

Guide to the Access Licence for Surveys



Table of contents

1. What is the case for East West Rail?	05
2. EWR Co – who are we and how are we different?	06
3. The purpose of this booklet	09
4. What are we asking you for?	10
5. Our commitments to you	12
6. Why do we need to survey land?	14
7. What kind of surveys will we be carrying out, and what fee payments can you expect?	16
7.1 Surveys covered under the licence fee	17
7.2 Surveys for which we will pay occupiers an additional fee	20
7.3 Fee Payments Summary	24
8. Claims for additional compensation	26
8.1 Making a claim	26
8.2 If we can't agree	27
8.3 Discussing your claim	27
9. What happens next?	28
9.1 Agreeing the Access Licence for Surveys	28
9.2 Arranging Access for Surveys	28
10. Further information and Contacts	30



St Paul's Square, Bedford

1. What is the case for East West Rail?

The vibrant mix of urban and rural communities between Oxford, Milton Keynes, Bedford and Cambridge blend beautiful landscapes and a rich cultural heritage with globally renowned centres of education, business, technology and an increasingly dynamic business scene.

It's a fantastic place to live and work, but people are being let down by a lack of good transport links, limiting their ability to enjoy everything the area has to offer – from easy opportunities to commute between home and work, to days out with friends and family. Creating better transport will be critical in building opportunities for prosperity among local communities.

East West Rail is a proposed new rail link under development which would connect communities between Oxford, Milton Keynes, Bedford and Cambridge, creating new opportunities for people right across the area by:



Making it cheaper and quicker to get around the area - connecting people to their jobs, homes and families, as well as businesses to their employees, suppliers and customers.



Supporting new housing to make it more affordable and help your money go further - so people can afford to live and work in the area, and businesses can afford to create more jobs and increase productivity.

As well as improving quality of life for people locally, it would help the local economy to:



Making places more appealing for people wanting to start and grow businesses - attracting and retaining the best talent in the region, while encouraging new investment to support the economy.



Spreading prosperity across the UK - creating growth for towns and cities outside of London. The National Infrastructure Commission estimated that creating these transport links and supporting the area between Oxford and Cambridge was worth nearly £80bn extra each year for the British economy.¹

2. EWR Co – who are we and how are we different?

The East West Railway Company (EWR Co) was created to develop a railway with customers and communities at its core. We are passionate about developing a railway which best serves people living and working between Oxford, Milton Keynes, Bedford and Cambridge.



We were set up by the Secretary of State for Transport in 2017 with the following role:

- Between Oxford, Bedford and Milton Keynes, our role is to oversee the work already underway
- Between Bedford and Cambridge, we are developing the case for the project.
- In addition, we will be integrating the two sections of the project to get the very best results for all the communities we'll be serving right the way from Oxford to Cambridge

We have a mission to innovate and challenge the status quo in the rail and construction industries, leading to a more efficient and cost-effective project delivery, and a great experience for passengers and the communities we serve.

Our distinctive outlook and commitment to doing the right thing for our customers and local communities runs through everything we do and every decision we make.



- **Creating connections:** not just laying down steel and concrete, we are focused on designing a railway that is most likely to create connections between local communities that will support the economic growth and prosperity in the area



- **Rooted in community:** at a very early stage in the design of the route between Bedford and Cambridge, we consulted local communities, asking for comments and points of view on the new route. The responses were central to the way we made our decision, and means the Preferred Route Option is fundamentally grounded in feedback from the community, stakeholders and local authorities



- **Environment at the forefront:** we developed route options with environmental considerations at the forefront. Rather than being an after-thought, we used environmental data as a fundamental part of our decision-making process. Our communities can have confidence that the Preferred Route Option has been selected to support ambitions for East West Rail to increase biodiversity and acting in a way which respects important environmental and heritage sites in the local area



- **Cutting-edge techniques to develop cost estimates:** taxpayers must have confidence in our ability to manage the financial side of the project and deliver value for money. To reduce the risk of cost over-runs later in the project, we used cutting edge techniques and new digital technology to produce our indicative cost estimates. Whilst there remains significant uncertainty in these cost estimates, these innovative techniques will help us to continue refining and improving our estimates, supporting better decision making now, and pointing to opportunities for potential cost savings in the future



Aerial view of Bedford

3. The purpose of this booklet

Our project, to create a new East West Rail line, will go through a number of phases. Initially, to help us choose the right alignment for East West Rail, we need to survey the land in the broad area around where the railway might run.



These surveys will help us design the railway so we can deliver transport connections in a responsible and environmentally sustainable way and help us to design appropriate ways to mitigate any negative impacts of the railway.

This booklet will give you the information you need to understand

- The kind of surveys we need to undertake and why
- How you can expect us to behave
- Details of pre-agreed fees we will pay for surveys
- Any further compensation you may be entitled to
- The next steps

More information about the process we will follow to deliver the project is available on our website, together with information on how we intend to work with you if your land or property is affected by our project.

4. What are we asking you for?

We would like to undertake surveys on your land. To do this, we would like to enter into an agreement with you called an “Access Licence for Surveys”.

The areas we would like to access are shown edged red on the plan attached to the Access Licence for Surveys (Plan) which should have been provided to you when you received this booklet.

If you sign the licence, you will be confirming that you hold the necessary legal rights in the land to give us permission to go onto it. If there are any other parties that need to give their agreement before access can be granted, it is important that you let us know before you sign the licence.

If you are unsure which area/s we would like to access, or have any other questions about who should sign the licence, please get in touch. You'll find all our contact details in section 8.3 section of this booklet.

The **Access Licence for Surveys** allows our survey teams to carry out surveys and access your land at agreed times over the next three years. We don't need constant access to the land, but might need to access from time to time over a period or to leave monitoring apparatus on your land. Our team works to a strict code of conduct and we will always give you good notice of any access we require.

The **Access Licence for Surveys** will cover all surveys, except archaeological excavations. If archaeological excavations are required on your land, we will seek a separate licence.

In recognition of the potential disruption surveying could cause, we will offer you compensation payments. Full details of payment terms are available in the Access Licence for Surveys which has been provided to you, and a summary is provided in section 7 of this document.

We will be surveying land in a larger area than we would eventually need for constructing or operating the railway because we will need to consider more than one alignment and so that we can capture all the environmental and other constraints in the area. We won't know until we've tested potential alignments where the proposed railway line would go and what land we might need so the fact that we are carrying out surveys on a particular piece of land does not necessarily mean that we will need to use or acquire it in the future. Once we have identified land that may be required for construction or operation we will consult the affected land owners.

While it is possible for us to seek authorisation to undertake these crucial surveys without consent from the owner or occupier, using this power is really the last resort. We believe working collaboratively with you by agreeing access through these licence agreements will give you confidence in our commitment to acting responsibly and fairly.



5. Our commitments to you

Through our actions and behaviour, we are building the East West Railway Company and the East West Rail project in a way which is fundamentally grounded in supporting the communities we serve.

We will work hard to earn your trust, by being transparent and clear in our interactions with you.

Our nine commitments to you are laid out below and are also shown in our fact sheet: 'Our commitments to impacted landowners and occupiers' which can be accessed at eastwestrail.co.uk. We will robustly monitor our suppliers and ourselves to check we're meeting them and to find ways to improve.



Members of the East West Rail team

01.

We will treat you, your land, property and personal data, and third parties acting for you with respect

06.

We will make good any physical damage caused through our activities

02.

We will make the Health and Safety of you, your community and our workforce a priority

07.

We will make all payments and compensation due to you on time

03.

We will work collaboratively with you and any third parties acting on your behalf

08.

We will assign a dedicated Land Access Manager to you so you always have a way to contact us

04.

We will discuss each activity with you, so we understand and manage the impacts to you

09.

We will make every effort to reply to all communication within five working days – sooner if possible

05.

We will keep potential damage and disruption to the minimum required to deliver the railway

More information on our environmental principles can be found on our website, or sent to you by mail if requested.

6. Why do we need to survey land?

We need to carry out a range of surveys to help us develop the right design for the new railway. These surveys will help us to understand the environmental conditions of the area including things like the plant and animal species living nearby, the historical features present or the soil and geological conditions that could affect the design, construction or operation of the railway.

Understanding these important characteristics at this early stage of the project will help us identify the potential benefits and impacts of the project and get the right design for the communities we're serving and the environment.

Although we can learn a lot from general desk research and information from our colleagues in other projects, we learn a great deal by surveying land for ourselves, and we must complete these surveys as part of our process to secure the right planning permissions – in this case a Development Consent Order (DCO). The surveys will enable us to consult on the proposals effectively and form part of our Environmental Impact Assessment (EIA), providing us with a baseline level of information to help shape the design.

The key things we're investigating include:

- The species living in the area and how we can mitigate negative impacts on them
- Opportunities for improving the local ecology
- How the land itself will affect engineering, construction and operation of the railway
- What negative impacts local communities could feel during construction or operation of the railway, and how we could mitigate them
- Any potential impacts on existing infrastructure and how we could mitigate them



River Cam,
Cambridge

Why are we starting the surveys now?

Some surveys can only be carried out at specific times of the year. For example, we have to survey certain ecological species in spring, when they are most active or when they are breeding. We also repeat the surveys so we don't capture abnormal information, and use unrepresentative data. Similarly, with intrusive groundwater surveys, we monitor the behaviour of the water over several seasons and years so we can be sure the data is an accurate representation of the real picture.

7. What kind of surveys will we be carrying out, and what fee payments can you expect?

The Access Licence for Surveys covers all surveys except archaeological excavations. We will offer a licence fee to people giving us access to their land and additional fee payments to occupiers of land for specific surveys. A summary of fees is set out in section 7.3.



7.1 Surveys covered under the licence fee

Many of our surveys will have very little physical impact on the land and often consist of a walk over survey of the land, with our team taking detailed notes on their observations, and use of hand-held equipment. We may also undertake aerial surveys as part of our commitment to using up-to-date and the most efficient technology and techniques. We may use remote sensing drones or other aerial equipment for ecological and landscape assessments and local topographical surveys and this may involve fly overs and use of land to take-off and land a drone.

These types of surveys are included in the licence fee and we will not pay any additional fees unless there is a valid claim for compensation. This includes the following surveys.

Type of survey	Places surveyed	How the survey is undertaken
Community	Open space, recreational land and community facilities	A visual assessment and note taking from a walk over survey of the land and conversations regarding land use.
Farm Impact Assessment	Farmland	A conversation with the land owner and/or occupier to understand the current farming and/or business enterprises and use of the land. We may use small handheld augers or hand dig small pits to take soil samples. After the sampling we will backfill and replace any turf.
Noise and Vibration	Various sites, roads and streets	Noise and vibration surveys using handheld equipment.
Ecology and Biodiversity	Various designated sites, habitats and species	A walk over survey, note taking, or we may use drones for remote sensing imagery. For some species there may be a need to collect samples or use equipment such as amphibian traps to attract species so they can be counted.

Type of survey	Places surveyed	How the survey is undertaken
Landscape and Visual	Various sites	A walk over survey, note taking or use of drones to take photographs and record views from particular vantage points.
Traffic and Transport	Various sites	Vehicle and pedestrian surveys of Public Rights of Way (PRoW) which may cross private land and vehicle counts for roads and streets.
Water Resources and Flood Risk	Various sites	A walk over survey to view the physical character and water content of rivers, potential ground water emergence and fish population assessments. We may take samples for water quality and insect species and measure culverts, bridges and channel sizes using a staff, photogrammetry and other handheld or tripod-mounted equipment. We may need to use a boat for deep watercourses and we may need to dye test culverts.
Cultural heritage	Various sites	A walk over survey to view any historic building and landscapes and geophysical surveys using detection equipment such as Ground Penetrating Radar.
Air quality	Various sites	Monitoring surveys are usually undertaken around roads and streets but may also involve access to private land.
Utility surveys	Various sites	Visual inspections of utility assets such as pylons, pipe routes and substations from a walk over survey. We may also use handheld detection equipment such as CAT scan machines to monitor buried services and measure the heights of overhead services. We may carry out CCTV surveys of underground services which will involve access to existing chambers at ground level using a small vehicle.

Type of survey	Places surveyed	How the survey is undertaken
Infrastructure survey	Various sites	Topographic survey using measurement equipment which may be handheld, tripod-mounted or mounted on drones. Geophysical survey e.g. ground penetrating radar to locate bridge foundations, abutment or road edge levels.
Soil sampling	Various sites	Sampling by hand dug holes and trenches.
Condition or structural assessments	Buildings	A walk over survey to take notes and photographs internally and externally. Mounted sensors may be used.

7.2 Surveys for which we will pay occupiers an additional fee

Some surveys will be more disruptive to occupiers of land, however we will seek to minimise the impact to you and we will also pay an additional fee for these types of survey.

Night Time Surveys

We may need to conduct surveys overnight (between the hours of 2100 to 0600) for example to record the flight paths of bats or carry out noise and vibration monitoring.

Monitoring and Measuring Apparatus

We may need to leave monitoring apparatus to take measurements over a period of time such as noise and vibration, air quality, ground water levels or ground movement.

Homes, Gardens and Residential Buildings

In some very limited circumstances, we may need to access homes, residential buildings or gardens to carry out surveys. These types of survey do not usually have a physical impact but can disrupt your routine and cause some disturbance. For example we may need to carry out bat surveys within buildings or structures where bats may roost. Also in order to minimise any impacts on your property, for example from noise, vibration or settlement, we may wish to record the condition of the property and/or place monitoring equipment at the property.





Structural and Geotechnical Surveys

These help us understand the risks and opportunities related to the ground and structures so that we can be confident the railway can be built and operated efficiently whilst minimising the negative impacts on communities and the environment.

We will only undertake these surveys if we believe they are necessary after we have researched the landscape and carried out walk over surveys. We will also try to plan these surveys at times to reduce disruption.

We will pay an additional fee calculated either by excavation or visit depending on the nature of the survey.

These types of surveys include:

- Geotechnical boreholes, trial pits and trenches. For this type of survey an additional fee will be paid for each excavation. Excavations will be filled in on completion.

These excavations will be dug using self-propelled or towed equipment (for example an A-frame rig, drilling rig or mechanical digger). In some cases a pit or trench may be hand dug if vehicle access is not possible.

A borehole drilling rig is typically in place for a few days, depending on the depth of sampling required and strength of the ground. On completion the borehole is either filled in or left covered where ongoing monitoring of equipment is required.

A trial pit is typically 1m x 4m in area and dug to a depth of 2-3m.

A trench is a longer pit of 10m or more and dug to around 4-5m depth.

The Access Licence for Surveys does not include archaeological excavations.

- Coring and detection assessment. For this type of survey an additional fee will be paid for each visit as one visit will usually involve a number of short tests in different locations.

Structural coring – a small piece of concrete is cored from a structure (such as a bridge, retaining wall, building) to test the thickness and composition. Once the sample is taken the hole is filled in.

Cone penetration testing or dynamic probing – A small cone is pressed into the ground to test ground resistance and other properties. The cone may be pushed using the weight of a truck or for dynamic probing, by using a small sampling rig.

Window and dynamic sampling – this involves a steel tube being driven by a small rig to recover a column of soil for testing.





River Great Ouse,
Bedford



Trinity Hall, Cambridge

7.3 Fee Payment Summary

<p>Licence Fee</p>	<p>We will pay £750 for a three year licence (or a rate of £250 per year if a one or two year licence is agreed).</p>
<p>Fee for your time</p>	<p>We will pay £40/hr (plus VAT where applicable) up to a maximum of £500, for your time to agree the Access Licence for Surveys, where an agent is not appointed.</p> <p>You will need to provide details of your time spent and we will not cover your time where survey access is not agreed or granted.</p>
<p>Agents fee</p>	<p>If you would like to appoint an agent to agree the Access Licence for Surveys with us, we will pay up to £500 (plus VAT where applicable) towards their fees.</p> <p>If you engage an agent, you are their client and you will be responsible for the terms of their appointment and fees.</p> <p>We will not pay the fee contribution where survey access is not agreed and granted.</p>
<p>Structural and Geotechnical surveys</p>	<p>We will pay occupiers £250 per excavation for boreholes, pits and trenches.</p> <p>We will pay occupiers £250 per visit for coring or detection assessments.</p> <p>For these types of surveys we will pay up to a maximum of £7500 across a three year licence period (pro-rated to £2,500 for a one year licence and £5,000 for a two year licence).</p>
<p>Night Time Surveys (between 21:00 and 06:00 hours)</p>	<p>We may need to carry out a series of surveys over different nights for example for bat monitoring so we will pay a one-off payment of £250 per year to occupiers which will cover various visits over a one year period.</p>
<p>Monitoring and measuring apparatus</p>	<p>We will agree a fee with the occupier, dependent on the number, type and position of apparatus, and how long it needs to be in place.</p>
<p>Homes, residential buildings and gardens</p>	<p>If we need to access your home, garden or residential building we will pay £50 per visit to the occupier.</p>

8. Claims for additional compensation

8.1 Making a claim

Once surveys are completed if you find the pre-agreed rates don't cover the full value of any damage or disturbance to your property or holding you may want to submit a claim for additional compensation in accordance with the Compensation Code, which applies to the calculation of compensation.



If you do need to make a claim, you will have to include suitable evidence, including dates, level of damage and photographs. The claim should not include the initial licence fees or compensation already paid for the specific surveys undertaken: just the additional compensation claimed.

If additional compensation is due, we will make payment soon after an agreement is reached.

Where you require land or property to be reinstated, EWR Co will either make good any physical damage or agree to pay you, the reasonable cost of undertaking the necessary work based on Central Association of Agricultural Valuers (CAAV) contractor rates.

8.2 If we can't agree

If we are unable to agree the value of your claim for additional compensation, you or we can refer the matter to the Lands Chamber of the Upper Tribunal for determination. The Tribunal can award costs to either party so it is important that you seek professional advice before referring your claim.

We also recognise many other methods of dispute resolution and are happy to engage in a suitable process to reach an amicable resolution.

8.3 Discussing your claim

We will work hard to earn your trust, acting respectfully and in collaboration with you every step of the way. However, if you find you have issues, concerns or wish to make a complaint please don't hesitate to get in touch so we can investigate and quickly find a good resolution.

You can do this by:

- Raising the issue with your dedicated Land Access Manager.
- Emailing us at land@eastwestrail.co.uk
- Sending us a message online at eastwestrail.co.uk/get-in-touch
- Calling us on **0330 8387583**
- Writing to us at Freepost **EAST WEST RAIL LAND**



9. What happens next?

9.1 Agreeing the Access Licence for Surveys

We will be in touch with owners and occupiers to agree the Access Licence for Surveys, covering a 3 year period. The licence will cover the full period however we will only require access at specific times to survey or to leave monitoring equipment on your land. By entering into a 3 year licence, this will allow us to maximise the opportunity to plan the surveys to minimise disruption to you as much as possible. It is important that you only sign and return the Access Licence for Surveys if you are legally able to grant us the access rights to carry out the surveys. If you are not able to do this or if someone else's agreement will also be required, please contact us using the details set out in section 8.3 of this booklet, giving as much information as you can. Alternatively, you can use the Contact Details Form and pre-paid envelope we will provide to give your details and any additional information.

Once we have received and checked the documents, we may in some cases need to contact you for additional information. Once everything is in order (including any agreement that may be needed from other parties) we will sign and date the Access Licence for Surveys and return one copy for you to keep.

9.2 Arranging Access for Surveys

Once the Access Licence for Surveys is agreed, our dedicated Land Access Team will contact you to arrange access for specific surveys.

Our teams will work closely and collaboratively with you before, during and after surveying. Your Land Access Manager will be your central point of contact.

- Every survey will be discussed with you before the proposed date of entry to give as much notice as we reasonably can prior to entering land
- We will give a minimum of 72 hours prior notice of the date of entry
- Our Land Access Manager will work directly with the survey teams so that they are aware of any specific working arrangements
- All of our Surveyors will carry a signed letter authorising them to undertake work on behalf of EWR Co, which they will be happy to produce if you ask them
- We will give you notification when each survey has been completed
- We may also undertake pre-survey records of condition for intrusive works to ensure you are able to claim the correct level of compensation



'The Meeting', bronze sculpture in Bedford

10. Further information and Contacts

We are open, honest and fair and publish all relevant information unless it is exempt from publication under the General Data Protection Regulations (GDPR) and the Data Protection Act 2019 (DPA 2018).

More information on Our Personal Information Charter can be found on our website;

<https://eastwestrail.co.uk/personal-information-charter>

The Department for Communities and Local Government (DCLG) also publishes the following series of technical booklets that you may find useful.



¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/571449/booklet1.pdf

² <https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-2-compensation-to-business-owners-and-occupiers>

³ <https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-3-compensation-to-agricultural-owners-and-occupiers>

⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/571453/booklet4.pdf

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/11490/147651.pdf

To contact us:

Email us at land@eastwestrail.co.uk

Write to us at **FREEPOST EAST WEST RAIL LAND**

Call us on **0330 8387582**

Send us a message online at

www.eastwestrail.co.uk/get-in-touch

