

BLISWORTH PARISH COUNCIL

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Document 6.11b Updated Commitments Tracker

Issue 1. *'8. a Knock Lane and Blisworth Road maintenance and minor works fund, to be used in the event that the increased use of the roads should expedite the need for maintenance or other remedial works'*

Is there any guarantee that such a fund would be used for repairs of this road and who would manage the process? Improvements are proposed to only 35% of this road and, as previously observed, this does not help traffic attempting to pass where no road improvements have been made. Why is only partial upgrade being accepted? The Applicant is also conceding that increased traffic on this rural road, used heavily by equestrian facilities, cyclists and dog walkers, is highly likely.

Issue 2. *9. An integral part of the access layout is the provision of a segregated left turn lane for traffic travelling northbound to M1 Junction 15. The roundabout will include a height barrier (within the private estate road) to prevent HGVs turning right at the roundabout, thereby requiring all HGVs departing the site to travel north on the A508 and access the wider highway network via M1 Junction 15. The physical enforcement of the site access layout will be supported by the installation and use of an HGV monitoring system – the ES refers to use of Automatic Number Plate Recognition (ANPR) enforcement cameras on the site access arm of the roundabout and on the A508 to the south of the access roundabout, but the details of the specific monitoring scheme and system are to be agreed.*

It has not been made clear who will police any transgressions, what the penalties are for non-compliance and who would benefit from the proceeds of a financial penalty system (if one is to be implemented)? In a meeting with Sharon Henley Crime Prevention Design Adviser (Northants Police) on the 6th March 2019 we were informed that the Police would only monitor activity on ANPR cameras to detect the presence of known criminals: there is no mechanism for them to be used to control or police traffic.

Also, when the M1 is congested, it is understood that this restriction could be relaxed (which could be frequent). The conditions under which such a relaxation would be permitted have not been made clear nor have the traffic implications of such an action being taken. We also have no guarantee that at some stage in the future this barrier will not be removed altogether.

Issue 3. *'12. Associated with this, the Applicant will establish a Community Fund to support local priority projects in the four Parishes closest to the SRFI, administered and overseen by SNC working with the Community Liaison Group.'*

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There is unanimous opposition to the development from all the aforementioned bodies. The continued (and painful) involvement of the community groups in a development they have never wanted is extremely doubtful given that they have already committed considerable time to opposing it over many years. Also, there is no indication of the value or restrictions on this fund or a viable method for allocation should there be competing requests. Is the fund renewed each year and what are the limitations?

Issue 4. *Other improvements as part of an 'A508 route upgrade', including 7.5T weight restrictions in villages close to the Proposed Development (including throughout Roade, Stoke Bruerne, and Shutlanger, and other locations and local roads listed in the TA and shown on the DCO Traffic Regulation Plans);*

There is no effective means of enforcing a weight restriction. This was confirmed by Sharon Henley Crime Prevention Design Adviser (Northants Police) in our meeting on the 6th March 2019. The Applicant makes no mention of the **detrimental** alterations to the road network including the no-right turn on Courteenhall Road which will divert traffic into the heart of Blisworth along less suitable roads.

Issue 5. *Provision of a secure, dedicated HGV parking area within the Main Site of approximately 120 spaces, with driver welfare facilities.*

Sharon Henley Crime Prevention Design Adviser (Northants Police) indicated that such low parking provision would be woefully inadequate. We met with Sharon on the 6th March as she was very keen to understand more about the two potential developments so as to put herself in a position to explain the implications to her superiors. Whilst Northants Police have commented on issues such as emergency site access and ANPR camera location it was blatantly clear that they still have no idea of the scale of what is potentially coming and the stress it will put on already stretched resources. This is because nobody within the Police is tasked with monitoring, reviewing or understanding such development activity. Northants Police are now too late to have a meaningful input into the examination and will end up fighting the fires ignited by two massive developments they were never fully briefed on.

Document 8.2 Climate Change Summary

Issue 6. *2.8 It is clear from the NPS that the main impacts and risks associated with climate change adaptation which should be considered relate primarily to water resources and flood risk. With regard to water resources, the NPS is focused on potential storm events and increased flood-risk (including from rising sea-levels), but also potential water shortages as a consequence of generally hotter weather.*

These observations relate to how the development will react to, or be affected by, climate change. The Applicant has failed to make clear how their development will contribute to climate change in the first instance. In March 2019 the head of the Environment Agency announced that we are heading for a water crisis in the UK in the next 25 years unless radical changes are made to the way we utilise our resources. The building of further massive industrial units adds an additional strain on scarce resources. As well as everyday domestic and industrial use each of the 7 warehouses will have a circa 700 cubic metre sprinkler tank to be routinely filled from the potable supply.

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Issue 7. 2.36 *The ES concludes that the Proposed Development will have a negligible effect on air quality overall, but with regards to the greenhouse gas emissions associated with climate change, Northampton Gateway would deliver a positive contribution. As an SRFI, a key and explicit objective - arguably the raison d'être for the proposal - is enabling the shift of freight from road to rail. By reducing the amount of HGV travel, the proposals will help deliver a reduction in CO2 and deliver a more carbon efficient transport system. The Air Quality chapter, based on analysis contained in the Transportation Chapter of the ES (see below), provides a quantified estimate of the likely benefits in terms of a reduction of 92 million fewer HGV miles on the UK road network.*

The Development is not removing carbon from the atmosphere, it is adding to it. It can only ever be a negative contribution. The only matter for debate is whether it will be less harmful than potential other developments looking to seek the same objectives, and by how much. The 92 million miles claimed as a headline figure is unrealistic and misleading based on the limited aspirations of servicing four trains per day. Any freight removed from the roads by a facility in this location would be freight that could, instead, be removed by the existing facility at DIRFT (as they would complete for the same paths). There is no benefit to this; in fact the carbon cost of additional (not needed) rail and road infrastructure has a significant negative carbon impact. Also the Applicant has not provided a tangible assessment of the true carbon impact which should include embodied carbon, operational carbon and an assessment of increased road miles that will be generated by the new land use in comparison to its current agricultural use. The impact of a remote workforce has similarly been disregarded.

Issue 8. 2.37 *As set out above, the NPS is clear about the role of SRFIs as part of the 'low carbon economy' sought by Government. SRFIs like Northampton Gateway are central to the NPS which encourages an expanded network of SRFIs in part due to the climate change benefits, as well as road congestion benefits, they deliver.*

Whether it does so must be judged in a national context and in comparison to other potential alternatives. Excessive SRFI development in one area will have the reverse effect of creating a low carbon economy. Throughout the examination the Applicant has failed to provide justification for the Northampton Gateway in a **STRATEGIC NETWORK** context. The only justification of its existence has been its own commercial viability. It will not result in an **EXPANDED** network and its location on a heavily used rail line will not improve connectivity.

Issue 9. 2.42 *As an SRFI, the principal contribution made to mitigating the effects and reducing the contribution to climate change is through enabling and planning for a continued shift from road to rail. Section 12.7 of ES Chapter 12 includes an assessment of the HGV mileage reduction benefits based on a worked example of the potential flows of traffic to and from the SRFI. The assessment suggests it would deliver a reduction of 92 million HGV miles per year from the road network once fully operational. This is a mode shift from road freight to rail freight equivalent to 969 HGV loads or 1,938 two way HGV movements per day. This equates to over £50 million per year in monetised environmental benefits calculated using the methodology set out in the DfT Guide to Mode Shift Revenue Support Scheme which reflects the broader environmental benefits from a reduction in road traffic and a shift to rail. Details are provided in Appendix 34 of the Transport Assessment. With each tonne of freight moved by train producing up to 70% less carbon than the equivalent trip by*

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road, the contribution made to reducing the role of transport and economic activity on climate change is clear.

The Applicant has far more modest aspirations looking only to prove they can accommodate 4 trains and providing only unsubstantiated statements that they **might** be able to accommodate more. Freight trains currently average around 40 units which suggests they will be receiving 24 trains at the outset. If train lengths do increase to 70 units then this will be 14 trains. That anywhere close to this modal shift will transpire is incredibly unlikely given the myriad competing users for future capacity on the WCML (details of which have already been provided many times). We trust that the examiners will be looking for a more robust evidence base when assessing the likely potential for future modal shift.

N.B It also worth noting that trains will leave the SRFI mostly empty as there is no industry locally to fill the return journey, whereas HGVs delivering goods in the first place have a fairly high chance of taking a load on their return leg. Declared potential carbon savings need to be closely scrutinised.

Issue 10. *2.46 The ES as a whole identifies that as a new distribution hub allowing HGV journey distances and overall mileage reductions on the road network, the modal shift and resultant reduction in overall HGV mileage represents a permanent beneficial impact of major significance.*

This is open to challenge on many fronts including remoteness from industrial heartlands, absence of a local workforce and proximity to the main markets (Northampton not being a major conurbation and already served by DIRFT). The reduction of road mileage for the last leg of the journey will not be maximised with a clustering of SRFIs in the Midlands. The Applicant's business model revolves primarily around the movement of freight from the London ports, a distance that is widely accepted as being uneconomic compared to a similar journey via road^{[1][2][3]}. The Applicant, in claiming that their development will serve the north London markets, is flying in the face of the policy objective that aims to reduce the final leg of the freight journey on the road (returning the freight from whence it came). The re-emergence of the potential for an RFI at Sundon further weakens the argument for a RFI in Northampton to serve areas further south and the London markets. <https://www.lutontoday.co.uk/news/business/breaking-news-as-council-submits-m1-a6-link-road-plans-in-luton-1-8861376> On many fronts the Applicant's case for a SRFI is weak. Road based logistics in another matter.

Issue 11. *2.49 The Northampton Gateway proposals include extensive areas of green infrastructure containing a range of retained and new habitats on-site. The proposed landscape strategy will support and improve biodiversity enhancements as compared to the arable agriculture dominated habitats, and includes retention of key features and habitats where possible, including the mature woodlands and many hedgerows.*

The retained habitats of which they speak will be disconnected by the presence of roads and warehouses. Wildlife which currently roams unhindered would have to follow man-made and unnatural landscapes to move between natural habitats. This is unlikely. To suggest that the removal of topsoil and vegetation, (and replacement with concrete and tarmac) and the dislocation of currently connected habitats will result in improved biodiversity is disingenuous. A large proportion of wild animals are nocturnal and it is highly improbable that they will remain in an area

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that has vehicles operating 24 hours and that is fully illuminated. There is a lack of honesty in many of the ecological assertions: it does not take a scientist to work this out.

Issue 12. *2.57 As discussed at ISH4 of the Northampton Gateway Examination, there is some uncertainty about the details of the Rail Central SRFI with an ongoing review of the transport modelling and highways mitigation package. However, on the assumption that the Rail Central scheme ultimately identifies a package of proposals which can adequately mitigate the likely transport impacts, a further and potentially significant cumulative impact would be the modal shift benefits associated with two SRFIs. The NPS identifies that rail freight produces 70% less CO2 than road freight, and is clear about the role of SRFIs in achieving a modal shift and delivering against a range of environmental and climate change objectives.*

2.58 As referred to above, Northampton Gateway alone could remove significant numbers of HGVs from the national road network, with potentially significant carbon and congestion benefits. Rail Central would serve an identical function in enabling a shift of freight from road to rail, and as submitted intends to see a similar level of rail freight over the longer-term. Therefore, combined the two SRFIs can reasonably be expected to deliver increased climate change related benefits to those seen by Northampton Gateway alone.

The opposite is likely to be true. In the absence of sufficient paths due to competition from WMI, DIRFT, RC, East West Rail and passenger services there will be massive increased road movements that will not be balanced by any modal shift. The Applicant and Rail Central have failed to engage with Network Rail to prove, independently, that their contention is true and totally ignored all the other Operators that will be looking to utilise the same congested piece of track over the next 30 years. Such statements do not stand up to even the lightest scrutiny.

Document 8.21 Applicant's Response to other parties

Issue 13. *14. Network Rail have confirmed that, in accordance with the requirements of the NPSNN as set out at Paragraph 4.89, that the proposal is capable of handling four trains per day and is capable of increasing the number of trains handled. Network Rail have said that the number of paths that will be available will be dependent on a number of factors including origin and destination of trains, but it has confirmed that there are a minimum of 4 paths available and that there may be more paths available. The Applicant has demonstrated through the work set out in its Rail Reports (Document 6.7 [APP377]) that there are a significant number of freight paths available to serve the proposed SRFI.*

It would be negligent to rely on an un-validated report provided by the Developer and the less than reassuring statement that “there **may be** more paths available”. Network Rail have not carried out any meaningful study on capacity to service an SRFI at this location because they have not been engaged (or paid) to do so. The Applicant has already stated where they believe their freight will come from but not commissioned any independent study to give any credence to their contention. It should also be noted that the “4 paths” stated above should be 8 paths (4 trains). We have concern that the train / path issue is still being obscured and that we do not have a clear picture of capacity. The ORR and Network Rail have detailed planning processes that could be applied to a number of theoretical paths. That detailed planning has not been carried out by this late stage cannot be acceptable.

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Issue 14. *17. In relation to effects on passenger services the Applicant has set out its position in response to ExQ2.9.5 (Document 8.17 [REP5-021]), this explains that the Rail Reports demonstrate that there are currently significant freight paths available to meet the needs of the SRFI without effecting current passenger services. It also refers to the Applicant's response to ExQ1.11.15 (Document 8.2 [REP1-020 and REP1-021] which explains how Network Rail will approach the allocation of paths in the future. In that connection reference should also be made to Appendix 1 of the SoCG with Network Rail (Document 7.13 [REP1-016]).*

Network Rail have given no commitment to additional paths and have reserved their position pending further studies on the network. This very fundamental fact is being obscured. I am not sure how many more ways we can say this.

Issue 15. *The Applicant strongly disagrees with the wording "That the WCML is currently at capacity is not in question". The WCML is not at full capacity and neither Network Rail, the Applicant nor any other body that has carried out rail capacity studies, have ever stated that this is the case.*

Numerous studies have identified the WCML as being at close to capacity. It is unlikely to ever be at full capacity as there needs to be headroom to recover from perturbation, some space for additional passenger trains, and to allow for engineering works. That it is classed as being close to capacity is material and relevant. That it will be even closer to full capacity when all the aforementioned Operators have made their cases for additional paths is indisputable. Of more significance is the capacity on north London line upon which Northampton Gateway will be reliant: there are plenty of references to this which have been highlighted in numerous representations (and will not be repeated again here).

Capacity Constraints on the WCML Reference: Department for Transport Supplement to the October 2013 Strategic Case for HS2 Technical Annex: Demand and Capacity Pressures on the West Coast Main Line [13] *Despite its recent modernisation, the WCML rail corridor remains highly constrained, meaning that the route is operating close to capacity in the peak and it is challenging to increase service levels still further. This is due to: a) Physical constraints with the infrastructure such as the flat junctions, two-track sections and bottlenecks at station approaches and b) 2 The complex mix of inter-city, commuter, local and freight traffic that operates on the rail corridor with trains having varying speeds and stopping patterns'*

It is worthy of note that the Applicant has responded to many of Mrs Leadsom's observations except that relating to the questionable need for a further SRFI less than 18 miles away from DIRFT which has currently had no rail connected development as part of its phase 3 extension. The avoidance of this critical and material fact has been consistent throughout the examination process.

Document 8.8D Applicant's Response to Rail Central's Deadline 5 Submission

Issue 16. *4.16 Rail Central considers the CIA to inappropriately 'blur' the cumulative and comparative assessments.*

We question the purpose of a comparative assessment between Rail Central and Northampton Gateway. Surely the only reason for doing this would be if one was to be chosen above the other on the basis that there is no need for two in the same place. This does not seem to be the case as the Planning Inspectorate has made it clear on a number of occasions that each application would be

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treated individually on its own merits. What is clear, however, from a strategic perspective, is that the two applications are exactly the same.

Document 8.20 Post Hearing Submissions for ISH4 and ISH5

Issue 17. *5.2 The Applicant referred to the Statement of Common Ground with Network Rail (Document 7.13 [REP1-016]) which confirms that it is Network Rail's Stated intention in its Strategic Plan to facilitate an SRFI in Northampton (see paragraph 10) and accordingly this proposal and the implications for capacity on the network was not something that was being foisted upon Network Rail. It is aligned with Network Rail's own strategy. The Applicant also referred to Appendix 1 of the Statement of Common Ground explains how paths are allocated.*

I refer to my personal submission for deadline 6 when Ms Thompson made the same verbal assertion. *[Text repeated below for clarity]*. Network Rail do not have a strategy for building SRFIs but are required to work with private developers to investigate operational and technical feasibility. Currently insufficient studies have been completed to prove whether this is the case.

[Deadline 6 submission] "I refer to a comment made by Morag Thompson of Eversheds during the debate around cumulative rail capacity. In an attempt to gloss over the fact that a credible feasibility and operational study had not been completed on the rail network, Ms Thompson seemed to suggest that this was not necessary because further SRFI development in Northamptonshire already had the support of Network Rail. To back up this contention she then quoted from the Freight & National Passenger Operators Route Strategic Plan February 2018 (Appendix B Geographical Route Summaries). I feel it necessary to point out that the document to which she referred only refers to the building of "terminals" in areas such as Daventry, West Midlands, Parkside and Northampton, not SRFIs. The reference to terminals can be found in point 2 of the table on page 121 (2. Domestic & Deep Sea Intermodal Growth: Facilitate new terminal developments at Daventry, Northampton, West Midlands and Parkside). Section 9 of the same table on page 122 refers to SRFI Development on the WCML where it states the aims of "Securing of sufficient capacity to support SRFI developments through planning and into use" and "Offer NR support to proposals when adequate strategic fit and capacity". The Applicant's lawyer is misquoting the study. Terminals are not SRFIs and this distinction is made clear by specific reference to SRFIs in another section of the table. Terminal developments are not NSIPs and would be controlled through the normal local planning process. In no way has Network Rail endorsed or committed to the development of further SRFIs in Northampton. Any offer of support is conditional on there being "adequate strategic fit and capacity", neither of which has been proven by the Applicants due to their failure to engage with Network Rail to perform the requisite studies. Furthermore, there is no committed investment planned in the appropriate parts of the network to provide sufficient capacity. None of the rail enhancements detailed in the document have been committed to in the current control period."

Final Observations

With all due respect to the Examining Authority and the diligent attention to detail that has been exhibited throughout the process (for which we thank you) we would just like to make the following closing remarks on behalf of the local communities:

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i) We feel it is important to make the point that this examination is not a beauty contest between Northampton Gateway and Rail Central (though it has sometimes felt like that to those of us not legally qualified and sat on the side lines). Whatever scenario unfolds please remember that the only losers in all of this are the local community who will have to live with the consequences of whatever is decided.

ii) Carbon reduction is a primary intent of the [NPS NN] policy. We very much hope that the ExA will be looking closely at whether the Applicant's motives truly align with policy and that they are not, as many parties have contended, using the national policy (and its admirable objectives) to circumvent local planning and local need (at the heavy expense of the local community).

iii) We have been reminded in the last couple of weeks of the imminent threat caused by climate change. Widespread monsoons in Africa, the report on BBC news on the 24th March of intolerable levels of pollution in Ulan Bator and the destruction of the Mongolian nomadic way of life; and our own looming water shortage crisis are just the latest reminders of the myriad threats that the world is facing. Whilst such a development (and what it represents) can only ever make a negative impact on the carbon agenda (this cannot be disputed) it is important to establish whether any of the promised compensatory features are, on the balance of probabilities, likely to come to fruition to any significant degree. Otherwise this cursory nod to climate objectives becomes nothing more than a hollow gesture. It is highly likely that by 2050, when Northampton Gateway reaches maturity, a very different economic and environmental landscape will exist which may see us rueing the fact that we put more emphasis on importing non-essential consumer goods than preserving our scarce and critical agricultural resources. The only truly **Sustainable** course of action is for the human race to do less of what they currently do.

iv) We trust that Northampton Gateway will be subject to the closest scrutiny in terms of its **STRATEGIC** label and the part that it can play in an effective national **rail freight** network. A location can never be strategic by merely labelling it as such nor by merely fulfilling the minimum entry level criteria.

References

[1] Wigan Rail Freight Study Final Report Prepared for: Transport for Greater Manchester & Wigan Council by MDS Transmodal Limited Date: May 2012 Ref: 211076r_ver Final *'When operating between two rail-served sites (e.g. container port to rail-served distribution centre), rail freight should always offer a cost competitive solution (except for extremely short trips of a few kilometres); When one end of the journey is rail-served (e.g. container port to a non-rail-served distribution centre, or rail-served NDC to non-rail-served RDC), rail freight should offer a cost competitive option over approximately 250km; and where neither end of the journey is rail-served (e.g. NDC to RDC on non rail-served sites), rail freight should offer a cost competitive option over approximately 400km. These assume an average 75% loadings in both directions (24 units in both directions).'*

[2] Kent International Gateway Judgement '18.212 *As to the economics, it is common ground that rail haulage of containers is best suited to longer distance journeys and that HGVs would be more economic for short journeys. But what is the break-even distance above which rail becomes economic*

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*without subsidy? On this matter, opinions are divided. The Council's witness suggests a break even distance of around 400km [6.190, 7.42]. Prof Braithwaite, for the Appellants, suggests 300km [7.41 and 7.43]. Mr Garratt, who also gave evidence for the Appellants, initially suggested 200km, but conceded in cross-examination that this distance assumes a subsidy for rail movements and accepted that, without a subsidy, the **break even distance would be higher at around 300km** [7.61].'*

[3] Long Term Planning Process: Freight Market Study, October 2013. *'As a rough approximation rail then road is cheaper than road-only if the rail leg is over 170 miles. Some estimates put this rail leg at closer to 270 miles'. Whichever distance it is Northampton Gateway and Rail Central are too close to be economically served by the main ports of Liverpool, Southampton, London Gateway and Felixstowe. DIRFT has built up its traffic on the Scotland and (to a very small extent) Channel Tunnel routes, both over 200 miles and will therefore continue to exploit these markets to the detriment of any competitor. Average haul length is over 200 miles for intermodal traffic.*

Mark Redding

On behalf of Blisworth Parish Council

26th March 2019