



## Meeting note

<b>Project name</b>	Hinckley National Rail Freight Interchange
<b>File reference</b>	TR050007
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	22 March 2019
<b>Meeting with</b>	DB Symmetry (Hinckley) Limited
<b>Venue</b>	Temple Quay House
<b>Meeting objectives</b>	Project update meeting
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

### *Project update*

The Applicant gave an update on the progress of the project. It had undertaken non-statutory consultation, sending out letters to residents within a 3km zone around the proposed site. As well as holding public exhibitions that had been well attended. Through these, the Applicant said it had gained an understanding of the issues that were important to local consultees: traffic impacts on local villages, landscape, noise of rail, and impact on a nearby Site of Special Scientific Interest (SSSI).

The Inspectorate advised that other matters that may be of relevance were the ability of Network Rail to offer assurances of reserved freight capacity on train lines; and the number of Rail Freight Interchanges in the East Midlands.

The Applicant explained that it had commissioned traffic modelling following agreement with Leicestershire County Council (LCC), and Highways England. Discussions were ongoing regarding the area of influence, and once this was established, it would enable the identification of necessary highway mitigation works. The Applicant said it had been holding regular meetings with LCC and Highways England and was going to move on to meeting other highways authorities where there could also be traffic impacts on their networks.

The Inspectorate asked about Habitats Regulation Assessment (HRA) and the Applicant replied that due to there being no European sites impacted it didn't expect any HRA issues. The Inspectorate then asked about Public Right of Way issues, the Applicant explained the existing Rights of Way through the site and how these would be redirected.



The Inspectorate questioned the Applicant about land ownership. The Applicant said it had secured options on the main land ownership and was well advanced on the rest with the main issue now being in relation to the south facing slip roads. The Inspectorate asked whether Compulsory Acquisition would be necessary and the Applicant confirmed that it would, largely in relation to third party rights. However, the Applicant stated it would be minimal in relation to the main site and slip roads. Compulsory Acquisition requirements related to highways mitigation measures will be established once those works have been identified.

## **Project Programme**

The Applicant set out the planned programme:

- Statutory Consultation from the beginning of October 2019 to the 3<sup>rd</sup> Week of November 2019
- Consultation feedback to be reviewed over December 2019
- Application documents to be completed by February 2020
- Submission in Q1 2020

The Applicant added that they would conduct section 42 (s42), s48 and s47 consultation and publicity in parallel. The Inspectorate queried whether the Applicant would be submitting draft application documents for review. The Applicant felt that would be useful. The Inspectorate advised that the documents needed would be an Explanatory Memorandum and a draft Development Consent Order, along with a document identifying novel approaches taken and specific questions. The Inspectorate advised the Applicant to review the Pre-Application Prospectus which lists the draft documents it is able to provide comments on.

**Post Meeting Note:** The applicant now anticipates that statutory consultation will be undertaken in November and December 2019 with submission anticipated in Q2 2020.

The Applicant and the Inspectorate discussed the timeline for construction of the project. The Applicant said it would take 12 years for completion of construction and explained that the site would be built in phases. The Inspectorate advised the Applicant to carefully review paragraphs 4.88 and 4.89 of the National Networks National Policy Statement regarding requirements related to rail connectivity/accessibility and phasing.

## **Scheme Refinements**

The Applicant explained it was looking into what off-site highways work they may have to do, subject to traffic modelling. It had also been looking into joining the A47 to M69 Junction 2 and therefore bypassing Hinckley following feedback received at the informal consultation events. These changes would result in alterations to the red-line boundary.

The Applicant suggested that changes to the Proposed Development may alter it from that which was the subject of the scoping opinion issued and asked if on that basis they should request another scoping opinion from the Inspectorate. **Post meeting note:** Regulation 10 (3)(a) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 states that an ES must '*where a scoping opinion has been adopted, be based on the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that*



*opinion)...’* Although scoping is not a mandatory process, it is the relevant statutory process to determine what aspects and matters the Secretary of State considers should be assessed in the ES. If the Proposed Development has changed materially and a further scoping request is not sought then it is at least possible that the Secretary of State would require information beyond that or different to what is ultimately provided by the Applicant in their ES at the point of application. On that basis the Planning Inspectorate normally advises Applicants to make use of the scoping process as it will ensure that the ES is appropriately focussed on aspects and matters where a likely significant effect may occur.

The Applicant detailed other possible scheme refinements such as running railway lines through the middle of the site rather than the edge. These were being considered in light of responses to non-statutory consultation.

Due to the likely scheme refinements the Applicant said the Statement of Community Consultation may need to be re-drafted. The Inspectorate advised that if this were done, the relevant local authorities would have to be consulted on this document again.

The Inspectorate also advised that any changes to the proposal may result in the need for more persons/organisations to be consulted, an example of which is if the refinements enter into new local authority areas, this may require new bordering authorities to be consulted.

### ***Specific decisions/ follow-up required?***

The following actions were agreed:

- The Applicant to draft a new Statement of Community Consultation and then submit this to the Inspectorate