

**east**  
**west**  
**RAIL**

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# Sandy, Tempford & St Neots Local Representatives Group

## Meeting #7

14<sup>th</sup> March 2024

# 01. Welcome and today's agenda

# Today's agenda

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- 02. Housekeeping**

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- 03. General Updates**

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- 04. Review of actions from previous meetings**

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- 05. Topic – Environmental Impact Assessment**

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- 06. Topic- the statutory consultation process**

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- 07. Closing remarks, future meetings and topics**

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## 02. Housekeeping

# Housekeeping

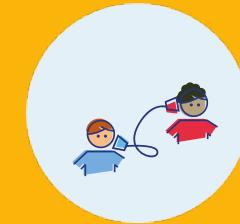
**Thank you for attending**

**This is a virtual meeting.**

- This meeting is being transcribed to be used to produce the meeting summary note
- Please feel free to drop questions in the chat box/and or use the 'raise hand' function
- Please drop your name and area you represent into the chat box



**Display your full name in username**



**Please use the mute function**



**Use the 'Raise Hand' function if you want to raise a point during the meeting**



**Please do put your camera on if possible**

## 03. General updates

# General Updates

## Spring Budget

- In the recent Spring Budget, the Government reiterated its commitment to delivering East West Rail (EWR) in full.
- Specifically, the Chancellor announced the acceleration of works on the Bletchley to Bedford section – commonly known as the Marston Vale Line (MVL) – with a £240 million investment.
- The programme falls under the existing Transport and Works Act Order that was granted to deliver improvements between Oxford and Milton Keynes. This will enable at least one train per hour between Oxford and Bedford by 2030, in addition to the existing MVL services.
- This will deliver the introduction of a new Oxford to Bedford service at a much earlier stage, start bringing the benefits of EWR to local communities and businesses sooner.

## East West Rail consultation programme

- We have decided to split our statutory consultation into **two stages** to maximise the opportunity for your communities to influence our proposals during the development stage of the design process.
- EWR are continuing to develop proposals having carefully reviewed feedback from various sources such as the two non-statutory consultations, Local Representatives Groups, and community drop-in events. As part of this, we will be launching the first stage of statutory consultation on our proposals for EWR in June this year.

- Early Jan we provided an update to run this round of meetings slightly differently...
- This is a trial! We welcome your feedback on the new format and welcome suggestions on the future meetings

# Where we are in the process

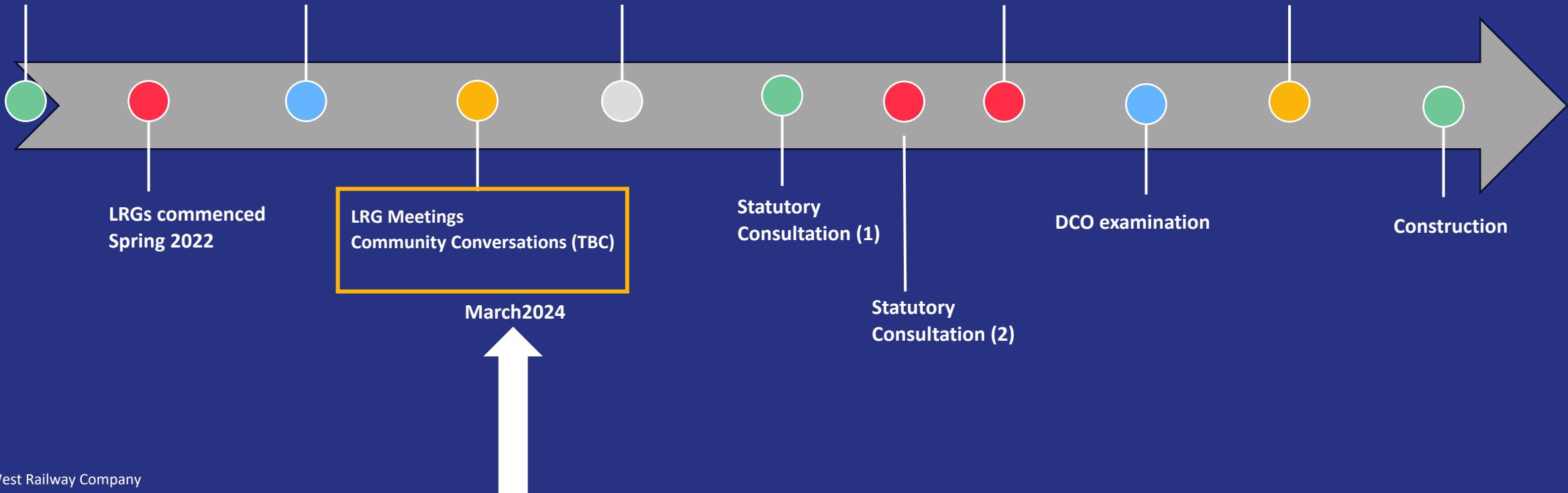
Community fed into  
two non-statutory  
consultations in  
2019 and 2021

Route Update  
Announcement  
Summer 2023

Ongoing  
engagement

DCO submission

DCO decision



## 04. Review of actions from previous meetings

# Outstanding actions

Meeting	No.	Action	Owner	Status
6	1	EWR Co to follow up with an attendee about their remark that EWR were planning to move houses in Little Barford to understand where this information has come from	EWR Co	
6	2	<i>EWR Co to follow up with an attendee to see what potential changes would improve the maps for communities.</i>	EWR Co	

05.

**Topic – Environmental Impact Assessment**

# Our Outcomes

We will deliver a railway that is:



Better for  
customers



Cheaper for  
the taxpayer



Greener for the  
environment



Delivered quicker  
than before



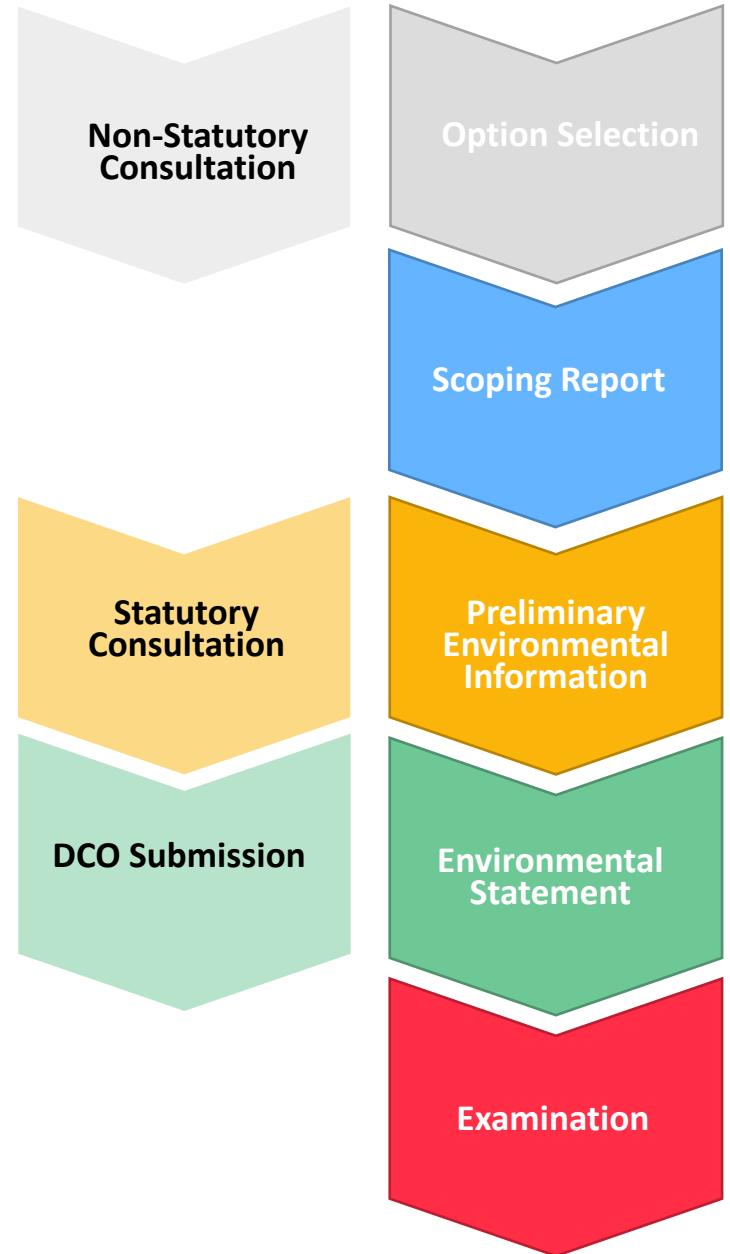
Safe &  
secure

# Six Environmental Sustainability Pillars

Outcome	Pillar	Pillar Ambition & Definition- A railway that ...
Greener for the Environment “cleaner greener travel solutions”	<b>Natural Environment</b>	<p><b><i>supports a thriving and diverse natural environment</i></b></p> <ul style="list-style-type: none"> <li>- through ensuring the maintenance of healthy ecosystems (wildlife, habitats, soil, land and water resources).</li> </ul>
	<b>Carbon</b>	<p><b><i>enables operational net zero carbon by 2050</i></b></p> <ul style="list-style-type: none"> <li>- through robust carbon management, during design and construction, delivering sustained reductions in whole life carbon emissions.</li> </ul>
	<b>Climate Resilience</b>	<p><b><i>is prepared for a changing climate</i></b></p> <ul style="list-style-type: none"> <li>- through ensuring our design, construction and operation is resilient in the long term.</li> </ul>
	<b>Historic Environment &amp; Landscape</b>	<p><b><i>responds to its surroundings, protects views and celebrates our heritage</i></b></p> <ul style="list-style-type: none"> <li>- through sensitive integration into the existing landscape valuing our historic environment.</li> </ul>
	<b>Circular Economy</b>	<p><b><i>supports a circular economy</i></b></p> <ul style="list-style-type: none"> <li>- through minimising waste, promoting materials efficiency and turning waste into a resource.</li> </ul>
	<b>People and Community</b>	<p><b><i>protects the health and wellbeing of our communities, customers and colleagues</i></b></p> <ul style="list-style-type: none"> <li>- through managing impacts and providing opportunities for cycling, walking and the use of open space.</li> </ul>

# EIA Process

An overview of the Scoping Report, Preliminary Environmental Information Report and Environmental Statement production process.



# What is an EIA?

*“EIA is a decision-making tool to **identify** and **evaluate** the environmental consequences of a planned development to facilitate **informed decision making** and sound environmental management.”*

International Association for Impact Assessment, 2013

Mitigation is an inherent part of the impact assessment process and is referenced in the Infrastructure Planning (EIA) Regulations 2017

“A description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment.”

# What is an EIA?

**The project will require a Development Consent Order (DCO) to give consent to construct and operate the railway, under the Planning Act 2008.**

The Project also falls within the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), which require an Environmental Statement (ES) to be prepared and submitted with the application for development consent.

The process for EIA related to Nationally Significant Infrastructure Projects is set out in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.



Planning Act 2008

CHAPTER 29

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PART 1

THE INFRASTRUCTURE PLANNING COMM

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3 Register of Commissioners' interests  
4 Fees

PART 2

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6 Review  
7 Consultation and publicity  
8 Consultation on publicity requirements  
9 Parliamentary requirements  
10 Sustainable development  
11 Suspension pending review  
12 Pre-commencement statements of policy, consulta  
13 Legal challenges relating to national policy stateme

PART 3

NATIONALLY SIGNIFICANT INFRASTRUCTURE

General

14 Nationally significant infrastructure projects: gene

STATUTORY INSTRUMENTS

2017 No. 572

INFRASTRUCTURE PLANNING

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

Made - - - - - 18th April 2017  
Laid before Parliament 19th April 2017  
Coming into force - - - 16th May 2017

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17 Certifying compliance with regulation 16  
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20 Accepted application—effect of environmental statement being inadequate  
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23 Subsequent application where environmental information previously provided  
24 Subsequent application not complying with EIA requirements  
25 Decision-making on subsequent applications  
26 Co-ordination

# What is EIA Scoping?

## **The Planning Act 2008 (as amended)**

5.1 Regulation 10(1) of the EIA Regulations allows a person who proposes to make an application for an order granting development consent to ask the Secretary of State to state in writing its opinion as to the scope and level of detail of the information to be provided in the ES.

i.e. what topic assessments to include (air, noise etc); what technical methodologies to follow; what survey data to collect; what modelling to be completed

5.2 The request made under Regulation 10(1) must include:

- a plan sufficient to identify the land;
- a description of the Proposed Development, including its location and technical capacity;
- an explanation of the likely significant effects of the development on the environment; and
- such other information or representations as the person making the request may wish to provide or make.

# Who will we engage with?

## Informal engagement prior to submission of scoping report to:

- discuss our approach and thinking
- understand their areas of concern
- build relationships

## Key consultees:

- Environment Agency
- Natural England
- Historic England
- Local Authorities

## Request for a scoping opinion:

The scoping request process is undertaken by the Planning Inspectorate on behalf of the Secretary of State and they must consult the 'consultation bodies'

- a body prescribed under s42(1)(a) of the PA2008 (duty to consult)
- each authority that is within s43 of the PA2008
- PINS have 42 days to provide EWR with a scoping opinion

The scoping report does not seek the opinion of the general public due to its technical nature.

# What feedback are we seeking?

## Scoping Opinion Feedback

- Only the consultation bodies prescribed in the Planning Act will be invited to comment on the scoping request or be included within the SoS' Scoping Opinion.
- The feedback sought is 'technical' in nature i.e. about the technical approach/methodology, not about the merits of the scheme/alternatives

## Statutory Consultation

- As part of the Statutory Consultation EWR will publicise and consult on preliminary environmental information. It is at this first stage that individuals and bodies who were not invited to comment on the scoping request will have the ability to provide comments on environmental information relating to the scheme. This environmental information will be preliminary and reflect the information available at the time.

# Format of EIA Scoping Report

- EIA Scoping Report will comprise:
  - **A concise overarching scoping report** detailing the project context, EIA principles, Assessment Topics, Alternatives, Mitigation Strategy, Approach to consultation and future environmental information.
  - **Supporting technical method statements**, describing in more detail baseline conditions, potential impacts and effects, mitigation options and technical significance criteria.
- The proposed structure should allow consultees to navigate to relevant information easily.

# Timeline for EIA Scoping

- EIA Scoping Report to be published alongside consultation in 2024
- Regulation 10(6) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 provides that the SoS/PINS must adopt a scoping opinion within 42 days of receipt of a scoping request.
- To align the consultation event and the scoping opinion request, we are proposing the following timeline:
- Start of consultation: Issue scoping report to EIA consultation bodies for information
  - After 2 weeks: formally request scoping opinion from PINS
  - End of consultation: Will coincide with PINS issuing scoping opinion
- Scoping report will directly align with scheme presented at consultation, and include the locations where options are being considered.

# Statutory Consultation

## SC1

- The first stage of statutory consultation will be supported by an Environmental Update Report (EUR). This will provide preliminary environmental information which is qualitative in nature.
- The EUR will be a supporting document to the consultation which describes the environmental concerns at the current stage of design. It is an opportunity to share our initial plans and proposals and incorporate local knowledge and feedback, where appropriate, into future designs.

## SC2

- A preliminary environmental information report containing quantitative analysis will be provided at the second stage of statutory consultation along with more detailed designs.

# Other documents and assessments



## Transport Assessment

This document will support the assessments within the Environmental Statement by providing an assessment in the changes of traffic flows and impact on the transport network. The Environmental Statement will then report the effect of this on transport users, local communities and other receptors in chapters such as Air Quality and Noise.

## Habitats Regulation Assessment

Where the project may be in proximity, or have the potential to effect a Special Area of Conservation (SAC), we would expect to provide a "HRA Report" which provides sufficient information for a "competent authority" to complete an "appropriate assessment".

The report will consider the potential effect of EWR on the integrity of certain designated sites.

## Equalities Impact Assessment (EqIA)

Under section 149 of the Equality Act 2010, a public authority is subject to the Public-Sector Equality Duty (PSED). THE PSED requires EWR to have due regard to eliminating discrimination, harassment and victimisation, advance equality of opportunity for protected characteristic groups (PCGs) and foster good relations between people who share relevant protected characteristics.

An EqIA is not a legal requirement, but it will aim to identify disproportionate and differential impacts on PCGs as a result of the project. PCGs considered within the assessment are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

## Letter of No Impediment (LoNI)

In order to demonstrate to the ExA that species licenses would be issued by Natural England (NE), we will provide information to NE to enable them to issue to us a LoNI. This document will demonstrate that based on the mitigation proposed, NE would issue protected species licenses for certain activities before construction commenced.

# EIA in Practice

**Good EIA practice starts on day-one**

**It is a circular process, where designers, engineers and environmental specialists work together to develop options**

**Options are refined and developed to avoid impacts**

**Where environmental impacts cannot be avoided, we will seek to minimise them, and only compensate when they cannot be avoided or minimised**

## MITIGATION HIERARCHY



### AVOID

Avoiding an impact by not interviewing at a location where it would otherwise occur

### MINIMISE

Minimising an impact by limiting its intensity, extent, duration or frequency

### RECTIFY

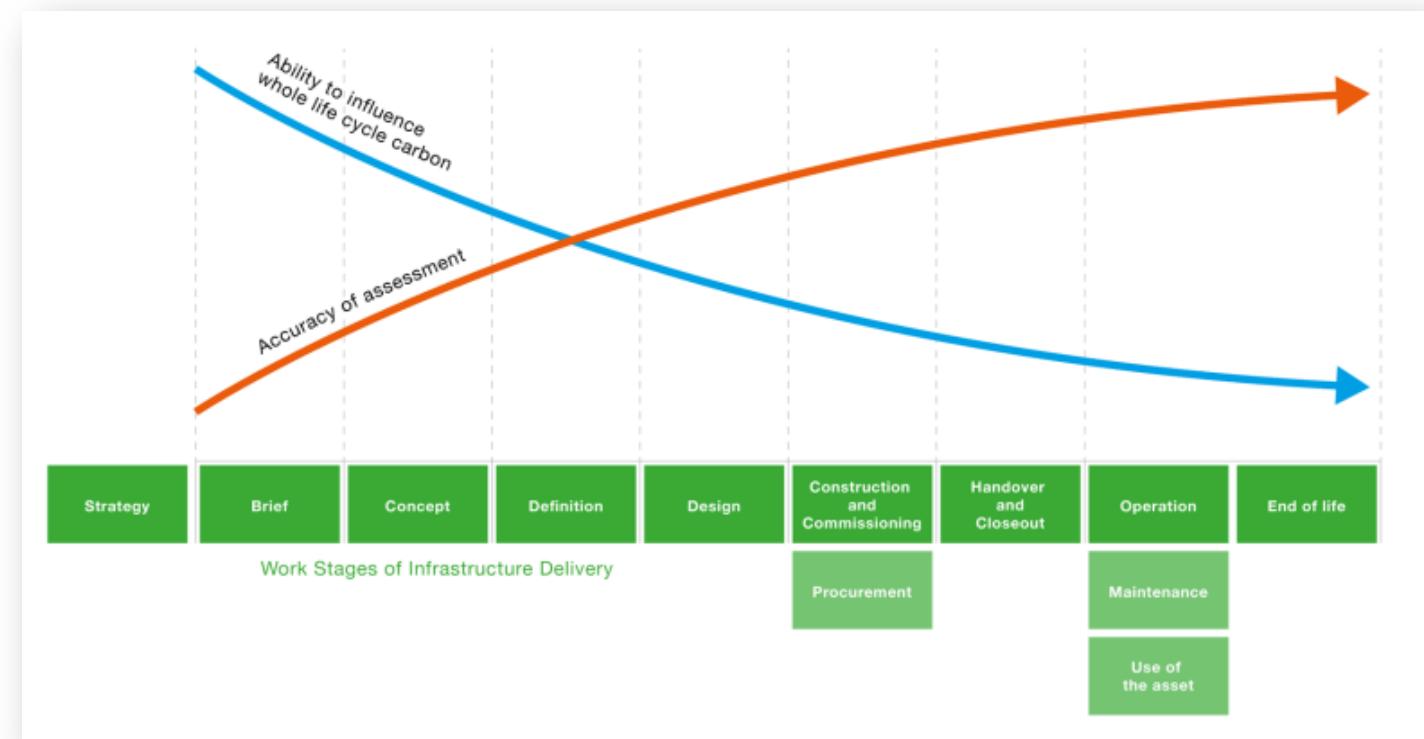
Rectifying an impact by repairing, rehabilitating or restoring the affected feature

### COMPENSATE

Compensating by replacing, providing an alternative - either at affected location or elsewhere (offset) - or by remuneration

# EIA in Practice

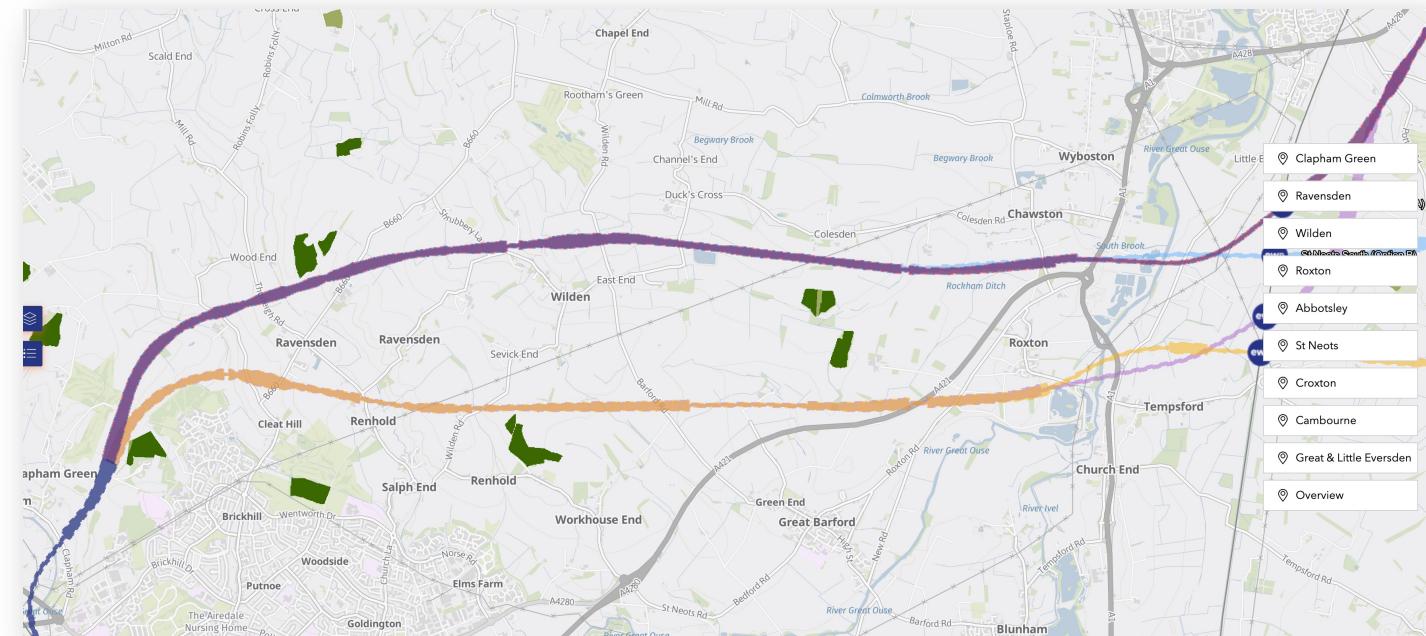
- Focus on integrated design teams
- Focus on avoidance first
- Focus on feedback loops to iterate design
- Continuous improvement and assessment



# EIA in Practice

## A working example:

- To meet our BNG aspirations, avoiding loss of ancient woodland is very important
- Baseline data on ancient woodland was collected
- Historic evidence of un-designated woodland was assessed
- Design teams developed initial alignment options informed by ancient woodland locations



## 06. DCO & Statutory Consultation

# DCO Process

- EWR is a **nationally significant infrastructure project**, and we therefore need to apply to the Secretary of State for a **development consent order (DCO)** under the **Planning Act (2008)** to construct and operate the railway.
- The DCO process has defined stages and requirements. We are currently in the **pre-application** stage, where we focus on developing the design and gathering feedback through stakeholder engagement and **statutory consultation**.
- The Planning Act (2008) requires us to carry out consultation in accordance with **statutory requirements** prior to submission of our DCO application (known as a statutory consultation).
- This differs from the non-statutory consultations we held in 2019 and 2021.

# Our approach to statutory consultation

We will be holding **two stages of statutory consultation**, with the first stage taking place this year.

A two-stage statutory consultation will:

- ✓ Help communities and stakeholders better understand our plans
- ✓ Increase opportunities for people to share their views and feedback on our proposals
- ✓ Help us develop a better solution, informed by the communities EWR will serve

# Statement of Community Consultation

- Before launching the first stage of the statutory consultation, we'll develop a **Statement of Community Consultation (SoCC)**.
- The SoCC will provide an overview of the two-stage approach to the statutory consultation and set out how we will publicise the consultations.
- We must consult **local authorities along the route** on the draft SoCC and this helps ensure a consultation programme that is tailored to the needs of communities along the route.

# What will be presented in the first stage of statutory consultation?

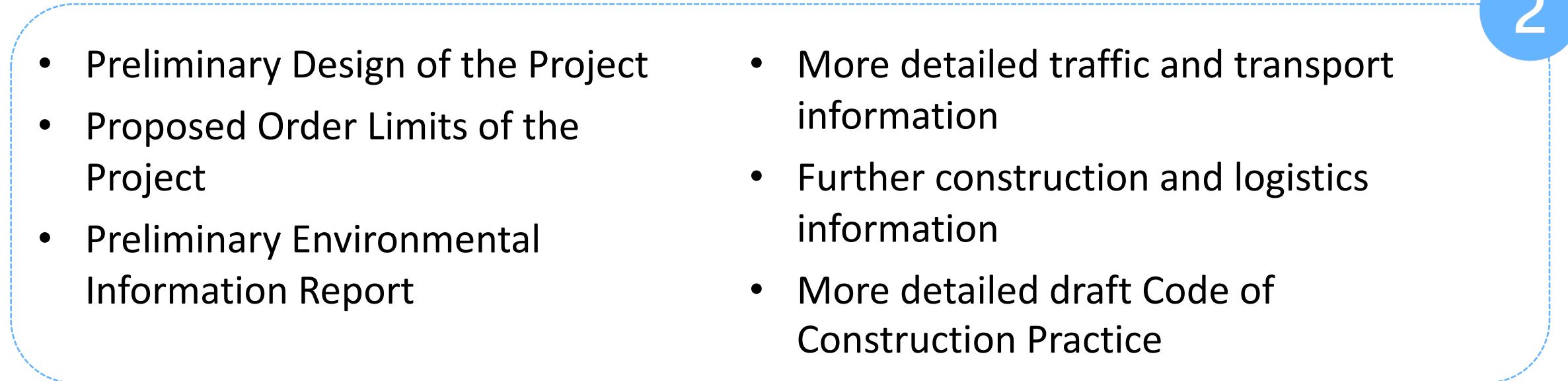
The information which we are aiming to share in the **first stage of statutory consultation** includes:



- Emerging design for the Project
- The draft Order Limits of the Project
- Information on options being considered within the design, where these exist
- High-level environmental information
- High-level traffic and transport information
- High-level construction and logistics information
- Draft outline Code of Construction Practice

# What will be presented in the second stage of statutory consultation?

The information which we are aiming to share in the **second stage of statutory consultation** includes:



- Preliminary Design of the Project
- Proposed Order Limits of the Project
- Preliminary Environmental Information Report
- More detailed traffic and transport information
- Further construction and logistics information
- More detailed draft Code of Construction Practice

# Taking part in the consultations

- The two statutory consultations will be **open to anyone** who wishes to take part.
- All consultation materials will be available **online**, and **hard copies** of the materials will be available at **inspection points** for people to view and inform themselves about the project.
- Across the two stages of statutory consultation, we will hold a variety of **in-person and online events**. Members of the project team will be available for the public to discuss their views with and to answer any questions.
- A feedback form will be available **online** for people to provide their comments and views on the project. Alternatively, people will be able to provide feedback via **email, post or at public information events**.

# Publicising the consultations

We will publicise the consultations in a variety of ways. These include:

- Statutory notices
- Statutory letters
- Website updates
- Press releases/media activity
- Information postcards
- Emails/letters
- Social media
- Local Representatives Groups
- Newspaper notices and adverts

# What will happen with our feedback after the first stage of statutory consultation?

1

- After the first stage of statutory consultation, we will analyse and consider all consultation responses.
- The feedback received will help us to develop a single proposal for the entire route.
- We'll present that proposal for feedback at the second stage of the statutory consultation.

# What will happen with our feedback after the second stage of statutory consultation?

2

- We'll analyse and consider all consultation responses received during the second stage of the statutory consultation.
- The feedback received will help us finalise the design we include in our DCO application.
- We'll produce a **Consultation Report** as part of our DCO application, which will explain how we have taken feedback into account and where this has resulted in changes to the design. This will be publicly available.

# What happens next?

We're currently in the process of preparing for the first stage of the statutory consultation.

Before the consultation launches, we'll share another update to confirm:

- The consultation dates
- More information about what we'll be asking for feedback on
- How you can respond to the consultation

We'll also share more information about the DCO process at a future LRG session.

07.  
**Closing remarks, future  
meetings and topics**

# Topics for future discussion



**Meeting #7 onwards:**

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**Discussion:** The interface with EWR and National Highways A428 Black Cat to Caxton Gibbet scheme.

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**Agreed frequency:** Quarterly meeting

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**Outcomes:**

**Actions:**

# Creating meeting notes



## We're always here

All the Group's relevant documents will be available on its **Community Hub** site.

We will notify you when available.



## Got a question?

If you have any questions about the Group, please email:

[localrepresentativesgroups@eastwestrail.co.uk](mailto:localrepresentativesgroups@eastwestrail.co.uk)

If you have any questions about the project, please email:

[contact@eastwestrail.co.uk](mailto:contact@eastwestrail.co.uk)

Or you can also call us on **0330 134 0067**