

Consultation feedback report:

Chapter 11: Comments relating to the consultation

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11. Comments relating to the consultation

This chapter provides a summary of your feedback and our response to matters raised during the consultation in relation to consultation methods, materials and events during stages of non-statutory consultation in 2019 and 2021.

Throughout this section, text in *italics* is our response to the matters raised in your feedback.

11.1 Your feedback and our response

11.1.1 The 2019 consultation

During the 2021 consultation, respondents commented on various aspects of the previous consultation that was held in 2019. Comments included criticisms on the information presented, the accessibility of the documents and the venues chosen for consultation events. A specific area of concern was that the need for additional tracks north of Bedford was only announced after the 2019 consultation.

During the 2019 consultation, we focused on the potential opportunities and challenges presented by the five broad areas under consideration as possible route options for East West Rail (EWR). We believe we presented an appropriate level of information – including a 24-page consultation document and a 60-page technical report. We recognise that different audiences tend to require different levels of information, but our approach is always to provide material in plain English supported by diagrams and visuals wherever possible to explain more complex issues.

We held events in various locations across the area being considered, including Bedford, St Neots, Cambridge (two events) and Cambourne. Venues were chosen based on their proximity to the route options as well as their suitability as a community facility in terms of accessibility, availability and safety.

Following the 2019 consultation, we carried out further work to assess capacity to accommodate the new EWR services north of Bedford without reducing the existing passenger and freight capacity. We found four tracks would not be sufficient, which is why a proposal for six tracks was presented at the 2021 consultation.

11.1.2 Stakeholder influence

Respondents raised various concerns relating to the influence of stakeholders during the 2021 consultation, including both that some people were not adequately engaged and so unable to influence the consultation, and that some stakeholders had undue influence over the scheme.

11.1.2.1 Limited stakeholder influence due to a lack of inclusivity

Respondents raised concerns that a lack of inclusivity, especially for small communities or those who needed consultation materials in other languages or formats, had excluded some groups from the consultation process. Concerns were expressed that the consultation lacked two-way discussion in the decision-making process.

We committed to making the consultation accessible for anyone who wanted to take part and our aim was to ensure as many people as possible were able to share their views. All of our online platforms were checked to make sure that they were compliant with accessibility requirements. Alternative formats of materials (such as large print) or alternative languages were also available on request.

All feedback received from the consultation was analysed by an independent company, before being carefully considered alongside our own further technical research and design development to inform our emerging preferences, which will be presented for comment at the statutory consultation, which we expect to take place in the first half of 2024. All feedback has been taken into account.

11.1.2.2 Predetermination of consultation outcomes

Concerns were raised by respondents that some options being consulted on had already been predetermined, limiting the influence stakeholders could have. Concerns were also expressed that choices would be predetermined by factors such as the use of the route for freight, political influence, or the cost of the options.

The purpose of our consultation was to seek public views and opinions to inform decision making. A decision therefore had not been made at any point before or during the consultation on any route options, alignments, or individual sections consulted on.

Final decisions will be made following the statutory consultation.

11.1.2.3 Undue influence of some stakeholders

Respondents commented that specific political interests, business influence, pressure groups and influential landowners had undue influence over the routes chosen and were given priority over residents. There were concerns that nominated representatives purposefully misled the public with regards to the Project.

Anyone could respond to the consultation. We want to deliver the best possible railway for local communities so all views matter and will be taken into account when taking decisions about the Project. All feedback is considered fairly as part of our review process.

We do not believe that anyone had an undue influence in relation to the development of the proposals for the new railway.

11.1.2.4 Lack of consultation with statutory bodies

Concerns were raised that Highways England (now National Highways) were not adequately consulted regarding the location of the alignments.

We consulted National Highways as part of the 2019 and 2021 consultations and received detailed feedback from them. We will continue to engage with National Highways to make sure that any

impacts on the strategic highways network are properly understood, assessed and considered as proposals for EWR are developed.

We expect the statutory consultation to be held in the first half of 2024, and further feedback from National Highways will be welcomed.

11.1.3 Methods used to conduct the consultation

Respondents commented on various aspects of the consultation including the consultation period, how the consultation events were organised, and transparency.

11.1.3.1 Consultation timing and timescales

Criticism was raised that the consultation was too short, and that it should not have taken place at the same time as local elections, at a time when public meetings were restricted.

As a 'non-statutory consultation' there are no fixed rules about its duration. However, we decided to run the consultation for ten weeks; six weeks longer than the 28-day minimum required for a 'statutory consultation' (a consultation legally required for a Nationally Significant Infrastructure Project).

While the Government is subject to guidance that consultations should not take place during election periods, this does not cover bodies such as EWR Co, Network Rail and National Highways. Following the local elections there were four weeks before the consultation closed, and we offered meetings to all local authorities both before and after the elections. We gave the public and stakeholders adequate time to consider and respond to our proposals.

11.1.3.2 Publicity

Respondents commented that communication to raise awareness of the consultation was insufficient. Specific criticism included that the consultation was publicised locally but did not reach inter-city travellers. It was also noted that a system of acknowledging consultation submissions would have been preferred.

We ran an extensive programme of advertising and communications activities to publicise the consultation. This included posting consultation information directly to 270,000 households across the whole Oxford to Cambridge route and placing adverts in locations along the route (including train stations), on local radio, on social media and in local print media. We also sent press releases to local media and conducted interviews with a range of media outlets which generated further coverage for the consultation. Local representatives were briefed in advance of the launch of the consultation.

We received more than 9,000 responses which we believe is a good response rate for a consultation of this scale.

We will investigate the potential to provide respondents with an acknowledgement of the receipt of their feedback for the statutory consultation.

Respondents also commented on the wider awareness of the Project, remarking that it did not appear in house searches and potential impacts had not been adequately communicated.

Regarding property searches, East West Rail would be revealed through the responses issued by the local council to 'CON29' enquiries. We have received enquiries from conveyancers acting for a number of property purchasers going back several years.

Ahead of the launch of the 2021 consultation, we identified, and wrote to, all owners of land potentially directly affected by the Project based on Land Registry records, inviting them to meetings with our Land team.

11.1.3.3 Consultation events

Concerns were raised regarding the virtual events delivered to support the consultation, with respondents stating the times selected were inappropriate, and the sessions poorly presented. We also received criticism for the way questions were handled at the webinar sessions.

Because of the Government's restrictions to limit the spread of COVID-19, we were unable to hold face-to-face events to support the consultation and instead had to use a range of virtual methods.

During the ten-week consultation period, we held:

- *34 online public events which were open to all and held during the daytime, evening, and at weekends – to try and provide sessions at times that were accessible to everyone.*
- *18 public webinars, that focused on both customer experience and railway operations and the six geographical sections where we are proposing infrastructure development, led by senior members of our team.*
- *16 live online chat sessions with our technical experts.*
- *64 online, interactive meetings with local MPs, councillors, and parish councils.*
- *32 online meetings with a range of other stakeholders including rail industry groups active travel representatives and business groups, led by senior members of our team.*
- *Online meetings or telephone conversations with 207 potentially directly affected land/property owners and their agents or advisors, led by senior members of our land team.*

To maximise participation, each of the virtual events and live chats were held on different days and times, including Saturdays and on a bank holiday. In total 4,800 people joined a virtual event, visited our virtual consultation room or attended a live chat session.

For the webinars we used TeamsLive, which doesn't have a chat function but does have a Q&A function. All questions were read and grouped into themes that were put to the presenters to respond to during the events. We also held live chat sessions where individuals could engage with our project team to ask specific questions.

11.1.3.4 Online methods

Respondents raised concerns that the use of online methods for the consultation was insufficient and negatively impacted the quality of the consultation. Concerns were expressed that the pandemic was being used as an excuse to refuse face-to-face meetings.

At the time of these consultations, we were bound by Government guidance restricting what events and meetings could be held. As such we were unable to hold face-to-face events to support the consultation and instead had to use a range of virtual methods. We aimed to deliver an accessible online consultation, as detailed above, with opportunities for the public and stakeholders to ask questions and receive answers in a timely manner.

We recognise that virtual engagement events are different to in-person equivalents, but we tried to create events which allowed our teams to listen to the views of the public and provide responses. As mentioned, each of the virtual events and live chats were held on different days and times, including weekends, to maximise participation.

We also provided parish councils along the route with packs of physical materials. Physical documents could also be ordered through an online order form on our website, or by getting in touch with our team.

Following the 2021 consultation, we have continued with in-person conversations with our stakeholders and have held:

- 45 face-to-face meetings with homeowners and occupiers in the area north of Bedford station.*
- Ten public information drop-in events across the route, which were attended by almost 1,500 people.*
- 65 Local Representatives Groups (LRG) meetings with county, district, town and parish councillors.*
- Nearly 50 meetings with stakeholders within business, industry and academia.*
- 38 meetings with MPs and local authorities across the route.*

11.1.3.5 EWR Co company and staff conduct

Concerns were raised regarding the conduct of EWR Co during the consultation, with specific concerns about the speed of responses to queries, the democracy of the decision-making process, and staff conduct at events.

As mentioned, the purpose of our consultation was to seek public views and opinions to inform decision making. We want to deliver the best possible railway for local communities so all views matter. All feedback is considered fairly as part of our review process.

It is disappointing to hear that stakeholders may not have had a positive experience and that they may have felt that the conduct of our staff was not what they would expect. At EWR Co we always aim to conduct ourselves in a professional and empathetic manner and believe this was the case throughout the 2021 consultation.

During the first few days of the consultation we received a large volume of enquiries and it took us longer than we would have hoped to respond to all of the correspondence we received. All enquiries received during the consultation period were responded to. We continue to strive to respond to all correspondence as quickly as possible and to take into consideration any feedback received.

11.1.3.6 Requests for a further consultation

Some respondents requested a further consultation on the basis of new information becoming available, and following the lifting of the pandemic restrictions.

There will be further opportunities to comment on our proposals as they develop including a statutory consultation to be held in the first half of 2024 ahead of the submission of a Development Consent Order (DCO) application to the Planning Inspectorate. Our intention is to include public events as well as digital ways to engage with the project team and ask questions.

11.1.4 **Information and options presented**

Respondents raised a variety of comments on the content of the consultation. Comments were raised in relation to the information provided and how it was presented to stakeholders.

11.1.4.1 Accuracy, quantity and quality of information presented

Respondents raised concerns over the quantity and quality of the information presented in the consultation, including comments that the information was too broad, too complex, contained errors, and was presented in a misleading way.

During the consultation, our focus was on understanding the views of communities and other stakeholders across the route. We consulted on a wide range of proposals from broad route options being considered between Bedford and Cambridge, to more specific questions linked to individual level crossings and stations. We believe we provided an appropriate level of detail for the proposals on which we were consulting and undertook a rigorous proofing exercise prior to the publication of the documents. We do not believe anything significant was missing or incorrect from the materials that would change the design of the scheme, or that materials were incorrect. The level of detail was appropriate to the stage of the scheme. We don't agree that the information was presented in a misleading way.

11.1.4.2 Methodology and data

Some respondents raised concerns that the methods and data used to inform the consultation were flawed, such as passenger estimates, addresses on the consultation mailing list, and the data used to support the need for six tracks north of Bedford.

Passenger demand for EWR and its associated impact on transport users has been estimated using a transport model based on established methodologies used across transport appraisal schemes. The transport user benefits are those typically assessed for rail appraisal schemes and are aggregated over a 60-year period.

The Department for Transport initially commissioned the transport model to assess the benefits to transport users of EWR services to the west of Bedford to support the Transport and Works Act 1992 order application for upgrades to infrastructure between Oxford and Bedford that was submitted by Network Rail in July 2018. A further version of the model was then developed to estimate the incremental benefits to transport users of a new railway between Bedford and Cambridge and extending EWR services to Cambridge.

In relation to Bedford, consideration has been given to the impact which the EWR scheme might have on Midland Main Line (MML) operations and the longer-term resilience and reliability of the EWR service. Our work ahead of the 2021 consultation showed that six tracks north of Bedford would be required. Sharing the existing four track railway with MML would reduce the resilience of both services as well as reducing future flexibility for changes to passenger services if required. The four-track railway would also suppress freight capacity growth enabled by previous investment by Network Rail on the MML and curtail the ability for future freight demand on the MML and EWR should it be required. You can read more about the feedback received regarding Section C of EWR in Chapter 7.

In terms of the mailing databases, we sent documents to around 270,000 homes and businesses across the route at the start of the 2021 consultation. The addresses used came from established data sources used by mail and delivery companies and our land referencing activities use information from HM Land Registry. While those data sources are sometimes slightly out of date, we don't believe documents were sent to inappropriate addresses.

11.1.4.3 Northern approach to Cambridge

Respondents commented that the consultation lacked information about the proposals for a northern route into Cambridge and that this option should not have been discounted by EWR Co.

Approaching Cambridge from the north was considered as part of the initial work led by Network Rail in 2018-2019 to identify a broad route corridor for EWR, and then again in further detail in 2021. All our work and assessment indicated that the best option remained for EWR services to approach Cambridge from the south. As set out in the ETR and as suggested by respondents, a number of alternative alignments have been considered since the close of consultation in respect of the approach to Cambridge. We have taken these into account in selecting a preferred route alignment.

You can read more about the feedback received regarding the approach to Cambridge in Chapter 3 of this report.

11.1.4.4 Wider impact and links to other developments

Respondents shared concerns that the Project is not engaging with, or taking into consideration, housing and other infrastructure development and plans in the area that may impact or be impacted by the scheme.

While EWR is not dependent on specific new housing developments, we have been working closely with local authorities to understand how the railway could support their plans for housing in the area. We also monitor plans for new housing and other infrastructure development to ensure EWR is taking account of any emerging plans in the areas it could impact. Alongside this, we have also been actively engaging with and making representations to consultations in the area.

11.1.4.5 Consideration of alternative routes

Comments were raised that EWR Co was not fully engaging with suggested alternative routes and had not consulted on alternatives for some sections of the route.

We have listened to feedback and have taken comments about alternative routes into account in selecting a preferred route alignment for the section of EWR between Bedford and Cambridge. However, the feedback received has not led to us re-opening alternative routes in this section, including the approach to Cambridge. You can read more about the feedback received regarding the selection of Route E in Chapter 4, and the approach to Cambridge in Chapter 3.

11.1.4.6 Aylesbury

Criticism was raised that Aylesbury had been excluded from the consultation.

We are continuing to explore options on how to connect Aylesbury, in discussion with our colleagues in the Department for Transport and Network Rail. We are working with Government to understand whether there is a viable business case to continue work on an Aylesbury connection.

11.1.4.7 Transparency

Respondents raised concerns regarding the transparency of the consultation, suggesting that information had been purposefully withheld from the public. Concerns were raised that questions had not been answered sufficiently.

Although we aimed to share as much information as possible given the stage of the Project, we recognise that individuals, communities, stakeholders, and those that are interested in the Project sometimes request more information than we are able to provide at any given time. However, there will be future opportunities for the public to have a further say on our proposals, including at the statutory consultation and during the examination period once a DCO application has been made.

We always aim to provide a response to enquiries and to provide as much information as possible.

11.1.4.8 Compensation scheme information

Some respondents raised concerns that compensation schemes had not been adequately addressed at the consultation.

There was only one compensation scheme presented for consultation - a separate consultation for the Proposed Need to Sell Property Scheme was held alongside the 2021 consultation. Information on this scheme was presented in a separate guide. The guide provided details of the proposed scheme and was supported by the Proposed Need to Sell Property Scheme feedback form which invited comments on the proposed scheme. We also published a number of other documents when the consultation was launched to provide further information to owners and occupiers of land or property potentially affected by the Project. These included guides on

- [*Compulsory Acquisition and Compensation.*](#)
- [*Statutory Blight Notices.*](#)
- [*Part 1 Claims: How to claim for the effects on your property for a new or altered railway.*](#)
- *A [Q&A style document](#) specifically designed to respond to the questions likely to be asked by those with land or property potentially directly affected.*

11.1.5 Consultation materials

11.1.5.1 Summary document

Respondents commented on the documents delivered to properties in the vicinity of the proposed route as part of the consultation. Some said that the summary document was not the most effective or environmentally friendly way to share the information. Concerns were also expressed that some of the physical documents ordered were not delivered.

We believe the summary document was the most appropriate way to inform people who may be impacted by the proposals. The intention of the summary document was to provide a high-level summary of the proposals, while signposting people to further information.

It is regrettable to read that some documents were not delivered. Every delivery was tracked, and those who ordered documents were provided with an order number to follow their delivery.

11.1.5.2 Feedback form

Comments were received on the format, wording, and focus of the feedback form. Respondents also stated that they found the form's questions confusing and leading, and felt that some questions were inappropriate for the Project's stage.

The feedback form was organised to follow the structure of the information presented in the consultation document and associated summary. The form included specific questions relating to each of the infrastructure proposals on which we were consulting and a series of more general questions designed to gather early feedback on people's views on matters related to the operation of the proposed railway and the customer experience.

The form included a mix of open and closed questions to try and help us understand people's preferences for the various options being consulted upon and the reasons for these preferences.

Respondents were encouraged to fill in as much or as little of the form as they wanted and were able to attach extra pages if there more space was needed. They were able to use the free text/general comments sections to provide their views on any topic they wished.

11.1.5.3 Images, graphs, diagrams and maps

Respondents commented on the images and maps used during the consultation, including the online interactive maps. Comments included that the images were inappropriate and that the maps were difficult to navigate.

Wherever possible, we aimed to use as much local imagery as possible to reflect the character, landscape and visual identity of the communities EWR would serve.

The maps presented in printed materials at the 2021 consultation were more detailed than those previously shared at the 2019 consultation. The online interactive maps offered even more detail and allowed people to personalise the information presented to them. More detailed maps will be provided as the designs develop further.

11.1.5.4 Support

A number of respondents expressed support for the consultation, mentioning in particular that the information was detailed and well presented, and the consultation was well publicised.

Some respondents also supported EWR Co's efforts to consider all views within all consultation submissions.

For all major announcements, consultations, and events we seek to reach as many people as practicable, while providing detailed information in a way that allows people to provide well considered feedback.

We are committed to reviewing and considering all views put to us through consultation, and this is reflected in our decision making.