

Sent by email

Unique Reference Number: notified in separate email

12 October 2011

Dear Sir/Madam

**Planning Act 2008 (PA 2008) and the Infrastructure Planning  
(Examination Procedure) Rules 2010**

**Notice of availability of relevant representations<sup>1</sup> and of the Preliminary Meeting<sup>2</sup> regarding an application for the proposed Ipswich Rail Chord, 1km north of Ipswich goods yard.**

**IPC Reference Number: TR040002**

I am writing to you following my appointment by the Chair of the IPC as the Single Commissioner Examining Authority to examine this application for a Development Consent Order (DCO).

Under the PA2008 as presently enacted, and in the absence of a relevant designated National Policy Statement (NPS) I will also be reporting and making recommendations on this application to the Secretary of State for Transport who will in those circumstances be the decision maker.<sup>3</sup>

**1. Confirmation of your status as an 'Interested Party'**

As you have submitted a relevant representation to the Commission, or you are one of those persons referred to in the PA 2008<sup>4</sup>, I can confirm that you are an Interested Party and will therefore receive notifications from the Commission about the examination throughout the process<sup>5</sup>. Your unique reference number is provided at the head of this letter. All relevant representations submitted are available for you to access on the Commission's website or to inspect at various locations. Further details are provided in **Annex A** to this letter.

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<sup>1</sup> Rule 21 of the Infrastructure Planning (Examination Procedure) Rules 2010

<sup>2</sup> Planning Act 2008 (PA2008) S88 and Rule 6

<sup>3</sup> S83(2)(b) & S103(1)(b) PA2008 The relevant Secretary State currently decides applications where there is no relevant designated NPS.

<sup>4</sup> S102 (1) (a)-(c) PA2008

<sup>5</sup> S102 PA2008

2. *Invitation to the Preliminary Meeting*

I am also writing to inform you of the date, time and place of the Preliminary Meeting and to invite you to attend the Preliminary Meeting<sup>6</sup>.

**The Preliminary Meeting will take place on 9 November 2011. Registration will start at 14:00 and the meeting is scheduled to start at 14:30 in Conference Room 1 & 2 at the IP-City Centre, 1 Bath Street, Ipswich, Suffolk, IP2 8SD<sup>7</sup>.**

3. *The purpose of the Preliminary Meeting*

The purpose of the Preliminary Meeting is to enable views to be expressed about matters set out in the agenda (**Annex B**) and in particular to hear representations about the way in which the application is to be examined.

The Examining authority must decide how the application is to be examined<sup>8</sup>. You will find my initial statement regarding the way in which the examination will be run at **Annex C**; this sets a timetable giving proposed deadlines for information to be submitted to the examination and dates for hearings<sup>9</sup>.

The agenda for the meeting has been set following my initial assessment of the principal issues arising on the application. These are set out in the Statement of Principal Issues at **Annex D**. These are the principal issues that I as Examining authority have so far identified; I wish to hear from Interested Parties particularly where they consider issues may need to be examined in a different way from that set out in **Annex C**.

It is important to recognise that the meeting is about procedure, **not** the merits of the application, which will be considered when the examination of the application takes place.

4. *Arrangements for the Preliminary Meeting*

If you wish to attend the Preliminary Meeting, it would help us manage the meeting in an efficient way if you could write to the Case Leader (Kay Fry - at the address on the front of this letter) or email [IpswichChord@infrastructure.gsi.gov.uk](mailto:IpswichChord@infrastructure.gsi.gov.uk):

- To confirm your attendance;
- To inform us whether you wish to speak at the meeting and to note the agenda items you wish to speak to, listing points you wish to make;

Please bring this letter with you to the Preliminary Meeting as proof of your identity and status as an Interested Party. On arrival at the venue you will be asked to register your name and unique reference number with IPC staff; you will then be directed to conference room 1 & 2 in which the Preliminary Meeting is taking place. Priority will be given to those

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<sup>6</sup> S88(3) PA2008 and Rule 6

<sup>7</sup> In the event that further time is required to complete the business of the Preliminary Meeting the Preliminary Meeting will resume at the same venue at 9am on Thursday 10<sup>th</sup> November 2011 and on each subsequent day until the business is concluded.

<sup>8</sup> S87(1) PA2008

<sup>9</sup> S89(1) PA2008

registered as Interested Parties before any seating in the room is allocated to members of the public.

My aim is to run an efficient and effective Preliminary Meeting and therefore strongly encourage one representative only to speak on behalf of groups of individuals with procedural concerns, and only then if others such as a local authority or statutory consultee have not already made the point.

If you wish to make any submissions on matters not set out in the agenda and which would enhance the discussion at the Preliminary Meeting, I ask that you write to the Case Leader setting out the submissions that you wish to make at least 7 days before the Preliminary Meeting. I will endeavour to accommodate reasonable requests and will alter the agenda on opening the Preliminary Meeting if I consider this will assist a discussion on the procedure to apply to the examination of the application.

A note will be taken of the Preliminary Meeting and circulated to you as soon as practicable<sup>10</sup> after the meeting. You will also receive a copy of the procedural decision we make about how the application is to be examined<sup>11</sup> as soon as practicable after the meeting

Please note that you are **not required** to attend the meeting and you will still be able to make written representations on the application by the deadline set for such representations, whether or not you attend the Preliminary Meeting.

Yours sincerely



**Gideon Amos OBE RIBA MRTPI**  
**Commissioner – Examining Authority**

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<sup>10</sup> Rule 7 (2) Rule 8

<sup>11</sup> S89 PA2008 and Rule 9

## Annex A

### Availability of relevant representations and documents

On the Commission's website at [www.independent.gov.uk/infrastructure](http://www.independent.gov.uk/infrastructure) following the links: *Projects – Eastern - Ipswich Rail Chord – Documentation – Relevant Representations.*

For inspection and copying at:

- Ipswich County Library  
Northgate Street  
Ipswich  
IP1 3DE

Copying Charges: 10p per A4 sheet (black and white), £1 (colour).

Opening Hours: Monday, Wednesday & Thursday 09:00–18:00  
Tuesday & Friday 09:00-19:00  
Saturday 08:30-17:00  
Sunday 10:00-16:00

- Babergh District Council  
Corks Lane  
Hadleigh  
Ipswich  
IP7 6SJ

Copying Charges: Up to 10 A4 sheets – free (10p per additional sheet), other sizes at additional cost.

Opening Hours: Monday to Thursday 09:00-17:00  
Friday 09:00-16:00

- Infrastructure Planning Commission  
Temple Quay House  
Bristol  
BS1 6PN

Copying Charges: 10p per A4 sheet, other sizes at additional cost.

Opening Hours: 09:00 to 17:00 Monday to Friday

(Coping charges quoted are indicative costs as at October 2011.)

## **Annex B**

### **Agenda for the Preliminary Meeting**

**Date:** 9 November 2011

**Time:** Registration from 1400

**Meeting begins 1430**

**Venue:** IP-City Centre, 1 Bath Street, Ipswich, Suffolk, IP2 8SD.

<b>1. Welcome of Interested Parties and Invitees to the Meeting</b>
<b>2. Introduction to the Meeting and the Examination Process</b>
<b>3. Presentation of Principal Issues (see Annex D)</b> <b>Questions</b>
<b>4. Methods of Examination</b>  i. the inquisitorial approach  ii. Examination to take the form of consideration of Written Representations about the application <sup>12</sup>  iii. Examining Authority's (EA) Questions, responses and comments on responses  iv. Local Impact Report  v. Statements of Common Ground  vi. EA Requests for Information  vii. Hearings and Conduct of Hearings
<b>5. Timetable for the Examination – see Annex C</b>
<b>i. Deadlines for submissions:</b>  • Comments on Relevant Representations  • Examining Authority's Questions (EAQs)  • Written Representations

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<sup>12</sup> S90 PA2008

- Local Impact Report
- Responses to EAQs
- Comments on Written Representations
- Comments on Local Impact Report
- Comments on Responses to EAQs
- Statements of Common Ground
- Notifications relating to Hearings

**ii. Hearings and Accompanied Site Visit:**

- Time period reserved for accompanied site visit to application site and surrounding area if required
- Time period(s) reserved for any Open Floor and/or Issue Specific, and/or Compulsory Acquisition Hearing(s)
- Conduct of Hearings

**iii. Deadline for close of Examination**

**Close of the Preliminary Meeting**

## Annex C

### Draft Timetable for Examination of the Application

Item	Matters	Due Dates
1.	<p><b>Preliminary Meeting and start day of the Examination</b></p> <p>If the Preliminary Meeting is held on two or more days the start day is the later or latest of those days</p>	<b>Wednesday 9<sup>th</sup> November 2011</b>
2.	<p>Issue of:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Procedural timetable (Rule 8(1) and(2))</li> <li><input type="checkbox"/> Examining authority (ExA) first written questions (Rule 8(1)(b)(i) and(iii))</li> </ul>	<b>Monday 14<sup>th</sup> November 2011</b>
3.	<p>Notification by ExA of date time and place for:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> OF hearing (s93 and Rule 13(3)(a)) if required</li> <li><input type="checkbox"/> CA hearing (s92 and Rule 13(3)(b)) if required</li> <li><input type="checkbox"/> IS hearing (s91 Rule 13(3)(a) and Rule 8(1)(h))</li> <li><input type="checkbox"/> Accompanied site visit (Rule 16(3))</li> </ul>	<b>Monday 28<sup>th</sup> November 2011</b>
4.	<p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Local impact report (LIR) by all local authorities (Rule 8(1)(j))</li> <li><input type="checkbox"/> Comments on relevant representations (RRs) (Rule 8(1)(c)(i) and (d)(i) and Rule 3(2)(b))</li> <li><input type="checkbox"/> Written representations (WRs) (Rule 8(1)(a) and Rule 10(1) and(2))</li> <li><input type="checkbox"/> Any summaries of WRs exceeding 1500</li> </ul>	<b>Tuesday 6<sup>th</sup> December 2011</b>

	<p>words (Rule 8(1)(i))</p> <p><input type="checkbox"/> Responses to ExA's first written questions (Rule 8(1)(b))</p> <p><input type="checkbox"/> Notification of wish to be heard at an open floor (OF) hearing by interested parties (IPs) (s93(1) (PA) Rule 8(1)(f) and Rule 13(1))</p> <p><input type="checkbox"/> Notification of wish to make oral representations on the specific issue(s) being examined at the issue- specific hearing (ISH) relating to the draft Development Consent Order, by IPs (s91 (PA) and Rule 8(1)(k))</p> <p><input type="checkbox"/> Notification of wish to be heard at a compulsory acquisition (CA) hearing by affected persons (APs) (s92(2) (PA) Rule 8(1)(f) and Rule 13(1))</p>	
5.	<p>Time period reserved for any Open Floor Hearing if required (am)</p> <p>Time period reserved for Issue Specific Hearing (pm)</p>	<b>Tuesday 20<sup>th</sup> December 2011</b>
6.	<p>Time period reserved for any Compulsory Acquisition Hearing if required and/or Issue Specific Hearing</p>	<b>Wednesday 21<sup>st</sup> and Thursday 22<sup>nd</sup> December 2011</b>
7.	<p><b>Deadline for receipt by the ExA of:</b></p> <p><b>Comments on:</b></p> <p><input type="checkbox"/> Written Representations and responses to comments on RRs (Rule 8(1)(c) and (d) and Rule 10(5))</p> <p><input type="checkbox"/> Local Impact Reports (Rule 8(1)(j))</p> <p><input type="checkbox"/> Responses to ExA's written questions (Rule 8(c)(ii) and(d)(ii))</p> <p><input type="checkbox"/> Statements of common ground (SoCG) (Rule 8(1)(e))</p> <p><input type="checkbox"/> Any written summary of the case put orally at any Hearing (Rule 8(1)(k))</p> <p><input type="checkbox"/> Any final amendments to the draft DCO, requirements and s106 undertakings</p>	<b>Tuesday 3<sup>rd</sup> January 2012</b>

	(Rule 8(1)(k))	
<b>8.</b>	Issue of any requests for further information (Rule17)  Time period reserved for accompanied site visit if the Examining Authority determines it necessary.	<b>Tuesday 10<sup>th</sup> January 2012</b>
<b>9.</b>	Deadline for receipt by ExA of any further information or written comments he has requested.	<b>Tuesday 24<sup>th</sup> January 2012</b>
<p>The Examining Authority is under a duty to <b>complete</b> the Examining authority's examination of the application by the end of the period of 6 months beginning with the start day. (s98 (PA))</p>		

## **Initial Assessment of Principal Issues**

This is the initial assessment of the principal issues arising from consideration by the Examining Authority of the Application Documents and relevant representations received concerning the North of Ipswich Goods Yard Railway Chord application. This Initial Assessment is the Examining authority's assessment made on the facts in this case, and in the circumstances of this case. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a decision after the examination is concluded.

- a. **Policy Context for the Application including:-**
  - i. the Development Plan (the combined East of England Regional Strategy and Ipswich and Babergh Borough Development Plan Documents)
  - ii. other Government Guidance and Policy
  
- b. **Multi-modal Transport Infrastructure, Design and Townscape: Provision for and effect on multi-modal transport infrastructure, in particular for rail movement, walking and cycling**
  - i. knock on impacts on rail network including impact on Great Blakenham Level Crossing
  - ii. impacts on cycling and cycle routes and period of cycle route closure
  - iii. feasibility of constructing cycle route ramps as part of the Works as opposed to afterwards
  - iv. Boss Hall bridge 404
  - v. Proposed Hadleigh Road bridge
  - vi. Proposed River Gipping bridge
  - vii. Maintenance access underpass/bridge
  - viii. Hadleigh Road temporary access and allowance for contemporaneous development
  
- c. **Pollution Control including:-**
  - i. establishing minimum specifications for the Pollution Incident Control Plan, for inclusion in the draft DCO
  - ii. establishing the degree of impact (if any) from Electro Magnetic Fields
  - iii. whether the land contamination risks are sufficiently addressed in the draft DCO
  
- d. **Socio-economic Impacts including:-**
  - i. loss of employment land and feasibility of developing remaining employment land
  - ii. any impacts on the 132Volt electricity line
  - iii. impacts on Hutchison Ports and protective provisions
  
- e. **Noise, dust and vibration impacts on neighbouring land and occupiers**

- f. Natural Environment (Wildlife, Flood Defence, Impact on Local Views and Landscaping) including:-**
- i. whether the proposed landscaping is sufficient to mitigate the impact of the proposed development**
  - ii. whether protective provisions are sufficient**
  - iii. flood attenuation locations**
  - iv. relocation of protected species**
- g. Compulsory Acquisition: whether there is a compelling case in the public interest for the land identified to be acquired compulsorily including:-**
- i. necessity of acquisition of plots 6, 7, 8, 9**
  - ii. necessity of acquisition and impact on Railway Cottages**
  - iii. necessity of loss of National Health Service Blood Transfusion car parking and impact on Blood Transfusion services**
  - iv. necessity for Felixstowe Branch Line Yard Improvement Order (FBLYO), works in the event that the draft DCO is made and potential impact upon them including any parcels of land required for both FBLYO and for the DCO to be put into effect, including impacts on Freightliner, Hutchison Ports and Felixstowe Dock and Railway Company**
  - v. line closures and protective provisions in the draft DCO**
  - vi. impacts on East of England Co-operative Society Boss Hall Estate**

**Gideon Amos OBE RIBA MRTPI  
Commissioner - Examining authority**

**11<sup>th</sup> October 2011**

# Putting your case to the IPC about the application

# The Preliminary Meeting

## What is the purpose of the Preliminary Meeting?

The Preliminary Meeting is a procedural meeting. Its purpose is to give people who have registered as interested parties in the Ipswich Rail Chord proposal the opportunity to make representations to the Commissioner (the Examining Authority) about how the application should be examined.

Interested parties are people who have either registered to make their case to the IPC, or those who are by right interested parties such as organisations which have been defined as statutory consultees.

The Preliminary Meeting will be about the procedure for examining the application only, including setting the timetable for making more detailed written representations. It is **not** an opportunity to discuss the merits of the application.

## Who runs the meeting?

The meeting is run by a Commissioner who has been appointed to examine the application. The Commissioner should be addressed as Sir / Madam. The Commissioner can also be referred to as the Examining Authority.

## Where will the meeting be held?

The meeting will be held at the IP-City Centre, 1 Bath Street, Ipswich, Suffolk, IP2 8SD. Registration will start at 2pm on 9 November 2011 and the meeting is scheduled to start at 2:30pm on 9 November 2011.

## Will the meeting venue have wheelchair access? Will there be a hearing loop?

The venue at the IP-City Centre has both wheelchair access and a hearing loop available. Please let the IPC case team for the Ipswich Rail Chord know (see contact details at end of this note) at least 7 days before the meeting if you have any specific needs, for example due to visual or hearing impairment. This will enable us to ensure that appropriate provision is made whenever reasonably possible.

## Can anyone attend?

The Preliminary Meeting is held in public. Where space is limited because of the maximum capacity of the venue, priority will be given to interested parties. Please notify us in advance that you will be attending the meeting, using the contact details at the end of this note. When registering before the start of the meeting interested parties should make themselves known to IPC staff and be directed to the correct seats.

The meeting will be video recorded and for those not able to attend they will be able to download and watch the video recording from the IPC's website. This will be available on the IPC website as soon as possible after the event.

## Can I speak at the meeting?

Any person wishing to speak at the meeting should inform the IPC in writing in advance of the meeting, including the relevant agenda item on which they wish to speak. The Commissioner will decide who will be invited to speak and in what order. In doing so, he or she will seek to ensure that everyone who requests to speak is given a fair opportunity to do so. If unable to do so in advance of the meeting, requests to speak can also be made by informing a member of the IPC staff before the start of the meeting. The Commissioner will confirm whether or not such requests can be granted at the start of the meeting.

Where several people or organisations wish to express the same view, they are encouraged to identify a representative who can speak on their behalf. The Commissioner will not wish to hear the same point repeated by different parties.

## Will there be a time limit for speaking at the meeting?

The Commissioner may need to set a time limit for people to speak. If this is the case, he or she will also ensure that speakers do not exceed the time limit they have been allocated. Everyone who speaks should aim to be clear, concise and to remain focused on the agenda item being discussed.

The Commissioner may wish to ask a speaker questions if they need more information about a particular matter.

## What's the agenda for the Preliminary Meeting?

The proposed agenda for the meeting is set out in advance in a letter to all interested parties. This includes a list of the draft principal issues for the examination. These are issues which have been identified at this stage by the Commissioner, based upon the information provided in the application and the representations submitted to the IPC about the application.

The letter also includes a draft timetable for the examination, including deadlines for more detailed information to be submitted to the examination, along with any proposals for hearings.

### When do I get to state my views on the proposal?

The Preliminary Meeting is **not** the forum for stating your views on the proposal. Nor is it necessary to attend the Preliminary Meeting in order to have an opportunity to do so during the examination. Whether or not you attend this meeting, you will later be able to provide further written details of your views and to attend any hearings.

The IPC examination will rely heavily on the written views people have submitted. Any initial representation made when registering as an interested party is already part of the evidence the Commissioner will consider in their examination.

At the Preliminary Meeting, one of the issues that will be discussed is whether it will also be necessary to hold any additional issue-specific hearings as part of the examination. The Commissioner will only hold an additional issue-specific hearing if he or she considers that it is necessary to ensure adequate examination of the issue or to ensure that an interested party has a fair chance to put forward its case. If an issue is not being dealt with by way of an issue-specific hearing this does not mean that it has any less significance than other issues that have been identified.

There will be an opportunity for anyone who is an interested party to request an open floor hearing. An open-floor hearing must be held if one is requested. It will provide interested parties with an opportunity to make oral representations, based on their relevant or written representation about the application, subject to the Commissioner's running of the hearing.

There will also be an opportunity for anyone who is an affected person (a person with an interest in the land the subject of compulsory acquisition) to request a compulsory acquisition hearing. A compulsory acquisition hearing must be held if one is requested. It will provide affected persons with an opportunity to make oral representations, on compulsory acquisition related matters, subject to the Commissioner's running of the hearing.

### What do I do if I think that a key issue is being overlooked?

The list of principal issues is intended to assist the examining authority in developing lines of enquiry which will evolve during the examination and to help parties in preparing for the examination of the application. It is not intended to be a definitive statement of the issues to be considered.

If you think that a key issue is being overlooked, please write to the IPC Case Leader, Kay Fry, explaining what the issue is and why you think it is important

for this to be discussed at the preliminary meeting. Your request should be received by the IPC at least 7 days before the preliminary meeting.

### Can I ask the Commissioner a question?

The Commissioner will determine whether it is possible at any point to consider questions from those attending. As the meeting will run to a timetabled agenda, it is important to raise any questions you have with the IPC before the meeting, by telephoning the IPC helpline on 0303 444 5000 and asking to speak to a member of the Ipswich Rail Chord case team. It is not possible to email or telephone the Commissioner directly.

### What happens next?

Following the Preliminary Meeting, the Commissioner will provide written notes of the meeting to all interested parties. A copy of the decision made about how the application is to be examined will also be sent and will include:

- The deadline for providing more detailed written views to the IPC on the application.
- Details of any hearing(s) – including: open floor, issue-specific and compulsory acquisition hearing(s).
- The deadlines for providing comments on others' representations.

These documents will also be published at the IPC's website.

All interested parties will be kept up to date, in writing, about any changes to the examination timetable and the arrangements for any hearing(s).

### Where can I get further information?

Further information is available from the IPC through the website. The IPC case team can be contacted on:

Telephone: 0303 444 5000

Email: [ipswichChord@infrastructure.gsi.gov.uk](mailto:ipswichChord@infrastructure.gsi.gov.uk)

Address: Kay Fry - Case leader, Infrastructure Planning Commission, Temple Quay House, Temple Quay, Bristol, BS1 6PN.

#### **Website:**

<http://infrastructure.independent.gov.uk/projects/eastern/ipswich-rail-chord/>

To all Interested Parties

Dear Sir/Madam

**Notice of Appointment of Examining Authority  
Application for a Development Consent Order by Network Rail for the  
proposed Ipswich Rail Chord located 1km north of the Ipswich goods  
yard (Ref. TR040002).**

I am writing to notify you that I have appointed a Single Commissioner to hold the examination of this application. The Commissioner ("the Examining authority") is as follows.

- Gideon Amos OBE RIBA MRTPI

Further information about the Commissioner can be found on the IPC website. The Commissioner, Gideon Amos OBE, is writing to you separately with details of the forthcoming preliminary meeting and providing details of the Examining authority's initial assessment of the issues for this application.

Yours sincerely



**Sir Michael Pitt  
Chair**

**Switchboard:** 0303 444 5000

**Email:** [ipswichChord@infrastructure.gsi.gov.uk](mailto:ipswichChord@infrastructure.gsi.gov.uk)

The IPC gives advice about applying for an order granting development consent or making representations about an application (or a proposed application). The IPC takes care to ensure that the advice we provide is accurate. This communication does not however constitute legal advice upon which you can rely and you should note that IPC lawyers are not covered by the compulsory professional indemnity insurance scheme. You should obtain your own legal advice and professional advice as required.

We are required by law to publish on our website a record of the advice we provide and to record on our website the name of the person or organisation who asked for the advice. We will however protect the privacy of any other personal information which you choose to share with us and we will not hold the information any longer than is necessary.

You should note that we have a Policy Commitment to Openness and Transparency and you should not provide us with confidential or commercial information which you do not wish to be put in the public domain.