

27 June 2011

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The Rt. Hon. Edward Miliband MP
MP for Doncaster North
House of Commons
London
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Your ref: DW_IPC110616.docx

Dear Mr Miliband,

**Proposed North Doncaster Rail Chord
Network Rail Application for an Order Granting Development Consent**

Thank you for your letter dated 23 June 2011 in which you raised the concerns of your constituents over the consultation undertaken by the above developer and your constituents' suggestions regarding incorporating green road infrastructure into the proposed scheme.

I can confirm that we did receive some correspondence in June 2011 from your constituents about the proposal and these were acknowledged and forwarded to Network Rail and Doncaster Metropolitan Borough Council for their consideration. As part of our openness policy, copies of this correspondence, notes of all meetings held with the developer and others, and any advice given about this proposed project is published on our website.

The Planning Act 2008 requires developers to consult the local community, and others, about their proposals for development prior to submitting an application. Before this consultation of the local community can take place, the developer must draw up a draft Statement of Community Consultation (SoCC) describing how they intend to consult the local community, and send this to the relevant local authority for comment. The developer must have regard to any comments received from the local authority and then carry out the consultation with the local community in accordance with the proposals set out in the SoCC.

The application for the proposed North Doncaster Rail Chord was submitted to the IPC on 22 June 2011. The Commissioner appointed has 28 days in which to decide whether or not to accept it for IPC examination. In deciding whether or not to accept an application, a range of factors have to be considered, including the adequacy of the local community consultation undertaken by the developer, whether the developer has had regard to any relevant consultation responses received and whether all required application documents have been submitted. The IPC does not though assess the merits of proposed projects at application acceptance stage.

Following receipt of this application, the IPC has written to the 'host' local authority for this scheme, Doncaster Metropolitan Borough Council, and neighbouring local authorities inviting them to submit a response commenting on the adequacy of the developer's pre-application consultation and publicity. The IPC must have regard to any such responses

received when deciding whether or not to accept this application. If the application is accepted, the IPC will invite the 'host' and neighbouring local authorities to submit a Local Impact Report setting out details of what they consider are the likely impacts of the proposed development on their areas.

If the application is accepted, any member of the public will be able to register as an interested party. The deadline for registering as an interested party will be publicised by the developer in the local and national press as well as by the IPC on our website.

Interested parties will then have the opportunity to give their views throughout the process. The IPC will take evidence from the public and others to inform its decision, or recommendation to the relevant Secretary of State. During examination of applications, individuals and groups who have registered their interest can submit evidence in writing. Where Commissioner(s) hold open floor or issue specific hearings during the examination any interested party can, subject to the Commissioners' management of proceedings, make oral representations about the application.

The IPC encourages local people and others to give their views on proposed projects and is committed to ensuring that if the application is accepted, interested parties have an opportunity to take part in the process.

If the application is accepted, then we will consider holding a meeting to inform the local community how they can be involved in the examination process, although we will not be able to discuss the merits of the application.

I hope this enables you to reassure your constituents that their observations will be taken into consideration. I have enclosed some further information about the IPC process but if you would find it useful to meet to discuss the process or if you have further questions please do not hesitate to contact me.

Yours sincerely



Kathryn Powell

Case Leader

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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 correspondence 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.