

Land & Property – Your Questions Answered

Route Update Announcement

May 2023

Introduction

To supplement the key updates summary in the letters we have sent to homeowners, landowners and occupiers at the Route Update Announcement, we have considered answers to a range of possible questions which homeowners, landowners and occupiers might raise in relation to the Route Update Announcement.

When/at what stage will you contact homeowners and landowners? When will you provide design details and land requirements and consult with me about them?

Throughout the process, the EWR team will be available for you to discuss any issues you may have, though there are specific stages when we will be in touch with people whose home, property, land or rights in land could be required for the project. These will include:

Ahead of Statutory Consultation, which we are expecting to start in the first half of 2024, we will contact directly affected homeowners, occupiers and landowners. At Statutory Consultation, we will present detailed design information across the route, and invite your views on the project proposals including in relation to land requirements.

After the statutory consultation and before we submit the application for the Development Consent Order (DCO), if we require your home, property, land or rights in land, we will be in touch with you to seek to enter into a voluntary agreement with you. After the statutory consultation and until the DCO is granted, we will continue discussions with you as the design is further refined and to understand your concerns.

During the period leading up to the submission of the application for the DCO we may need to contact you to arrange to undertake survey work on your land or property for ecological, ground investigations or archaeological investigations.

Once EWR Co have submitted the application for the DCO and if it is accepted for examination by the Secretary of State, we will notify you, setting out details relating to the project and how you can make representations in relation to the application, in accordance with the provisions of the Planning Act 2008.

During the examination of the application for the DCO, we will stay in touch to continue negotiations to acquire the necessary land and properties and rights in land.

Once the DCO has been granted, EWR Co will write to formally notify those whose home, property, land or rights in land are needed for the railway that the Order has been granted - this is a requirement of the Planning Act 2008 - and will start the process of acquiring the land or property required for the construction phase.

We will continue to be in touch across all stages of the process to undertake land referencing updates. This enables us to confirm we have identified the correct homeowners, landowners or occupiers and others with a legal interest in the land and ensures those parties are kept up to date with relevant information and have the opportunity to engage in the examination. The process is repeated at regular intervals to make sure our records are accurate and we're in touch with the appropriate parties.

During the DCO timeline various notices will be sent at different stages of the process. The Planning Inspectorate has helpful guidance on its website:

<https://infrastructure.planninginspectorate.gov.uk/application-process/the-process/>

These stages have been summarised in the fact sheet - East West Rail and the Development Consent Order (DCO) Process; What it means for Landowners. This is available on the Land and Property Section of our website: www.eastwestrail.co.uk/land-and-property.

Why haven't you issued landowners the kind of detailed plans which were available to them at NSC2 in 2021? When will they get them?

The level of detail presented at the 2021 consultation is not currently available at the route update for two reasons. First, the purpose of the announcement is different to the consultation. The purpose of the announcement is to provide an update on how our plans have developed since the previous consultation and to confirm the preferred route alignment between Bedford and Cambridge. At this stage, we are not presenting detailed designs or seeking feedback from the public and therefore the level of detail presented on specific elements of the infrastructure is, in some cases, less than was presented in 2021.

Furthermore, since the 2021 consultation we have also reviewed the strategic case for EWR and considered alternatives which could deliver comparable benefits at a lower cost. This review, called the 'Affordable Connections Project', is explained in the Route Update and Economic and Technical Reports. As part of the Affordable Connections Project, we revisited the infrastructure proposals and the requirements and specifications which informed the designs presented in 2021 were set aside. As a result of this review, and taking account of consultation feedback, we have identified the preferred alignment between Bedford and Cambridge and identified potential opportunities to reduce impacts of certain design features (such as viaducts and embankments) which were presented at the last consultation. The design of the railway is still progressing and further design work and assessments will be carried out to develop the preferred alignment in more detail, including identifying the specific land requirements. Details for the design will be

presented at the statutory consultation which we expect to take place in the first half of 2024.

Can EWR buy my land, property or house now?

As we do not have the final design for the scheme, we do not yet know the extent of the land, property and rights which will be needed and we are therefore not in a position to proactively acquire property yet. However, for eligible property owners with a compelling need to sell, we have introduced the Need to Sell Property Scheme. This will allow people to sell their home or small business to EWR while the Project is in development and delivery, where they have been unable to do so other than at a substantially reduced value because of the EWR Project. The Need to Sell Property Scheme is separate to the statutory blight notice process (as the trigger for statutory blight is the submission of a DCO application), providing earlier support for eligible property owners who can satisfy the criteria.

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

Who can homeowners and landowners contact to discuss the proposals and how they will impact their property? I have not been contacted before to say that my home or property may be required for the project. I would like a meeting to discuss this, how may I arrange this?

Our Land and Property team is available to explain the proposals on 0330 838 7583 or email us at land@eastwestrail.co.uk or by post at FREEPOST East West Rail.

What compensation is available to me?

Compensation will be assessed in accordance with the 'compensation code.' The compensation code is a collective term for the 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 - e.g. for contractor's 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)

We've produced some 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

Where can homeowners and landowners get more information on the route update and land and property matters?

On our website – www.eastwestrail.co.uk/routeupdate. We have also produced a range of guides which can be found in the Land and Property section of the website:

www.eastwestrail.co.uk/land-and-property

- Guide to Compulsory Acquisition and Compensation;
- Guide to Statutory Blight;
- Guide to Part 1 Claims

Information on the Need to Sell (NTS) Property Scheme is available at

www.eastwestrail.co.uk/needtosell

We also encourage all homeowners, landowners and occupiers to sign up to the East West Rail Newsletter to stay informed with updates as the scheme progresses. You can do this here: www.eastwestrail.co.uk/get-in-touch

What is Statutory Blight?

Statutory Blight is a specific legal term, describing a situation where the value of a property is reduced because of a large scale or major public works proposal, and the owners are unable to sell their property at market value.

Properties which are within the limits of the line of a proposed railway route and where land would be required for the project can be directly affected by Statutory Blight.

Statutory Blight is normally triggered by an application for a Development Consent Order. Home and property owners within the limits of the line of the railway could then ask us to buy their property.

Claims for statutory blight are not able to be made before the application for the Development Consent Order.

You can find more information on our website where there is a guide on Statutory Blight: www.eastwestrail.co.uk/land-and-property.

Need to Sell Property Scheme - how does it work? How long will it take?

For home and property owners with a compelling need to sell, we have introduced the Need to Sell Property Scheme. This will allow people to sell their home or small business to EWR Co while the Project is in development and delivery, where they have been unable to do so other than at a substantially reduced value because of the EWR Project. The Need to Sell Property Scheme is separate to the statutory blight notice process (as the trigger for statutory blight is the submission of a DCO application), providing earlier support for eligible property owners who can satisfy the criteria.

A decision should be confirmed within 3 months of completing an application. Once approved the applicant is able to trigger the purchase process to suit their needs and they will have three years from the date of our letter accepting their application, to begin the process of selling their property. They can begin the valuation process at any time within the first two and a half years. This will leave six months for them to accept an offer and instruct their solicitors to begin the conveyancing process.

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

Will EWR be using Compulsory Purchase to buy homes, land or property?

Our preference will always be to enter into voluntary agreements with owners of homes, land and property which will be required to construct, operate and maintain the proposed railway. However, when we apply to the Secretary of State for Transport for a DCO to authorise the works, we will also seek the appropriate powers for the compulsory acquisition of such homes, land, property and rights over land. As part of our application for such powers, we will be required to satisfy the Secretary of State that the land is required for the proposed railway or is required to facilitate or is incidental to the railway and that there is a compelling case in the public interest for the land to be acquired compulsorily. Compulsory acquisition powers will only be exercised in instances where it has not been possible to agree the voluntary acquisition with the relevant land, property or homeowner which as noted above will always be our preference.

EWR has produced various guides to explain compulsory acquisition, these are available on the Land and Property section of the website: www.eastwestrail.co.uk/land-and-property.

Who should you speak to if you have any questions or concerns?

Our specialist Land and Property Team are available to talk to you about our proposals, to listen to your views and to answer any questions you may have and can be contacted as follows:

Telephone number – 0330 838 7583

Email – land@eastwestrail.co.uk

Postal Address: FREEPOST East West Rail