

# Land and Property – Your Questions Answered if your property is potentially needed to build or operate our proposals.

East West Rail is a project of national significance which means that instead of applying for planning permission from a local authority, permission will be sought at a national level from the Secretary of State for Transport, via a Development Consent Order (DCO) pursuant to the Planning Act 2008.

The DCO would authorise the construction and operation of a new railway between Bedford and Cambridge and associated works including works to upgrade and refurbish the existing railway between Oxford and Bedford (the project). The project forms part of East West Rail which would introduce a new railway connection between Oxford and Cambridge.

Further information on East West Rail is available at [www.eastwestrail.co.uk](http://www.eastwestrail.co.uk). In this document we try to answer some questions which you may have at this stage on land and property impacts and how you can get involved in the non-statutory consultation.

In this document, the term ‘landowners’ is used to describe freehold owners of land, property owners, tenants, and those with other interests in land.

If you are a landowner and we are not already in contact with you, our Land and Property team would like to talk with you about how our proposals affect your land.

## I have received a Non-Statutory Consultation letter and Land Interest Plan – what do they mean?

We have sent you a letter and a Land Interest Plan as based on Land Registry information and our land referencing process, we believe that you have an interest in land or property which is within the proposed project boundary (also known as the draft Order Limits) at this stage. This means that your land or property may be required to build or operate the project.

The Development Consent Order (DCO) that we intend to apply for will include all powers necessary to build and operate our proposals, including compulsory acquisition powers to ensure we can obtain the land required for this. The draft Order Limits to be submitted with the DCO application will identify the limits of lands to be acquired or used and confirm whether permanent acquisition, permanent rights or temporary possession powers are sought over the land.

The Land Interest Plan enclosed shows the extent of the draft Order Limits edged in red, and the land in which you have an interest edged in blue. We have also sent you a *Route Sectional Plan* to show you the draft Order Limits for the proposals in the route section where your land interest is

located and you will find the full set of plans from Oxford to Cambridge at East West Rail Consultation 2024.

We will refine our draft Order Limits through our non-statutory consultation and subsequent statutory consultation and before we submit our DCO application. As our proposals develop, we will continue to seek to reduce the impact of our proposals on homes, land and property where possible and on sensitive environmental features and historic landscapes. Although the DCO will include the necessary rights and powers to ensure delivery of the project, including powers of compulsory acquisition, we want to engage with all landowners to secure the land, and rights in land, required for the project by agreement and to discuss measures to reduce the impacts of our proposals.

In the letter you have received we have asked you to review the enclosed Land Interest Plan and advise our Land & Property Team on [land@eastwestrail.co.uk](mailto:land@eastwestrail.co.uk) if you no longer have an interest in the land or have other interests that you think are impacted by the draft Order Limits. We will review and update the land interest information as part of our land referencing process throughout the pre-application process.

## **When will you provide further design details and land requirements and consult with me about them?**

Throughout the pre-application process, we will seek to discuss our proposals with landowners. Although the DCO will include the necessary rights and powers to ensure delivery of the project, including powers of compulsory acquisition, we want to engage with all landowners to secure the land, and rights in land, required for the project by agreement and to discuss measures to reduce the impacts of our proposals.

It is important that you have the opportunity to tell us what you think about the proposals for East West Rail, responding to the non-statutory consultation is a way for you to provide feedback on, and influence, the design of our proposals. We will also engage and consult with other statutory consultees (such as the local authorities and the Environment Agency) and the local community.

Following non-statutory consultation, we will consider all feedback received and, along with the results of further technical assessments and environmental impact assessment we will continue to refine and optimise our design proposals, with a focus on sustainability and mitigation of potential environmental effects. At statutory consultation which is anticipated to be in 2025 we will present our updated proposals as well as more information on technical detail, potential impacts and proposed mitigation measures. At the statutory consultation we will again contact potentially directly affected landowners.

We do not expect the draft Order Limits (which show the land needed to deliver our proposals) to change significantly at the statutory consultation. The most significant changes are likely to be:

- At locations where we are currently presenting options. The land needed for our preferred option will be confirmed following the consultation.

- Inclusion of land required to provide space for new depots, ecological mitigation, and other infrastructure not currently shown in the plans, once proposed locations have been agreed.

We may also need to contact you to undertake survey work on your land or property, or continue surveys already taking place, for ecology, ground investigations or archaeological investigations, if we need to, we will contact you separately to explain the type(s) of survey we would like to carry out.

We will continue to be in touch across all stages of the process to update our land interest information. We do this to identify the people and organisations with legal interests in land that may be affected by our proposals. We check this information regularly so we know who owns, occupies and uses the land to keep them fully informed about our consultation and later down the line, involvement in the DCO process.

If and when the DCO application has been accepted for examination by the Secretary of State, we will notify those landowners whose home or property may be directly affected by our proposals of the accepted application and provide details on how they can make representations on the application and the deadline for doing so. During the examination of the DCO application, we will stay in touch with those landowners to continue negotiations to seek to enter into agreements to acquire the necessary land and rights over land (and interest in land).

Should the Secretary of State decide to grant the DCO then EWR Co will write to formally notify those whose home or property may be directly affected by our proposals. We would then start the process of gaining entry onto land for construction, either through agreements or through the compulsory acquisition powers provided by the DCO.

You can find more about the Planning Act 2008 process and Development Consent Orders on the Planning Inspectorate's National Infrastructure Planning website: [national-infrastructure-consenting.planninginspectorate.gov.uk](http://national-infrastructure-consenting.planninginspectorate.gov.uk)

Our fact sheets on *the Development Consent Order (DCO) Process and what it means for landowners* and *Summary of the Blight Notice process* – provide further information on the DCO process and are available on our website East West Rail.

## **Will EWR Co be using compulsory purchase to buy homes, land or property?**

We would prefer to enter into a voluntary negotiated agreement with you. However, so that we have the certainty that we can acquire this land to build and operate our proposals, we will still need to seek the appropriate powers for compulsory acquisition in our DCO application. In our application, we must satisfy the Secretary of State that the land is required for the proposed railway or is required for the railway, and that there is a compelling case in the public interest for the land to be acquired compulsorily.

Our dedicated Land and Property team want to meet with landowners and their agents to start discussions on negotiated agreements and agree terms for the acquisition of land and rights over land needed for our proposals.

We have produced various guides to explain compulsory acquisition including *Guide to Compulsory Acquisition and Compensation*. These guides are available on our website at East West Rail.

## **Safeguarding the land needed for our proposals**

The Secretary of State for Transport has made a Safeguarding Direction for our proposals. The aim of safeguarding is to make sure that the land needed to build and operate the new railway is protected from new development that may conflict with it. The Safeguarding Direction, made in November 2024, requires local planning authorities to consult EWR Co on relevant planning applications for development within the boundaries shown on the safeguarding plans before deciding on the relevant planning permission. This process enables us to consider ways to resolve any conflicts so that development can be approved. More information on safeguarding, including the Safeguarding Direction and plans of the safeguarded area, is available at East West Rail Safeguarding.

If your land and property is within the safeguarding area we have enclosed a letter explaining what this means.

## **Can EWR Co buy my land, property or home now?**

As well as helping to protect the land needed for our proposals, the Safeguarding Direction also means that statutory blight provisions are available. If you own and occupy a property in the safeguarded area, you may be eligible to serve a blight notice on us asking us to buy your property before we need it to build the railway.

We introduced our discretionary NTS Property Scheme at the route update announcement in 2023. This provides support for those property owners who have a compelling need to sell but are unable to sell their property, other than at a substantially reduced value, because of our proposals.

Owner-occupiers who are not eligible to serve a Blight Notice may be able to apply under the NTS Property Scheme. Your property does not need to be within the safeguarded area for you to be eligible to apply under the scheme.

Information on statutory blight and the NTS Property Scheme is available on the Land and Property section of the website: [www.eastwestrail.co.uk/land-and-property](http://www.eastwestrail.co.uk/land-and-property). This includes full eligibility criteria for each and details of the process.

## **What compensation is available to me if my land and property is needed for your proposals?**

Compensation will be assessed in accordance with the 'Compensation Code.' The Compensation Code is a collective term for principles derived from Acts of Parliament and case law relating to compensation for compulsory acquisition.

The overriding principle of compulsory purchase compensation is equivalence. This is the principle that people whose land or property is acquired compulsorily should be left neither better nor worse financially as a result of their land being acquired and are entitled to compensation which is neither more or less than the value of their loss.

The compensation may be for:

- Land required permanently for the railway.
- Land required temporarily for uses such as contractor compounds during construction.
- Loss in value of land that is affected, but not required for the project.
- Associated disturbance costs.
- Statutory loss payments (if eligible).

There are guides to help explain how the compensation process works. These are available on the Land and Property section of our website: [www.eastwestrail.co.uk/land-and-property](http://www.eastwestrail.co.uk/land-and-property)

Compensation is a complex area of law and surveying practice. You are advised to appoint a suitably qualified Royal Institution of Chartered Surveyors (RICS) chartered surveyor to negotiate any claim.

## **Who can I contact to discuss the proposals and how they will impact my land and property? How can I arrange a meeting to discuss this further?**

We are hosting a number of in-person consultation events where you can see maps, plans and other consultation materials and speak to our Land and Property team, and other specialists in the project team. We will also be holding three online events. More information on these, including the dates, is available here: [eastwestrail.co.uk/consultation2024](http://eastwestrail.co.uk/consultation2024)

As your land and property is included in the draft Order Limits our Land and Property team would like to meet you and/or your agent to discuss how our proposals may potentially affect your land. Where possible we will have already been in touch with you to arrange this. If we have not been able to contact you, please contact our Land and Property team to arrange a meeting to introduce yourself or discuss any concerns.

You can:

Call us on 0330 838 7583 or

email us at [land@eastwestrail.co.uk](mailto:land@eastwestrail.co.uk) or

contact us by post at Freepost EAST WEST RAIL LAND.

If you want to speak to us about the *Need to Sell (NTS) Property Scheme*, please contact our dedicated Need to Sell team by phone on 0330 838 7583, or email us at [needtosell@eastwestrail.co.uk](mailto:needtosell@eastwestrail.co.uk)

If you want to speak to us about *Statutory Blight*, please contact our dedicated Blight team by phone on 0330 838 7583, or email us at [blight@eastwestrail.co.uk](mailto:blight@eastwestrail.co.uk)

## **Can I seek professional advice to assist me through this process?**

We want to talk to you about our proposals. Please contact the Land and Property team to discuss individual concerns and to arrange a meeting to discuss how our proposals affect your land and property.

You should also consider taking independent professional advice as your land or property is potentially required for our proposals. We recommend you appoint a RICS qualified Chartered Surveyor with experience of compulsory purchase.

If you have appointed a RICS surveyor to represent you, please ask them to contact the Land and Property team to agree the basis for which fees will be reimbursed, including for an initial meeting.

For further advice and assistance, RICS has a helpline scheme which enables landowners to contact a regulated member firm (listed on their website) for an initial 30 minute free consultation: [ricsfirms.com/helplines/compulsory-purchase/](https://ricsfirms.com/helplines/compulsory-purchase/)

Please contact the Land and Property team if you have any questions on how you can get independent professional advice and what costs we can reimburse.

## **Where can I get more information on land and property matters?**

We have also produced a range of guides which can be found in the Land and Property section of our website: [www.eastwestrail.co.uk/land-and-property](http://www.eastwestrail.co.uk/land-and-property)

- Guide to Compulsory Acquisition and Compensation.
- Guide to Part 1 Claims.

Information on statutory blight including what to do if you need to serve a blight notice is available at [eastwestrail.co.uk/safeguarding](http://eastwestrail.co.uk/safeguarding)

Information on the Need to Sell (NTS) Property Scheme is available at [eastwestrail.co.uk/needtosell](http://eastwestrail.co.uk/needtosell)

Please sign up to the East West Rail newsletter to stay informed with updates. You can do this here: [eastwestrail.co.uk/get-in-touch](http://eastwestrail.co.uk/get-in-touch)