



Please ask for: Helen Nightingale
Direct dial/ext: 01455 255692
Email: helen.nightingale@hinckley-bosworth.gov.uk
Your ref: PJF/nss/PF/9575
Our ref: HNRFI SoCC Response
Date: 24th September 2021

By email.

Mr P Frampton
Framptons Planning
Oriel House
42 North Bar
Banbury
Oxfordshire
OX16 0TH

Dear Peter

**The Planning Act 2008
Section 47(1)
Statement of Community Consultation (SoCC)
Hinckley National Rail Freight Interchange (HNRFI)**

Thank you for your letter dated 26th August 2021 with regards to the formal consultation of the SoCC for the HNRFI. Having reviewed the SoCC and having regard to Hinckley and Bosworth Borough Council's (the Council) previous letter to you dated 8th July 2021, there are still some concerns over the general approach to the public consultation as well as the proposed timings by Tritax Symmtry (Hinckley) Limited (referred to as TSH herewith).

The Council cannot agree with the scope of the public consultation set out in the current SoCC due to the known fact that there are still a number of uncertainties surrounding the transport and traffic work being undertaken. The highway modelling results have not yet been agreed with the relevant highway authorities and therefore any impacts and mitigation has not been agreed. Presenting information to the public based on modelling results not agreed, that may be subject to change brings in to question the validity of the public consultation proposed as there is large level of uncertainty on the correct geographical scope of the public consultation.

The Council has reviewed the SoCC in detail and more specific and technical comments are outlined in the table below.

Paragraph	Comment
Summary	
Overall approach to consultation	The consultation exercise is proposed to be entirely online with little information being provided that is not online. In terms of good consultation practice, at least a minimum amount of detail about the scheme should be able to be known without (actively) going online to find it. In this regard, the proposed 'Community Explanation Document' is a missed opportunity, in that it is only to be available online (or on request for payment of £5 plus VAT). It is proposed to deliver an 'invitation' to the (virtual) exhibitions by hand to addresses within the consultation zone and certain other groups. It would seem a very useful exercise if the Community Explanation Document was also

Paragraph	Comment
	<p>delivered at the same time – there would be little additional costs except for printing costs as delivery by hand is already proposed for the invitation.</p> <p>A number of paragraphs refer to what will happen for those who ‘it is established do not have access to the internet’ (1.19 and 6.1 (hard copy may be requested), 7.4 (provision of USB), 7.7 (updates by post), broadly with the effect that they can get hard copies for free. It is not clear <i>how</i> no internet access will be established. Para 7.4 takes a stricter approach in relation to the provision of USB sticks – for that it is a question of what internet access the property can receive (limited or none), but that is presumably on the basis that where USB sticks are requested, the requestor must at least have a computer.</p> <p>Paras 1.9 and 5.3 state that hard copy documents will not be made available at physical locations – this is on the basis the Infrastructure Planning (Publication and Notification of Applications etc) Regulations 2020 allow documents to be made available online. It should be noted those Regulations were recently made to confirm emergency adaptations to the process put into place in light of the Covid-19 pandemic. Those regulations apply to the duty to publicise the application under s.48 of the Planning Act 2008, not apply to the community consultation requirements under s.47 of the Planning Act 2008, but it is correct that those Regulations can be seen as setting the overall tone.</p> <p>As well as hosting documents on a website, the SoCC introduces the concept of virtual events. However, the position on the number of virtual events is a bit tricky to follow:</p> <ul style="list-style-type: none"> • Para 7.14 – ‘TSH will host at least two virtual events for the presentation of the consultation’ • Para 7.16 – ‘TSH will host a number of events in response to the level of local interest, but acting reasonably in the number of events held within the consultation period’ • Para 7.20 – ‘The number of consultation events, whether held face to face or virtually, will be at least nine’ <p>It is also stated that if interest in the virtual events looks like capacity could be exceeded, additional events ‘may’ be held. It is not clear how capacity will be gauged – is each registrant allocated an amount of time? If so, how long? Nor is it clear whether these virtual events will be grouped by topic of interest or by locations of interest. There is no indication of when the virtual events will occur – ordinarily the times and locations of physical events would be specified and there is no reason why this cannot be done for virtual events. Further in so far as additional events are held, how is the community to know / be updated as to when (and for what locations / topics)? Is the community required to monitor the website for changes or to have pre-registered for email updates?</p> <p>In person events: it is stated at paragraphs 1.11, 7.1 and 7.14 that the holding of any in-person events will be subject to government guidance. No dates or locations (in Hinckley) are set out (though para 7.12 refers to times of the day on a week day). These details should be set out in the SoCC. (In any event, no detail is set out as to how the community will find out when and where they are to be held – would there be newspaper notices similar to set out in para 7.32)?</p> <p>Para 7.14 states that attendance at events will be ‘managed’ (but doesn’t go</p>

Paragraph	Comment
	<p>into detail as to how) and that people may be asked to wait outside an event until there is sufficient space indoors (is there a risk of people being unable to attend?). Inconsistently para 7.35 refers to 'present anticipation that all consultation will take place by virtual arrangements'.</p> <p>It is also suggested that all consultation events are done so within the first 6 weeks of the proposed 8 week consultation to enable an adequate response time for participants following the final event.</p> <p>Charging, it is set out that the following documents will be available in hard copy for the following charges:</p> <ul style="list-style-type: none"> ○ PEIR hard copy - £35 plus VAT ○ SoCC hard copy - £20 plus VAT ○ Community Explanation - £5 plus VAT <p>There is no reference to the costs of the main consultation documents and the charges outlined maybe considered unaffordable.</p>
Outreach	<p>In respect of hard to reach groups (see paras 7.46-7.51), the SoCC concludes 'arrangements should be made to engage with local gypsy and traveller communities resident to the south of Hinckley National' and acknowledges that 'the use of virtual engagement techniques may have limited effectiveness' for a number of reasons. It is proposed that:</p> <ul style="list-style-type: none"> ○ a hard copy of the consultation presentation will be provided to the Gypsy and Traveller Liaison Officer at Leicestershire County Council (who manages one of the sites) to display at that site; ○ hard copies of the Community Explanation Document, the scheme presentation and the questionnaire will also be provided to the Liaison Officer and made available to the residents of her site; ○ TSH will make contact with the proprietors of five other sites and will make available to scheme presentation and copies of the questionnaire. <p>If in-person events do not take place, this group will potentially/likely not have access to any form of interactive event. Their access to documents may also be limited to what is available at the site if they are unable to access documents online and do not pay for hard copies.</p> <p>In respect of social media advertising, it is stated that 'the advertisements will be universal in their appeal, not targeted to specific groups'. Would there be some benefit in including some more targeted advertising aimed towards young people on social media?</p>
Section 1 – Introduction	
1.1	The Planning Act 2008 is referred to but not defined as 'the Act'. subsequently, 'the Act' is referred to throughout the document. The definition needs to be included after the initial use of the full title so people understand what is being referred to.
1.5	'Project' is capitalised as if it is a defined term, but it is not. Should be corrected to avoid confusion.
1.7	The Infrastructure Planning (Miscellaneous Prescribed Provisions) Regulations

Paragraph	Comment
	<p>2010 are referred to in the footnote; these regulations have been repealed.</p> <p>The paragraph states that paragraph 39 of the government guidance on the pre DCO application process 'sets out appropriate topics for discussion'. The wording of paragraph 39 in fact states 'topics for consideration [...] might include'. The wording in the SoCC should be updated so as not to avoid suggesting the list in paragraph 39 of the guidance is definitive or that any matters beyond the list would be inappropriate to discuss.</p>
1.13	<p>The wording in this paragraph seems to require that all junctions for mitigation (and e.g bypasses) need to be identified now, however LCC in particular say they have not agreed such mitigation and so these junctions may be subject to change, thereby changing the geographical scope of the SoCC.</p> <p>It is suggested that the 3km postal area is extended to 5km as this will then include the affected parishes of Earl Shilton and Higham on the Hill and capture a wider area where transport impacts will be felt.</p> <p>Additionally whilst there is reference to a 100m consultation zone around off-site junctions with scope for this to be extended further dependant on the works proposed, how will this be determined? What thresholds would have to be exceeded to opt for a wider area? Also, air quality, visual and noise impacts would usually impact a wider area than the originally quoted 100m. Desford crossroads as a local example would need a much wider reach for consultation than 100m.</p>
1.15	<p>This is the first time 'PEIR' is referred to (not para 1.18) and the full term needs to be defined here to let the reader know what is being referenced.</p>
1.16	<p>HBBC has been advised that there may be signalising the M69 Junction 2 so this would also need to be mentioned.</p>
1.17	<p>Two paragraphs identified as 1.17.</p>
1.17	<p>Traffic modelling referred to which has not yet been agreed by the local highway authorities and Appendix 3 shows junctions studied, but as model has not yet been agreed, this cannot be confirmed.</p>
1.19	<p>It is not stated where the Community Explanation Document will be published.</p>
1.20	<p>The term '(if held)' needs a foot note to give context that this is subject to Government restrictions pertaining to the COVID-19 pandemic.</p> <p>Significant parts of the PEIR will depend on highway modelling information that has not yet been agreed.</p>
1.22	<p>This paragraph sets out a request made by Blaby District Council with regards to particular information to be provided to the local community. HBBC believe it would be appropriate to add their specific requests for information to be provided to the local community. The topics to add to these paragraphs should include:</p> <ul style="list-style-type: none"> • The impacts on A47 between the A5 and Desford crossroads; • The impacts on the Hinckley urban area road network with specific mention of the A47 link to Leicester Road; • The impacts on the Burbage urban area road network; • The impacts on the Barwell and Earl Shilton local road network;

Paragraph	Comment
	<ul style="list-style-type: none"> • The impacts on the A5, particularly between Longshoot to Smokington Hollow; • How TSH has accounted for the withdrawal of the proposed A5 Longshoot/Dodwells junction improvement scheme originally proposed by National Highways in the traffic modelling; • Traffic volumes including HGV flows in the rural areas surrounding Hinckley including Higham on the Hill, Stoke Golding and Wykin; • How TSH has derived an estimate of employees and HGV driver patterns in and out of the development including the air quality and noise impacts; • How TSH has allowed for the cumulative impacts in their highway modelling of the low bridge strikes on the A5 and their high frequency causing diversion from the trunk road on to local roads; • How TSH has planned in highway network resilience if any part of the strategic road network is disrupted (eg closure of the M6 or M1) and how TSH has assessed how the development will affect such disruptions; • Clarity on whether the new A47 link road will be open to the public and HGVs creating a through road from the M69; • Information on changes to existing highway movement patterns as a result of the creation of the southbound slip roads to Junction 2 of the M69, particularly the rerouting of HGV journeys to existing locations within the Borough (i.e Triumph); and • Changes of public rights of way within and around the Hinckley and Bosworth borough.
1.25-1.27	<p>'LCC' has not been defined so it is unclear to the reader what is meant.</p> <p>It has not been formally agreed by the Council that the outputs from the highway modelling show benefits in Hinckley and Burbage.</p> <p>Additionally, there is mention of the Eastern Villages Link (EVL) not being ruled out, however para 1.27 and Appendix 2 state that the EVL is not required or justified. The claim that the EVL is not required or justified has not been agreed by the relevant highway authorities and therefore this should be made clear that this is the opinion of TSH.</p>
1.28	Typo in iv.
1.29	It should be clarified that the previous Scoping Report and Scoping Opinion are also available on the PINS website.
1.31	Is the reference to 'Section 37 of the Act' correct? The points discussed do not look like those which are covered by section 37.
Section 2 - Site	
2.1	The description of the Site and its location is quite short. There is little to no description of the wider area in which the Site is situated.
2.2	The list of parishes and towns in the Hinckley and Bosworth 'Borough' not District should also include Earl Shilton and Higham on the Hill.
Section 3 – National Planning Policy Statement for National Networks	

Paragraph	Comment
3.1-3.6	This detail is not necessary in a SoCC.
Section 4 – Relevant Local Authorities	
4.1(ii)	Please omit Rhiannon Hill, Principal Planning Officer from the list of HBBC contacts.
Section 5 – Publication of the SoCC	
5.2	Typo at the end of the sentence.
5.5	Any documentation required by the Council to display on their website must be in an accessible format as this is a legal requirement.
Section 6 – Community Explanation Document	
6.1	<p>It is important within the Community Explanation Document that there is specific mention of the proposed highway works on and off site and the effects of those highway works as set out in comments above for paragraph 1.22.</p> <p>Additionally, the propose three week turn around period for the local authorities to review the Community Explanation Document, make comments and then have those comments incorporated in to the document is very tight and maybe slightly unrealistic, considering there are a number of authorities involved. A four week turnaround may be more realistic.</p> <p>A section in the Community Explanation Document needs to inform those that have been consulted how they can continue to be notified of the progress of the application, either by registering their interest with the Hinckley National website or PINs.</p>
6.2	Will the Community Explanation Document be published on Twitter too?
Section 7 – Form of Consultation	
7.1	There is a reference to ‘Authorities Communication Teams’ but it hasn’t been set out what these are.
7.2(vii)	There is a reference to ‘the Community Information Line’ – we assume this is the telephone enquiry line referred to in para 7.1, but it isn’t given that name in para 7.1 so it’s not completely clear to the reader.
7.4-7.9	<p>Some of these paragraphs do not really relate to the project website so it is slightly confusing that they are within this section.</p> <p>The Council are yet to confirm the feasibility of making available a computer terminal for the public to inspect the project website during office hours.</p>
7.12	There should be more than one Saturday morning event held within the Hinckley and Bosworth Borough to match that proposed in Blaby.
7.13	The mention of Facebook, Twitter and Instagram are not consistent throughout the document. If all three social media platforms are to be used, then they should be consistently referred to.
7.27	Matters relating to transport impacts should make reference to those outlined

Paragraph	Comment
	above in paragraph 1.22. It is not clear to the reader what is meant by down-time.
7.28	This refers to the list in para 7.27 identifying environmental impacts, but the content of the list appears to go beyond that.
7.30	Will comments and concerns raised on social media be responded to and if so how will they be responded to? How will comments submitted through social media be considered as part of the consultation? If comments on social media are not to be taken in to account, will TSH inform the respondents of this and redirect them to the appropriate channels?
7.31	The use of 'or' in the first sentence implies recipients will get invitations to one or the other not both. Is it to be assumed that this isn't the case if both are to take place. It is suggested that the 3km postal area is extended to 5km as this will then include the affected parishes of Earl Shilton and Higham on the Hill and capture a wider area where transport impacts will be felt. Also, as previously mentioned, it will be very difficult for someone affected to by a potential highway improvement to comment without the knowledge that there is a highway improvement – particularly as the highway modelling has not been agreed.
7.38	'BDC' and 'HBBC' have not previously been defined.
7.46	Whilst it states that the consultation programme has considered whether there may be sections of the community who may be more difficult to engage with, there is now further information about how that has been considered. Has TSH thought about consulting local schools to engage young people for example? The Council can use its voluntary community sector newsletter and forum to notify different community groups of the consultation. TSH will need to liaise directly with the Council on this matter.
Section 8 – Hinckley National Programme	
8.1	The timeframe for the public consultation being Q3 2021 does not seem realistic.
Section 9 – Conclusions – Taking into account the responses received from the statutory consultation.	
	Further explanation is needed in this section on how those that have been consulted can continue to be notified of the progress of the application, either by registering their interest with the Hinckley National website or PINs. This information should also be included in the initial letter sent out as part of the consultation as well as being mentioned in the Community Explanation Document.
Appendices – <i>These all need to be titled and labelled correctly.</i>	
1	Hinckley and Burbage libraries too

Paragraph	Comment
2 para 1.16	Refer to comments made above in para 1.25-1.27 regarding the EVL. 'Enhancement of works at junctions in the locality' is a very generic term within a project summary with no certainty to what it actually refers to, thereby making consultation very difficult if this is still an unknown.
3	As stated for para 1.17, Appendix 3 shows junctions studied, but as model has not yet been agreed, this cannot be confirmed and this is the same for the scope identified in this SOCC.
4	Off-site junctions not agreed as previously mentioned. Also, the traffic management lines are shown but there is no explanation as to what this actually means.
5	Very poor map showing different colours for counties/highway authorities and not the districts. The districts are delineated by blue hatching but this is not signposted in the key and so it is not clear what the map is showing.
6	This detail is not necessary in a SoCC.
11	Given the close proximity of the development to Burbage Common, there needs to be visible communication for Burbage Common users, the majority of whom travel to the site by car from a wider distance than 3km to enable site user to participate in the consultation if they wish to. Further contact with the Council is need on this matter.
12	The wards/parishes within Areas 1-4 should be detailed to ensure adequate areas are captured.
13	To reiterate what has been previously mentioned in paragraphs 1.13 and 7.3, it is suggested that the 3km postal area is extended to 5km as this will then include the affected parishes of Earl Shilton and Higham on the Hill and capture a wider area where transport impacts will be felt. Additionally the scope of the 100m consultation area around off-site junctions needs to be considered in more detail.
15	Please change the details for the Hinckley Area Committee to: Councillor Scott Gibbens, Chair of the Hinckley Area Committee – scott.gibbens@hinckley-bosworth.gov.uk Rebecca Owen, Democratic Services Manager – Rebecca.owen@hinckley-bosworth.gov.uk

I am happy to discuss the matters raised in this letter further if required.

Yours sincerely

Helen Nightingale
Principal Planning Officer
Hinckley and Bosworth Borough Council