



HOUSE OF COMMONS  
LONDON SW1A 0AA

Mr. Robert Jackson  
Lead Member of the Examining Authority  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

13 November 2023

Dear Mr Jackson

**Re: Hinckley National Rail Freight Interchange**

**Written Statement of Oral Case made at OFH2**

You are tasked with determining whether the national benefits of this construction project outweigh its negative impacts on the local community.

I pose a fundamental question: how can you, the decision-making body, pass judgment when the very statutory bodies it relies on are themselves unable to do so due to insufficient information provided by the applicant?

I have heard some say the applicant is bungling, others say it is bullying. As a Member of Parliament, my role is to raise concerns shared with me by various stakeholders about the process and the impending decision.

I put to you, that through the applicants' actions, or lack thereof, **you cannot, and must not recommend this application.**

In the next few minutes, as stated in my Joint Written Representation with Alberto Costa MP (10.10.2023), I will raise with you

1. My constituents' concerns,
2. The issues that have been raised with me,
3. Most critically, the significant shortcomings in the process.

**Many in my area feel this is being done to them, rather than with them** – but why is that?

Let's look back to the public consultation process carried out by the applicant.

There were so many complaints shared with me, that I had to formally raise this with the developer, Tritax Symmetry.

These issues included, but are not limited to:

1. Venues being too small in size, resulting in long queues outside.
2. Significant concerns raised regarding the potential spread of COVID-19.
3. Due to a high number of attendees, some residents were unable to properly view the exhibition panels and there were an insufficient number of documents available to read.
4. Inadequate information for attendees regarding the proposal's impact on air pollution and traffic flow.
5. Some exhibitors were alleged to have adopted a passive-aggressive approach towards residents.

My constituents went looking for information to make an informed opinion on this application, yet left angry, upset and none the wiser.

The key concerns that many residents want addressing are the impact of the proposal on our environment and infrastructure.

Firstly, **the environment and our much-loved Burbage Common**, which is a designated Site of Special Scientific Interest (SSSI).

Leicestershire County Council have informed me that there is not a sufficient lighting plan which mitigates the impact of the proposal on wildlife in the Common.

Further still, key environmental policies such as;

- The Net Zero Leicestershire Strategy and Action Plan
- Roadmap Research Evidence Base
- Leicestershire Climate & Nature Pact

... have all not been considered by the developer.

Even the applicant has acknowledged there were **discrepancies in the figures quoted in the Environmental Statement in terms of traffic impacts**.

After all, the developer's Environmental Impact Assessment used the lowest of the three potential employment figures to determine traffic levels. Using these traffic figures to assess associated environmental effects would therefore, underestimate the impact to our community.

According to Leicestershire County Council, with no Statement of Common Ground "*the applicant is relying heavily on the 'Scoping Opinion' for the Environmental Impact Assessment which was agreed with the Planning Inspectorate over two years ago.*"

That leads us onto **infrastructure**; both for the construction and operation of the proposal.

There are concerns constituents have raised with me about the proposed A47 link road – the impact on our sporting facilities but also the A5;

- Midlands Connect have classified the A5 corridor as a “slow and unreliable route”.
- 1/3 of vehicles using the A5 are HGVs.
- The average speed at peak times gets down to 10mph, including at the Junction 1 roundabout which connects the road to the M69.
- The Watling Street bridge, once named “the most bashed bridge in Britain”, is hit every two weeks (on average) which results in a six-hour delay to clear it, causing severe local congestion as people use villages and Hinckley as a rat run.

These are significant impacts on my community.

And I could go on...

Concerns about the environment, infrastructure and service provision during the construction and operational phase are stark and simply not addressed.

Now you have my constituents’ concerns with the applicant, but my role as an MP is to ensure the process is followed. And to do this **I wrote to the statutory bodies one month before the hearing to find out how this was progressing.**

And I was horrified to hear the following...

Rugby Borough Council on 27.9.2023:

- *The Planning Inspectorate has asked for “a Statement of Common Ground to be prepared between the applicant and the Council and discussions with the applicant regarding this, are awaited.”*

Leicester City Council on 2.10.2023:

- *“We are aware the transport assessment has not yet been concluded.”*
- *“The Sustainable Transport Strategy has yet to be agreed by relevant stakeholders.”*

Warwickshire County Council on 28.9.2023:

- *“With regards to the adequacy of the Statement of Common Ground, to date this has not progressed, and we are concerned that this will be done at the last minute.”*
- *“We are also relying on other colleagues to review some of the more recent information submitted”.*
- *“The delay in receiving all of the transport information has impacted on our ability to respond in the relatively short timescales that the DCO Timetable sets out.”*

So it is clear, **the applicant is doing things at the last moment and lacking the information required.**

Let's turn to National Highways on 31.08.2023 and 27.09.2023...

- *“The applicants transport consultant halted pre-application discussions with us and the Local Highways Authorities in Summer 2022,”* going on to say, *“with a number of areas still to be agreed with ourselves and the local highway authorities”*.
- *“National Highways has significant reservations on its ability to fully consider the development proposals whilst substantial amounts of transport information are yet to be submitted or agreed.”*
- At present *“National Highways cannot provide, comment on nor accept the Stage 1 Road Safety Audits”* because *“strategic modelling outputs are outstanding”*.
- *“National Highways also remains concerned with the limited sustainable transport strategy for the development site”*.

They were so concerned that they even wrote to you, the Planning Inspectorate, asking for a delay on this project.

Finally, Leicestershire County Council wrote to me on 20.09.2023:

- *“Noticeably there is no Statement of Common Ground for transportation and highways, there are a number of items/issues (for example air quality and noise pollution) which are likely to be impacted should the requested missing information be submitted.”*

But I also note the Council have also written directly to you, the Planning Inspectorate, about concerns about missing information and time to fully assess new information submitted:

- *“Assuming the deadline of 5th September allows for submission of updated information, even if that information is only amended drawings, the subsequent deadline of 10th October for submission of Written Representations and Local Impact Reports would not allow sufficient time to give due consideration of additional information.”*

It should be noted, that Statements of Common Ground were only published on the 27<sup>th</sup> October.

I could go on, but in closing and given everything you have heard:

Can you be 100% sure, this applicant did everything it could to work with all parties involved?

Can you be 100% sure, that every single concern raised by the statutory bodies has been addressed in a timely manner and is built on solid and robust evidence?

Can you be 100% sure, that the national benefit of this Rail Freight Interchange fully outweighs the horrific impact it will have on my local community both in its build and operation?

If the answer is ‘no’, then **you must recommend this application does not go ahead.**

Yours sincerely,



Dr Luke Evans  
**Member of Parliament for Bosworth**

**ANNEX – correspondence referenced above**

**From:** Leicestershire County Council  
**When:** 20.09.2023

Good morning Luke,

Please find attached a copy of the Relevant Representation and our response to the ‘Rule 6’ letter which sets out our concerns regarding the HNRFI application. My only caveat is that Tritax submitted further representations/information on the 11<sup>th</sup> September which we are currently reviewing which may (but is unlikely) to address some of our concerns.

Various Statements of Common Ground are in circulation but most noticeably there is no SOCG for transportation and highways, there are a number of items/issues (for example air quality and noise pollution) which are likely to be impacted should the requested missing information be submitted. At the moment the applicant is relying heavily on the ‘Scoping Opinion’ agreed with PINs for the Environmental Impact Assessment, which was agreed over 2 years ago, to deflect requests for clarification or additional information.

We are currently drafting our Local Impact Report and Written Representation and I will happily forward copies onto you in due course.

In the meantime should you wish to discuss this matter further please do not hesitate to contact me.

Kind regards,

Planning and Natural Environment

**From:** National Highways  
**When:** 27.09.2023

Dear Luke,

Thank you for email dated the 20 September 2023 regarding the Hinckley National Rail Freight Interchange and clarification over National Highways position. We have now been able to fully consider your request and provide the following information.

**1. Whether National Highways have any outstanding information still required**

## **about this project?**

National Highways submitted a letter to the Examining Authority, dated 31 August 2023, which set out the outstanding information which we required to consider the development proposals as submitted by Tritax Symmetry. These have been summarised below.

We have identified that the applicants have submitted the DCO with a supporting environmental statement in which traffic and transport are considered in Chapter 8 alongside supporting appendices. However, it has also been acknowledged that the submission is not complete as stated at paragraph 2.26 of the supporting transport assessment (Appendix 8.1) as follows:

*‘The following documents are not complete at this stage and an addendum to the TA will be prepared in due course to cover the resultant modelling and mitigation package agreement in them.*

- *Final Transport Assessment*
- *Traffic Modelling WCC Rural Rugby Model Reports*
- *Stage 1 Road Safety Audits and Audit Response.*

National Highways has subsequently received further information, including the WCC Rural Rugby Areas Model Reports, separately outside of the DCO process. These were provided alongside additional information on the 11 August 2023, which included

- WCC Rural Rugby Area Model Reports
- Traffic Surveys
- Junction Impact Capacity Models.

At present National Highways are unable to provide comments on the design drawings nor accept the Stage 1 Road Safety Audit briefs, as understanding and agreement of the strategic modelling outputs is outstanding. This is because core elements of the modelling methodology are having to be revisited by the applicants consultants and we expect the applicants to provide further submissions at deadline 1.

We also remain concerned regarding the limited sustainable transport strategy for the development site, which therefore does not accord with the requirements of the National Policy Statement – National Networks, Department of Transport Circular 01/2022 Strategic Road Network and delivery of sustainable development and the National Planning Policy Framework.

For further information we have attached our submission, dated 31 August 2023 to the Examining Authority to this letter.

## **2. Whether you have had any concerns in the process of gathering information?**

National Highways proactively engaged with pre-application discussions with the applicants and their consultants, alongside Leicester City Council, Leicestershire County Council, and Warwickshire County Council as the respective Local Highway Authorities.



During these discussions we set out our requirements for the need for clear and robust evidence to support their development proposals and agreement on the strategic transport models to be utilised and scenarios to be tested.

The applicants transport consultant halted pre-application discussions with us and the Local Highways Authorities in the Summer 2022. Subsequently we have had limited meetings and have only received the information which has been presented to the Examining Authority.

Through the Development Consent Order process, it is for the applicants to determine whether they have the relevant information for the application to be submitted for consideration by the Planning Inspectorate, in its capacity as the Examining Authority. National Highways are now in the process of preparing our submissions for deadline 1 on the 10 October 2023 in preparation for the Issue Specific Hearing on Traffic and Transportation on the 31 October 2023. These submissions will clearly set out National Highways position regarding the traffic implications for the development on the SRN.

Yours sincerely,

Planning

**From:** Rugby Borough Council

**When:** 27.09.2023

Thank you for your e-mail of 20 September 2023 regarding the above.

Rugby Borough Council are aware of the proposals and have been consulted by both the applicants and the Planning Inspectorate at various stages of the application process. In addition, a Council officer attended the Issue Specific Hearing 1 on 13 September 2023.

The Planning Inspectorate have indicated that they would like a Statement of Common Ground to be prepared between the applicant and the Council and discussions with the applicant regarding this are awaited.

The Council were initially concerned about potential highway impacts within Rugby Borough and are aware this is to be considered at the Issue Specific Hearing on Traffic and Transport and with the relevant technical consultees, Warwickshire County Council and National Highways.

I trust that the above is of assistance but please do not hesitate to contact me should you have any further queries.

Yours sincerely,

Growth and Investment

**From:** Warwickshire County Council

**When:** 28.09.2023

Dear Dr Evans,

Further to your email below, and the responses already submitted to PINS, you will be aware that the Local Highway Authority (Warwickshire, Leicestershire and National Highways) made Relevant Representations as there was modelling information not included in the

Transport Assessment originally submitted. This was subsequently submitted to PINS on the 7th September 2023 (AS-024 Rugby Rural Area Modelling). We are currently in the process of reviewing that information and will make our comments in our Written Representation - however we would have preferred that the PRTM outputs had been agreed with Leicestershire and National Highways, in advance, so that the inputs that have been used in the Rugby Rural Area Modelling were agreed to be fit for purpose. Unfortunately this is not the position we are currently in.

We received a Highways Position Statement Technical Note (TN) from BWB on 7th August 2023, which responded to the various LHA's Relevant Representation comments, and we will be formally responding to this. However, prior to and following receipt of this TN we had requested that VISSIM modelling be undertaken of the A5/Gibbet Hill junction and A5 Longshoot-Dodwells junctions using the existing National Highways models. We are waiting to see if this is carried out and submitted to PINS, and will either make comments on that work if submitted or raise this again in our Written Representations.

We are also relying on other colleagues to review some of the more recent information submitted, and we will be discussing matters such as passenger rail capacity; public transport proposals for future employees and a HGV routing strategy and will include any relevant comments within our Written Representation and/or Local Impact Report.

With regards to the adequacy of the Statement of Common Ground, to date this has not progressed, and we are concerned that this will be done at the last minute. However this is something that the Applicant is required to lead on, so we will do our best to make ourselves available to progress this when approached, however as with all Local Authorities, we have a significant workload that we are constantly re-prioritising in response to requests from statutory consultees (including other appeals and DCO's), residents, Members, and other consultation requests.

The delay in receiving all of the transport information has impacted on our ability to respond in the relatively short timescales that the DCO Timetable sets out, particularly with very high workloads we currently have responding to other planning applications and major schemes development.

Kind Regards,

Planning and Highways Development

**From:** Leicester City Council

**When:** 02.10.2023

Dear Dr Evans,

Thank you for your enquiry. Leicester City Council is aware of the proposed Hinckley National Rail Freight Interchange proposals. Since 2018, the City Council, as Local Highway Authority, has been part of the Transport Working Group for the proposed Hinckley National Rail Freight Interchange development, along with other stakeholders such local highway authorities and relevant planning authorities.

We are aware the transport assessment has not yet been concluded. Whilst the proposed mitigation is limited because of the relative distance of the development from Leicester and the nature of its likely impacts, the emerging proposals appear to be proportionate to the anticipated highway impacts. There are proposals to extend the operating hours of the existing X6 bus service from Leicester to Hinckley to cover the 6am and 10pm shifts, with a possibility of additional capacity during the day. However, we do not expect the envisaged



highway impacts to differ significantly from those identified in the initial transport assessment.

The City Council has no outstanding information required for the project but is aware that the Sustainable Transport Strategy has yet to be agreed by relevant stakeholders.

The City Council submitted a response to the Development Consent Order public consultation in 2022 and to the Adequacy of Consultation earlier in 2023, and officers attended the pre-examination meeting on 12 September 2023. As part of the planning information, released by PINS, in August 2023, the City Council has been listed as a statutory authority but was not listed as an interested party. We were also omitted from the list of authorities with whom the applicant is required to enter into a Statement of Common Ground (SoCG). The City Council is preparing a Written Representation to retain the right to be represented as an Interested Party at the Examination and to be included as party to a SoCG.

Kind regards,

Transport Strategy