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00:00:05:06 - 00:00:13:19

Thank you, everybody. The meeting is resumed and I'm going to ask Mr. Thorne to move on to item four on the agenda. Mr. Order.

00:00:14:21 - 00:00:50:01

Thank you, Mr. Jackson. So next day to the rule of six sets out six matters where we have made procedural decisions which will affect the examination. I'll quickly go through them in turn. Some we have already discussed in the Rule six letter, for example, that relating to the site inspection, so they will only need briefly mentioning again rather than having the text of Annex D. Read all of the text can ask that the list, which starts in the middle of page five of the Rule six can be shared on screen.

00:00:50:03 - 00:00:50:23

Please.

00:01:22:03 - 00:01:23:10

Okay. Thank you.

00:01:25:21 - 00:01:42:12

So as I say, each of the six items is explained further in the rule six so don't want to go through them in any detail. Have several requests to speak on this agenda item. Can we ask that the interested parties in the time before the meeting?

00:01:45:27 - 00:01:57:02

Explain briefly which items they would like to speak on out of that list. Um, starting with national highways, please.

00:01:58:26 - 00:02:09:25

I'm Sir. Mr. Benson. National Highways. We would like to speak about the statement of Common Ground, please, but also about the accompany to site inspection, please.

00:02:12:07 - 00:02:25:20

Sorry, I'll say that again, sir. That's okay. Okay. Mr. Benson, National Highways. We'd like to speak about the Statement of Common Ground and also about the accompanied site inspection. Please, sir.

00:02:29:11 - 00:02:30:12

Looking. Thank you.

00:02:32:15 - 00:02:34:06

Warwickshire County Council.

00:02:35:29 - 00:02:40:25

Joanna Archer, Warwickshire County Council. We'd also like to speak about the statement of Common Ground.

00:02:43:10 - 00:02:45:23

Sorry, could you say that again? I didn't quite catch it.

00:02:45:29 - 00:02:48:02

Just on the statement of Common Ground step.

00:02:48:04 - 00:02:48:19

Thank you.

00:02:54:15 - 00:02:57:17

And the representative of the one Amigo.

00:02:59:13 - 00:03:07:17

Yeah. I'd like to speak on suggested locations for site inspection and deadline for the submission of comments and summaries.

00:03:29:13 - 00:03:30:28

In terms of the applicant.

00:03:33:19 - 00:03:35:16

Thank you, sir. Paul Male for the applicant.

00:03:36:08 - 00:03:41:06

Statements of Common ground, please. And the revised Equalities Impact Assessment.

00:03:55:28 - 00:03:56:17

If. Okay.

00:03:57:15 - 00:04:12:12

So firstly, visuals for the hearings. This is the deal with ensuring that we have appropriate plans for the hearings over the course of the examination. Can the applicant please confirm that arrangements have been put in place?

00:04:14:03 - 00:04:14:25

Yes, they have, sir.

00:04:14:27 - 00:04:16:06

Thank you. Thanks.

00:04:17:24 - 00:04:48:25

Second, we have set out requested statements of common ground. The aim of the Statement of Common Ground is to agree factual information and to inform the examining authority and all of the parties by identifying where there agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need to be the subject of further evidence.

00:04:49:22 - 00:05:10:00

It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. Unless otherwise stated are agreed, the statement of common ground should be agreed between the applicant and the other relevant interested party or parties and submitted by the applicant.

00:05:11:25 - 00:05:23:26

For each of those areas that are in dispute. It would be beneficial if each party would put their estimation as to the likelihood that disagreement will remain by the end of the examination.

00:05:26:15 - 00:05:28:22

Asking this to be done in a.

00:05:30:15 - 00:05:46:10

A low, medium, high green and red traffic light grading method. So this will allow us, as the examiners authority, to assess those areas where oral discussions may be most beneficial.

00:05:48:18 - 00:06:13:12

We have carefully considered the applicant statement of common ground intensity schedule, which was submitted with the application and why we thought this was a useful start. We felt it needed to be finished in light of our initial assessment of principal issues. Hence the list we put in the Rule six letter. There are two points here which we will take in turn. Firstly, for those statements of common ground which we have set out.

00:06:15:12 - 00:06:28:07

Whether any parties that consider. Items to be missing, and secondly, whether there should be additional statements of ground between the applicant and another party.

00:06:32:23 - 00:06:38:10

If necessary, you can have a discussion about the timetable for the submission of statements of common ground and item.

00:06:42:06 - 00:06:47:01

Four of this agenda should be item five. Um.

00:06:49:10 - 00:06:56:22

But before those, are there any general queries on the statement of common grounds that don't fall within either of those headings?

00:07:02:03 - 00:07:07:06

So in terms of national highways.

00:07:08:14 - 00:07:46:25

Thank you, sir. Mr. Ben SIM, National Highways. In terms of statements of common ground for national highways and national highways, we would like to state that we still haven't seen an initial vision version of the statement of common ground between applicants and ourselves in terms of the list that's required in point of the Statement of Common Grounds list for national Highways, we would also like to include a sustainable transport strategy, routing strategy, potential impacts on landscape biodiversity, air quality emissions and contamination where linked to the in relation to the Strategic Road network and land owned by national highways.

00:07:46:28 - 00:08:06:28

Various environmental management plans both during construction and operation in regards to the Strategic Road network and land owned and maintained by National Highways and the draft development consent order DCO, including requirements and protective provisions. They were matter items that we would like to add into this statement to a common ground, please.

00:08:10:10 - 00:08:11:02

Okay. Thank you.

00:08:15:07 - 00:08:16:15

Warwickshire County Council.

00:08:17:28 - 00:08:31:22

Joanne Archer, Warwickshire County Council. We'd like to add three items in on this statement of Common Ground, the routing strategy, travel plans, sustainable transport strategy and the Section 106 Heads of terms.

00:08:42:07 - 00:08:42:22

Okay.

00:08:45:00 - 00:08:47:06

And the other common sense statement, the common ground.

00:09:00:21 - 00:09:07:29

So continuing in the agenda. The third point relates to potential accompanied site inspections.

00:09:09:14 - 00:09:09:29

Sorry.

00:09:12:04 - 00:09:14:24

Apologies. Cut the applicant.

00:09:14:26 - 00:09:15:11

Yeah.

00:09:15:19 - 00:09:57:29

Thank you, sir. Paul Meyer for the applicant. If I could just come back on on some of those points and also a couple of the other issues that that were raised in our letter. Firstly, within the proposed scope of those statements of common ground with some of those more distant authorities, namely Borough Council, Harbour District and Warwickshire County. The suggestion that the applicant had that the focus of the scope of those statements should be on the that should relate to the impact of the works in those particular areas as their focus rather than on the impacts of the scheme some some distance away and just seeking confirmation that you're content with with that approach.

00:09:58:17 - 00:10:37:23

Um, secondly where um, there is a, a heading related to the terms of the draft DCO. I think the applicant, the applicant is wary that in the early stages that could get quite unwieldy. Um, and I think in the first instance it would be better if those are focused on sort of headline matters of substance and potential wording of requirements rather than precise wording, maybe of particular article, so that we don't end up with a long list of sort of disagreement over, over the use of particular words.

00:10:37:25 - 00:11:15:26

And those are better off those, those kind of discussions about undertaken offline with then um, a sort of final list of disagreement being submitted at a fairly late stage in the, in the statement of common

ground at the submission process. Um, and then lastly, it was to clarify whether you did still want the applicant to proceed with those statements of common ground that were within its intent, its statement of Common ground intent schedule that do not appear in your list in in Annex D.

00:11:19:24 - 00:11:20:09

Okay.

00:11:22:23 - 00:11:30:28

So there's no need to consider all the effects of the proposed development in those areas specified.

00:11:33:29 - 00:11:34:14

Sorry.

00:11:36:18 - 00:12:03:23

Sorry. Think we do want the other areas to be covered simply because there will, for example, be traffic and transport and their employment effects in the wider area. Looking at the transport assessment, for example, you clearly shows that employment will be way outside the immediate vicinity and included in those areas. Therefore, it is more than reasonable for them into in the statements of common ground to have elements on those points.

00:12:05:11 - 00:12:06:19

Understood, sir. Yes.

00:12:07:00 - 00:12:27:09

So it says the list is as wide as possible because it's it's not just that essentially that single junction on Harborough and rugby, it's all effects of all the of the development will have on them over the wider area. Since your own gravity model shows them coming in from those areas.

00:12:29:10 - 00:12:29:28

Understood.

00:12:43:21 - 00:13:11:20

Even if there are discussions on wording of the precise wording of the requirements. For example, we need to know where they are. Hopefully they will mostly be a fair few of them will come through at the hearings, the issues, the specific hearings into them. But it is useful to know where the disagreements are, even on precise wording, simply because it may well be that

00:13:15:10 - 00:13:27:18

we may have situations when you have disagreements over a single word, for example, may or must, which may well be very relevant. So we do need to know those very points.

00:13:36:01 - 00:14:05:06

Oh, yeah. The, the it's the schedule of where you've already done. It's up to you whether you want to pursue them. Which ones we want, The ones we set out in the world. Six letter. Understood. It's entirely up to you if you if you want to submit them, fine. We're not going to turn them away. But it's down to you as to how much resource you want to put in them. We want you to put the resource on the ones that we've identified rather than necessarily on those which you originally put in, if that makes sense.

00:14:05:08 - 00:14:05:23

It does, sir.

00:14:05:25 - 00:14:06:10

Thank you.

00:14:12:27 - 00:14:53:20

Okay. Thank you. So in terms of the third point relating to potential accompanied site inspection, if that's indeed if we we need one. I'm sure you've all seen the note of the unaccompanied site inspection we made on the eighth and 9th of August of this year. We believe we have a good understanding of the site and the immediate surrounds and you'll be aware that we viewed it from various vantage points around the site. If either the applicant or any other interested party considers that additional locations beyond those which we have already visited as part of the unaccompanied site inspection need to be visited.

00:14:53:22 - 00:15:35:01

We request that they suggest suggest a list of potential locations for an accompanied site inspection by deadline one which on the draft timetable is the 10th of October of this year. We've already received a number of suggestions for locations which we will take into account and there's no need to reiterate them. Suggestions must include sufficient information to identify the location, the issues to be observed at that location, information on whether the site can be accessed via public land and the reason why the location has been suggested.

00:15:36:25 - 00:15:50:21

Once we have a list, we can decide those that we need to view and those where we can view from public land and those where we will need to rent a private land. Once we have this information, we will determine the way forward.

00:15:52:07 - 00:15:55:07

Does anyone have any queries on this point?

00:16:00:26 - 00:16:01:11

Later.

00:16:02:09 - 00:16:28:09

So recently to apply stress. One comment about appreciate you did your site visits on the eighth and 9th of August. Now you know, call me cynical, but that's the height, the summer holidays. So if you're in Narborough, a railway station, a volume of traffic, there will be a fraction of what it would be if you went September or October. So could I ask that you revisit those areas to actually see the true amount of traffic without the exceptional amount of traffic that's off the road due to school holidays?

00:16:30:03 - 00:16:31:00

Okay. Thank you.

00:16:34:29 - 00:16:44:06

Just to say that Luke would welcome the opportunity to visit Burbage Common on an accompanied site inspection with you, and he'll be writing to you about that.

00:16:51:09 - 00:16:52:09

Highways Agency.

00:16:53:04 - 00:17:24:01

Thank you, sir. Mr. Benson. National Highways. It's more of a question of how you would like us to engage with yourselves and the applicants in sort of arrange those. If you need access to the. Then we have to have a required level of warn and know dates and locations and times where you'll be for your safety and the operation of the strategic road network. So it was just a question of how you would like us to work with you and the applicants to arrange those locations around that.

00:17:26:17 - 00:17:27:04

Okay.

00:17:27:23 - 00:17:38:09

I think once we know the the locations, we'll be able to liaise with yourself in terms of PPE and health and safety requirements.

00:17:39:17 - 00:17:40:10

Thank you, sir.

00:17:46:23 - 00:18:08:07

So next is procedural decision for deadline for the submission of comments and summaries on relevant representations. As will be aware from Annex D, we are seeking summaries of longer relevant representations and comments on relevant representations by Deadline one, which is currently down as the 10th of October 2023.

00:18:10:26 - 00:18:14:21

If necessary, we can have a discussion about the timetable for this item.

00:18:17:13 - 00:18:18:04

So anybody that.

00:18:18:06 - 00:18:18:21

Wish.

00:18:18:26 - 00:18:24:13

Wishes to make any comment or. On the timetable.

00:18:27:07 - 00:18:57:18

Just to ask whether sort of clear instructions will be sent out to people who have maybe registered as an interested party who are not specialists in this field. The deadline is obviously published in this document, but it's not that easy to find. And it'd be good if some kind of update could be sent out to interested parties with just a clear thing of the deadline. And this is where the guidance is of what you're looking for.

00:18:57:20 - 00:18:59:00

It's is it appendix?

00:18:59:02 - 00:19:00:00

I think

00:19:02:27 - 00:19:51:06

sometime in the next ten days. It. We've got the hearings the rest of this week, which makes our life a little busy. We will be producing what's known as a rule eight letter, which will be sent to all interested parties, setting out various things that have flowed out of the meeting today. We'll set out any changes from the draft time to examination timetable and we'll make so it will have in there the opportunity made explicit for people if they wish to respond to the relevant reps that have been made what the deadline is by the 10th of October and equally well since a fair few of the suspect, the applicant will be responding to a fair few, if not all of those relevant reps that it feels as it feels appropriate when you can then make comments on on the comments, as it were.

00:19:51:08 - 00:19:56:16

So so it will be set out in the in the it will be set out in the rule eight letter.

00:19:58:04 - 00:20:08:11

Catherine Bass It stands together. We know that there's a number of people in the community that have registered for relevant representation that aren't receiving any of the updates. So how can we can confirm that they're going to receive these?

00:20:09:06 - 00:20:42:26

There are what I would strongly suggest is you have a word with one of the case team, with Mr. Williams or Mr. Parker after the after the here to find out if you have if you know who they are that we've we are aware of problems and it's easy to do type of graphically if for example somebody we think we had one yesterday when somebody had bought it but.com rather than co.uk their in their email address it happens it's easy enough to to make that sort of error. Clearly if there may be other reasons of similar or anything else.

00:20:42:28 - 00:20:46:17

So if you're aware of them, have a chit chat with the case team and I'm sure they'll be able to sort you out.

00:20:47:18 - 00:20:48:09

Thank you.

00:20:50:23 - 00:20:53:06

Hi, I'm Becky Roper, Elmsall Parish Council.

00:20:53:22 - 00:20:55:12

Aware that you're going to issue the Rule.

00:20:55:14 - 00:21:29:13

Eight letter within the next ten days and appreciate everyone's got a lot of work to do. Um, you guys have dedicated time to do this? This is your jobs. The majority of people who want to reply in the general public have their own jobs and don't have dedicated time to wade through the massive amount of technical information. If the Rule eight letter comes out in ten working days, it leaves people very, very short time to get round to, um, expanding their initial summary relevant representation and wondered whether it could be considered that the timeline is a little tight for people.

00:21:29:15 - 00:21:30:04

Thank you.

00:21:32:02 - 00:21:38:15

Here the comment will take that into account within the overall six months that we have to deal with when we move into the next stage. The gentleman next door.

00:21:40:00 - 00:21:48:12

Yes. Dave Harrold, Stoney Stanton Action Group. I've been asked. You've asked people to do a summary of relevant representations.

00:21:48:14 - 00:21:58:29

I've been asked whether if people don't put a summary in or even if they do put a summary in, does that negate anything that's been said in their original relevant representation?

00:22:00:26 - 00:22:35:02

Short answer is no. They obviously if they say in light, there will be times when on further reflection somebody says, I put such and such in my relevant representation, am now having read such and such a document, am now content and therefore don't wish to pursue that particular point anymore. Absolutely fine. They relevant reps should however expand on written representations, should have expand on relevant reps and they shouldn't start going into additional areas.

00:22:35:27 - 00:22:49:04

You're obviously be aware there's a just under 1500 relevant reps, so there are a significant number of topics which are already covered, which may may well mean that somebody, somebody else has already covered that particular point.

00:22:54:14 - 00:23:18:04

Hello, Becky Roper Parish Council again. You just noted that in people's written representations they shouldn't go into points that they didn't already cover in their relevant representation. There is a lot more information coming out now that people might not have already been aware of. So where do people stand on commenting on things that they would like to raise that they weren't aware of previously?

00:23:18:29 - 00:23:51:11

The information has been available on the national infrastructure website since early April. I'm doing it from now, from soon after the application was accepted. I can't remember the precise date, April, May, and they have had the opportunity. Anybody has had the opportunity to look at it since then. We are now challenged with a six month late timetable for which to determine the application. It is very much a frontloaded process. So people are it is incumbent on people to ensure that they do look at the information.

00:23:51:13 - 00:24:11:07

It's there now. They can look at it today, they can look at it this evening, if that's more convenient. And they but we do. And they equally well as more information is submitted into the examination, which will be they can make comments upon that which it may well cover the point they wanted to make anyway, that matters. Gentlemen, thank.

00:24:12:24 - 00:24:57:27

Hi. Yeah. Stuart Bacon Parish Council. Um, when the application sort of was being sort of considering whatever initially with understanding what the process was for today's meeting, when there was a meeting with the planning inspector and which is available under the Section 51 sort of details on the website. Um, the information provided at that meeting flies in the face of what you've just stated, um, in which the information sort of we were given during that meeting stated we could um, give any sort of detail after that point that wasn't in the relevant representations and there wasn't a restriction on that.

00:24:58:10 - 00:25:01:13

Um, which seems to be totally at odds with what you've just said.

00:25:02:04 - 00:25:30:24

Now you can put on information. What I'm, what I'm essentially saying is that let us assume you put something on routing about traffic and transport, but we're utterly silent on the effect on listed buildings, then you probably shouldn't be making comments on the listed buildings. You're very welcome to continue on the traffic and transport if you want to. We will look at anything that is submitted on in the relevant written representations. And if it is more than

00:25:32:09 - 00:26:11:12

sorry, you just disappeared behind mistake and difficult to see. Thank you. We will obviously take account of anything that is submitted, but we do want to try and keep the examination focused and trying to keep going with the the topics that have been raised to date, because clearly it is not it's not fair on the applicant for somebody to suddenly bring something up later on that they should have brought up early. Yes. The point is, it's a it's driven early in the process so that we can identify those areas where there are disputes to seek to examine those which spend most of our resource on them.

00:26:12:24 - 00:26:13:09

Okay.

00:26:13:12 - 00:26:18:24

As I said, think that flies in the face of what the advice was in the in the Section 51 discussion.

00:26:24:07 - 00:26:24:22

Yeah.

00:26:25:14 - 00:27:06:03

I'll just ask a question based on that comment you've made. So without the transport information, without any idea of mitigation, you might not know if a listed building would be affected. So why can't you raise it? Now, what you're saying is the applicant shouldn't be asked for more and more information. But what we're talking about is information the applicant should already have provided, which is what's making this difficult. So it seems to be loaded in favour of the applicant and against people who are trying to understand the development. So surely on that basis you should be saying to the applicant, well, all the transport information needs to be in the appropriate place in the next week so it can be considered, but that doesn't seem to be happening.

00:27:08:00 - 00:27:32:22

But the applicant is fully aware Mr. Miller was about to say. Of all the information, all the requests for the additional information. I know there have been discussions between the applicant and the highway authorities in recent weeks. I don't know whether there's anything you want to say as to when you anticipate the the information to be submitted so that it can be put into the public domain and thus commented on.

00:27:35:24 - 00:28:02:15

Absolutely, sir. What I think I probably also need to state at this stage is the applicant would completely refute the accusation that there's no mitigation set out in the application. Of course, in that most of the offsite highway works that we may well discuss are mitigation in themselves. But I simply say that now to avoid sort of that insinuation perpetuating itself.

00:28:07:05 - 00:28:11:23

Can we move on to the next. Next. One of the decisions. Mr.. Mr. Saul.

00:28:11:28 - 00:28:12:13

Okay.

00:28:12:15 - 00:28:13:00

Thank you.

00:28:14:09 - 00:28:54:03

So next, turning to the fifth procedural decision notification by statutory parties or certain local authorities of their wish to be considered as an interested party as part of the Planning Act 2008. We have a slightly odd situation that statutory parties and certain local authorities do not have at an early stage to indicate whether they wish to be party to the examination process in order to ensure that there

is clarity for all. We have a deadline of the 10th of October 2023 for any statutory party or local authority as so defined to indicate whether they wish to be a party in the examination.

00:28:57:11 - 00:29:00:24

Any comments from around the room on that particular point?

00:29:07:27 - 00:29:08:12

Okay.

00:29:09:10 - 00:29:41:04

Finally, on this agenda item, we have the submission of a revised equalities impact assessment. On 12th July, we wrote a letter under Rule 17 of the infrastructure planning Examination procedure rules 2010 as amended, indicating that we were unable to accept the Equalities Impact Assessment statement, which had been submitted by the application applicant in response to Section 51. Advice from the Planning Inspectorate, dated 13th April 2023.

00:29:41:28 - 00:29:53:02

In that letter it was indicated that the applicant should consider revising the document with a view to submitting it at the first appropriate deadline within the examination timetable.

00:29:54:27 - 00:30:08:22

Examiner Authority has now made a procedural decision that this should be submitted deadline one 10th of October 2023. Do we have any comments on this from the applicant?

00:30:10:20 - 00:30:43:01

Yes, please. For my for the applicant, it's simply to confirm with you the detail that we should include within column two to make it clear that we do get it right this time and think the position that was taken historically is that we've been a little more descriptive than simply limiting ourselves to the broad characteristics that are that are set out. So we've referred to children, older people, disabled people, for example, whereas the protected characteristic is age and disability.

00:30:43:03 - 00:30:46:18

If we change that to age and disability, kind of just check that that's what you're looking for.

00:30:47:00 - 00:30:54:24

Okay. May also help to look at the equality impact assessments submitted under the schemes to to help you through that.

00:30:54:28 - 00:30:56:00

So thank you.

00:31:00:09 - 00:31:04:07

Do we have any final comments on that agenda item?

00:31:06:29 - 00:31:13:09

If not, we can move on to the next agenda item, which Mr. Herren is going to take us through.

00:31:14:24 - 00:31:21:19

Thank you, Mr. Sword. So it'd be useful to have the draft examination timetable on screen for this item, please.

00:31:33:01 - 00:31:44:14

While it's loading. If your technology doesn't allow you to see the draft information or the draft timetable or information on the screen, clearly you can find this at Annex to the Rule six letter that was issued on the 11th of August.

00:31:50:06 - 00:31:51:04

Do we do that now?

00:31:52:12 - 00:31:56:23

We have some hands up on the screen. Can we just hear those virtual comments, please?

00:32:02:03 - 00:32:22:24

Yes. Good morning. My name's Charlie Mannix, and I'm speaking on behalf of Alberto Costa MP. And I'm just conscious of time and wondered if could just provide a statement on his behalf now because he wants to cover a few items on this agenda, plus a couple on item two as well, if that's okay.

00:32:25:07 - 00:33:02:24

Yes. Okay. Please proceed. Thank you. So, Mr. Costa has been called to an important standards committee meeting. So he's asked me to send his apologies and speak on his behalf. Um, the proposed development would fall entirely in the constituency of South Leicestershire. And while I know that residents outside of South Leicestershire are affected, such as those represented by Dr. Luke Evans, MP for Bosworth, we do want to ensure that the key issues affecting constituents will be heard in the course of this examination, and I'm very grateful for remarks made so far.

00:33:03:19 - 00:33:34:07

Extensive surveys of all affected households were undertaken by Mr. Costa, and he has listed to. He has listened to his constituents and is opposed to this development. And I'll iterate some of the principal issues as per agenda item three. But just turning to this agenda item, Mr. Costa has already submitted additional comments about the draft timetable. His availability as a member of Parliament, as well as his thoughts about the venues and locations of future hearings.

00:33:34:09 - 00:33:55:07

But just to say, as the MP for South Leicestershire, he is an important stakeholder in this examination therefore would politely request again that there is at least one open floor hearing held on a Friday so that Mr. Costa and Dr. Luke Evans can make representations on behalf of their constituents when they're not in Parliament.

00:33:57:09 - 00:34:44:04

I'm also grateful that you've provided the opportunity to attend the events online and am aware, though, of concerns that for elderly residents and people with accessibility needs, online meetings and travelling long distances to attend in person meetings aren't always possible. So for future events, open floor hearings especially can ask that these be held in locations closer to the proposed site, which I know you've mentioned. But I've not only request that a more appropriate location than Leicester Tigers is chosen, but the open floor hearings be held in a handful of locations around the site so that affected residents have the opportunity to attend in person.

00:34:44:29 - 00:35:15:16

People affected by this development live in small towns and villages in and around South Leicestershire, the Bosworth constituency and beyond. And I know Dr. Luke Evans has already made a suggestion about an appropriate location in his constituency, but may ask that you also consider holding open floor hearings in areas like Thorpe, Stoney Stanton and Broughton Athlete two. Now, if I may just briefly turn to some of the key issues that I know Mr.

00:35:15:18 - 00:36:28:15

Costa wanted raised. Firstly, turning back to item three and Annex C, many of Mr. Costa's constituents have raised scepticism over whether this development will actually end up being a rail freight interchange or, as many suspect, is this more logistics warehousing under the guise of a nationally significant infrastructure project? As such, I would ask, can the examination please set aside time to scrutinise? Firstly, what evidence has been provided for the need and operation of this development as a rail freight interchange? Secondly, what guarantee is there that Network Rail will be able to provide the promised rail links that are part of the plan? And what exactly have national rail committed to so far? Third, how will local residents be compensated if the development does not meet the threshold of a nationally significant project? And fourth, if this goes ahead, what conditions will be put in place to ensure that this site is not primarily used by HGVs instead of rail freight? And how will this be monitored?

00:36:30:02 - 00:37:11:29

Turning to item number five. I ask that the examining authority also consider the wider picture and the need for this development. As you know, South Leicestershire is already home to a large logistics warehouse like Magna Park, which at 2,000,000m² think is reputedly the largest logistics park in Europe. This is located just a few miles away from the proposed development. The road infrastructure is already heavily used and we require confirmation from the Planning Inspectorate police that during this process evidence will be obtained to take account of the existing infrastructure problems around the proposed site.

00:37:13:01 - 00:37:44:00

On top of that, South Leicestershire is already surrounded by additional rail freight interchanges within a very short radius of the proposed development. So will the examining authority please take time to consider the need for this development, given the proximity of the four Daventry International Rail freight terminals 18 miles away from the proposed site, the four national rail hubs within about 45 miles, and Northampton Gateway, which is a strategic rail freight interchange, which is under construction.

00:37:44:02 - 00:38:20:10

That's just 31 miles away. Next, just briefly, how will the examining authority give assurances to stakeholders that in the examination process, timelines and requests for disclosure will be respected and ask that at this stage the examining authority make it crystal clear what the consequences will be if the applicant falls foul of these requirements and deadlines. Now, without going into detail, the reason why I mentioned this is that there have been significant concerns expressed by Mr.

00:38:20:12 - 00:39:00:15

Costa's constituents about how the applicant has provided information during the Pre-application process and know some of this has been covered already. But the applicant, as we know, has already failed to follow process for example, frustrating stakeholders like Labour District Council by not submitting information or withdrawing our application and then resubmitting the whole thing again. And as key stakeholders think, we need to ensure that our constituents are getting timely, honest and robust information and that the applicant is transparent and full and forthcoming in providing it, meeting any time, any deadlines, and that the Planning Inspectorate sets in the process.

00:39:01:19 - 00:39:36:17

As we've already talked about, there's still incomplete, inaccurate and potentially vague information which will require examination. And Mr. has just asked me to raise particular concerns over some of the following pieces of information provided by the applicant. So firstly, the impact and the development that it will have on traffic and in particular the level crossing at Narborough where the barrier closure times, as it's been said, need to be properly scrutinised. The delay caused by the and the subsequent impact on residents has not been actually considered.

00:39:36:20 - 00:40:21:18

Don't think and as a result possible mitigation to is inadequate. I know the examiner authority will ensure in this process that all reasonable efforts are made to allow appropriate time to hear evidence from stakeholders on this issue, but would also ask the Planning Inspectorate to allow time to consider the overall adequacy of public consultation carried out by the applicant. Again, Blaby District Council, among others, have already highlighted that there are key concerns with the documents and modelling that were missing from the consultation process and as a result, highways mitigation, environmental statements, for example, seem to be based on flawed evidence as we've covered already.

00:40:21:23 - 00:40:57:06

So just to ask, will time be set aside for stakeholders to actually make substantive arguments in person about the consultation carried out by the applicant, or is this going to be. Is this going to be for open floor hearings? Finally, I know there's I've yet to mention the impact on burbage common its wildlife the visual impact. But once again, from Mr. Costa's perspective, I hope the Planning Inspectorate will ensure that process and reasonable efforts are made to allow time to hear evidence from stakeholders on this issue as well as the others that I've outlined this morning.

00:40:57:08 - 00:40:58:04

So thank you.

00:41:01:26 - 00:41:32:17

Thank you. I understand the points that you're making. Many, many of which will be dealt through through the examination process itself. And briefly, in terms of sort of deadlines, there are mechanisms that exist to ensure reasonable behaviour is adhered to in terms of meeting deadlines. So, so there are mechanisms like so there in terms of the location of hearings, given the audio visual kit as well as evidence in the room at the moment, it will be not possible to move the location of future hearings, so please bear that in mind.

00:41:32:21 - 00:41:39:29

However, there will be advertised in the normal way, including an advert in the press in accordance with the examination procedure rules.

00:41:41:24 - 00:41:42:15

Anything else?

00:41:44:20 - 00:41:45:05

Thank you.

00:41:48:27 - 00:42:19:01

Okay. So just before take some more comments, just one more one more point. And so we have a number of requests to speak to speak on this agenda item. But before before we hear from them, we've realized we we didn't put a date for responses to our written questions, which are due to be published on the 28th of November. Our view was that this should be a deadline for which is Tuesday the 9th of January 2024, and hopefully the six weeks will allow sufficient time to respond, even taking into account Christmas and New Year.

00:42:21:19 - 00:42:33:20

So having said that, can we please hear from those who wish to speak? So please, can we hear from a representative of Leicestershire County Council? And please may remind individual individuals to identify themselves prior to making comment? Thank you.

00:42:35:00 - 00:42:37:19

Thank you. Julie Thomas Leicestershire County Council.

00:42:41:01 - 00:43:18:15

In relation to the local impact report, I would like to make the following point on behalf of the County Council. In terms of process, the County Council has been invited to submit a local impact report in accordance with Section 50 of the Planning Act 2008. The local impact Report gives details of the likely impact of the proposed development within the County Council administrative area. In deciding the application, the Secretary of State must have regard to any local impact report submitted before the specified deadline. In this context, the County Council has raised concerns that there is currently insufficient highways information in order for the likely impact to be assessed.

00:43:18:21 - 00:43:49:06

The further information, which we understand was submitted yesterday by the applicants will be reviewed by the County Council to see if it addresses the points raised previously. We therefore have concerns about submitting a complete local impact report by the proposed deadline of the 10th of October 2023, such that it would be considered thorough for the examination and by the Secretary of State. What we would like to suggest an alternative deadline to assist the examination without clarity from the applicant regarding its intentions.

00:43:49:08 - 00:43:51:08

This is not possible. Thank you.

00:43:52:16 - 00:44:17:15

Thank you. I understand. Think there have been discussions already that it is for the applicant to put in the application as it sees fit. Clearly you need to comment on it in those terms. So. If you could explain in comments where it's deficient, why it's deficient, the applicant will have a chance to respond and therefore, if there are any changes, well, the examining authority will assess whether it's appropriate to accept those changes and if so, will provide appropriate time frame in which to respond.

00:44:17:27 - 00:44:23:12

We have provided the applicant with a list of required information on a couple of occasions now. So we are talking about it.

00:44:24:07 - 00:44:24:26

Understand.

00:44:24:28 - 00:44:25:13

Thank you.

00:44:27:26 - 00:44:30:29

Any representative from Warwickshire County Council based on those discussions?

00:44:32:21 - 00:44:33:27

Similar points.

00:44:35:05 - 00:44:39:17

Thank you. Mr. Robinson, any any comments at this point?

00:44:41:24 - 00:44:43:12

No something for me at this point.

00:44:48:17 - 00:44:53:28

Okay. Any representative from Blaby District Council that wish to speak at this point? No.

00:44:55:19 - 00:45:06:08

Burbage Parish Council Councillor David Bill, would you like to speak at this point? Okay. Um. Thorpe stands together point to being considered.

00:45:06:21 - 00:45:08:10

No, thank you. Okay.

00:45:08:23 - 00:45:14:24

Um. Barbara Lees, I believe you made a comment. Notification to comment. Anything at this point?

00:45:16:00 - 00:45:16:15

No.

00:45:18:24 - 00:45:22:24

Okay. So before I turn to the applicant, are there any other comments at all? Yes.

00:45:23:26 - 00:46:00:28

Thank you, sir. Mr. Benson. National Highways. We support the comments made by Leicestershire County Council, but also want to add in terms of the transport submission as well, in terms of the deadlines, the road safety audits will not be available and that's because the road safety audits are stuck because of the lack of information around the traffic and transportation chapter. And these have to be carried out in accordance with GPS 119 of design manual for road and bridges. And in the processes of that, it's for national highways to instruct the road safety auditors for any improvements or mitigation on the network.

00:46:01:00 - 00:46:26:06

When we feel it's at a suitable position that it can be considered. That is the process that's set out with 109. Therefore, at the moment I can't give you a clear timescale. When we believe as national highways we could agree to those those safety audits being undertaken because we are also awaiting information of no timescales from the applicants. We are talking to them, but we are still awaiting timescales or when we're going to get information.

00:46:27:00 - 00:46:29:16

Thank you. Can I bring the applicant in at this point?

00:46:32:21 - 00:46:34:24

You can, sir. Thank you Paul Male for the applicant

00:46:38:25 - 00:47:27:23

can address more generally the the proposed timetable and they'll come back to other points at the end. We raised we raised a number of points in our response to the rule six letter relating to the timetable, the first related to effectively the gap between deadline one and deadline two, which we note is little under two weeks, um, during which time the applicant will have to respond to, uh, written representations, local impact reports, etcetera, anticipating that that information won't be published until the 11th of October at the earliest, the applicant does have some concerns about its ability to respond in substance.

00:47:27:25 - 00:48:06:18

If those submissions are accompanied by various bits of technical information. Now of course the applicant will do its best to respond within that window if it does need to reserve its position on responding in more detail to items that are submitted at deadline one. It will of course set out what it

needs to do in its deadline to response and provide you with an indication of when it's comments on that information, which I'm speculating at this stage, but what that information might be, when that will be submitted within the program.

00:48:07:16 - 00:48:43:23

Okay. Understand, um, firstly, written representations should be expansions of relevant representations. Therefore you should have some idea of these equally Pre-application engagement will have taken place. To give you some idea of the issues that may arise. Um, clearly respond as best as you are able, but if it is necessary to make later submissions, then we will of course consider that only on the basis that it is absolutely necessary. But we'd need to ensure that all interested parties have the ability to respond, respond to those, and essentially it is up to the applicant to ensure that there are adequate resources in place to deal with reasonable submissions.

00:48:44:19 - 00:49:06:16

Uh, indeed. And I think probably think I've probably said what I need to say. It's more the concern that if there is anything that needs to be processed or further maybe assessment work that needs to be done in order to be able to respond, that's a very tight timetable within which perhaps to complete that assessment work and we'll come back to it in case.

00:49:09:07 - 00:49:09:22

Um.

00:49:10:00 - 00:49:32:29

The second point was just clarification, and I think you provided this earlier that in the second round of issue specific hearings where traffic and transports mentioned in those hearings, it's also anticipated that rail matters will be covered at that issue specific hearing as as well as road traffic and transport measures?

00:49:33:01 - 00:49:36:26

That's correct. As well as transport aspects of public rights of way networks.

00:49:36:28 - 00:49:38:05

Indeed. Yeah. Okay.

00:49:41:06 - 00:50:14:09

Um, the next one then is in relation to the Section 106 agreements. Um, where we don't think there's a deadline been identified for the submission of an updated section 106. Um, we would suggest that deadline for being the 9th of January would be a suitable time to submit an updated agreement with a final agreement, then a deadline seven and the completed one at deadline eight. Um, that's a suggestion for you to take away, sir.

00:50:14:11 - 00:50:17:28

Thank you. Are there any other comments from interested parties on that matter? Yes.

00:50:19:15 - 00:50:22:16

Um. Yeah, I'm here representing.

00:50:22:18 - 00:50:24:03

Sorry. Please may you. Oh, sorry.

00:50:24:06 - 00:51:02:09

Um, Victoria Stapleton, on behalf of Luke Evans MP. I'm here today representing Luke because he's been put on a legislative committee, so he's really sorry that he's not able to be here in person. And

just wanted to reiterate what Charlie said on behalf of Mr. Costa, that this is a really significant application for a lot of both our constituents and they're receiving a lot of communication, and constituents want them to represent their views, but it's difficult for them to participate in person Monday to Thursday due to their parliamentary commitments.

00:51:02:11 - 00:51:10:15

So I'd like to reiterate what Charlie said about would it be possible for them to have an opportunity to speak in person on one of the Friday hearings?

00:51:10:17 - 00:51:25:24

Please understand the points you're making, but in terms of the draft Section 106, the timetable that was proposed was drafted deadline for final deadline seven and completed at deadline eight. Just just in relation to the to those dates. Do you have any comments?

00:51:28:01 - 00:51:31:25

No, sorry. That was just the timetable in general, Not specifically about the Section one.

00:51:32:02 - 00:51:40:20

I'll come back. Will come back. Thank you. Are there any other comments in relation to this particular matter or it seems a reasonable timetable as far as we're concerned?

00:51:42:01 - 00:51:42:17

Okay.

00:51:44:03 - 00:51:45:10

Any additional points to raise?

00:51:46:14 - 00:52:03:18

I don't think so. So we do want to just bring you up to speed with the information that was submitted to the inspectorate yesterday. My intention was that Mrs. Hutton does that under item six. Um, if that's if that's suitable.

00:52:06:14 - 00:52:14:25

We haven't had the chance to have a look at it yet. So obviously we'll have a look at it and then we will respond as appropriate, probably through our Rule 17 letter, probably at some point next week.

00:52:16:26 - 00:52:29:07

It might go into the Rule eight letter depending on how things are going to be. It'll be it'll be other in the rule like that or a separate rule 17 letter depending on how we feel appropriate when we actually had a chance to look at it.

00:52:30:11 - 00:52:30:28

Thank you, sir.

00:52:32:21 - 00:52:35:11

It's just two more points from. From me, if I could.

00:52:36:24 - 00:52:37:09

Use your name.

00:52:37:14 - 00:53:15:29

Absolutely. Yeah. Mrs. Laura Hutton for the applicant. Just two other points that we covered in our in the applicant's letter of the 5th of September, mainly relating to compulsory acquisition and

specifically in terms of the hearing coming up on Thursday. Um, just just some clarity from from you, if we could, that the, the agenda item in respect of funding is, um, is intended to request a more up to date accounts given the date of those that were were included in the application submission or whether that is something else that you need us to consider before Thursday.

00:53:16:01 - 00:53:27:10

We're also going to be need to go into other matters such as recent inflation and other costs implications and obviously changes in interest rates since it was written. So we're going into those as well.

00:53:27:18 - 00:53:28:08

Thank you.

00:53:31:13 - 00:53:34:08

Sorry. Arms up stands together. If we could return to your point.

00:53:35:25 - 00:53:37:09

That you were making before. Sorry.

00:53:37:14 - 00:53:42:28

Oh, me. Sorry. Sorry. I'm not together. I'm here from his office. I'm sorry.

00:53:43:22 - 00:53:45:00

Next to one of my apologies.

00:53:45:09 - 00:54:01:04

Sorry. Interjected the wrong moment. Yeah. Just to reiterate, it'd be great if the MPs could have the opportunity to speak on one of the Friday hearings, because this is a really important issue for a lot of their constituents and they would like to be able to represent them in person. Okay.

00:54:01:18 - 00:54:02:03

Thank you.

00:54:03:24 - 00:54:06:01

Are there any other comments in relation to this matter?

00:54:08:25 - 00:54:12:20

So. Okay. I'll hand over to Mr. Jackson for agenda item six.

00:54:12:27 - 00:54:45:12

Thank you. I've got before open the floor to to your good sales case in case you have any other matters you wish to raise. There's just one other matter we want to raise, which is a procedural decision as to how revised documents should be submitted when submitting an amended document to the examination. It should be provided in two formats firstly, clean and secondly, with tract change from the last submitted version of the document. That's to to allow easy interrogation of the changes made.

00:54:45:23 - 00:55:18:29

Um should a document be replaced. And occasionally it may be that you just withdraw a whole document and submit a new one. That does sometimes happen. Then that should be made clear along with an explanation of the changes as part of a frontispiece to that replacement document. The replacement document should only be substituted when submitted. When absolutely necessary and

with amended documents preferred. Hope that's clear. When drawings are amended, then these should include on the face of the drawing.

00:55:19:10 - 00:55:34:01

The change in revision number and an explanation of the change. Should this be too extensive to provide on the drawing itself, then the amendments should be set out in an accompanying document.

00:55:38:17 - 00:56:09:10

So this only obviously relates to revised versions of documents. Thus, if you're commenting, if you're making comment on a new or revised documents, please keep your comments to those relating to the new or or revisions not on what has already been submitted. And that hasn't changed. Um, you don't and you do not need to resubmit previous submissions on matters where you have already made representations. Once is sufficient, we will have them. Thank you very much.

00:56:09:12 - 00:56:40:20

Okay. I have any any matters to no more other matters to raise. So this is your final opportunity here to raise any pertinent matters that you would like to address under any other business. Um, we did have one, I think, from a miss Sharon Scott, which was further request to visit Junction 21 a at a time different from when we did it. It is, as I say, our intention to do to, to do some further unaccompanied site inspections.

00:56:40:22 - 00:57:02:12

And we are and we will take those sort of comments into into account of an as part of we are giving you the opportunity to make suggestions for places to us to go. So if if something is time critical as to when we visit it, then please make that clear. Thank you. Yes, gentlemen. Thank you. David Bill Burbage Parish Council.

00:57:03:01 - 00:57:03:16

Um.

00:57:04:05 - 00:57:37:26

Just to reiterate what Terry said earlier. Terry Richardson, on behalf of Blaby, was speaking for all elected members effectively, but could raise a specific point which has been not been touched this morning, and that is the actual state of the road network in Leicestershire. Unfortunately, we now have we can now see accidents occurring on the M1. Well, it seems every every few days, the whole the whole system just stops because of yet another collision.

00:57:37:28 - 00:57:39:14

So really, could you could you.

00:57:39:16 - 00:57:43:26

Possibly break the mic slightly closer to your. I'm getting messages. You're not being picked.

00:57:43:28 - 00:58:15:07

Up at some point during this proceedings. What provision has been made for how 50,000 vehicles in and out of this site will cope when neither the M1, the M60 nine or the A5 or the A47 grinds to a halt? This is not a theoretical to it, it's a statistical matter. If you look it up, you will see that the road network grinds to a halt roughly roughly once a week.

00:58:15:21 - 00:58:16:06

Thank you.

00:58:26:00 - 00:58:28:26

Does anybody else have anything else they want to raise?

00:58:31:07 - 00:58:32:16

Sorry. Yes. Sorry.

00:58:32:25 - 00:58:39:16

Apologies. There was one matter I meant to raise under item five, but it slipped through my check, which was

00:58:41:02 - 00:59:08:22

as part of our response to the Rule six letter, we included an annex which set out a template form for the stages of negotiations and compulsory acquisition schedule. Um, that's one that's been used on other projects, most notably West Midlands Rail Freight Interchange. And we just wanted to confirm with you that that would give you all of the information that you needed if we followed a similar format.

00:59:11:15 - 00:59:12:05

I wrote a note

00:59:14:16 - 00:59:47:22

to tell you how I found it generally. Okay, but could you please make clear insofar as whether it is CAA or with rights columns six and seven are not entirely clear on which of those three designations it would be and that would be that would be particularly useful to us. But in general terms, yes, it's just columns six and seven. If they make sure which of say, for members of the public compulsory acquisition temporary possession seek temporary possession with rights

00:59:50:16 - 00:59:51:14

adequate. Yes.

00:59:52:08 - 01:00:05:02

Okay. Debra Cooper resident didn't I don't know if I missed it, but I didn't hear the response as to when the applicant would provide all the highway information that's required that's missing.

01:00:05:25 - 01:00:52:26

The applicant has submitted some information in the last 24 hours, which we haven't looked at at all. So I don't know what it is, but it is. The point is, it is for the applicant to put in the information that they feel is sufficient to allow the Secretary of State to grant such a to grant development consent. So the risk lies if the comments that are made by any interested party show that that information is deficient, then that would clearly have to go into our report to the secretary of state and they would the applicant runs the risk that the secretary may say that it was deficient and thus refused development consent on that reason.

01:00:52:28 - 01:01:29:29

It's a matter for the secretary of State at the end of the day. But we will look very carefully. It's at the applicant at the information submitted. We will it's the applicants risk that they don't put information in that is sufficient to allow the application to be granted. It is there. It is at their risk in that regard. So they have submitted some information, some information yesterday. I'm not sure what it does and how much of it is transport related and how much isn't. That couldn't tell you. Um, but so and there will be questions that we will be asking throughout the examination to make sure that we have the information that we need as best we are able.

01:01:30:01 - 01:01:36:22

But in the end of the day, if our conclusion is we haven't got sufficient information, then the recommendation will have to take that into account.

01:01:44:17 - 01:02:15:03

Hello, Becky Roper Parish Council. It's just a point to add into the timetable. There's been a few areas of confusion and I say errors included in some of the material that's been read during consultation and application. For example, there's a lot of confusion surrounding the 1.6 billion miles that it has been widely promoted will be removed from the roads, which just we cannot work out at open floor hearings.

01:02:15:05 - 01:02:21:26

Will it be made a priority to or not a priority, but an opportunity to clear up some of these confusions, please.

01:02:22:27 - 01:02:39:25

An open floor hearing allows anybody who is pre-registered should be an interested party, but anybody's pretty as a to come and say their piece on their information on what they feel there will be time limits depending on how many people want to come and speak.

01:02:41:15 - 01:03:13:00

It is it is then the the applicant will have the opportunity, not necessarily there and then but they will normally attend. If not, they'll be on watching online and they will be able to make representations on the points that are raised in in those in that open floor hearing. You may not hear the response at the open floor hearing, but it would follow up at a subsequent deadline when they have the opportunity to put information to us. As was previously been said, this is predominantly a written process rather than an oral process.

01:03:13:02 - 01:03:43:16

So please putting so the applicant's response in writing, explaining if you've raised a query, where did that come from then? Would they? If they assume they chose to answer at that point, they would. You would you would get it just not there. And then but the the opportunity at the open floor hearing is to allow people who have registered through making relevant representation to make to say Intel must tell us what they feel about the proposal.

01:03:48:16 - 01:03:49:25

Do anybody else.

01:03:51:10 - 01:03:51:25

In which.

01:03:51:27 - 01:03:52:12

Case.

01:03:52:28 - 01:04:25:00

Lack think completes our business for today. In which case, thank you, everybody, for your patience and participation today. The next session is tomorrow morning here in this room at 10 a.m. for the issue specific hearing on project definition and the draft development consent order. The arrangements conference like today will be at 9:30 a.m.. In the meantime, while it is for me to formally close this preliminary meeting, and I look forward to seeing some of you here again tomorrow.

01:04:25:05 - 01:04:25:29

Thank you.

