



## Meeting note

<b>Project name</b>	Hinckley National Rail Freight Interchange – Meeting with Officers and Elected Members of the Blaby District Council
<b>File reference</b>	N/A
<b>Status</b>	<b>FINAL</b>
<b>Author</b>	The Planning Inspectorate (the ‘Inspectorate’)
<b>Date</b>	12 October 2022
<b>Meeting with</b>	Parish and District Councils (the ‘Councils’)
<b>Venue</b>	Microsoft Teams
<b>Meeting objectives</b>	Educational Session on the NSIP Process
<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.

This meeting note outlines the question-and-answer discussion between the Inspectorate and Hinckley District and Parish Council Councillors.

### ***When can you register as an Interested Party?***

The Inspectorate explained that once the Inspectorate has accepted an application for Examination, it is the Applicant’s duty to advertise the Relevant Representation period and provide details of how to register to become an Interested Party. The Relevant Representation period is the time persons must register to become an Interested Party. The Inspectorate confirmed that the registration period must be at least 28 days.

### ***What is the likely gap between the pre-examination phase beginning and the deadline for the relevant representations?***

The Inspectorate explained that the Pre-Examination stage starts after the close of Acceptance (if accepted for Examination). The Inspectorate added that the Pre-Examination stage closes after the close of the Preliminary Meeting which also signals the start of the Examination of the application in question. The Inspectorate added that the Pre-Examination stage normally lasts three to four months.

***When will the draft timetable for the examination be published? Will it be before the Preliminary Meeting?***

The Examining Authority is responsible for setting out the overall timetable and will hold a Preliminary Meeting before the commencement of the examination. The Inspectorate explained that after the Preliminary Meeting has taken place, the Examining Authority will circulate a procedural note concerning the details and timetables about the Examination.

The Inspectorate explained that the Rule 6 Letter invites Interested Parties to attend the Preliminary Meeting and includes a draft examination timetable. The Inspectorate issues invites to Preliminary Meetings 21 days before the Preliminary Meeting is due to commence.

***Can the Secretary of State delay a decision after the three-month deadline?***

The Inspectorate explained that the relevant Secretary of State can delay a decision past the three-month period. The Inspectorate added that, if this is the case, the relevant Secretary of State must make a statement to the Houses of Parliament.

***When will the proposed application documents be available to view?***

The Inspectorate explained that the decision as to whether the application documents are viewed by the public at submission or after Acceptance is at the discretion of the Applicant. The Inspectorate explained that most Applicants allow documents to be viewed after the Acceptance stage.

***Approximately what percentage of applications fail the acceptance stage?***

The Inspectorate explained that a low percentage of applications fail the Acceptance stage, noting that is procedural and does not relate to the merits of the case.

***Can elected members speak and attend hearings?***

The Inspectorate explained that Elected Members can attend any hearings they wish. Only those registered as an Interested Party have a right to speak, though the Examining Authority may allow non-Interested Parties to speak. The Inspectorate explained about the different types of hearing and noted that the Examination will be primarily conducted by responses to written questions.

***Where do hearings take place?***

The Inspectorate explained that the Examining Authority decides where the location of the hearings take place and explained that any physical meeting will also be live streamed. The Inspectorate advised the Councils to look at [Advice Note 8.6](#) on the National Infrastructure Planning website.

***Is it unusual for Local Authorities to oppose an application?***

The Inspectorate advised that it is not unusual for Local Authorities or any other Interested Party to oppose an application for development consent. The Inspectorate explained that objections should be evidence based, including the appropriate policy context and that it might be that appropriate mitigation could be secured through requirements in the DCO that can help overcome objections to an application. Thematic Working Groups can help inform mitigation that might be required or necessary.

***What are the cost issues to the residents?***

The Inspectorate explained that the Applicant and Local Authority may choose to enter into Planning Performance Agreements (PPAs). The Inspectorate added that the Applicant is under no legal obligation to provide a PPA.

***Will the Planning Inspectorate be running similar sessions focusing on a particular stage of the process?***

The Inspectorate advised that it would be inappropriate to provide further educational sessions on the NSIP process once the Application had gone through Acceptance. The Inspectorate advised the Councillors to approach the Planning Aid Service as their first point of call.

***How would a local election effect the timescale of the Application?***

The Inspectorate explained that a local election is unlikely to affect the timescale of the Examination but would be for the Examining Authority to consider.

***Do the Panel of Inspectors have any local knowledge of the area?***

The Inspectorate explained that the Inspectors are located across the whole of England and are appointed based on their experience. The Inspectorate explained that inspectors undertake unaccompanied site visit inspections to familiarise themselves with the surrounding area which are recorded in the examination library.