

Oxfordshire Strategic Rail Freight Interchange

Case Reference: TR050008

Oxfordshire Rail freight 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>Project Update Meeting</p> <ol style="list-style-type: none"> 1. Welcome and Introductions 2. Brief introduction to the scheme 3. Project Update 4. Stakeholder Engagement Update 5. Discussion on PINS Prospectus and the five new primary service features <ol style="list-style-type: none"> a. Programme Document b. Issues Tracker and Potential Main Issues for the Examination c. Advice Log d. Adequacy of Consultation Milestone e. Demonstrating regard to advice f. Schedule of meetings going forward |
| 17/03/2025 | <p>Project Update Meeting:</p> <ol style="list-style-type: none"> 1. Welcome and Introductions 2. Update on key consultee engagement 3. Programme Update 4. Survey update 5. Update on landowner discussions 6. Our approach to Design Approach Document (DAD) |
| 27/08/2025 | Project Update Meeting: |

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| | <ol style="list-style-type: none"> 1. Welcome and introductions 2. Section 51 advice 3. Update on Programme 4. Statutory Consultation 5. Issues Tracker and SoCG update |
| Email Advice: 29/10/2025 | Email advice on the Pre-application prospectus update |

| Oxfordshire Strategic Rail Freight Interchange - s51 Advice Library | |
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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</p> |

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| | within 6 weeks and time should be allowed to make any amendments before submission. |
| Design | 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. |
| Sustainability Strategy | 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. |
| Pre-Application documents Tiers | 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. |
| 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. |

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| | PADSS will inform the Potential Main Issues for Examination. |
| Topic | Email date: 11 November 2024 |
| a. Issues Tracker and Potential Main Issues for the Examination | 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. |
| b. Adequacy of Consultation Milestone | 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. |
| c. Demonstrating regard to advice | 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 Advice Log format, in addition to what would normally be submitted in a DCO application. |
| Topic | Email date: 14 March 2025 |
| Programme Document | The Planning Inspectorate acknowledged the insertion of the Adequacy of Consultation Milestone date into the appendix along with the amendment of the date for the submission of draft documents to be before the DCO application allowing the Inspectorate a 6-week review period and time for the feedback to be assessed and actioned where necessary. |
| Topic | Meeting date: 17 March 2025 |
| Update on key consultee engagement | The Inspectorate advised it would be good to capture progress regarding the applicants Planning Performance Agreement (PPA's) and agreements with statutory parties |

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| | <p>in their Programme Document (PD) along with any other developments to show how the project is progressing.</p> <p>The applicant asked whether they need to request feedback before publishing the programme document every time.</p> <p>The Inspectorate confirmed it is not necessary to request feedback on PDs, but there is a requirement to have a public-facing PD on applicants' website. Any feedback that the Inspectorate provides to the applicant can be amended in a later version.</p> <p>The Inspectorate advised that when the applicant starts developing the consultation report it is good to include the narrative of their conversations with statutory parties, landowners and local authorities, to illustrate how the applicant has had regard to feedback provided i.e. what actions were taken and why. This also feeds into the Environmental Statement to ensure that feedback from statutory parties is captured and outlines how the applicant's proposals were influenced.</p> |
| Programme Update | <p>The Inspectorate reiterated that the main content of the last three versions of the PD had not changed. Changes that were made related to the timetable in the Appendix rather than the body of the document. The Inspectorate noted it would make sense to include a map/plan showing the proposed location of the development in the next PD on the website, to aid understanding of the general description of the scheme.</p> <p>The Inspectorate advised the applicant to capture the issues or risks in the PD to track progress after discussions with other parties and any conclusions made. The issues might not be resolved however the risks could be minimised following discussions with the other parties. The frequency of meetings with other parties could also be recorded. Extensive detail can be saved for the consultation report. The PD can be designed to allow the public to easily see how the project is progressing. The consultation report can refer to the PD to highlight how progress of the project was communicated to the wider public. This requires the PD to be regularly updated to reflect the progress being made.</p> <p>The Inspectorate advised that the Issues Tracker iterations should be provided during the pre-application stage so that the Inspectorate can monitor any progress being made to provide feedback. This can be provided separately to the draft documents at any time, to obtain the Inspectorates</p> |

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| | <p>feedback, which can either be provided in a Project Update Meeting, email and/or telephone correspondence.</p> <p>The applicant highlighted that this is being shared with consultees.</p> <p>The applicant advised that their intention is to submit their application in November 2025.</p> <p>The applicant advised they plan to submit the Adequacy of Consultation Milestone (AoCM) document by the 21 August 2025 and draft documentation would be submitted at the same time.</p> <p>The applicant expects the key content of the AoCM to be similar to the draft consultation report and is aware it takes two weeks for the Inspectorate to review the AoCM and six weeks for the draft documents review. The applicant asked to what extent the Adequacy of Consultation could mirror the Consultation Report.</p> <p>The Inspectorate explained that the AoCM is required to be submitted by the applicant, to illustrate the adequacy of consultation and where possible the applicant should request from relevant LAs a written statement on the applicant's consultation. It is however noted that local authorities (LA) may not be in a position to provide these. The draft documents are for the Inspectorate to assess, including the Consultation Report (if provided), and provide feedback within six weeks. At Acceptance the Inspectorate will formally request from LAs whether the consultation was adequate.</p> <p>The applicant asked, due to there being no prescribed form for the AoCM document, what it should look like. The applicants' plan is to set out the type, nature, engagement and the measures the applicant went through, explaining for both stages of the consultation how much they have consulted and engaged with their prescribed/statutory consultees and landowners. Therefore, the nature of AoCM could be very similar to some of the chapters within the consultation report.</p> <p>The applicant asked if the Inspectorate could provide good examples of AoCM documents from other applications.</p> <p>The Inspectorate advised it cannot highlight whether one AoCM is better than another and best practice for the AoCM has not yet emerged, however the Inspectorate can provide examples of other AoCMs received to date.</p> <ul style="list-style-type: none"> • A46 Coventry Junctions - Adequacy of Consultation Milestone (AOCM) Statement • Botley West Solar Farm - AOCM |
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| | <ul style="list-style-type: none"> • Peartree Hill Solar Farm - Adequacy of Consultation Milestone Report <p>The Inspectorate highlighted that different projects will have AoCMs of different length and this variance does not indicate inadequacy.</p> <p>The applicant asked for clarity as to whether Local Planning Authorities are involved in the AoCM .</p> <p>The Local Authorities are contacted at Acceptance and asked whether the consultation was adequate. The assessment of the milestone before that is whether the applicant has provided the PD to the LAs for them to understand when the next correspondence will happen on the Adequacy of Consultation and if you have updated them accordingly. It is also helpful for the applicant to outline if the consultation was carried out successfully.</p> <p>The Inspectorate do not contact Local Authorities for a statement pertaining to the AoCM. The Applicant can request that the LA submit a written statement on their adequacy of consultation but waiting for responses should not delay the submissions of the AoCM to the Inspectorate.</p> <p>Guidance on the AoCM is available here: Advice Note: What is the early Adequacy of Consultation Milestone (AoCM)</p> |
| Survey update | <p>The Inspectorate advised the ExA may ask for land trackers at examination. Therefore, the land rights and negotiations tracker should be started as early as possible in pre-application.</p> <p>The applicant asked whether this tracker needs to be an annex of the Statement of Reasons regardless of whether they are in the enhanced pre-application tier, and whether the document is formally required as part of Acceptance.</p> <p>The Inspectorate noted that the tracker is regularly being requested during examinations and although this might not be a component required under the “standard tier” there is nothing stopping applicants from preparing the document.</p> |
| Next Steps - Draft documents submission | <p>The applicant advised they plan on submitting the full suite of documents set out in the prospectus for the standard tier service. These are:</p> <ul style="list-style-type: none"> • Draft DCO, including protective provisions and/ or draft deemed marine licence(s) • Draft DCO Explanatory Memorandum • Draft sample Works Plans and Land Plans • Draft Consultation Report including section 42 consultee list |

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| | <ul style="list-style-type: none"> • Draft HRA report • Draft Environmental Statement project description chapter(s) • Draft Planning Statement • Draft Book of Reference • Draft Statement of Reasons • Draft Funding Statement <p>The applicant advised there are a number of plans being prepared for statutory consultation and asked whether, whilst noting that they are not part of the standard draft document review process, the submission of these additional plans would be helpful to the Inspectorate for further context at the draft document submission stage.</p> <p>The Inspectorate agreed these additional plans may be helpful for context and advised that if the applicant wished for feedback on these documents and if they were in a good state i.e. standard acceptable for Acceptance then the Inspectorate could review these documents for feedback. However, if they are just skeleton documents, then the Inspectorate would not be able to give valuable feedback so therefore they should not be submitted.</p> |
| Topic | Meeting date: 27 August 2025 |
| Update on Programme | <p>The Inspectorate highlighted the importance of including details of the associated development in the DCO, Explanatory Memorandum and Planning Statement.</p> <p>The applicant agreed and referred to the ExA's commentary and requests in relation to the drafting of Schedule 1 of the Hinckley National Rail Freight DCO i.e. to not split up DCO schedule 1 with NSIPS (Nationally Significant Infrastructure Projects) and Associated Development in to separate parts. The applicant explained that it intends to follow the same approach: not having a separate associated development section. This will be explained very clearly in the Explanatory Memorandum. The applicant's Project Overview Document will also describe the works along with the Guide to the Application.</p> <p>The Inspectorate asked if the Programme Document will be sent to local authorities when updated. The applicant agreed to check this following the meeting but outlined that local authorities are aware of the programme following direct discussions with them.</p> |
| Statutory Consultation | <p>Four exhibition dates are booked for October. The applicant has planned to host two webinars, and the first is to be recorded and published. The Inspectorate advised the applicant to ensure their application highlights that their</p> |

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| | <p>statutory consultation is running for longer than the minimum time required.</p> <p>The applicant is reviewing the local authorities' comments on the draft SoCC. The SoCC will be published shortly before the consultation starts. The notice for the SoCC will be published in newspapers on 11 September 2025, the applicant will then issue the first s48 notice on 18 September 2025. The s46 notice will be sent to the Inspectorate to coincide with the s42 consultation letters being issued.</p> <p>The applicant asked whether the s46 notice to the Inspectorate need to be addressed to anyone specific. The Inspectorate confirmed it did not and to send it to the project mailbox.</p> <p>The applicant confirmed the s42 mailout will begin on Monday 22 September. The formal consultation commences on 23 September 2025. The second newspaper notice will be on the 25 September 2025. The consultation will run for 6 weeks until 4 November 2025.</p> |
| Issues Tracker and SoCG update | <p>The Inspectorate requested the applicant submit their draft Issues Tracker before submitting their application. The applicant confirmed their Issues Tracker would be part of suite of documents submitted to the draft document review service.</p> |
| Draft documents submission | <p>One of the documents being submitted is a draft HRA Report. The Inspectorate asked the applicant if they will include feedback from statutory parties within this draft and whether the applicant is sharing these documents as part of ongoing discussions with statutory parties.</p> <p>The applicant advised that they were consulting on the HRA content in the statutory consultation but had dialogue on the content previously.</p> <p>The Inspectorate advised the applicant to be very clear which issues have been resolved, and which are ongoing in the Issues Tracker. The Inspectorate asked whether the majority of identified issues will be addressed prior to DCO application submission.</p> <p>The applicant asked whether the Inspectorate wish to receive documents outside of the documents listed for review under the standard tier. The Inspectorate confirmed they adopt a flexible approach and will aim to review and provide feedback on them if resources allow and if they provide useful context to other documents. The Inspectorate highlighted the usefulness of reviewing</p> |

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| | <p>documents such as the Explanatory Memorandum and parameters plan/land plans, and in particular the Access and Rights of Way plans which will give context to the detailed drafting in the relevant DCO schedules. The Inspectorate also requested a list of the Statements of Common Ground that are being prepared to be submitted with the draft docs. The applicant agreed.</p> <p>The DCO application is aimed to be submitted in February 2026.</p> <p>The Inspectorate advised the applicant to provide an updated GIS shapefile at least 10 working days before application submission.</p> |
| AoCM | <p>The Inspectorate highlighted the timescales for submitting the Adequacy of Consultation Milestone (AoCM) document i.e. approximately three months before the expected date of the DCO application. The applicant confirmed this is planned to be submitted early November following the close of the statutory stage 2 consultation.</p> |
| AOB | <p>The applicant agreed to check the updated project description on the National Infrastructure project website following updates to the Programme Document.</p> <p>The applicant asked whether they will need to pay for six months when their pre-application fee is due in October. The Inspectorate confirmed this is the case and the fee will be recalculated following the submission of their application and a refund for the overpayment would be issued.</p> |
| Topic | Advice date: 29 October 2025 |
| Pre-application prospectus update | <p>IMPORTANT INFORMATION ABOUT UPDATES TO OUR PRE-APPLICATION SERVICES</p> <p>Following a 6-month review of our services, our Pre-application Prospectus has been updated: 2024 Pre-application Prospectus. The update log at the bottom of the page summarises the changes and clarifications that have been applied.</p> <p>As an applicant with a live project at the pre-application stage of the process, please familiarise yourself with the update and consider how it might affect your pre-application programme and interaction with our services.</p> <p>Please note in particular:</p> <ul style="list-style-type: none"> the establishment of land and rights negotiations tracking as a primary service feature – this means it is now expected for all applicants to develop and share a land and right negotiations tracker in 1 of 2 |

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| | <p>available templates, irrespective of the service tier they have subscribed to</p> <ul style="list-style-type: none"> clarified expectations of applicants when preparing to interact with the Inspectorate at meetings – including clarified rights for the Inspectorate to delay or refuse service where pre-meeting expectations are not upheld e.g. an updated programme document or issues tracker is not provided, on time, to inform a meeting agenda <p>You will be used to supplying the Inspectorate’s case team with certain documents ahead of project update meetings. The suite of documents has expanded, so in future, 10 working days ahead of any project update meeting, please provide the following:</p> <ul style="list-style-type: none"> up-to-date Programmed Document up-to-date Issues Tracker up-to-date Land and Rights Negotiation Tracker draft agenda any material to support the agenda, such as a presentation slide pack <p>Templates for these documents can be found in our published Prospectus; please use them if these documents are yet to be created.</p> <p>This communication has been recorded as section 51 advice in the project’s advice log.</p> <p>Please provide any questions you have about the service update by response.</p> |
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