not desired by the applicant. The possibility of a "first" phase of road based warehousing before any rail infrastructure underpinned only by the promise of a fragile shell company, is inconceivable. The last minute alteration of zones to exclude the rail terminal itself (now called Zone B) to make phase one appear to be compliant, should be grounds for refusal.

(6) The applicants have been instrumental in trying to break the Green Belt protection of this site. Their strategic ploy of first applying for mineral extraction permission; using it to reduce levels to that required for the WMI proposal and completely ignoring the conditions of that County Council permission that required each small zone to be re-instated back to agricultural use. How could they possibly be trusted to comply with something even more lucrative and destructive? Regarding their magic protective measures for Penkridge, the Secretary of State is referred to this month's newsletter from Kegworth Parish Council (East Midlands Gateway) in the addendum, indicating already the lack of compliance of HGVs with the conditions of Consent.

(7) The siting of an SRFI at this location is fundamentally wrong. Robust reasons against were presented during the examination period (Green Belt , unsuitable & unviable business location, potential chaos for the strategic road network, loss of farmland, loss of woodland, gigantic and unsustainable HGV traffic generation, no requirement for jobs in the area, current heavy and increasing traffic on an over-capacity M6, Smart Motorway ALR danger at the confluence of motorways, HS2 effects, impractical distance from conurbations etc.).

RELEVANT POST-EXAMINATION PERIOD NEWS. 2020

Further to the examination period timetable, there have been a number of relevant news items which I take this opportunity to remind The Secretary of:

HS2. The impending decision will impact the West Coast routes in different ways; none of them assisting freight pathways on this Loop Line (unless its re-designed as an express freight line). FinancialTimes 5th Feb. **HS2: arguments for and against UK's biggest infrastructure project**
"Is more capacity needed on the HS2 route? Yes The DfT said that, despite a multibillion pound upgrade completed in 2008, the West Coast mainline was "close to capacity" and would get busier. Demand would rise 12 per cent by 2024, it added."

The **Agriculture Bill 2020** changes EU farm payments from land area basis to an environmental protection basis: trees, water, soil, wildlife and public access). The loss of good quality agricultural land, woodland and Green Belt is obviously the opposite of this legislations thrust. From UK.Gov: *Our landmark Agriculture Bill will transform British farming, enabling a balance between food production and the environment which will safeguard our countryside and farming communities for the future.*

This is one of the most important environmental reforms for many years, rewarding farmers for the work they do to safeguard our environment and helping us meet crucial goals on climate change and protecting nature and biodiversity.

Investing in the foundations of food production, such as clean air, soils and water, will safeguard our food security and the Bill will legally require any UK government to report regularly on food security to Parliament.

Alternative Sites: Network Rail's planning application for a sleeper factory at **Bescot** on the border of Walsall & Sandwell (adjacent to the M6 j9), has been rejected and will now become storage for Passenger rolling stock. This will potentially lose an excellent SRFI location and generate **additional** train movements on our section on rail.

The **Royal Ordnance Factory** redevelopment application in South Staffordshire is now in for planning as commercial capacity - again an ideal SRFI location but rail linking held no interest for its new owners as they have no need to evade Green Belt protection.

The final route for the nearby **M54 / M6 link** is currently lodged with the Planning Inspectorate and will generate considerable traffic and require workforce to be imported, to our area.

Andy Street, Mayor of West Midlands, has stood up for **Green Belt** protection in the area and has not offered any support for WMI in the Midlands Connect Strategy - whilst promoting the more suitable Midlands Rail Hub in Birmingham.

Midlands Connect's Rail Programme Manager, Richard Mann, highlighted the importance of southern and port based SRFIs (Japan style):

Much of our cargo comes from the ports of the South East, Southampton and Felixstowe, where high land values impede the construction of SRFIs. Working to overcome this challenge will benefit freight capacity UK wide.

Post-Brexit, it may be that multimillion pound investment in the Humber Ports draws traffic away from a congested Dover; we must keep our ears to the ground and be ready for change.

www.transporttimes.co.uk/news.php/It-s-time-to-talk-about-the-future-of-rail-freight-387/

Brexit. Following our EU exit, food resilience and protection of local environment becomes even more important and was a major voter consideration.

Investment in the north of England has been prioritised.

Corona virus: The current WHO global health emergency highlights the fragility of global trade, over reliance on Chinese imports and shortcomings in our own manufacturing and food production resilience. Despite this weeks juggling of trade war sanctions with the US, China is at a 30 year low in production output and will continue to slow as its economy matures and inevitably becomes less competitive.

Environment: Recent world events; the elevation of climate change to global emergency status; environmental pledges at Davos 2020; this weeks Governmental statement of a Year of Climate Action prior to the UKs hosting of the UN Climate Change Summit COP26 this year puts environmental protection at the forefront of decision making.

Other than a handful of denial voices such as Viscount Monckton, most of the country is gearing up for large and far reaching environmental changes.

PM Boris Johnson: "This phenomenon of global warming is taking its toll"

Sir David Attenborough: "Now is the moment"

Smart Motorways are currently being reviewed following 38 deaths and 1485 near misses in 5 years. Adjacent to this site is the capacity all lanes running (ALR) stretch of the M6, junctions in close proximity and the confluence of two, and soon three, motorways. Our previous submissions focus on the over capacity of the adjacent roads and the devastating effect of locating a proposal that would generate an HGV vehicle movement every 12 seconds, 24 hours per day.

Commercial: There have been significant commercial events impacting upon the logistics industry. The fragility and changeability of the industry is no more apparent than Stobart Logistics' collapse and rescue by the secretive Douglas Bay Asset Management Company.

Much rail franchise changes and increased foreign control. Greater focus on the north for investment and infrastructure and desires for pan-European passenger train connectivity adding pressure to rail paths.

The Department of Transport's letter also has several questions. One regarding Sidings (both in practical ability and construction timing) that is referred to Network Rail.

Everard's also comment that Shunting ability was not contested during the examination (page 3). It is pointed out that the rail connection sidings were commented upon in written representations and the applicant used a lack of GRIP status progression to sidestep the issue.

In private communication last week Northampton Gateways opposition group (who have good in-house rail analysis) pointed out failings in the effectiveness of the design and capability of sidings in the WMI layout.

Additionally the Dept of Transport's letter refers to the A449 culvert and Highways England's objections to its use by WMI. The Secretary of State is reminded that the increased rainfall which climate change brings would easily overwhelm the meagre surface water system and lagoons proposed once field absorption is removed. There is considerable underground pollution to the west of the site close to the Four Ashes works / A449 junction. Rambolls much caveated Environmental reports submitted to PINS suggests parts will need up to 20 years of decontamination work.

The paper was published by Tsinghua University, Beijing in 2000 detailing the pollution and its migration towards Penk River and active water boreholes.

caused significant groundwater pollution at Four Ashes.

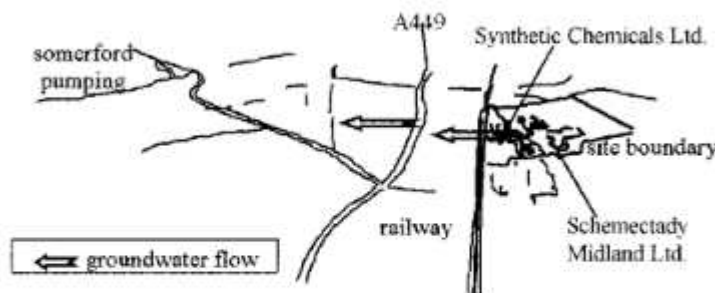


Fig. 1 Location of Four Ashes

The tar acid distillery at Four Ashes is an important source of oil and groundwater pollution.

Extract from:

TSINGHUA SCIENCE AND TECHNOLOGY ISSN 1007-0214 10/17 pp293 - 297 Volume 5? Number 3? September 2000

There is concern that this pollution has not been given prominence in the submissions although it is noted that Network Rail has required specific safety guarantees before any work is carried out in the deep cuttings.

In conclusion the Secretary of State is respectfully implored to look beyond the confines of the Planning Act and the veil of commercial avarice to consider the wider issues of this application. Based on the original robust objections and assisted by the above evidence the Secretary of State is asked to dismiss this Green Belt application.

Maurice Cotton, Gailey, South Staffs.

Addendum

<https://www.kegworthparishcouncil.gov.uk/east-midlands-gateway.html> Jan 2020

(East Midlands Gateway - Kegworth Parish news letter)



We have been made aware by a number of residents that vehicles are breaching the 'bus gate' at the top of Ashby Road.

Leicestershire County Council, Highways have been informed. They will hopefully consider whether any monitoring needs to be put in place and thereafter, whether any alterations should be made. If you wish to address the issues you are experiencing and witnessing with County Highways directly, please email them to highwayscustomerservices@leics.gov.uk

In addition, we are aware that some HGVs are still coming through the centre of the village. Realistically, it would be impossible to eradicate lorries completely however we are pleased to confirm that numbers of HGVs have dropped considerably. This is evidenced by regular traffic counts which are currently being carried out by the Chairman of the Parish Council.

County Highways advise that it can take up to six months for a new road layout to settle in. After this time, if HGVs continue to breach the 7.5 tonne weight restriction, we will look to carry out monitoring by noting down registration numbers, the date and time of the breach and also the company name of the lorry. We will then contact the businesses directly to advise them. If at the time, you are willing to volunteer to carry out this recording, please contact me [here](#).

Vicky Roe, Parish Clerk