

**Application by Tritax Symmetry (Hinckley) Limited for an Order granting  
Development Consent for the Hinckley National Rail Freight Interchange**

**Written representations submitted on behalf of Network Rail  
Infrastructure Limited**

**Planning Inspectorate Reference Number: TR050007**

## **1. Introduction**

- 1.1 This written representation is submitted on behalf of Network Rail Infrastructure Limited (**Network Rail**) in response to the application by Tritax Symmetry (Hinckley) Limited (**Tritax**) for the Hinckley National Rail Freight Interchange DCO (the **DCO**).
- 1.2 Broadly speaking, the proposals intend to enhance the capability of the strategic rail freight network to support, *inter alia*, the movement of longer and heavier freight trains to maximise the delivery of freight by rail and minimise it by road. Network Rail is, therefore, satisfied that the proposal will support rail industry targets for intermodal rail freight growth and facilitate the delivery of a freight modal shift from road to rail.
- 1.3 However, Network Rail is still in the process of assessing how the works to be authorised by the DCO may create operational and safety issues and reserves its position to make further representations if required.
- 1.4 Further, Network Rail objects to any compulsory acquisition of its operational land or rights over operational railway land and its assets or extinguishment of the rights held by Network Rail over operation railway land or any of its assets. Network Rail also objects to the seeking of powers to carry out works in the vicinity of the operational railway without first securing appropriate protections for Network Rail's statutory undertaking.
- 1.5 Network Rail is continuing to discuss with Tritax arrangements to ensure that the proposed development can be carried out while safeguarding Network Rail's undertaking. Any agreed arrangements are subject to the outcome of Network Rail's internal clearance process which is detailed in section 2 below.
- 1.6 In addition, Network Rail reserves the right to request Tritax to enter into any property agreements which may be required following the clearance process. This, for example, may include a deed of easement, licence to carry out works, and/or conveyancing documents for the acquisition of land.
- 1.7 In order to ensure that its interests are protected, Network Rail requests the examining authority recommend that Network Rail's standard form of protective provisions are included in the DCO.

## **2. Network Rail Clearance**

- 2.1 Clearance is a two-stage process by which Network Rail's technical and asset protection engineers review a proposal before clearance can be granted for a proposal to proceed. Clearance may be granted subject to conditions and requirements.
- 2.2 Network Rail is in the process of applying for clearance. Until the outcome of the clearance process is known, Network Rail is unable to comment fully on the impact of the proposals on its operational railway.
- 2.3 Network Rail intends to keep the Examining Authority informed regarding the clearance process at the relevant examination deadlines.

## **3. Level Crossings**

- 3.1 Negotiations are continuing to progress between Network Rail and Tritax in relation to all of the level crossings that may be affected by the DCO.
- 3.2 By way of update, Network Rail has now confirmed with Tritax that the existing mitigation measures for the following level crossings are sufficient for managing any additional risk introduced by the introduction of Hinckley SFRI:
  - 3.2.1 Jericho (Hinckley, NGR 441802/293051-ELR WNS 3 miles 684 yds)
  - 3.2.2 Holts (Potters Marston, NGR 449961/295736 - ELR WNS 8 miles 1703 yds)
  - 3.2.3 Padge Hall Farm (Stretton Baskerville, Warwickshire NGR 440124/292533 ELR WNS 2 miles 532 yds)

3.3 As such, closure of the above level crossings is not required to allow the proposed development to go ahead nor will the development necessitate additional mitigation.

3.4 Network Rail will provide the Examining Authority with further updates as and when a position is agreed with respect to the other level crossings.

#### **4. Issue Specific Hearing**

4.1 In accordance with the Examining Authority's request for Deadline 1, we hereby request on behalf of Network Rail, for the opportunity to be heard at the Issue Specific Hearing which is scheduled to take place on 31<sup>st</sup> October 2023 and the Compulsory Acquisition Hearing which is scheduled to take place on 2<sup>nd</sup> November 2023.

**Dentons UK and Middle East LLP**

10 October 2023