

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 7 Submissions [part 2 - HBBC]

Document reference: 18.21

Revision: 01

8 March 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 7 Submission:

- ES Appendix 8.1 Transport Assessment [Part 15 of 20] Sustainable Transport Strategy and Plan Document Ref 6.2.8.1D Revision 08
- HGV Route Management Plan & Strategy Document reference: 17.4D Revision: 13
- Applicant's response to Deadline 5 Submissions [part 2 - HBBC] Document reference: 18.19 Revision: 01

Application by Tritax Symmetry (Hinckley) Limited for an Order Granting Development Consent for the Hinckley National Rail Freight Interchange (ref. TR050007)

Document and Section Reference	Hinckley and Bosworth Borough Council Response	Applicant's Response
ES Appendix 8.1 Transport Assessment [Part 15 of 20] Sustainable Transport Strategy and Plan Document Ref 6.2.8.1D Revision 08		
<p>Table of Commitments 4 - DRT</p>	<p>The Council continues to express concern about the proposed DRT solution for public transport in most of Hinckley, Earl Shilton, Barwell and the Blaby. The applicant could easily have recommended a bus service to serve these areas, and the latest commitment changes do not allay the Council's concerns.</p> <p>The only change the Council have noted is that the applicant has now committed to allowing a 24-hour advance booking for DRT passengers; other passengers for DRT can still book but will have lower priority. However, the Council cannot see that a commitment can be given that these journey time requests will be able to be delivered. Given the local population which could be served by the DRT option there is the likelihood that there could be multiple demands from different locations all requiring the service at the same time in order to get to the start of a particular shift and under these circumstances there is the possibility of failure of the service.</p> <p>The Council has previously asked for a defined Level of Service for DRT – including catchment, journey time, fare, pick-up time – but this is still not available and without it the DRT is not a certain commitment. The service will pick up as many people as 1 bus can do at multiple locations, but journey and pick up times may be long and this will undermine patronage.</p> <p>An effective commitment would include a guaranteed Level of Service (LoS), with additional DRT vehicles being implemented if the LOS is not met (or backed-up by a funded taxi ride instead). That level of service should (1) guarantee of pick up within 20 mins of requested time (2) within 10 minutes' walk of any household in catchment (3) journey time of no more than 20 minutes (4) free fares for first 6 months, thereafter no more than the equivalent bus fare for that distance (5) from first occupation for lifetime of</p>	<p>As set out within the commitments table of the STS (document reference: 6.2.8.1E, REP7-028), the DRT Service and public transport service provision will be increased in line with the increase in on-site staff as the HNRFI becomes occupied. The commitments table sets out that the requirement for an increase in service provision is to be reviewed on an annual basis. The site will populate over a long time, so it is critical for monitoring to identify suitable provision.</p> <p>There is a memorandum of understanding with the DRT delivery company. The STS sets out how the DRT is proposed to operate and the level of service provision, this commitment to the service is contained within Table 1 of the STS (document reference: 6.2.8.1E, REP7-028).</p> <p>It is important to note that this service is a commitment that provides access to communities which have limited to no public transport provision. HBBC's preferred alternative of a dedicated bus service lacks the flexibility to cover the geography highlighted within the STS (document reference: 6.2.8.1E, REP7-028). As above, should monitoring indicate that a fixed route would be viable, based on repeated patterns of DRT journey then this can be considered in tandem with the provider. This has happened at Lubbesthorpe for example. At this stage the employee catchments are based on best estimates, a fixed route in dispersed rural communities is not a viable solution without the actual demand being known, this also applies to the level of service. The DRT provides a good solution which can be built upon as the site develops and has incentives to encourage its use from Day One of occupation.</p>

Document and Section Reference	Hinckley and Bosworth Borough Council Response	Applicant's Response
	<p>development or as otherwise agreed by the Travel Plan Steering Group. This can be reviewed annually.</p> <p>The Council's preferred alternative would be a dedicated bus service to serve these areas.</p>	
Table of Commitments 6 – Free Bus Pass	<p>This is welcomed by the council, but as noted in the Deadline 5 submission should also cover DRT. The commitment refers to the bus pass being available within six months following the occupation of the building; but the text under the duration says for a period of 6 months following the occupation. This should be corrected.</p> <p>At the deadline 5 submission the Council also pointed out that 'employees' needs to be very clearly defined and wide enough to cover the employees (direct or indirectly employed) who use the premises.</p> <p>There should be a commitment to consider (via the TP Steering Group) this benefit after 6 months; and it may be that this should be continued or varied, for example a lower discount or funded by the bus company. It is not hard to predict a significant drop in bus use when moving suddenly from a fee bus to full fare, particularly when parking is plentiful and free, and a transition should be considered collaboratively by the TP Steering Group.</p> <p>Recommended amendments as follows: <i>'Free 6-month bus pass available to the first employees to work at each building for a period of 6 months following full occupation of the relevant building. Employees at each unit will be able to apply for a 6-month free bus pass for a period of 6 months following full occupation of the relevant building for the public bus services (currently the X6 and No 8 bus services) and DRT services through the travel plan coordinator who will promote the availability of bus passes to new employees. This scheme will be reviewed annually through the TP Steering Group with consideration of extension or adaption of the scheme in the light of public transport patronage and scheme take-up.'</i></p>	<p>The DRT provision is a private service that is being subsidised by the Applicant ahead of it becoming commercially viable. The commitments within the updated STS (document reference: 6.2.8.1E, REP7-028) highlight likely numbers of services as the site develops, this is subject to annual review.</p> <p>The free bus pass is for public bus services whose prices are fixed by the providers for all users to incentivise use.</p>
Table of Commitments 9 – Travel Packs (nb there is a double numbering of 9)	<p>This is welcomed by the Council, but the terminology used is inconsistent and confusing. The commitment indicates that they will only be provided to the first employees and not subsequent employees, but there is no reason why these packs should not be provided to any employee joining the company at any time. However, the trigger is 'pre-occupation' (but how can this be correct as there will not be any employees at this stage) and the duration is 'for the lifetime of the development' which is at odds with the proposal that it is only available for the first employees.</p> <p>Obviously, there are phases of development, and employee turnover and if information is not kept up to date, sustainable mode shift will decline. The Council has already commented that 'employees' need to be defined widely in</p>	<p>Amendments have been inserted to the Commitments in the Deadline 7 submission (document reference: 6.2.8.1E, REP7-028) and now is for 'each employee' The travel pack commitment is now Commitment 11. The pre-occupation element is to assist recruitment at the earliest stages. The intention is for travel information to be available electronically.</p>

Document and Section Reference	Hinckley and Bosworth Borough Council Response	Applicant's Response
	<p>this kind of development and that the definition should be amended to 'full occupation' as many phases take some time to build up employee numbers. The Council is supportive of the travel pack for all new employees who qualify for the bus discount, but for the lifetime of the development digital information, perhaps backed up by a 1-page paper summary, should be provided to all new employees before they start on site.</p>	
Suggested new commitment	<p>Commitment 14 of the HGV Mngt. Strategy should be replicated in the Sustainable Transport Strategy with a fund of £500,000 to provide the additional measures if needed for sustainable travel. £500,00 is a relatively low amount considering the cost if required of additional bus services, should for example the DRT not be effective.</p>	<p>The commitments with the STS (document reference: 6.2.8.1E, REP7-028) require the Applicant to review mode share targets annually and act should the targets being missed. A cost has not been defined as the actions necessary will vary according to the outputs of the review. The Commitment does not restrict what the intervention could be. Measures have been identified within the HGV Route Management Plan and Strategy (document reference: 17.4E, REP7-055) as the impacts will be highway infrastructure based and therefore are more predictable.</p>
Para 6.22 Euro VI complaint and/or Ultra Low Emission Vehicles	<p>Text has been added saying that public transport operators will be asked to comply with this requirement. This does not appear to meet the DCO requirement condition and is extremely 'loose'. The applicant has the power, due to the subsidy it provides to most of the operators to ensure this compliance. This is just Euro VI compliance, which has been mandatory for new heavy goods vehicles and buses since January 2014. This should be compulsory, with a pathway to lower emission vehicles over 5 years. Compliance should be part of the annual report to the TP Steering Group. The text should amend to '<i>6.22. Public Transport Operators (including DRT operators) serving the site and part or full funded by the applicant will be required to use Euro VI compliant buses and or ultra-low emission vehicles within fleets operated by them that access the HNRFI. Within 5 years of first occupation these busses should be ultra-low emission vehicles. Any shuttle bus operated on site should also comply with this requirement</i>'.</p>	<p>Requirement 9 of the DCO (document reference 3.1B, REP7-011) requires the Applicant to use reasonable endeavours to ensure that public transport dedicated to the site is Euro VI compliant. Wording was added to the Sustainable Transport Strategy simply to reflect this requirement. The Applicant cannot guarantee something that is outside of its control but has agreed to the DCO at the request of the authorities, which also reflects the commitment at Northampton Gateway.</p>
HGV Route Management Plan & Strategy Document reference: 17.4D Revision: 13		
Para 1.7 - villages with concerns	<p>It is noted that although further villages in Warwickshire have been added to the list there remains no reference to those nearby communities within Hinckley borough – Earl Shilton, Barwell and Burbage.</p>	<p>The HGV Route Management Plan and Strategy (document reference: 17.4E, REP7-028) was updated at deadline 7, to include a list of local villages which the Strategy is aimed at. Earl Shilton, Barwell and Burbage are included in this list.</p>
Table 1 Commitment 1	<p>The Council has consistently requested that access to the A47 from the link road and other sensitive routes in its area be included as prohibited routes. This text should be amended to say '<i>That part of the link Road between the railway line and the B4668 Leicester Road is also designated as a prohibited route for HGVs from or to the development unless for local access</i>'. The Council has confirmed that the highway authority Leicestershire County Council has no objection to this inclusion. Failure to include this prohibited route will leave the local Hinckley network very vulnerable to high increases of HGV flow and undesirable HGV parking and will encourage HGVs when travelling east along the A5 to branch off onto the A47 to the west of Hinckley,</p>	<p>As noted in the Applicant's Deadline 5 response (document reference: 18.19, REP6-019), the A47 is a key 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, notably high-sided vehicles that are routing to or from the North on the A5 should the Nutts Lane carriageway lowering not occur.</p>

Document and Section Reference	Hinckley and Bosworth Borough Council Response	Applicant's Response
	rather than travelling to the junction to gain access to the M69. If a journey time is just 30 seconds faster using the B44668 and A47, many more HGV's will use this route than modelled through journey-planning software.	
Table 1 Commitment 14	This should be amended to <i>'The Applicant will manage the expenditure of a fund of £200,000 for additional <u>measures on the instruction of the TP Steering Group that it considers necessary to further discourage HGVs routing via Sapcote (or any other prohibited route or route where HGV's from the development are creating local issues) and any other measures required'</u></i> . In the Councils Deadline 5 submission it was set out clear that the TP Steering group should be much better defined and provided a draft protocol.	The commitment has been amended within the Deadline 7 update (document reference: 17.4E, REP7-055) <i>'The Applicant will manage a fund of £200,000 to pay for additional measures that the HGV Strategy Steering Group considers necessary to further discourage HGVs routing and any of the prohibited routes and/or other measures required such as strategic signage/Traffic Regulation Orders etc on any other routes. This fund would be topped up on an annual basis with any occupier fines collected for breaching the HGV Route Management Plan and Strategy'</i>
Para 5.8 Euro VI vehicles	This is a very loose response to a firm DCO requirement. There should be a formal annual report to the TP steering group each year providing information on the extent of the fleet using the site that meet this criteria, and the explanation given why this could not be met. How will this information be collected? The ANPR cameras could be used to check vehicle type, or some other research will need to be undertaken. Occupiers who do not meet this could also be fined using the same mechanism for prohibited HGV routes.	As above. Enforcement of Euro VI standards is outside the control of the Applicant. It is noted that legislation covers the requirement on operators. Reasonable endeavours approach is considered an appropriate. The Applicant also notes that the wording (which was requested by BDC) is identical to the requirement included in the Northampton Gateway Rail Freight Interchange Order 2019.
Para 5.16	This definition of prohibited routes does not include (1) the Council request for the link road between the B4668 and Leicester Road (2) the B4668 through Hinckley (3) various other routes in and around Hinckley in Figure 4.	See response to Table 1 Commitment above.
Para 5.17	Additional cameras are welcomed but the Council would like to see their specific locations; as noted above a camera and prohibited road definition on the link road between the railway line and B4668 would capture all routes to the north, including the B4668 and other routes. A new camera is required on the B4669 <u>west</u> of J2 of the M69 to protect Hinckley/Burbage.	Camera Locations have been updated within the Deadline 7 update (document reference: 17.4E, REP7-055) This includes a camera on the B4669.
Para 5.54	Both the Council and Blaby District Council have made strong representations that there should be no 'accepted Trigger Breach' - <u>any</u> use of a prohibited route by a vehicle from the applicant site should trigger action. Why should (say) 10 new HGV's a day from the site be allowed to travel through Hinckley Town centre for example?	The trigger breaches are considered reasonable to allow for error/diversion or emergency routing. 10 HGVs threshold is when appropriate fining will take place. All breaches are recorded by the ANPR system and are documented within the reported.
Para 5.61	This should be amended to <i>'The HGV Strategy Steering Group will meet annually, unless the group agrees to meet more than once annually. The Steering Group will consider the requirement for continued meetings after 10 occurrences.</i> The Council has noted elsewhere regarding use of the TP group for this purpose and the organisation and protocol.	The frequency has been updated within the Deadline 7 update (document reference: 17.4E, REP7-055)
General	The Council welcomes the fact that more attention has been given to HGV enforcement in its area, but is very concerned that the applicant has not included as a 'prohibited road' the 'link road between the railway line and B4668'. This would remove many of the Council's concerns over HGVs on other prohibited routes, reduce the likely issues of undesirable HGV parking on-	As response to Table 1 Commitment above.

Document and Section Reference	Hinckley and Bosworth Borough Council Response	Applicant's Response
	street and reduce impact of severance on the A47. The applicant asserts that the strategic network of the M69 and A5 will not be impacted and indeed will operate better, and thus there is no reason not to require development HGV's to use these desirable National Highway routes rather than various B-roads and the A47. Use of National Highways Road is very appropriate for a Nationally Significant project.	
Applicant's response to Deadline 5 Submissions [part 2 - HBBC] Document reference: 18.19 Revision: 01		
Highways – J1 M21	The consistent view of the LHAs and the Council has been that the applicant has failed to properly study the impacts and conclude on the mitigation needed at J21. The applicant has always stated 'no mitigation is possible' and has not entered into meaningful discussions on this point or used appropriate modelling. In effect the applicant has 'washed its hands' of the issue and used the A47 link road to divert existing traffic to lower order local roads. The new development traffic has removed all peak hour resilience at J21 and has allegedly made the junction work better! There will be clear economic disbenefits to the diverted traffic which the applicant has failed to consider. The applicant can consider a lower level of development on site to reduce the impact on the local network. consequences of traffic diversion	As per the Applicant's response on Deadline 6 responses (document reference: 18.20, PINS REP7-062): 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.
REP4-113: Doc 17.4B Revision: 10 HGV Route Management Plan & Strategy Report	The applicant fails to consider that this route also includes the B4468 and the new link road, which is not a major road. The applicant states that 'The link to the M69 presents a more attractive access to the SRN than the A47' when their modelling shows all HGV to the development in the morning peak using the B4468 and A47 If the applicant's statement is true there is no need for HGVs to use the B4668 and A47 and it should be made a prohibited route. While the A47 is an A-road, it is not necessary for it to be used by HGVs from the development. The Council provides further comment on this in the HGV Strategy notes. Designation as a desirable route will have very limited impact unless other routes are prohibited, or they will be used.	As noted in the Applicant's Deadline 5 response (document reference: 18.19, REP6-019), the A47 is a key 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, notably high-sided vehicles that are routing to or from the North on the A5 should the Nutts Lane carriageway lowering not occur.
Mode share targets	The applicant has not responded to this point, whereby it is very clear that the East Midlands Gateway (EMG) initial targets were far too high and much lower targets can be achieved. The applicant refers in their submission to data for EMG that is at least 5 years out of date. While the EMG has the benefit of airport buses, the HRNFI has the benefit of being within 3 miles of 70,000 residents. The applicant's point on this is not accepted by the Council.	Contrary to the assertion here, the Applicant has addressed these points in their response at Deadline 6 within the STS(paragraphs 5.13-5.17) (document reference: 6.2.8.1D, REP6-005). The EMG figures (from 2022, which is not considered to be outdated) have been used as a guide, but they are not the foundation for the baseline figures. Robust car driver numbers are retained for HNRFI and are based on employee catchments, trip distribution and the census data. The STS submitted at Deadline 6 (document reference: 6.2.8.1D, REP6-005) further outlines the attractiveness for cyclists and pedestrians with evidence based catchments and population centres as a guide for the active travel enhancements. The Applicant has further addressed this point though their Deadline 7 response (document ref 18.20, REP7-062) which demonstrates that 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

Document and Section Reference	Hinckley and Bosworth Borough Council Response	Applicant's Response
		<p>10 years and this is clearly stated within the document. The 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, REP7-028) 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.</p>
Parking	<p>The applicants' response shows clearly that parking is expected to be plentiful and free; in these circumstances and given the proposals for services such as DRT, there is highly unlikely that there will be meaningful sustainable mode share. As with many other developments undesirable parking off-site can be dealt with by CPZ or other measures.</p>	<p>The Applicant has maintained throughout the Examination that the parking is in line with the Local Highway Authority thresholds. The Applicant has responded to local concerns about parking off site by ensuring that on site provision is acceptable. Car Park management measures and their implementation are committed within the FTP (document reference: 6.2.8.2D, REP7-031) to promote car share and reduction of single-occupancy car trips.</p>