

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

Applicant's response to Deadline 6 Submissions [part 2 - HBBC]

Document reference: 18.20

Revision: 01

27 February 2024

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations
2009 Regulation 5(2)(q)

Hinckley & Bosworth Borough Council

Interested Party Reference Number: 20039546

Deadline 6 Submission:

- REP5 – 009:ES Appendix 8.1 Transport Assessment [Part 15 of 20] Sustainable Transport Strategy and Plan Document Ref 6.2.8.1C Revision 01
- REP5 – 013:ES Appendix 8.2 Framework Site Wide Travel Plan Report Document reference: 6.2.8.2C Revision 07
- REP5 – 020 & 021:DCO Obligation S106 Agreement Document reference: 9.1BRevision: 01 & Unilateral Undertaking Document reference 9.2
- REP5 – 023:HGV Route Management Plan & Strategy Document reference: 17.4C Revision: 12

Document and Section Reference	Hinckley & Bosworth Borough Council Response	Applicant's Response
	Note that the revision number of the doc appears to be 1, although the previous version was rev 6 dated 9th January 2024?	This is a typographical error.
1.6	The applicant refers to a modal shift of 75% to 60% single car occupancy. The Council believes that this '75%' is an incorrect starting point, and is based on essentially a rural area, not a new 8,000+ employee rail freight interchange in very close proximity to 50,000 residents in Hinckley. As stated, the correct baseline should be no more than 60%, which was the first year achieved at East Midlands Gateway (EMG) and the future target should be 47% as achieved at EMG on average over the first 5 years.	The 75% figure is from a verifiable census evidence base for the MSOA. This also aligns with other SRFIs. A starting point of 60% is unrealistic, this is the target after 10 years and this is clearly stated within the document. EMG target at DCO submission was 74%. It should also be pointed out that the 'car drivers' and 'passengers' are quantified within the STS (document reference: 6.2.8.1E) to align with census statistics. Therefore, to compare directly EMG figures would not be 47% but more likely to be 60% as car sharers account for 25% of users therefore circa 12-13% of these users will be driving assuming occupancy of 2 people per vehicle.
1.9	<p>The applicant states that <i>'The STS satisfies National policy for sustainable travel without these additional enhancements'</i>. The applicant implies that walking and cycling are not important to the STS. The Council considers this to be unlikely given that there are 70,000 people in the borough (Hinckley, Earl Shilton and Barwell) living within a very easy cycling distance of the site and in terms of national policy it</p> <p>1-----</p> <p>vital to ensure there are very good walking and cycle connections to them. As noted in previous Council submissions, without enhancements the site has no safe cycling links to most of the nearby population. The NPS for National Networks paragraphs 3.15 to 3.17 set out the importance of walking and cycling links, and the Council has noted in its submission at Deadline 5 that the <i>'reasonable endeavours'</i> (para 3.17 of the NPS) must take into account the location, and scale of the proposed development. The Council contends that enhancing these links are <i>'fairly and reasonably related in scale and kind to the development'</i></p>	<p>It is a travesty of the understanding of the provisions of the STS for the Council to claim that <i>'the Applicant implies that walking and cycling are not important to the STS.'</i> That is not the case. Rather the Applicant has emphasised that a more sustainable modal shift away from single occupancy motor vehicles will be achieved through measures to promote car sharing and public transport services.</p> <p>The enhancements are clearly included within the table of commitments. Cycling and walking provision are incorporated within all the infrastructure provided as part of HNRFI. These new links (including over 2km of new footway cycle way on the A47 Link Road) connect with the existing Hinckley cycle network and therefore reasonable endeavours have been taken. The enhancements put forward, further improve connectivity to the most populated areas within the 5km recommended cycle catchments including Hinckley, Barwell and Earl Shilton.</p> <p>The STS (document reference: 6.2.8.1E) overall appropriately responds to the national guidance set out at paragraph 3.17 of the NPS-NN. Reasonable endeavours have been achieved in the context of the particular location of HNRFI within a rural area outside the confines of existing settlement. A pragmatic planning balance has to be undertaken set against the fundamental locational requirements for a SFRI, namely:</p> <ul style="list-style-type: none"> – A large site in excess of 60 hectares – Good rail access, and good road access <p>At no stage during the planning process for HNRFI spanning many years, has any local authority identified an alternative site where it is suggested that the locational requirements for a SRFI in Leicestershire could be met – and the opportunity for walking and cycling thereto would be significantly greater than the provisions for HNRFI – which is locationally proximate to the large resident population within Hinckley, Earl Shilton, and Barwell.</p>

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Table 1 STS Commitments	<p>2. Bus-- Leicester to Coventry – the commitment does not make the proposed bus frequency and timings clear – an ‘<i>additional 7 hours of service</i>’ still raises uncertainty as to whether these services will be adequate to meet demand and it lacks detail on where the service is intended to stop within the vicinity of the site – Hinckley, Earl Shilton, Barwell etc. The commitment should provide more detailed information on how many buses per hour in each direction will serve the site, at what times and the route of the service including stops to access the ‘coverage’ of the service. There is no commitment to subsidy for travellers, and no indication of current patronage and capacity and whether the new passengers could be accommodated on the service.</p>	<p>The sustainable transport commitments set out in Table 1 of the Sustainable Transport Strategy (document reference: 6.2.8.1E) states that the Leicester to Coventry bus service will operate seven days a week Monday to Sunday.</p> <p>A bus interchange will be constructed on the A47 link road, the bus will come in at one side to let passengers on or off the bus and the other side of the bus interchange will accommodate the internal site shuttle bus which will collect and drop off passengers at the bus interchange to allow them change to the external bus services.</p> <p>The commitment confirms that the buses will respond to shift changes of 6am, 2pm, 10pm, the bus will also cover standard office hours. The bus operator has determined for the purposes of costing the service to the Applicant that the bus service will equate to 7 hours per day of bus usage.</p> <p>The initial bus service will be one bus per hour, this will be reviewed annually with buses increasing to meet demand as the development is built out.</p> <p>Subsidies are clearly stated in the STS (document reference: 6.2.8.1E), and HBBC refer to these in point 5 below.</p>
	<p>3. Bus-- Hinckley/Nuneaton– the same comments apply here as above.</p>	<p>Noted, please refer to the Applicant's response to point 2 above.</p>
	<p>4. DRT – the service is not defined in terms of a Level of Service and still lacks certainty; without this the ‘commitment’ given is cannot be relied upon as the availability, wait time and journey time for users is not defined at all. At peak shift change times the service could be under pressure as multiple employees from different locations could request a trip and not be given one, or given one at an inappropriate time, there are multiple locations from which they may come served by one DRT bus - without a committed and monitored level of service the Council considers the service is highly unlikely to be effective.</p> <p>In the Council's deadline 5 submission we reported on the level of bus services at East Midlands Gateway (EMG) and how the HRNFI Plans fell far short of this, and suggested how these should be enhanced. The majority of these points have not been addressed in these proposals. The applicant cannot expect to deliver an ‘EMG level of change’ without these enhancements.</p>	<p>The DRT commitment is included within the DL6 STS update (Table 1). As per our response to Deadline 5 Response (document reference: 18.19, REP6-019).</p> <p>DRT Service and public services will be increased in line with the on-site staff as per the approach set out within the STS (document reference: 6.2.8.1E). As per the commitments table, Table 1 of the STS (document reference 6.2.8.1E), , this is to be reviewed on an annual basis. There is a memorandum of understanding with the DRT delivery, company, Arriva as the public bus operator and the Applicant. The site will populate over a long time, so it is critical for monitoring to identify suitable provision.</p> <p>It needs to be clearly stated that the STS (document reference: 6.2.8.1E) presents a fully integrated approach to achieving mode shift targets. Public Transport provision is aligned with other SRFIs and the mode shift is not expecting a EMG level of change in buses alone, but a blend of public transport, DRT, cycling and car share. The EMG bus mode share is 24%, HRNFI target is 15%.</p>
	<p>5. Free 6-month bus pass – the Council considers that this should also be extended to users of the DRT services, particularly as the cost of these services is usually high. It is not clear what ‘first employees’ means and exactly how this eligibility criteria will be used. The Council suggests that it would be simpler and fairer if this offer were made available for example to a any employee during the first year of occupation of each unit. The measure should also be reviewed annually as part of monitoring and extended by Travel Plan Steering Group as required. It should also be clarified that where in the framework travel plan or sustainable transport strategy reference is made to employees then that reference must be construed as including all persons attending the authorised development as their usual place of work and is not to be confined solely to persons who are directly employed by an occupier of the authorised development.</p>	<p>Bus fares are covered within the STS Commitments table updated at Deadline 7 (document reference: 6.2.8.1E). The DRT is to be subsidised by the Applicant in the opening years of operation as set out in the STS.</p> <p>Employees at each unit will be able to apply for a 6-month free bus pass within 6 months following occupation of the relevant building for the public bus services (currently the X6 and No 8 bus services) through the travel plan coordinator who will promote the availability of bus passes to new employees.</p> <p>Consequently, the Site Wide Travel Plan Coordinator will promote the availability of these passes and any other local or national discount schemes intended to encourage travel by public transport.</p> <p>The free 6 month Bus Pass will be offered to Employees to work at each building for a period of 6 months following occupation of the relevant building</p>

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		This is the standard provision requested by Leicestershire County Council and the wording of the commitment for bus passes has been provided by LCC.
	6. Car sharing – It is unclear whether this will be an HRNFI-focused app, or just enables the ability to log into some wider county/national app. It should also be made clear that it will be free to users.	A commitment to the provision of a car sharing app / website has always been included within the STS (document reference: 6.2.8.1E). Targets are realistic and based on feedback from car sharing platform providers. The app/website will be bespoke for HNRFI, though it will have the option to be used more widely in the Hinckley area and will be free to use.
	7. Cycling facilities – The Council suggests that it is made clear that cycle parking, ebike charging and showers/changing facilities will be provided in accordance with LCC and local planning authority standards	See commitments within the Deadline 7 STS (document reference: 6.2.8.1E).
	10. A47 footway/cycleway There is a reference to 'further connections will be included as Estate road' – the Council requests that this be clarified; will this mean cyclists using the estate roads with other traffic or some form of shared/segregated safe facility	Estate roads will have footway/cycleways separate from the main carriageway. This is clear from the plans submitted with the Geometric Design Strategy Record (document reference: 2.29B, REP5-004)
	<p>10-13 proposed cycle enhancements – HBBC have already commented at Deadline 5 on the shortcomings of these proposals and recommended requirements. These facilities should be provided before first occupation as stated at Deadline 5.</p> <p>Missing commitments</p> <p>There is no commitment to a shuttle bus between the bus stops and site as indicated in previous documents; this should be added and specified in terms of frequency, route, capacity etc.</p> <p>There should be a commitment to provision, monitoring and management of car parking to accord with the objectives and outcomes required from the Sustainable Travel Strategy and Framework Travel Plan.</p> <p>A further commitment should be provided on the Travel Plan Steering Group, making it clear the composition, protocol and frequency of meetings, role and decision-making etc. – the Council has set out in the comments on the Framework Travel Plan recommendations on these issues, and the STS should be amended to refer to this.</p> <p>Another major point is that there is no commitment to the targets for the plans and what will be done should these targets not be achieved ; the applicant referred to funding being set aside for further measures at Deadline 5, but this now no longer seems to be referred to. It is the Council's view that (1) a commitment to targets should be included (2) these targets should be appropriate, as noted in other Council comments and (3) there should be funding set aside or able to be provided from the applicant should the plans not be achieving the targets.</p>	<p>Noted and commented upon in Deadline 5 Review (document reference: 18.19)</p> <p>This was rectified in the Deadline 6 (document reference: 6.2.8.1D, REP6-005) submission and is included within the updated table of commitments. A shuttle bus will be present on site during operational hours and will coincide with public bus arrivals at the interchange. The STS provides further details on how this will operate initially and once the site becomes more fully occupied.</p> <p>The Framework Site Wide Travel Plan (document reference: 6.2.8.2D) includes a car park management provision within the Measures and Incentives Paragraph 7.31.</p> <p>The requirement within the DCO for the Framework Site Wide Travel Plan secures the set up of a Travel Plan Steering Group. The Applicant's view is that the details on composition and protocol are better agreed post decision. Frequency is committed as being annual.</p> <p>The STS (document reference: 6.2.8.1E) as a document secures the commitments within it, this includes the mode shift targets within the report. The monitoring of the targets on an annual basis and mechanisms to manage them should targets be missed are embedded within the commitments in Table 1. The mentioned in reply to 1.6 the targets are appropriate and realistic. The deadline 7 update to the STS sets out the modal shift target as the first commitment of the strategy (document reference 6.2.8.1E).</p>
5.22	The Council does not consider that it is correct to say that 'The modal shift targets for single occupancy car trips align with ... EMG'; as noted at Deadline 5 by the Council, the actual achieved single car mode share at EMG was 58% in year 1 and 47% on average over the first five years – these are far lower than claimed by the applicant, and the Council has made the point above that these should be corrected.	As per point 1.6 above. The mode share targets are listed out as car drivers and passengers within the STS (document reference: 6.2.8.1E). Therefore, car drivers include an element of car share percentages, which aligns with EMG.
7.13 – and Table 9	Employee bus passes – see comments in relation to item 5 of STS commitments Table1 above. Subsidy should also be given to DRT users.	The DRT is being subsidised in the opening years by the Applicant as set out within the STS (document reference 6.2.8.1E). A memorandum of understanding is in place with the DRT provider.
8.14 and extract plan 2.32	The Council has stated before that the routes shown without enhancement do not demonstrate 'good cycle access to the site' and safe high-quality routes to most of Hinckley are not shown. Consequently enhancements as requested are required	The routes shown on the extract plan referenced to the north of the development link to off road facilities along the B4668 and A47 and on to Hinckley, Barwell and Earl Shilton via routes shown on the <i>Choose How You Move</i> interactive cycling maps for the area (extract below).

Document and Section Reference	Hinckley & Bosworth Borough Council Response	Applicant's Response
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The routes to the south of the development link to the B4669 and on the Burbage. Enhancements to these routes have been identified through the STS (document reference: 6.2.8.1E) and those to be delivered will provide a better link to Burbage and the south of Hinckley, including the railway station from the south of the development through provision of off carriageway footway/cycleway and a better link to Barwell and Earl Shilton to the north of the development through provision of a toucan crossing on the A47 and additional off carriageway footway/cycleway. It is important to note that these enhancements are not required to achieve the modal shift set out in the STS (document reference: 6.2.8.1E) and are therefore provided to encourage more people to cycle who otherwise would not do so.

EP5 – 013: ES Appendix 8.2 Framework Site Wide Travel Plan Report Document reference: 6.2.8.2C
Revision:07

General

The comments above in relation to the Sustainable Travel Plan all apply to the Framework Travel Plan, in particular the need for cycling enhancements, the appropriate setting of targets, the lack of clarity and insufficient nature of the bus proposals, the lack of setting out of future funding or actions should targets not be met and the consequences of this.

Please refer to the Applicant's responses to the same matters raised on the STS in the section above.

2.2

The FTP states that it identifies appropriate demand management measures. A reading of the document has failed to identify any such demand management measures. As noted by the ExA at the second Transport oral hearing (and in previous submissions by the Council) , the key demand management measure is parking. If parking is free and plentiful, the effectiveness of other measures to encourage sustainable modes will be very limited. Consequently it is vital that the provision and cost of parking be commensurate with the outcomes desired for the Sustainable Travel Strategy and Framework Travel Plan. This should be dealt with through:

- Monitoring of parking in the Framework Travel Plan
- Full justification of parking numbers in each planning application for phases in the light of the Framework Travel Plan results and outcomes – this should be achieved through an adjustment to Commitment 4 (Detailed design approval' to require item (i) parking by adding 'such parking to be justified in terms of achieving the outcomes of the Sustainable Travel Strategy and Framework Travel Plan'

As per the Applicant's comments in the Deadline 5 Response (document reference 18.19, REP6-019), there needs to be a balance struck between parking provision on site and applying mode shift targets. Reducing car parking numbers can have an adverse impact on the surrounding communities as employees may be tempted to park off-site, this has been a concern raised by local communities pre-submission and during the examination. The Applicant has been able to respond to these concerns by demonstrating the commitment to delivering adequate parking for employees. The Framework Site Wide Travel Plan (document reference: 6.2.8.2D) and the STS (document reference: 6.2.8.1E) clearly set out a proactive and secured approach to managing travel demand to the site using a variety of measures including; active travel, public transport, DRT and incentives.

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8.1	The Council has already commented that the statement that ' <i>many options are already available to cyclists</i> ' does not take into account that safe and high-quality routes are not yet available to link to most of Hinckley, for example many of the routes shown on Figure 5.4 are just limited signs on a road. Consequently, enhancements are still required.	Enhancements link to identified routes illustrated on the Hinckley Cycle Network mapping.
Table 5.2 buses	The Council has commented regarding bus services and subsidised travel in relation to the STS. See Table 1 STS Commitments comments above. These comments apply to many sentences in the FTP, for example in relation to bus services and fares.	As responses above.
8.18	Monitoring should also include traffic and in particular HGVs on the network in and around the borough, including the A47 link road and HGV sensitive streets. Monitoring should also include parking on site.	The HGV Route Plan and Strategy updated at Deadline 7 (document reference: 17.4E) has further detail on ANPR monitoring sensitive routes and mechanism for review of development related prohibited off-site parking.
8.2	<p>Travel Plan Steering Group (TPSG) – there is hardly any detail provided on this group, which will be vital in the success of the sustainable transport measures.</p> <p>The Council has consistently requested that the local planning authorities also be represented on this group. In addition, the Council has noted that the operation of this group needs to be set out much more clearly, with clear actions should measures not be effective. Given that many sustainable transport measures are for the lifetime of the development, this group should similarly be for operational this time.</p> <p>Despite a number of requests the applicant has failed to address this point, and the Council therefore request that the following requirements for the membership and protocol of the Steering Group be added to the Framework Travel Plan as a new appendix with appropriate reference in the main text at 8.2 -</p> <p>Note that reference to this TP Steering group will also need to be included in the HGV strategy and Sustainable Transport Strategy as well.</p>	The requirement within the DCO (document reference: 3.1D) for the Framework Site Wide Travel Plan secures the set up of a Travel Plan Steering Group. The Applicant's view is that the details on composition and protocol are better agreed post decision. Frequency is committed as being annual.
New appendix to the Framework Travel Plan	<p>These requirements are based around those set out in The Northampton Gateway Rail Freight Interchange Order 2019 (30th October 2019) which in Schedule 15 sets out potential requirements for these matters in relation to their Sustainable Travel group , and the Council supports similar provisions.</p> <p>Membership and protocol for the Travel Plan Steering Group</p> <p>1. The Travel Plan Steering Group (TPSG) will comprise representatives of—</p> <p>(a) the undertaker, who will normally take the Chair;</p> <p>(b) the local highway authorities (National Highways, Leicestershire County Council, Warwickshire County Council) ;</p> <p>(c) Hinckley and Bosworth Borough Council and Blaby District Council;</p> <p>(d) interested railway or bus operators (non-voting);</p> <p>(e) travel plan co-ordinators for the individual warehouses (non-voting); and</p> <p>(f) such other interested parties, stakeholders and expert bodies whose attendance members of the STWG may from time to time believe to be beneficial (non-voting), except that if at the time the TPSG constituted or any time thereafter a unitary authority is established then paragraphs (b) and (c) will be replaced by both a highway representative and a planning representative of the unitary authority.</p> <p>2. The role of the TPSG will be—</p> <p>(a) to oversee the delivery of the framework travel plan and related detailed travel plans, the sustainable transport strategy, and the HGV route management plan and strategy all as referred to in the Development Consent Order.;</p> <p>(b) to review the public transport services serving the authorised development in light of levels of usage and timing of provision with the objective of maximising usage as set out in the sustainable transport strategy;</p>	As above, the requirement within the DCO (document reference: 3.1D) for the Framework Site Wide Travel Plan (document reference: 6.2.8.2D) secures the set up of a Travel Plan Steering Group. The Applicant's view is that the details on composition and protocol are better agreed post decision. Frequency is committed as being annual.

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	<p>(c) to decide upon the appropriate disbursement of monies from the funds payable pursuant to the related provisions contained in the development consent obligation.</p> <p>(d) to oversee the work of the Site Wide Travel Plan Coordinator (SWTPC) appointed under the provisions of the framework travel plan, receiving the monitoring and review reports on the performance of the strategies and plans referred to in (a) above and</p> <p>(e) to consider all occupier-specific travel plans submitted pursuant to requirement 8(2) (Travel Plan) and to advise the relevant planning authority on their consistency with, and support for, the agreed measures and targets in the framework travel plan and public transport strategy; and</p> <p>(f) to participate in any reviews of the plans and strategies referred to in (a) above</p> <p>3.—(1) The TPSG will be administered by the undertaker in accordance with the following protocol.</p> <p>(2) Meetings of the TPSG will be convened, administered and serviced by the Site Wide Travel Plan Coordinator appointed under the provisions of the framework travel plan.</p> <p>(3) Meetings will take place at not more than 6 monthly intervals in a venue provided by the undertaker (or such other frequency, place and timing as the TPSG members may subsequently agree upon).</p> <p>(4) Not less than ten clear working days' notice of meetings will be given to all parties accompanied by an agenda and background papers with relevant information for the matters to be considered.</p> <p>(5) All members will have the right to propose an item to be discussed at the meeting under urgent business.</p> <p>(6) A meeting will only be quorate if a representative from both the local highway authority and the undertaker is present.</p> <p>(7) The Site Wide Travel Plan Coordinator must minute each meeting and circulate copies of the minutes as soon as practical to all invited parties. Such minutes, once confirmed at the subsequent meeting, will become a matter of public record, subject to redaction of individual items of commercial or personal confidentiality.</p> <p>(8) The TPSG will at all times be free to consult with other relevant authorities and bodies and will at the election of any member be at liberty to invite persons to attend meetings in a non-voting capacity.</p> <p>4. Decisions of the TPSG are to be taken on a majority vote with each voting member of the TPSG present having a single vote. In the event of a vote causing an impasse, or if any of the voting members disagree with the decision made and wish it to be reviewed, the decision (the "disputed decision") will be reviewed using the decision review mechanism set out in paragraph 5.</p> <p>5.—(1) In the event of any disputed decision of the TPSG being subject to review as provided by paragraph 4 the following protocol applies.</p> <p>(2) The voting members involved in the disputed decision ("the relevant members") will attempt to resolve the matter and reach agreement on the disputed decision if possible, without delay.</p> <p>(3) If the relevant members are unable to resolve the matter within three weeks of the disputed decision having been taken any relevant member may, by serving notice by email and recorded delivery post on all the other relevant members ("the notice"), with a copy to all other members of the TPSG, within fourteen days of the expiry of the three weeks referred to above, or later by agreement between the relevant members, refer the disputed decision to an expert ("the expert") for resolution.</p>	

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	<p>(4) In order to refer the disputed decision to the expert the notice must specify— (a) the nature, basis and brief description of the disputed decision; and (b) the expert proposed.</p> <p>(5) In the event that the relevant members are unable to agree whom should be appointed as the expert within 14 days after the date of the notice then any of the relevant members may request the President of the Law Society to nominate the expert at their joint expense.</p> <p>(6) The expert will be appointed subject to an express requirement that the expert reaches a decision on how the disputed decision is to be resolved and communicates it to the relevant members within the minimum practicable timescale allowing for the process in sub-paragraph (7) and the nature and complexity of the disputed decision and in any event not more than 42 days from the date of the expert's appointment to act.</p> <p>(7) Following appointment the expert will be required to give notice to each of the relevant members inviting each of them to submit to the expert within 21 days written submissions and supporting material on their position in relation to the disputed decision with copies of those submissions and material being provided at the same time to the other relevant members. The expert will afford to each of the relevant members an opportunity to make counter submissions within a further 14 days in respect of any such submission and material.</p> <p>(8) The expert when making the expert's determination shall have regard to the contents of any relevant national planning or transport policy and any relevant transportation policy adopted by the local highway authority and, where relevant, any increase or decrease in the traffic including public transport and travel by other sustainable means arising from the authorised development compared with that presented in the transport assessment or such other assessment, automatic traffic counts or monitoring data as may be supplied by the relevant members.</p> <p>(9) The expert will act as an expert and not as an arbitrator and the expert's decision will (in the absence of manifest error) be final and binding on the relevant members and at whose cost will be at the discretion of the expert or in the event that the expert makes no determination, such costs will be borne by the relevant members in equal shares.</p>	
<p>REP5 – 020 & 021: DCO Obligation S106 Agreement Document reference: 9.1B Revision: 01 & Unilateral Undertaking Document reference 9.2</p>	<p>There appears to be no funding provision in either document for buses, DRT or other sustainable transport measures (apart from the TP monitoring fee). The HGV strategy (commitment 14) refers to £200k of funding for additional measures but this also appears absent from these documents</p>	<p>A signed memorandum of understanding with each operator is in place and a clear commitment to delivery in the STS (document reference: 6.2.8.1E) and requirement 9. Monitoring and review is also a commitment in both the STS and HGV Route Management Plan and Strategy (document reference: 17.4E).</p> <p>A clear review plan is set out within the Framework Site Wide Travel Plan (document reference: 6.2.8.2D) to ensure targets are hit. Reports are required to be submitted to the steering group and plans for service enhancements. The review mechanism secures the requirement for additional services as necessary. A bond is not necessary or reasonable for the provision of sustainable transport commitments. Bonds for highway works are to enable the highway authority to undertake works on the highway network in rare and specific circumstances. The DCO requirement to comply with the STS (document reference: 6.2.8.1E) and Travel Plan are perfectly adequate and reasonable.</p>
<p>REP5 – 023: HGV Route Management Plan & Strategy Document reference: 17.4C Revision: 12</p>	<p>The Council notes the shared concerns of Blaby District Council over the HGV Route Management Plan and the Council supports their comments made in parallel with the Council's responses set out below. Some of the wording of the commitments will also need to be adjusted in light of the more detailed comments on the text below to make these commitments robust.</p>	<p>The Deadline 7 HGV Route Management Plan and Strategy (document reference: 17.4E) has addressed a number of the issues raised previously by HBBC and Blaby District Council.</p>
<p>1 Prohibited routes</p>	<p>The Council notes that the currently proposed prohibited routes does not include the A47. The Council remains concerned that this may result in unwanted HGV traffic leaving the site and travelling west along the A47 link road and then enabling unrestricted access either</p>	<p>The Applicant has amended the HGV Route Management Plan and Strategy and it is submitted at deadline 7 (document reference: 17.4E) to account for sensitive routes to the west of the site including The Common and the B4669 Sapcote Road, Hinckley and the B4668 Leicester Road. As noted in the Applicant's Deadline 5 response (document reference: 18.19), the A47 is a key</p>

Document and Section Reference	Hinckley & Bosworth Borough Council Response	Applicant's Response
	<p>north (to the A47) or south (into Hinckley) along the B4668 junction and this remains a significant concern to the Council.</p> <p>The Council has provided comments at length on the need to include the A47 and the relevant section of the B4668 as a prohibited route; this could be achieved simply by making the section of the A47 link road between the railway line and the B4668 a prohibited route. This will mean that Dd's to and from the site use the desirable routes of the M69 and A5, unless covered by local access or emergency exemption. This is simply achieved through the HGV strategy and should be implemented at first occupation and then reviewed through the Steering Group. The applicant has argued that there will be no impact on the A5 or M69 of their development, meaning that there is no reason why all HGV traffic should not use these roads instead of the B4688 A47.</p>	<p>distributor road around Hinckley. It is identified within Leicestershire's Network Management Plan as a route suitable for HGVs. Most development HGVs are forecast to use the M69, however, there will be a small percentage that will use the A47.</p>
2 Strategic Road incident Plan	<p>It is not clear what this 'live document' created jointly with National Highways is referring to. The Council would like to see it and review it to understand it.</p>	<p>NH are referring to it being subject to frequent updates and amendments depending on local conditions and developments.</p> <p>The HNRFI live document is 17.8.1 Hinckley NRFI Strategic Road Network Incident Plan REP4-115. This document would be live and updated periodically with information from National Highways.</p>
3 Vehicle Booking System	<p>It is not clear what '<i>operators will be contracted</i>' refers to - can the applicant be requested to advise whether this is part of the lease agreements with all occupiers.</p>	<p>The Applicant has amended the HGV Route Management Plan and Strategy to clarify the commitment. Occupational agreements will include a requirement for the occupier to operate an electronic vehicle booking system (VBS) as part of the supply chain management process.</p>
4 Driver Welfare Facilities	<p>This has no indication of the location and scale of facilities to assess whether it has been complied with.</p>	<p>The location and scale of facilities are indicated within the parameters plan n (document reference: 2.12A, REP4-016)</p> <p>The Lorry Park has 104 spaces and facilities for layover.</p>
9 ANPR and Steering Group	<p>Refers to a Steering group, and the Council and Blaby DC are to be included on this group, this is welcome. In comments relating to the FTP above, the Council sets out more suggested detail of the Travel Plan Steering Group (TPSG) and believe that this group could be the Steering Group for the HGV route strategy, the Travel Plan and the Sustainable Transport Strategy, so this should be amended accordingly.</p>	<p>As above</p>
10 Tenancy Agreements	<p>There should be a specific mention of the need not to use prohibited routes in the tenancies; it currently seems to refer more specifically to information advisory routes. The Council has also asked for the HGV strategy to include measures related to off-site parking and this should be included.</p>	<p>The Applicant has clarified in the HGV Route Management Plan and Strategy that occupational agreements will contain obligations to comply with the strategy. Details of restricted parking controls is presented in section 4 of the HGV Route Management Plan and Strategy (document reference 17.4E).</p>
13 HGV levels	<p>The Council has consistently requested that roads in the borough area be properly covered by the HGV strategy.</p> <p>These monitored roads should include the prohibited routes in the borough area including the following: the A47 link road north of the railway line, the B4668 west of the link road , The Common Barwell, Station Road east of the junction with the A47 and the B4469 towards Hinckley west of the Junction 2 of the M69; the B4109 Rugby Road north of J1 of the M69, the B4666 Coventry Road; Ashby road south of the A47.</p>	<p>The Deadline 7 HGV Route Management Plan and Strategy (document reference: 17.4E) includes additional routes as outlined in response to '1. Prohibited Routes', which the Applicant has responded to above.</p>
14 Funding	<p>This funding is welcome, more detail is however required of how this will be managed and it should be subject to TP Steering Group decision on spend – see role of TPSG above.</p>	<p>Noted this is to be agreed with the TPSG should monitoring identify a problem.</p>
15 ANPR	<p>The Council has commented that they can see no evidence that the ANPR system will cover prohibited roads in their area and this should be applied to the B4668/A47 as well. The camera locations should be detailed in this commitment.</p>	<p>See the Applicant's response to points 1 and 13 above.</p>
20 Steering Group	<p>Focus on this welcome, see other Council comments on the Travel Plan Steering Group which could undertake this role, and comments below.</p>	
3.9	<p>It is not sufficient for use of the prohibited routes to be discouraged. The HGV strategy should contain a clear prohibition on HGVs using the prohibited routes excepts in certain circumstances (e.g. deliveries/collection or road closures).</p>	<p>As points 1 and 13 above</p> <p>The HGV Route Management Plan and Strategy (document reference: 17.4E) has been updated taking into consideration the changes submitted by HBBC. Whilst not all changes have been included</p>

Document and Section Reference	Hinckley & Bosworth Borough Council Response	Applicant's Response
		directly, the context behind the majority have been included. Where changes have not been included, the Applicant considers that other paragraphs within the strategy provide the required content. This applies to the remainder of this section.
4.1	Amend to: "The on-site measures described in paras 4.2 to 4.19 must be implemented by occupiers to assist in the operation of the facility."	Refer to above response.
5.4	Amend to: "The following measures must apply to each occupier and the Terminal operator in their tenancy and legal agreements:"	Refer to above response.
5.8	Amend to: "Occupiers and operators must provide evidence to the management company of vehicle routing and a written policy, maps, driver training, briefings or pre-programmed navigation systems to ensure..." ... Occupiers and operators must provide clear evidence to the management company that any deviations from the route as notified by the occupier are addressed with the driver. The driver will be required to sign to acknowledge the infraction."	Refer to above response.
5.9	Amend last sentence to ' <i>Therefore, an Automatic Number Plate Recognition (ANPR) and Vehicle Classification System will be implemented for the lifetime of the development</i> '	Refer to above response.
5.34	Amend to: <i>For efficiency and to provide clear accountability, the management of the HGV Route Management Plan will be included within the Site Wide Travel Plan process. Consequently, the Site-Wide Travel Plan Co-Ordinator will be the nominated individual working on behalf of the Site Management Company in regards the HGV Route Management Plan.</i>	Refer to above response.
5.39 and 5.40	The Council believes that it cannot take Enforcement Action in this manner and has to depend entirely on the effective implementation of the HGV strategy.	Refer to above response.
5.47	As noted in the Council submission at Deadline 5, any use of prohibited routes by vehicles associated with the site – there should not be a 'Stage 1 intervention' and action should solely be for Stage 2 and leading on from this.	Refer to above response.
5.50	Amend to: <i>Financial penalties will be imposed for each use of a prohibited route (unless any exceptions apply). In keeping with existing legal penalties for contravening a weight restriction order, the HNRFI financial penalty will be set to a maximum of £1,000 per breach and Consumer Price indexed linked.</i>	Refer to above response.
5.58	The Councils reasonable costs for attending Strategy Review Panel meetings should be reimbursed.	Refer to above response.
5.58	The Council has suggested protocols for the Travel Plan Steering group which should also oversee the HGV strategy, and this includes details of decision-making and actions should agreements not be reached. Para 5.58 should: refer to the implementation of the additional measures listed in Table 3 – funded by the £200k refer to increases of the management fines. Make it clear that the continued/further use of prohibited routes constitutes a breach of the DCO	Refer to above response.
Figure 4	See comments in relation to commitment 1 Prohibited Routes above for amendments	Refer to above response.
5.24	Relevant parishes within Hinckley and Bosworth should also be informed including, but not limited to, Burbage, Barwell and Earl Shilton.	Refer to above response.

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Table 4	There are no HGV prohibited routes in the borough listed here which the Council considers should be (see above); no daily breaches should be permitted on these routes	Refer to above response.
5.15	This text refers to routes in the Eastern Villages in Blaby and makes no reference to routes within Hinckley Borough.	Refer to above response.
5.17	There is no overall plan showing the locations and this should be provided; just detailed plans in the appendix, and therefore there is no way of checking how the routes in figure 4 will be enforced. Despite representations the Council can see no plans to enforce HGV restrictions on roads in its borough and this remains a major concern for the Council.	Refer to above response.
5.56	Hinckley and Bosworth Borough Council should also be included in this list; it appears to be at commitment 9. Elsewhere the Council notes that the Travel Plan Steering Group may usefully perform these functions.	Refer to above response.
REP5 – 041: Applicant's Response to Deadline 4 Submissions [part 2 - HBBC]		
Document reference: 18.17Revision: 01 (Management Plans, Transport Assessment and PRoW)		
1 HGV off-site parking	The Council has examined the HGV strategy section 5, but there is no mention of parking as suggested, in fact Section 5 is about the Route Management Strategy. Section 4 contains some information about on-site parking and on the A47 Link Road. The applicant does not appear to have dealt with this issue sufficiently. The Council considers its proposals are practical, can use the same principles for HGV monitoring and will be a necessary addition to the management of this major new facility.	Measure 12 within the commitments table (Table 1) of the HGV Route Management Plan and Strategy (document reference: 17.4E) highlights the availability of the Travel Plan Coordinator contact details to be available on relevant websites. In terms of parking issues if registration details are provided to the Travel Plan Coordinator, they can ask the data processor to check if the vehicle is recorded as entering a tenants demise and notify the tenant of the concerns raised.
2 Enforcement , further measures	These are not regarded as adequate yet; as noted there is no proposed enforcement relating to roads in Hinckley borough, so no monitoring. The proposed mechanisms for review and action are regarded as acceptable subject to ongoing review through the TPSG. The Council welcomes the addition of a £200,000 fund for further measures and have suggested these should be under the control of the TPSG. It is not clear how this funding will be controlled through the DCO process.	The submitted HGV Route Plan and Strategy at Deadline 7 (document reference: 17.4E) has been amended to incorporate roads within the Hinckley area, including the B4669, B4668 and the Common. The provision and maintenance of the £200,000 fund is committed through the HGV Management Plan and Route Strategy and as explained in the Applicant's s106 Update (Rule 17 Letter) (document reference 9.3), the Applicant has also included obligations in the Unilateral Undertaking to LCC in respect of the compliance with the HGV Management Plan and Route Strategy commitments to establish and administer this fund. .
3 Parish councils	The Council suggestions for the TPSG enables parish councils to be invited as observers if regarded as necessary. The Council will also forward reports to the parish councils	Noted, Parish Councils are to kept informed of the proceedings.
4 HGV's in HBBC	This response does not appear to recognise the issue being raised. Figure 4 sets out a number of prohibited routes in the borough, for example the B4668 west of the link road and the B4469 towards Hinckley west of the Junction 2 of the M69. Despite a number of representations, the applicant appears to have no intention of monitoring compliance with these, which calls into question the purpose of the strategy and its adequacy. The applicant has focused almost entirely on monitoring in the Eastern Villages in Blaby, despite the prohibited routes in the borough being closer to the site and at just as much risk. This is not acceptable to the Council and remains a key concern. The Council has commented in item 13 of the HGV strategy comments where monitoring and compliance is required. The Council has made a separate point that the A47 link road west of the railway line should also be a prohibited route to ensure that HGV traffic from the development uses the appropriate Strategic trunk road network and not the A47.	See Applicant's response to points This is an administrative error 1 and 13 above.
6 Construction traffic	The information requested has not been provided. The document referred to (Applicant's response to ExA Written Questions [Appendix I - Construction Traffic Derivation] Document reference: 20.1.9 Revision: 01) seems to cover select link analysis of Narborough etc. and not construction traffic information.	This appears to have been an administrative error, the correct document has been appended to the Construction Traffic Management Plan as an appendix, this is submitted at deadline 7 (document reference 17.6C).
8 cycling routes	The new plan provided is helpful. The Council notes that there are no improved routes shown on this plan on the B4668 west of the link road and the B4469 towards Hinckley west of the Junction 2 of the M69, which the Council believes is essential to link to Hinckley.	Enhancement 8 within the commitment table provides routes to Hinckley and Barwell as the most populous areas within a 5km catchment.

Document and Section Reference	Hinckley & Bosworth Borough Council Response	Applicant's Response
9 FTP	While some further information has been provided, the requested more detailed information on bus services has not been provided,	See responses to the STS items above.
10 J1 MOVA	As far as the Council is aware, the applicant's information has not been agreed by the relevant highway authorities and therefore the Council's concern with this remains.	J1 MOVA amendment is no longer required.
11 Junction 14 – A5 / B4666 / A47 (Dodwells)	As far as the Council is aware, the applicant's information has not been agreed by the relevant highway authorities and therefore the Council's concern with this remains.	This junction has been fully modelled using the identified NH protocol modelling, a narrative is provided in the Transport 2023 Update (document reference: 18.13.2, REP4-131).
	No further information has been provided on this important aspect, and it is clear that the applicant's lack of mitigation for this junction is also not acceptable to LCC and National Highways	See above.
REP5 – 051:M1 J21 Modelling Note Document reference: 18.18 Revision: 01		
Table 1 survey flow comparison	The text does not indicate if the 2019 and 2023 surveys were undertaken at the same time of year?	Both surveys were undertaken in a DfT neutral month as defined by WebTAG guidance.
3.8	There is no explanation why 'the average green times have been input into the base model on all approaches except M1 NB off-slip PM peak hour' and what has been used instead.	As the junction operates on MOVA, the signal timings vary cycle to cycle. Therefore a summary of minimum, average and maximum green times observed had been provided. As 10 DoS readings are taken across the hour, some readings may be more biased towards the minimum/maximum as opposed to the average, hence why for VA/MOVA, junction signal timings in LinSig are varied to see if it meets validation. This ensures the green times input into model is between the minimum/maximum observed.
4.3	This states '4.3 It is the existing problems at M1 J21 identified in paragraph 2.1 that have caused the diversions of background traffic and the residual impact of the flows on the M69 and M1 north are due to this diversion'. This is incorrect, the 'so-called 'background traffic is using the junction, and only when the HRNFI development traffic is added to the network do sit have to reroute at additional cost to these existing travellers.	Congestion is already an issue at J21 this is caused by the lack of capacity on the M1 mainline and the width constraints of the underbridges on the gyratory. Diverting traffic has been fully accounted for within the mitigation strategy on the local road network.
5	Forecast modelling – while this presents modelling prepared by the applicant, it has not been agreed, audited and signed off by the relevant highway authorities and therefore cannot be depended on.	All inputs to the LCC controlled PRTM modelling were signed off by the Authorities at the time of the run of the forecast model, this included the modelling brief, uncertainty log, trip generation and trip distribution. The outputs of the PRTM are a function of the inputs which have been used in the capacity modelling. Further information is included within the Highway Position Statement submitted at Deadline 1 (REP1-033).
Table 9	Shows that with the addition of some 22-26% of all HRNFI flows to the junction (300-400 vehicles in each peak, a higher amount of pcus'), the net result is a reduction of 10 vehicles in the morning peak and an increase of 114 vehicles in the evening peak. This is only because the HRNFI traffic is forcing rerouting of existing strategic traffic onto lower order roads at increased cost to this diverted traffic.	The re-distributed traffic forecast by the PRTM and impacts on local roads have been assessed. Mitigation has been developed on the basis that an element of background diversion is predicted to occur.
Table 13	This table demonstrates that with HRNFI Traffic using the M69, the additional delays are high, and this is the reason why the development traffic is pushing other traffic onto lower order roads at increased economic cost to this traffic.	As comment on Table 9 above.
	Even with the HRNFI traffic forcing other traffic off the M69, average delay on the M69 increase by some 14 seconds per vehicle in the am peak and 30 seconds without the LUE mitigation (which LCC has pointed out is not guaranteed). The M69 (EB) is overcapacity in the base.	Further detailed narrative is included within the J21 Modelling Note (document reference: 18.15.1, REP5-031) impacts and implications for the network.
	The applicant's case appears to be the following : (1) the junction is at capacity (2) it cannot be mitigated (although the LUE extension has developed a scheme) (3) consequently HRNFI traffic will divert existing traffic from the M69 onto local roads (4) no mitigation is required of J21 by the scheme, as flows will e reduced on the morning peak and only slightly increased in the pm peak .	Current capacity constraints at Junction 21 are longstanding and driven by the restricted width of the M1 underbridges on the circulatory carriageway and constraints on the Mainline M1 carriageway, identified through merge diverge assessments reported within the Transport Assessment (document reference: 6.2.8.1A, REP3-157) Widening of these underbridges to address such constraints would be of a significant magnitude and require considerable Government investment. Whilst there is a clear aspiration from both LCC and NH to improve the junction, there is currently no scheme identified.

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		<p>As set out in Paragraph 49 of Circular 01/2022 '<i>planned improvements to the SRN or local road network should be considered in any assessment where there is a high degree of certainty that this will be delivered</i>'. Given there is no scheme committed or even foreseeable to address these existing issues at Junction 21, LCC's PRTM2.2 model reflects the current arrangement. This was agreed with the TWG as part of the Infrastructure Log for PRTM2.2.</p> <p>LCC and NH have suggested that the PRTM should be rerun with unconstrained flows. However, this is a theoretical scenario whereby there is no congestion at J21 and traffic will choose its most convenient route. It would not inform the assessment of the HNRFI and its mitigation package. Rather, it would inform the requirements of an unidentified, unfunded and uncommitted improvement scheme. Hence, undertaking the assessment is considered an unreasonable requirement and contrary to Circular 01/2022.</p>
	<p>These conclusions are put forward (1) without modelling recommended by the highway authorities and (2) are based on other modelling that has not yet been accepted and reviewed by the highway authorities and (3) without an investigation of possible mitigation options at the junction. All this has been left until Deadline 5 of a long process where are the applicant has refused to study the junction as per the recommendations of the highway authorities. This is one of the most critical junctions on the local strategic network, is at capacity and not a single pound is proposed for future mitigation by a nationally significant infrastructure scheme situated one junction to the south; instead the 'solution' is to divert existing traffic from the motorway network.</p>	<p>Contrary to the assertions by HBBC, the Applicant has not changed its approach, nor rationale, in the pre and post submission process. Additional clarity has been provided and re-surveys were done at the insistence of Transport Working Group authorities. The Applicant has never proposed to undertake a micro-simulation model. LCC has a 2016 PARAMICS model which lacks validation and covers the extensive network around Junction 21. This was not used in the determination of LUE works at J21, with LCC as the applicant. The limited impact and movements the HNRFI has on Junction 21 has meant that the modelling and the impact review is adequate for the conclusions drawn.</p> <p>The DCO (document reference: 3.1D) substantially upgrades Junction 2 of the M69 with south facing slips, which have been absent since it was built in the 1970s. As was established post ISH2 by LCC this was primarily down to business case reasons rather than technical or safety issues. The absence of the south facing slips has continued to place significant pressure on routes through Hinckley. The completion of the junction along with over 2km of link road connecting ultimately to the A47 will remove through-routing vehicles from the town. These benefits both for development and background traffic have been consistently ignored or down-played by the Authorities throughout the pre and post submission process.</p>
	<p>The Council is of the view that this approach cannot be considered to be that the '<i>applicant has taken reasonable steps to mitigate these impacts</i>' as per paragraph 5.2.13. of the NPS for National Networks. Indeed, the applicant has failed to meet the national and local; highway authorities' requirements to even understand these impacts fully and understand potential mitigation options. The development has worsened accessibility (para 5.216 of the NPS) by forcing existing traffic from the motorway network and has not '<i>mitigated (impacts) so far as reasonably possible</i>'. Given the national importance of the facility, its scale and the impact it has on J21 of the M1, further mitigation is required to be assessed and funded. It is the Council's view that the applicant has not complied with paragraph 5.214 of the NPS in that they have not been '<i>willing to commit to transport planning obligations and, to mitigate transport impacts</i>'.</p>	<p>The wider HNRFI mitigation package accounts for the influence of traffic redistribution resulting from congestion at Junction 21. However, there is predicted to be only a small negative residual impact in the evening peak hour at the junction itself. This is not considered to be a 'severe cumulative residual impact' and in accordance with Circular 01/2022 'proportionate and reasonable' The Authorities do not have an identified scheme at J21 to address the core issues experienced at this junction namely; lack of capacity on the Mainline M1 and constraints on the circulating carriageway underneath it.</p>