

Meeting Report

Regarding:
Magna Park Lutterworth Community Liaison Group Meeting

Date:
04 October 2016

Attending:

- Gillian MacArthur – Claybrooke Parva (GM)
- Bill Woolliscrofts – Monks Kirby Parish Council (BW)
- Barbara Dent – Monks Kirby Parish Council (BD)
- Terry Smith – Stretton Under Fosse Parish Council (TS)
- Ian Bentlett – Harborough Magna Parish Council (IB)
- Toby France – Harborough Magna Parish Council (TF)
- Nick Reseigh – Claybrooke Magna Parish Council chair (NR)
- Maggie Pankhurst – Magna Park is Big Enough (MP)
- Tim Ottewanger – Ashby Parva Parish Meeting (TO)
- David Beck – Easenhall Parish Council (DB)
- Troy Johnson – Pailton Parish Council (TJ)
- Lesley French – Pailton Village Trust (LF)
- Geni Linden – Pailton Village Trust (GL)
- Chris Faircliffe – Bitteswell with Bittesby Parish Council (CF)
- Tony Gillias – Pailton Parish Council (TG)
- Sgt Mark Williams – Leicestershire Constabulary (MW)
- Gwyn Stubbing – IDI Gazeley (GS)
- Bruce Topley – IDI Gazeley (BT)
- Mark Kerr – PPS (interim chair) (MK)
- Ellie Naismith – PPS (secretariat) (EN)

Apologies:

- Ullesthorpe Parish Council
- Edmund Hunt – Cotesbach Action Group
- Keith Beard – Magna Park Management Limited

| MINUTES | ACTION |
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| 1 MK introduced the purpose of the meeting and explained the processes and the terms of reference for the meeting. He stated the aim that we should finish by 8pm. It was agreed to deviate from the agenda and hold the question and answer session with Sgt Williams on his arrival to make best use of his time. MK introduced himself and explained that PPS worked as Chair and secretariat to the CLG for IDIG. He explained that in response to discussions by HDC Members when the DHL planning permission was granted, the membership of the CLG had been widened to increase the number of Parish Council's involved. This reflected the increased awareness and interest in Magna Park. | |
| 2 <u>Introductions</u> Everyone at the table introduced themselves and stated the organisation they were representing. | |

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| | <p>New members were drawn from:</p> <ul style="list-style-type: none"> • Monks Kirby Parish Council • Ashby Parva Parish Council • Stretton Under Fosse Parish Council • Harborough Magna Parish Council • Easenhall Parish Council | |
| 3 | <p><u>Police presentation (ITEM 2) – Sgt Mark Williams</u></p> <p>MK explained the reason for inviting Sgt Williams (MW) and thanked him for his attendance. He further explained the remit and purpose of the CLG.</p> <p>MW introduced himself, and stated that Leicestershire police had no agenda or opinion about the expansion of Magna Park. He emphasised that his intention was to respond to concerns raised by the CLG.</p> <p>GS reiterated MK's comments that the group had been established to discuss the impacts of Magna Park, irrespective of planning applications and consents. He stated that he has been involved in the plans for several years, regularly being asked questions about lorry routing, enforcement of weight restrictions (particularly in Mere Lane), issues about parking in laybys and associated anti-social behaviour.</p> <p>3.1 TG observed that Magna Park is on the border between Leicestershire and Warwickshire and asked how liaison works between the two police forces.</p> <ul style="list-style-type: none"> • MW explained that there is considerable liaison between the two forces. Magna Park is covered by the East Midlands Operational Support Services (EMOpSS), an organisation within the police that covers Leicestershire, Nottingham, Derby, Lincoln, and Northamptonshire. EMOpSS is a regional crime organisation; ensuring crime that crosses force boundaries is addressed. <p>3.2 MK asked what was done to prevent fly parking.</p> <ul style="list-style-type: none"> • MW stated that, practically, from a policing perspective, the best thing would be a dedicated lorry park in the area, meaning that drivers using Magna Park would have somewhere to go. He followed up by stating that, other than that, they would consider restrictions on highways including barriers and height restrictions to physically prevent people from parking in laybys. He explained that once a lorry was parked in a layby there is nothing the police can do – all drivers are legally entitled to use public highways, they're not doing anything illegal by parking in the layby. <p>GS noted that Magna Park has the benefit of an existing planning consent for a truck park, which was granted at the end of 2012. At the time, Stobart was lined up to occupy the site and the park was designed to meet the company's needs. As a consequence it would need redesigning to fulfil the requirements of a general lorry park.</p> <p>GS explained that preliminary site works had commenced which preserved the planning permission. Permission for a truck park to serve Magna Park (rather than Stobart) is included in proposals for the expanded Magna Park.</p> <p>GS reiterated that, where the truck park is concerned, IDI Gazeley is stuck in</p> | |

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| | <p>limbo: the site benefits from a bespoke planning permission designed for Stobart but the current planning application includes a different layout and design including an HGV driver training facility and a rail freight shuttle terminal. IDIG needs to know the outcome of the application and the revised lorry park before progressing further. Either way, there are options in terms of how the park would be run, whether for Magna Park trucks alone, or opened up for all lorries while prioritising Magna Park Vehicles. Nevertheless, the intention is to bring forward a truck park for Magna Park.</p> <ul style="list-style-type: none"> • MW responded by stating that if such a park is expensive, it simply won't be used, especially by Eastern European drivers whose wages do not compare with UK drivers. He used an example of people leaving cars on residential streets near train stations to avoid extortionate costs of parking at the station – they're perfectly entitled to park there and there's no real enforcement that can be carried out. He concluded that, unless prices are competitive, getting drivers to park in the truck park is going to be a battle. <p>GS noted MW's comments and agreed, underlining that there is no point in IDIG building a truck park and investing in facilities if it's going to sit empty. Options are still being explored.</p> <p>3.3 IB asked about the EMOpSS, requesting contact details for Warwickshire and Leicestershire.</p> <ul style="list-style-type: none"> • MW agreed to provide these details to EN for circulation. <p>3.4 TO asked about enforcement and reporting of breaches on weight restricted roads.</p> <ul style="list-style-type: none"> • MW stated that if people have concerns about breaches then they need to inform the police. They can't dedicate patrols to Magna Park without demand raised by the community. He suggested calling 101 or Crimestoppers. <p>3.5 MK asked what information people would be required to give in this instance.</p> <ul style="list-style-type: none"> • MW said it could be as simple as "I observed X number of lorries on X date". He stated that the more numerous the complaints, the more likely the police will be able to dedicate resources to the problem. <p>3.6 TO asked whether there is a dedicated line for reporting these instances.</p> <ul style="list-style-type: none"> • MW responded that he is not aware of a dedicated line; he noted that most drink drivers are caught by people reporting them rather than by random stops. PC1261 Andy Cooper is a new member of the neighbourhood police – if they report to him through the website then he'll be able to create a 'problem profile' and work towards dealing with it. <p>3.7 MP asked whether it would be taken more seriously if Parish Councils reported breaches.</p> <ul style="list-style-type: none"> • MW agreed that this would be the case, but emphasised the importance of a large number of people raising the issue. <p>3.7 TO asked whether routing was a matter for police enforcement.</p> <ul style="list-style-type: none"> • MW stated that it is not. The police deal with matters of legality. He suggested that this is a matter for Magna Park and the haulage companies. <p>GS referred to the routing plans out on the table. He stated that the HGV</p> |
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| | <p>routeing plan was permitted in 1992 as part of proposals for the second phase of Magna Park. Occupiers on Magna Park are required to comply with the routeing plan under the terms of their leases. He added that IDIG rely on the public reporting breaches for example if IDIG / MPML is sent a registration plate and a photograph then they can find the vehicle and the company; for persistent offenders fines could potentially be imposed.</p> <p>3.8 BW asked whether the district and county councils would liaise with the police regarding breaches of weight restricted routes with a view to revising the routes.</p> <ul style="list-style-type: none"> • MW responded by using the example of speed-related Road Traffic Collisions (RTCs). If there is a disproportionately high frequency of serious RTCs on a particular stretch of road then the police would consider making an application to the council to change the speed limit on that stretch of road. He suggested that weight restrictions might be carried out on the same basis, but he further stated that the council (Graham Compton) would have a greater drive to follow this than the police. <p>GS further noted that generally HGVs can access commercial properties on weight restricted routes – meaning that these vehicles can use weight restricted roads if they have a genuine reason or destination.</p> <ul style="list-style-type: none"> • MW commented that the police have more complaints on weight restrictions on tractors and trailers during the harvest than commercial HGVs, concluding that farm vehicles have a greater impact in terms of weight restriction breaches <p>MK summarised the discussion and thanked Sgt Williams for his attendance.</p> | |
| 4 | <p><u>Agree minutes of 5 July 2016 meeting</u></p> <p>MK asked for approval of the minutes of the previous meeting on 5 July 2016.</p> <p>CF spoke, stating that although the minutes are true, they did not necessarily accurately convey the perspectives of CLG members. For example, CF has seen results of Leicestershire County Council traffic surveys of Bitteswell village that directly contradict IDIG's assertion that there are no spikes in traffic, instead showing 100% spikes during shift turn changes; indeed CF has not seen IDIG surveys of Bitteswell and does not believe the village is incorporated in the wider data.</p> <p>GS noted that he has not seen the LCC report but he will request it. EN agreed to share IDIG's data with CF.</p> <p>CF additionally showed photos from when Computer 2000 building was developed. The photos illustrated the close proximity of development work to the breeding ponds of Great Crested Newts (GCNs). The ecology surveys at the time showed a healthy population of GCNs in one of these ponds, and that work was within 1m of that pond – developments are only permitted beyond a 100m perimeter of GCN breeding ponds. CF asked for clarification on this.</p> <p>GS identified that if there had been any non-compliance with a planning permission and associated conditions and S106 obligations it was a matter for HDC who could impose enforcement.</p> <p>CF opined that the 'enforcement department' at HDC is a misnomer.</p> | <p>GS to request LCC traffic survey data in Bitteswell. EN to share IDIG data with CF.</p> |

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| | <p>CF referenced a Google Earth view of the BT distribution centre, showing combustible materials around the warehouse.</p> <p>GS confirmed that as previously outlined, Magna Park Management regularly visited occupiers to review storage in yards and fire risks and that this was no longer considered an issue. Also any materials stored close to buildings would be a breach of insurance policies.</p> <p>CF concluded by stating that this evidence undermined public trust in and perception of Magna Park management.</p> | |
| 5 | <p><u>Matters arising</u></p> <p>MK ran through the Matters arising</p> <ul style="list-style-type: none"> • Uploading of ToR and minutes to the website has been completed • George building lights pointing towards Cotesbach <ul style="list-style-type: none"> ◦ GS had followed up with Keith Beard Magna Park estate manager with responsibility for everything to do with the running of Magna Park and has close relationships with the occupiers. ◦ GS reported that it is not George House that's causing the issue; it's Culina. He reported that Keith had raised this with Culina, and will meet with the new Operations Manager later this week to discuss. There's been a recent upgrade to the lighting, installing LEDs in place of the previous light bulbs, and at the time of installation adjustments may inadvertently have been made to the direction of the lights. GS will follow up on this. • Police Presentation – Sgt Mark Williams joined us at the meeting. • Copies of site and routing plans – MK noted that these were available at the meeting. | <p>GS to provide update after these discussions</p> <p>EN to circulate maps and plans with minutes</p> |
| 6 | <p><u>Update on DHL Supply Chain determination</u></p> <p>6.1 S106 commitments</p> <p>GS explained that the DHL planning application was recommended for approval subject to completion of the S106 agreement. This agreement is very close to being completed and signed. Once this process is finalised, planning permission will be formally issued.</p> <p>MK reminded attendees of previous discussion that there ought to be a formal tracking system for the discharge of conditions and S106 agreement obligations being reported to the CLG. He suggested that there is a specific item on this at the next meeting so that GS can explain the requirements and conditions of the S106. That will enable us to monitor progress at future meetings.</p> <p>6.2 Financial contributions</p> <p>IB referenced the quotation from HDC at the previous meeting about the S106 drafted for the truck park, which would have included a Local Environment Contribution of £100,000. He asked whether the S106 for DHL could be the same.</p> <p>GS explained that the previous S106 was specific to the truck park proposals; and that obligations and financial commitments within S106 agreements are specifically related to mitigate impacts of development on the local community. He used the example of a large housing development – in this circumstance a developer may have to provide a school or doctors surgery (or funds to support those facilities), helping to mitigate the influx of new people to the</p> | <p>EN to include S106 as separate item on agenda for February meeting</p> |

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| | <p>area. The impact of the proposals at Magna Park are mostly traffic related, so the S106 would either include infrastructure improvements or funding to support those upgrades. Ultimately this decision rests with the Council as the determining authority and that all contributions have to be compliant with the Community Infrastructure Levy (CIL) Regulations. .</p> <p>6.3 Programme delivery GS stated that IDIG is keen to deliver the development, as progress thorough planning has been slow to date. The programme of delivery is dictated by the granting of planning permission – in the meantime they have been preparing detailed designs, etc.</p> <p>6.4 DHL MP asked whether there was any truth in rumours that DHL has pulled out of the new warehouse. GS stated that there was no truth in this. BT added that demand at Magna Park remained very strong and as an example CML has occupied a unit that DHL had vacated as it was operationally obsolete for their purposes.</p> | |
| 7 | <p><u>Update on determination of Magna Park Hybrid application and DB Symmetry application</u> MK noted that determination of the hybrid application has been delayed once again. GS explained that there is more work to be done on the application, including reflecting the grant of permission for DHL. He also noted that there will be a further 21 day statutory consultation on any further information submitted to the Council as required by the EIA Regulations. On current thinking, he projected that the special joint planning committee (to include the DB Symmetry Park application) was likely to take place in January.</p> | |
| 8 | <p><u>Future meetings and speaker suggestions</u> MK reminded attendees that IDIG agreed to invite external speakers that would inform discussions at the CLG. He noted that there had previously been a suggestion that we invite a representative from a bus company, but the room at large felt this was not a priority. BW suggested inviting Highways Officers from Leicestershire County Council and from Warwickshire County Council. GS stated that he has already had a conversation with Leicestershire County Council Officers to that effect, and will do so with Warwickshire Officers in the coming weeks. IB noted that Warwickshire has attended Stretton Under Fosse meetings at which HGV routing has been discussed and as such should be aware of the issue.</p> | <p>GS / BT / MK / EN to invite Highways Officers to February meeting</p> |
| 9 | <p><u>AOB</u> <i>9.1 Routing plans</i> TG observed that in the past there had been an unwritten rule with Roy Davies, Magna Park's previous estate manager, that he would prevent HGVs travelling through the Fosse villages, based on the width of the roads.</p> | |

GS observed that when the routeing agreement was prepared the B4027 (shown in orange on the routing plan) was at the time an 'A' road but had subsequently been downgraded to a B Road. However, the route through Pailton remained a permitted route for Magna Park as per the routeing plan included within the legal agreement associated with the planning permission for Magna Park.

TG observed that the road was downgraded to deter Magna Park HGVs using the road; he felt that the best option is to significantly improve the trunk roads rather than allowing vehicles down B Roads.

GS further noted that, having received legal advice it would be very difficult to change the routeing plan as it was included in all of the leases for the individual businesses at Magna Park. GS reiterated that he fully acknowledges the problem and would continue to review what could be done.

TG observed that Warwickshire County Council did not approve the routing plan, and further stated that the routing plan on the WCC website does not include the B4027.

GS noted that WCC would most likely have been consulted as part of the planning application process at the time but reiterated that the plan formed part of the legal agreement for the planning permission relating to establishing Magna Park.

IB stated that the roads simply are not suitable for HGVs.

MK reiterated GS's concern with trying to make legal changes to an historic agreement

TG volunteered to produce an alternative routing plan referenced by WCC

TS asked who decides the routing, and GS explained that the routeing plan is included within the S106 agreement attached to the original planning permission for Magna Park granted by HDC.

LF observed that HGVs have grown in size and weight since that time.

BW asked whether the discrepancy between the original map showing an A Road and more updated maps showing the road as a B Road would invalidate the previous routing agreement.

NR questioned whether an amended routeing agreement could become part of the lease agreement with new businesses/tenants to Magna Park.

BT observed that this is a thorny issue, and that IDIG understands the concerns. He stated that they would take the matter away and raise it again with lawyers as to whether the routeing plan can be amended and re-issued to Magna Park businesses.

CF noted that DHL will have a new lease and IDIG would be able to impose a different routing agreement on them.

GS concluded the discussion by observing that following advice from LCC

TG to provide alternative map from WCC

GS / BT to discuss legality of routing agreement with lawyers

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| | <p>Highways, HDC have not imposed the same routeing plan on the new DHL planning permission.</p> <p>He added that LCC have advised that weight restrictions on local roads supersede this document and noted that there's already a requirement in the DHL S106 that ANPR cameras are imposed on the gatehouse of DHL as well as in Lutterworth Town Centre, ensuring that DHL drivers can't access the town centre to avoid worsening air quality.</p> <p>MK suggested that the next meeting focus on routing</p> <p>GS noted that there are ongoing discussions with Warwickshire County Highways, and that they are aware of the local concerns. Discussions are taking place regarding directional signage which will encourage trucks to use the A Roads only.</p> <p>MP asked how they should report lorries going through villages they shouldn't.</p> <p>MK reminded her that MW had suggested they call 101 or Crimestoppers</p> <p>GS suggested they send any photos and registration numbers to Keith who will be follow up with Magna Park businesses.</p> <p><i>9.2 Open Day</i></p> <p>GM reported receiving an email from Nicholas Jenkins who attended the Magna Park Community Day observing that he had been unable to find the nature walk. Was there a nature walk?</p> <p>GS commented that it was a shame he had missed it but there had been a nature walk with the start signposted close to the entrance of the marquee.</p> <p><i>9.3 Terms of Reference</i></p> <p>CF noted that the terms of reference declared the CLG as for considering operational rather than promoting planning applications. He felt that at the DHL committee meeting GS had referred to the CLG to promote the planning application. He felt that this is was inappropriate.</p> <p>MK stated that the terms of reference are very clear that this is not in any way supportive of that or any other application; that is not the purpose of the CLG. At today's meeting we discussed the DHL application as it is now going ahead and is relevant to operational matters at the park. During discussion of the DHL Application, Councillors and attendees acknowledged the CLG and the merits of expanding its membership. MK reiterated that there is no claim that this is a forum for supporting any planning applications at Magna Park.</p> | <p>MK / EN to include routing on February agenda</p> <p>EN to circulate numbers for reporting breaches of restrictions, as well as contact details for Keith Beard</p> |
| 10 | <p><u>Date of next meeting (Tuesday 7th February)</u></p> <p>This date was agreed – an agenda will be circulated nearer to the time.</p> <p>The meeting closed at 20.10 hrs.</p> | |