

# Oxfordshire Strategic Rail Freight Interchange

Case Reference: TR050008

## Oxfordshire Railfreight Limited

### Section 51 Advice Log

There is a statutory duty under [section 51 \(s51\) of the Planning Act 2008](#) for the Planning Inspectorate to record the advice that it gives in relation to an application or potential application, and to make this publicly available.

This document comprises a record of the advice that has been provided by the Inspectorate to the applicant Oxfordshire Railfreight Limited and their consultants during the pre-application stage. It will be updated by the Inspectorate after every interaction with the applicant during which s51 has been provided. The applicant will always be given the opportunity to comment on the Inspectorate's draft record of advice before it is published.

The applicant will use this Advice Log as the basis for demonstrating regard to section 51 advice within the application.

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Date of meeting	Meeting overview
02/10/2024	<p>Brief introduction to the scheme</p> <p>Project Update</p> <p>Stakeholder Engagement Update</p> <p>Discussion on PINS Prospectus and the five new primary service features</p> <ul style="list-style-type: none"> <li>a. Programme Document</li> <li>b. Issues Tracker and Potential Main Issues for the Examination</li> <li>c. Advice Log</li> <li>d. Adequacy of Consultation Milestone</li> <li>e. Demonstrating regard to advice</li> <li>f. Schedule of meetings going forward</li> </ul>

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Topic	Meeting date: 02 October 2024
DCO Submission dates	The Inspectorate recommended that the Applicant consider the most appropriate timeframe for submission of the application taking into account the impact of the Christmas period on the ability of Local Authorities to respond to Adequacy of Consultation requests and the availability of the Applicant to respond to signposting requests from the Inspectorate if required.
Transport impacts	The Inspectorate advised the Applicant to agree their transport modelling and the mitigation proposals as much as possible prior to submission with the transport working group.

Statutory Consultation	<p>The Inspectorate recommended that the Applicant consider conducting their Statutory Consultation earlier in the pre-application process rather than during the last quarter before DCO submission to be able to show that regard had been given to responses received.</p> <p>The Inspectorate advised the Applicant that the new pre-application service requires the submission of the Adequacy of Consultation Milestone (AoCM) document to PINs (Planning Inspectorate) a minimum of 3 months prior to the application submission.</p> <p>The Applicant was reminded that they may wish to consider submitting draft documents before the final DCO submission. Feedback would be provided to the Applicant within 6 weeks and time should be allowed to make any amendments before submission.</p>
Design	<p>The Inspectorate advised the Applicant to ensure they consider the importance of good design of buildings and structures and that a PINs Design Advice Note will be published soon.</p>
Sustainability Strategy	<p>The Inspectorate reminded the Applicant to be fully assess any impacts from proposed solar PV arrays on warehouse rooftops and to be aware of the implications of approaching/ exceeding the NSIP energy generation threshold.</p>
Pre-Application documents Tiers	<p>The Inspectorate advised the Applicant that the Programme document should be continuously updated throughout the pre-application stage and published on the Applicant's website. The Inspectorate also advised that the Adequacy of Consultation Milestone appears to be missing from the document; this should be added to the project timeline.</p>
Issues tracker	<p>The Applicant advised that they have deliberately not gone into high levels of detail in the Programme Document as they consider that the Issues Tracker will have more detail.</p> <p>The Inspectorate advised that these are separate documents. The Programme Document sets the scene, giving an overview of the project. The Issues Tracker is entered into the Examination at the relevant point so should have more technical detail. The tracker also helps inform the IAPI. To summarise we suggest maintaining both documents independent of each other. The Inspectorate acknowledges there will always be overlaps in content.</p>

	<p><i>Post-meeting Advice</i></p> <p>The Applicant should make the Issues Tracker available to those statutory bodies who in the view of the Applicant are an affected statutory body. If an issue recorded in the tracker affects such a body then the Applicant should ensure that they are sighted on it and that they are given the opportunity to be engaged in the process of tracking that issue.</p>
Principle Areas of Disagreement Summary Statements (PADDS)	The Inspectorate advised the Applicant that PADSS (which are owned by the relevant consultees) should focus on trying to resolve any areas of disagreement during the Pre-Application stage before Examination begins. PADSS should be initiated from the beginning of pre-application and periodically updated and presented in priority order. PADSS will inform the Potential Main Issues for Examination.
<b>Topic</b>	<b>Email date: 11 November 2024</b>
a. Issues Tracker and Potential Main Issues for the Examination	<p>a) The Pre-application Prospectus is clear that PINS expects the Issues Tracker to be created at the beginning of the process. It shows the applicant being upfront about issues, whether current and/or expected, and who they affect. The Issues Tracker works in conjunction with the PADSS (also created at the beginning of the project), with topics moving from PADSS to Issues Tracker as progress is made, showing how the applicant is responding to and resolving issues. Although PADSS will continue past the pre-application stage, the product of its relationship with the Issues Tracker is the PMIE and SoCG. Your proposed approach appears to simply create a Statement of Common Ground: our preferred approach... is to focus on common ground and not disagreement. This approach does not align with PINS expectations.</p>
b. Adequacy of Consultation Milestone	<p>b) We will review and provide any necessary feedback, potentially in the form of s51 advice, as soon as possible. Further detail on the AoCM can be found at Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects - GOV.UK approximately 2/3rds down the page.</p>
c. Demonstrating regard to advice	<p>c) As the Pre-application service is new to PINS and applicants, there is currently no 'best practice' or template we can provide. We are interested to see the creative ways applicants 'demonstrate regard to advice' in light of the new</p>

	Advice Log format, in addition to what would normally be submitted in a DCO application.