

east
west
RAIL

eastwestrail.co.uk

Bedford Town Local Representatives Group

Meeting #7

8th February 2024

01. Welcome and today's agenda

Today's agenda

- 01. Welcome and today's agenda**

- 02. Housekeeping**

- 03. General updates & where we are in the process**

- 04. Review of actions from previous meetings**

- 05. Topic – Environmental Impact Assessment**

- 06. The Statutory Consultation process**

- 07. Q&A with area manager**

- 08. Closing remarks, future meetings and topic**

02. Housekeeping

Housekeeping

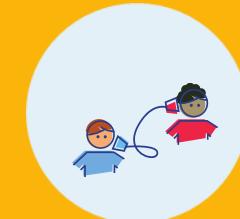
Thank you for attending

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



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



East West Rail consultation programme

- 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.
- In the first half of the year, we will be ready to launch a statutory consultation on the proposals for (EWR).
- 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.

Other

- Hannah Staunton will be moving on from EWR from February. Your new chair will be Sarah Jacobs, LRG Manager

Where we are in the process

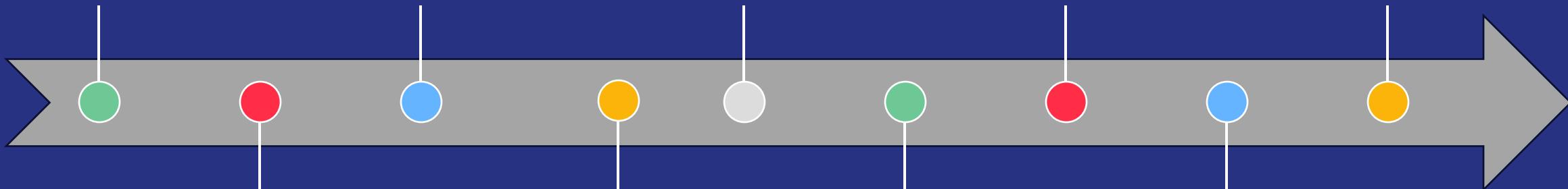
Community fed into
two non-statutory
consultations in
2019 and 2021

Route Update
Announcement
Summer 2023

Ongoing
engagement

DCO examination

Construction



Jan 2024



04. Review of actions from previous meetings

Completed actions

Meeting	No.	Action	Owner	Status
5	1	EWR Co to provide the group with a written explanation as to why four-tracking would not be possible and why the route north of Bedford could not be pushed west of the properties.	EWR Co	Complete – Please find the factsheet here .
5	3	EWR Co to provide suggestions for future meeting topics and agree a preferred topic and date for the Group's sixth meeting via CA.	EWR Co	Complete – Cllr Atkins was contacted with regards to date of meeting. Topic selected in line with group members suggestions.

Completed actions

Meeting	No.	Action	Owner	Status
3	6	<p>EWR Co to explore options for potentially directly impacted residents to have regular meetings, in a similar format to an LRG, or explore alternative options to engage more frequently with them.</p> <p><i>We are currently working towards a planned statutory consultation in the first half of the year. During this time, all impacted residents are able to contact the land & properties team at any time for advice or to request a meeting. Once we head into statutory consultation there will also be many opportunities to attend events where representatives from the lands team will be available to speak too. We are still planning the engagement for this period and beyond and will take your suggestions for regular meetings (such as LRG ones) into consideration. In addition, the impact on renters and how we engage with them will also be considered.</i></p>	EWR Co	Complete
5	2	<p>EWR Co to confirm if and how renters impacted by the project would be supported once this approach is agreed.</p> <p><i>Answered- as above</i></p>	EWR Co	Complete

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



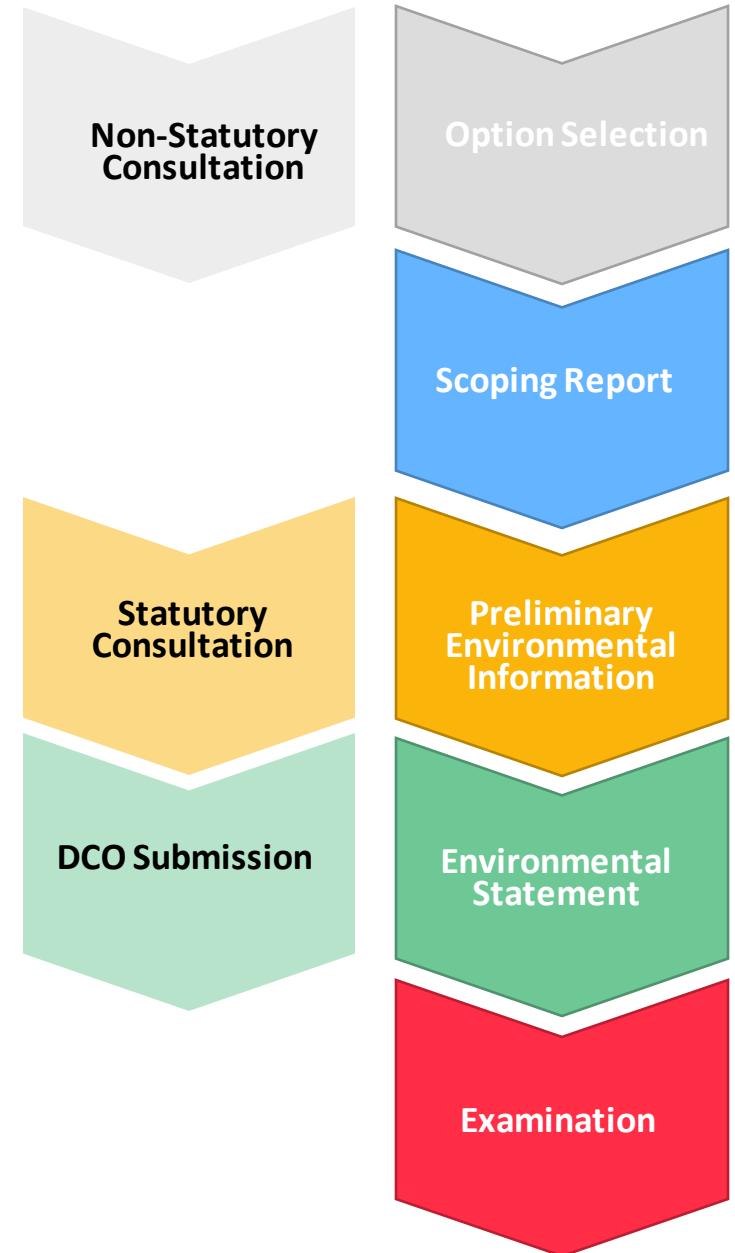
Safe &
secure

Six Environmental Sustainability Pillars

Outcome	Pillar	Pillar Ambition & Definition- A railway that ...
Greener for the Environment “cleaner greener travel solutions”	Natural Environment	<i>supports a thriving and diverse natural environment</i> - through ensuring the maintenance of healthy ecosystems (wildlife, habitats, soil, land and water resources).
	Carbon	<i>enables operational net zero carbon by 2050</i> - through robust carbon management, during design and construction, delivering sustained reductions in whole life carbon emissions.
	Climate Resilience	<i>is prepared for a changing climate</i> - through ensuring our design, construction and operation is resilient in the long term.
	Historic Environment & Landscape	<i>responds to its surroundings, protects views and celebrates our heritage</i> - through sensitive integration into the existing landscape valuing our historic environment.
	Circular Economy	<i>supports a circular economy</i> - through minimising waste, promoting materials efficiency and turning waste into a resource.
	People and Community	<i>protects the health and wellbeing of our communities, customers and colleagues</i> - through managing impacts and providing opportunities for cycling, walking and the use of open space.

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

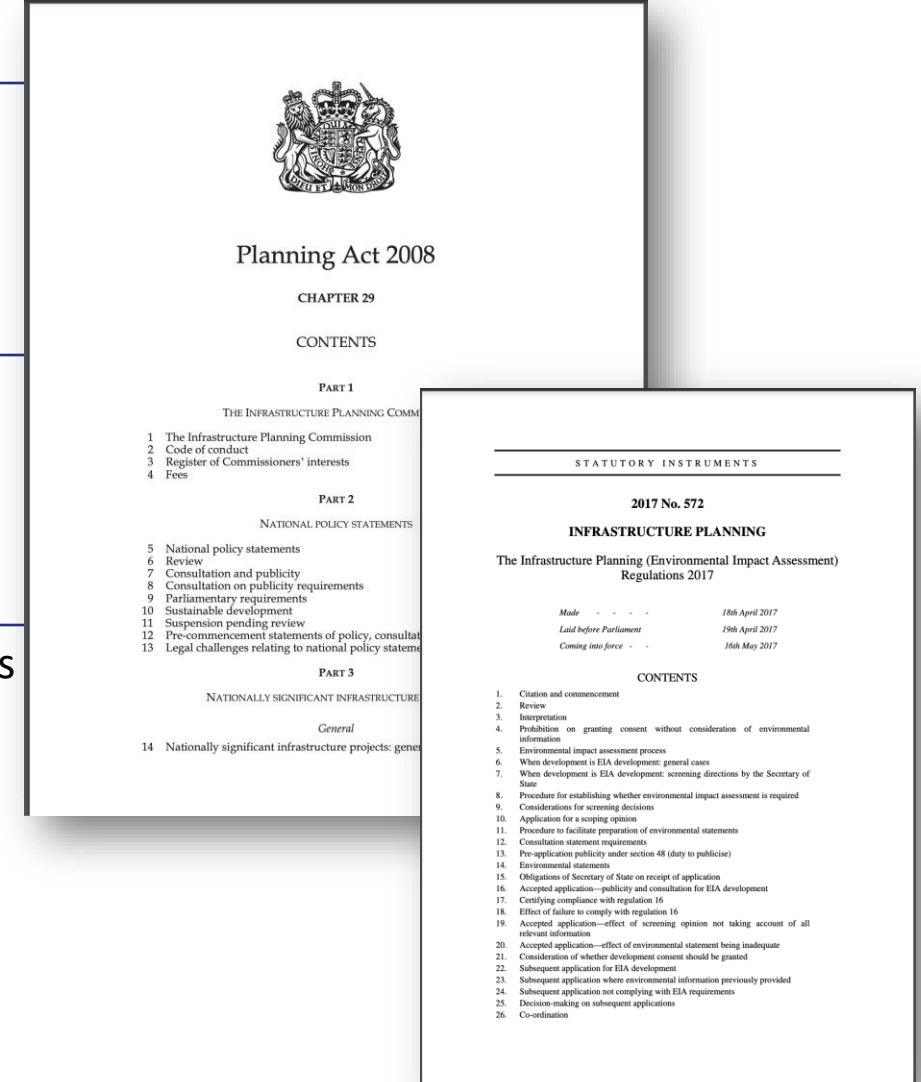
“A description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment.”

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

CONTENTS

PART 1

THE INFRASTRUCTURE PLANNING COMM

1 The Infrastructure Planning Commission
2 Code of conduct
3 Register of Commissioners' interests
4 Fees

PART 2

NATIONAL POLICY STATEMENTS

5 National policy statements
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, consultati
13 Legal challenges relating to national policy stateme

PART 3

NATIONALLY SIGNIFICANT INFRASTRUCTURE

General

14 Nationally significant infrastructure projects: genera

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

CONTENTS

1 Citation and commencement
2 Review
3 Interpretation
4 Prohibition on granting consent without consideration of environmental information
5 Environmental impact assessment process
6 When development is EIA development: general cases
7 When development is EIA development: screening directions by the Secretary of State
8 Procedure for establishing whether environmental impact assessment is required
9 Consultation for screening decisions
10 Application for screening opinion
11 Procedure to facilitate preparation of environmental statements
12 Consultation statement requirements
13 Pre-application publicity under section 48 (duty to publicise)
14 Environmental statements
15 Offer of environmental statement
16 Accepted application—publicity and consultation for EIA development
17 Certifying compliance with regulation 16
18 Effect of failure to comply with regulation 16
19 Accepted application—effect of screening opinion not taking account of all relevant information
20 Accepted application—effect of environmental statement being inadequate
21 Consideration of whether development consent should be granted
22 Subsequent application for EIA development
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

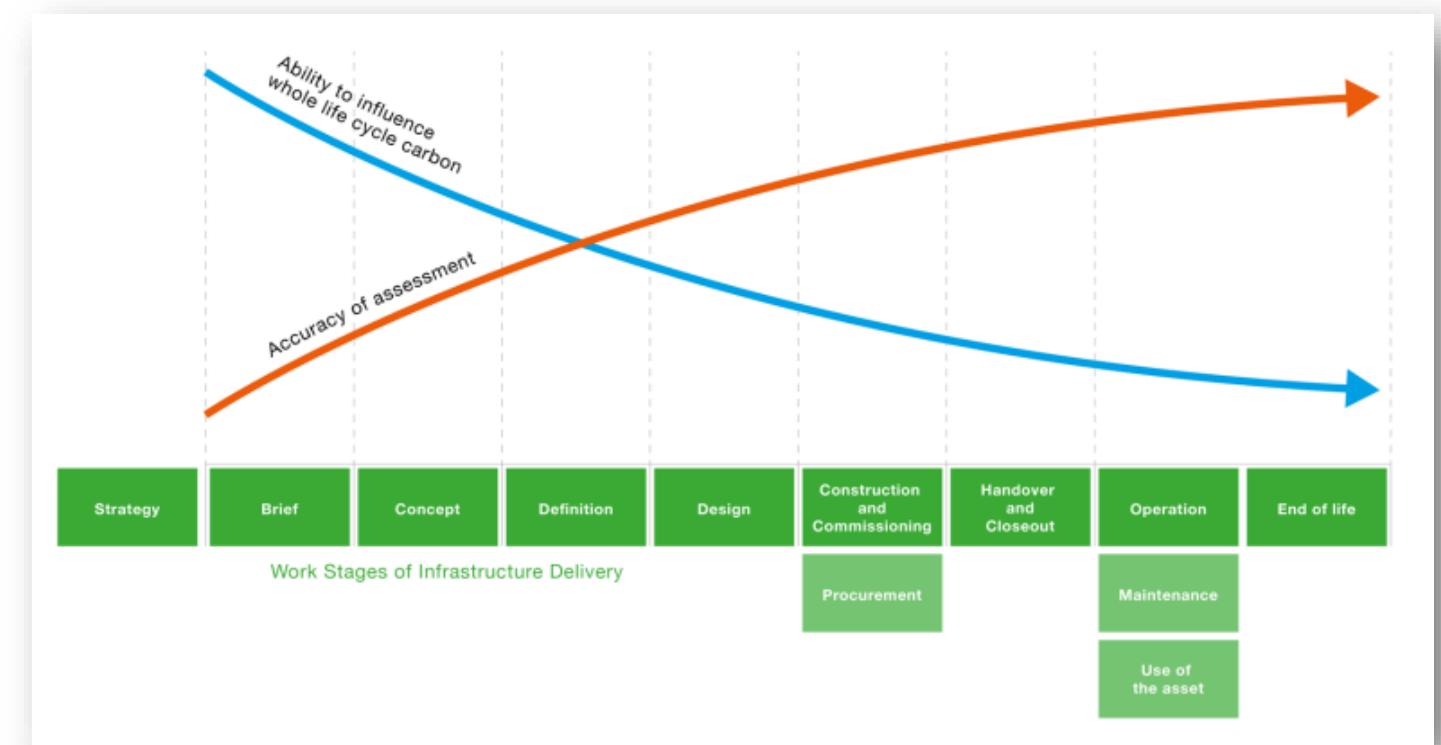
Rectifying an impact by repairing, rehabilitating or restoring the affected feature

COMPENSATE

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

EIA in Practice

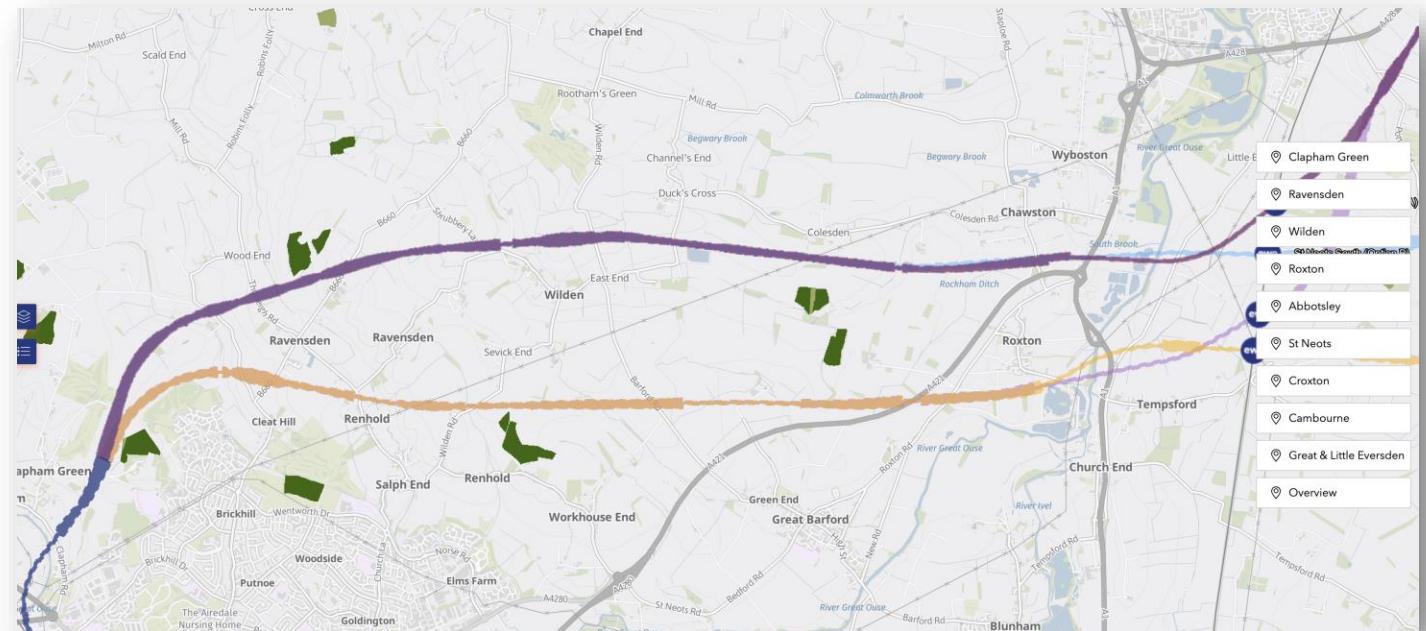
- Focus on integrated design teams
- Focus on avoidance first
- Focus on feedback loops to iterate design
- Continuous improvement and assessment



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:

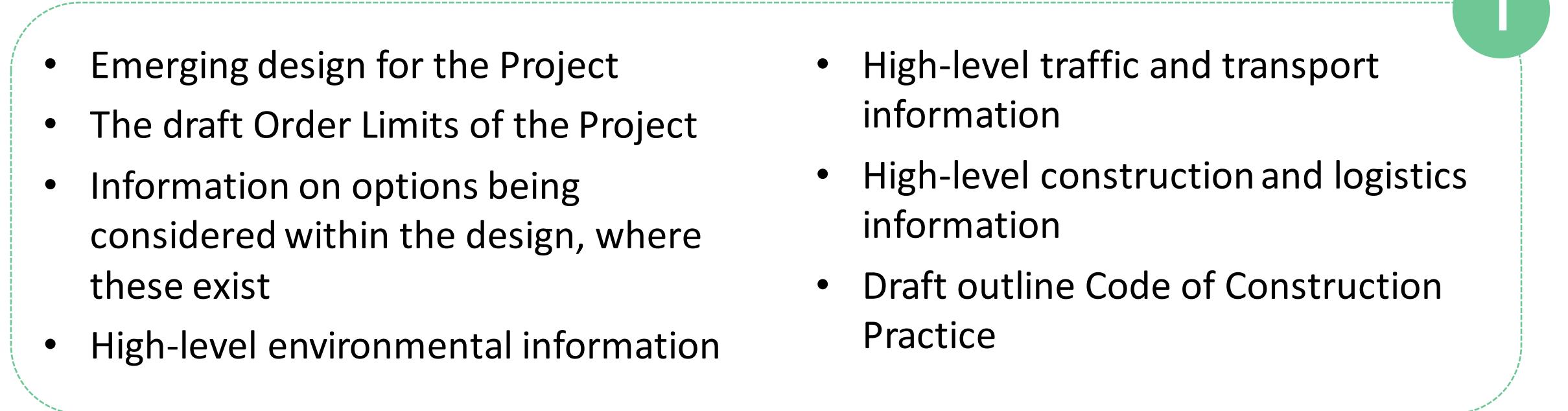
- ✓ Help communities and stakeholders better understand our plans
- ✓ Increase opportunities for people to share their views and feedback on our proposals
- ✓ Help us develop a better solution, informed by the communities EWR will serve

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?

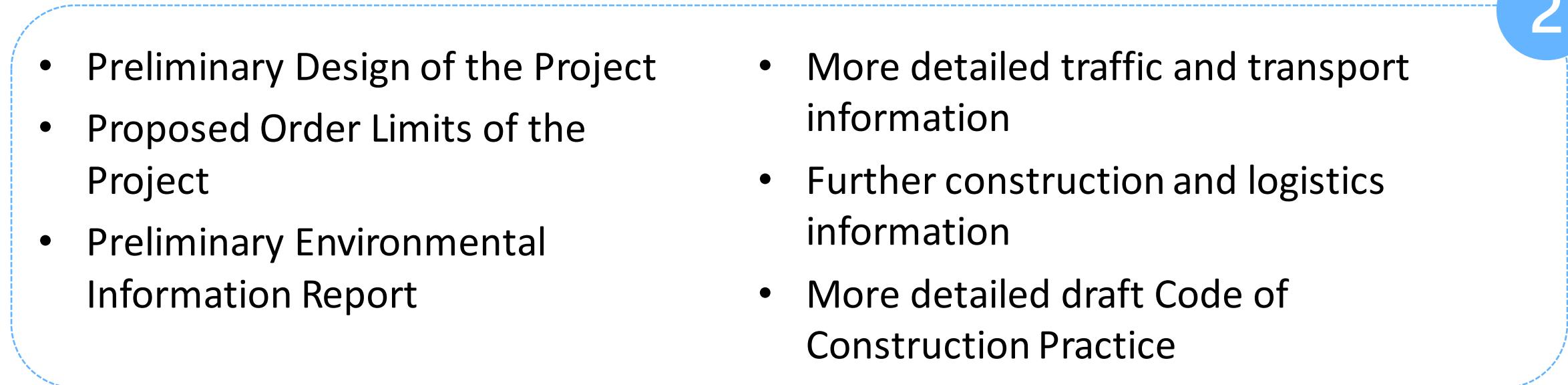
The information which we are aiming to share in the **first stage of statutory consultation** includes:



- 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

2

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 Representative 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.

Submitted Questions:

Submitted by Cllr Aktins

1. Is it correct that Hannah Staunton is leaving/has left EWR? If so, who is replacing her please?

Yes. Hannah will be moving on from EWR in February. The interim chair will be Sarah Jacobs, LRG Manager.

2. Is it correct that EWR is in negotiation with University of Bedfordshire to buy/lease Alexander Sports Hall playing field for a compound for EWR works. This is known locally as ASH.

AT RUA we confirmed that we are likely to need land at ASH. The project will look to acquire all land on a voluntary basis by negotiation and not rely on its potential compulsory acquisition powers that we will seek through the DCO. EWR will approach land owners to have these type of conversations once the design is matured. (likely to be around Stat Con).

07.
Q&A with area manager

08.
**Closing remarks, future
meetings and topics**

Topics for future discussion



Meeting #8 onwards:

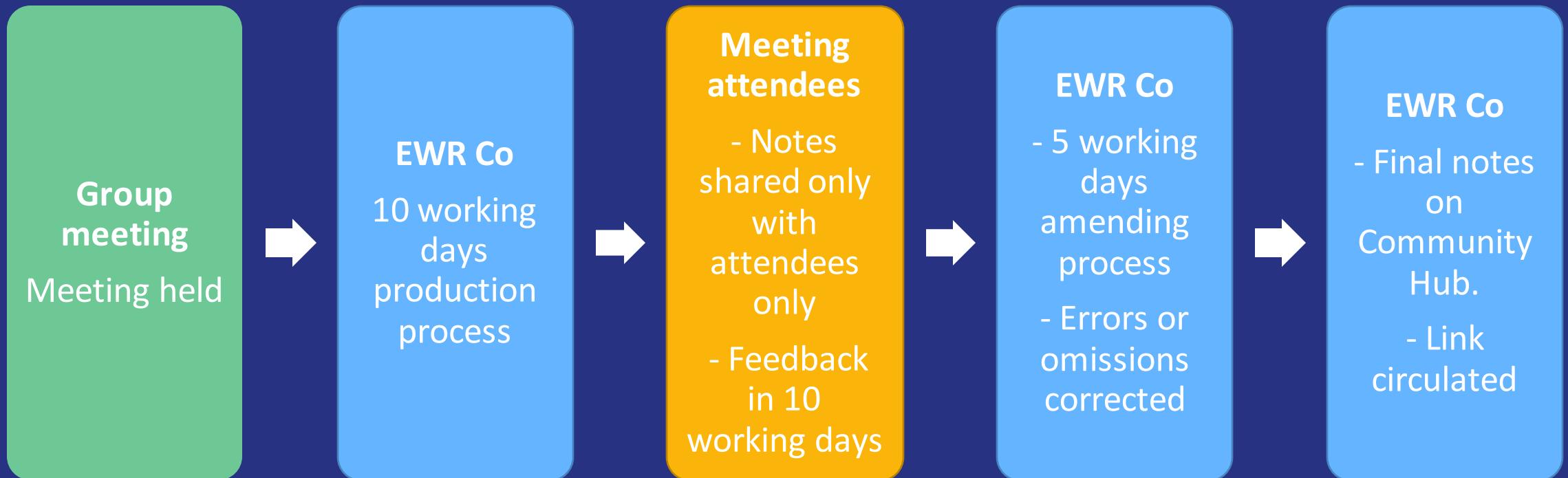
Discussion: Other topics for future meetings

Agreed frequency: Quarterly meeting

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

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

contact@eastwestrail.co.uk

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