Gardens of Peace Muslim Cemetery

Written Representation

Deadline 2



Gardens of Peace Muslim Cemetery



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1. Executive summary

- Gardens of Peace is a charity providing burials for the Muslim community in London and rely solely on Lillah (Charitable) donations and burial and funeral fees.
- Gardens of Peace acquired 30 acres of land, known as Maylands, adjoining the A12 in 2007. With planning being granted in 2017, Gardens of Peace has been progressing the development of a new cemetery. Initial site clearance and installation of services commenced in 2020, with the programme of construction works commencing on site in January 2021. Accordingly, considerable costs have already been incurred to prepare the site for its development.
- A recent increase in mortality rates means there is greater time pressure in ensuring Maylands is open and operational by March 2022 to allow for a transition from its existing cemetery to Maylands. There are currently up to 15 burials a day being undertaken at Gardens of Peace existing cemetery.
- Plot 1/8 of the Highways England M25 Junction 28 Improvement Scheme proposal ("the Scheme"), which falls within Maylands, is subject to the permanent acquisition of rights, thus likely to cause sterilisation of land which will be prepared for 512 burials. Not only will this will cause a significant loss of income to Gardens of Peace, but cause further pressure in meeting the needs of the Muslim community with a reduced number of burial plots.
- By the time the Highways England proposed gas main installation works commences, which will be undertaken by Cadent Gas ("Cadent"), the development of the cemetery will have been completed and operational (see Section 3.1.5 for development timeline). Thus the newly constructed internal road, overflow car park, soil storage area and all associated services will need to be relocated for the period of the gas main installation. Thereafter, these items will need to be relocated to the original positons as per the site plan annexed to this written representation (see Appendix 1 Development Plan). However it may be, in light of the presence of the gas main, that these items will not be able to be reinstated back to the original locations and thus may incur further permanent loss of burials.
- The Highways England Scheme will also see the closure of Gardens of Peace service entrance. Thus, according to the current Highways England proposal, and during the period of the Scheme, all service and staff traffic will be required to use the same entrance as the public / mourners. This raises concerns surrounding safety and traffic management.
- If the Scheme is progressed as per the original Development Consent Order ("DCO") application, there will still be significant disruption to the daily operations of the cemetery and congregations. This will occur whether or not the potential changes outlined in the subsequent Highways England's targeted non-statutory consultation are adopted and thus remain a significant concern to Gardens of Peace.
- Any form of disruption to a congregation is likely to be very damaging to the reputation of Gardens of Peace and the cemetery.
- Limited engagement by Highways England and Gardens of Peace has meant there is still significant uncertainty on the future land use restrictions on any land within the gas main easement and the wider area comprising Plot 1/8. This could require the development to be redesigned post completion of the Scheme. Meeting minutes has been provided within Section 5. There have been no formal options to mitigate the impact of the Scheme offered by Highways England to the Gardens of Peace.
- Notwithstanding the above, Gardens of Peace is very concerned about the potential disruption to the operations of what will be, in terms of intended use, a very sensitive site.

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2. Introduction

Savills (UK) Ltd has been instructed by the Trustees of Gardens of Peace Muslim Cemetery to act on its behalf in relation to submitting a written representation, in advance of Deadline 2, in relation to the M25 Junction 28 Improvement Scheme ("the Scheme"). Gardens of Peace is the freehold owner of Plot 1/8 (see Appendix 2 – Land Plans – Plot 1/8) which forms part of a wider site, known as Maylands. Maylands is seriously impacted by the Scheme proposals and accordingly we set out within this written representation the concerns of Gardens of Peace and the effects of the Scheme on the cemetery development.

For the purpose of this representation, we set out this document in three parts. Part 1 of the written representation refers to the DCO application made by Highways England and the effect of the proposals on Gardens of Peace and Maylands. Part 2 of the report refers to the engagement between Gardens of Peace, Highways England, Cadent, Atkins and Savills in relation to the issues raised within Part 1, including matters yet to be agreed. Reference is also made to the non-statutory consultation currently being undertaken by Highways England. Part 3 provides the summary of this written representation, taking into account all matters raised within Part 1 and 2.

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Part 1 – DCO Application and Impacts of the Proposals on Maylands

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3. Background

3.1.1. Gardens of Peace

Gardens of Peace is a charity, and thus non-profit making, providing burials for the Muslim community in London. Gardens of Peace rely solely on Lillah (charitable) donations, burial and funeral fees to maintain the cemeteries, pay wages and to build a fund for future maintenance and development of cemetery land. Given the nature of cemeteries, Gardens of Peace is required to plan well in advance for future expansion. Accordingly, Gardens of Peace acquired 30 acres of land, Maylands, in 2007 to ensure it had a "land bank" for a new cemetery to serve the Muslim community once the existing cemetery neared capacity. Plot 1/8 forms part of Maylands. Gardens of Peace ownership is shown outlined red within the site plan at Appendix 1 (see Appendix 1 – Development Plan).

3.1.2. Maylands

In recent years, it was evident the new cemetery was required and accordingly, Gardens of Peace applied for planning permission in 2014, which was initially declined. Planning permission was subsequently approved on Appeal on 23 January 2017. However, whilst Gardens of Peace was already under pressure to commence development of the new cemetery, Covid-19 exacerbated this pressure with an increase in mortality rates. Gardens of Peace is now under significant time pressure to open its new cemetery to allow for adult burials.

Maylands, including the area subject to Plot 1/8, has always been designated a green field site and therefore, the overall design and look of the proposed cemetery had to overcome a number of stringent conditions to be approved. Gardens of Peace has already expended a considerable sum in professional fees to draw up the overall design for the optimum use of the site. The extensive preliminary ground works (costing in excess of £500,000) commenced in 2017, which included clearing the site, preserving the tress in woodland belt, clearing soil and roots, harrowing, installing site services – ducts for water, electricity, foul connections and borehole, road works, site drainage, fencing, perimeter screen planting and a boundary wall.

In order to develop into a cemetery, planning approval allows for the construction of a car park for cars and coaches, constructing an access off the A12 into the site with roads leading to the car park and the main office building and chapel facilities for mourners, extensive landscaping to make the cemetery a sympathetic area whilst providing up to 10,000 burials and constructing a building to act as general workshop / store. Work has now commenced this month (January 2021) on the development, with Gardens of Peace's appointed contractor commencing the site groundworks. The appointed contractor will oversee the full development through to completion, from hard and soft landscaping to building construction. An opening date of February 2022 has been scheduled to allow a smooth transition from its current cemetery to Maylands.

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3.1.3. Highways England Requirements for Plot 1/8

The DCO application identified Plot 1/8, as per Drawing Number TR010029/APP/2.2 (see Appendix 2 – Land Plans – Plot 1/8), as an area that will be subject to acquisition of permanent rights. This is to allow for the installation of a high pressure gas pipeline. As per Drawing Number TR010029/APP/2.3 (see Appendix 3 – Work Plan), the proposed centre line of the gas main is shown as a broken orange line with the purple broken lines identify the limit of deviation for the gas main.

3.1.4. Summary of Impacts of the Scheme

We draw your attention to Appendix 1 (Development Plan), Appendix 4 (Plot 1/8 Overlay) and Appendix 5 (Road Layout – Plot 1/8). These plans identify the permitted cemetery development and when overlaid with the Plot 1/8 boundary (Appendix 4), the severity of the Scheme on Gardens of Peace development becomes evident. In essence, the physical effects of the Scheme on the Gardens of Peace development can be summarised as;

- a. Temporary loss of internal road network (as evident within appendix 4)
- b. Temporary closure of service entrance (off Colchester Road into Maylands) (as evident within appendix 4)
- c. Temporary loss of half of the cemetery's overflow car park (shaded light green in Appendix 4)
- d. Temporary loss of the soil storage area (as evident within appendix 4)
- e. Temporary loss of access to maintenance building and store
- f. Permanent loss of 512 burial plots (as evident within appendix 4)

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3.1.5. Development Timelines

We take this opportunity to outline the timelines of the Gardens of Peace development;

a. Constructions Works

Commencement: Groundworks commenced January 2021

Completion: February / March 2022 (currently on schedule to meet)

b. TFL Works

Section 278 Agreement: 2 to 3 weeks Safety Audit: 2 to 3 weeks

Road Space Booking: 3 months from agreement of Section 278

Commencement: June / July 2021

Period of works: 12 weeks

Completion: September / October 2021

c. Cadent Gas Main Works

Commencement: March 2022

As is evident, the projected timeline for the cemetery development is to be completed in advance of the anticipated start date of the gas main installation. This brings rise to the issues highlighted below in Section 4.

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4. Effect of the Scheme on the Development of Maylands

Due to the sensitive nature of the intended use of Maylands, the effects of the Scheme, whether temporary or permanent, are considerable and severe and the below mentioned issues are evident when taking into account the plans at Appendix 1 (Development Plan) and Appendix 4 (Plot 1/8 Overlay). We take this opportunity to outline these to you in detail;

4.1. Temporary Issues

4.1.1. Loss of Service Entrance

As you will note within Appendix 1 and Appendix 4, Maylands is to have two entrances off Colchester Road (A12), one dedicated entrance for public / mourners and a separate entrance for all service vehicles only. This is to ensure the safety of visitors and staff by minimising overlaps between the operations and movements in each user group. Furthermore, having two entrances ensures a clear separation of all service and maintenance traffic from the sensitive occasion of congregations.

The consequence of the closure of the service entrance is that it will cause significant disruption to daily site operations as there will be a need to ensure alternative means to maintaining this separation, including changes to operating hours of the cemetery, impacting on visiting opening times and staff working hours. Highways England has provided no assurance that the temporary closure of the service entrance will be managed and coordinated in order to ensure no or minimal interruptions to business operations will be incurred by Gardens of Peace, and more importantly, mourners and congregations. Should a solution to this issue not be provided, there is a fear that the knock on effect will be the potential fall in demand for burials at Maylands during the period of the Scheme. To date Highways England has not engaged with Gardens of Peace, and provided no options as to how this impact might be mitigated.

4.1.2. Soil Storage

The designated soil storage area, required for storing soil from burial plots (and which will subsequently be removed from Maylands on a regular basis), is to be located within the most easterly shaded red area in Appendix 1. A significant consequence of the Scheme, being the loss of the service entrance and internal road, is the need to relocate the soil storage area to an alternative and accessible area within Maylands for regular collection. However, as you will note from the Appendix 1, there is no such area available. As is evident within Appendix 4, the only solution to Gardens of Peace is to move the soil storage area to the area shaded grey to the west of the plan. However, with this comes a number of significant issues.

The significant issues, as with any area at Maylands, will be the temporary loss of burial plots, effect on biodiversity, compaction to soil prepared for burial plots and aesthetic appearance of the burial ground. Furthermore, access for heavy goods vehicles and plant machinery to and from the temporary soil storage site would impact on the roadways, which are only to be used by visitor traffic.

To date, Highways England has not engaged on this issue and provided no options to mitigate the situation. This is referred to in further detail in Section 5.2.

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4.1.3. Parking

The approved design for the cemetery incorporates public and coach parking throughout the site, with an area designated as overflow parking (large area shaded yellow within Appendix 1 and shaded light green in Appendix 4).

As a consequence of the Scheme, this car park will need to be relocated to elsewhere on the site, which brings about the same issues highlighted above in relation to the soil storage area. As at Scheme commencement, the development of the site will have been completed, and accordingly all available land will be prepared for burial plots. Moving the car park, and in light of the loss of an internal road, will create significant disruption to the traffic management and aesthetics of the site.

Not only does this bring rise to safety concerns, but the ongoing requirement to control traffic and the loss of additional burial plots further demonstrates potential interruption to daily operations and the business.

Whilst Cadent has previously advised it would assess the design and construction of a temporary car park to minimise the effect on soil compaction, nothing has been received by Gardens of Peace from Cadent other than suggestion of the use of aluminium tracking for the parking, and as proposed within Appendix 6.

To date, Highways England has not engaged on this issue and provided no options to mitigate the situation. This is referred to in further detail in Section 5.2

4.1.4. Loss of Internal Road

We draw your attention to Appendix 4. A further consequence of the Scheme to the development of Maylands is the severance of the workshop / store. The road providing access to the workshop / store, being the same road which links to the service entrance, falls within Plot 1/8.

The need for access to the workshop / store is fundamental to the daily operations of Maylands and without it, prevents any form of business operating from Maylands. Whilst there have been discussions between Gardens of Peace and Cadent in relation to the requirement of a temporary road, any temporary proposals will provide yet further disruption for the cemetery development in terms of aesthetics, damage to and loss of land prepared for burials, requirement for traffic management and effect on biodiversity.

Whilst Gardens of Peace and Cadent have liaised regarding a temporary road, no details have been provided in terms of design and construction by either Cadent or Highways England other than suggestion of use of aluminium tracking for the temporary internal road. This is identified within Appendix 6.

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4.1.5. Disruption to Utility and Site Infrastructure

As per the timeline provided in Section 3.1.5, the development of Maylands will have been completed by the time the construction of the proposed Scheme commences. With this, and in light of Plot 1/8 proposals, utilities will need to be relocated (see Appendix 6 – Cadent Detailed Design). These include the existing underground electrical, water and telecoms services to the workshop / store. These were installed in 2020 and are now within the middle of the proposed gas main easement. Other services will include the drainage pipes under the internal road and associated manholes and chambers and underground lighting cables.

All services will have to be lifted and relocated to outside Plot 1/8 prior to the Scheme to ensure the cemetery can continue to operate. Gardens of Peace is concerned with the effect of the temporary relocation of these services, which will need to be within land identified for burial plots, and accordingly the potential sterilisation of additional land in both the short. However, this will become a permanent issue should the services not be able to be relocated to the original location due to the presence of the gas main and are required to be laid within land identified for burial plots.

Furthermore, the original development proposal for Maylands was historically amended with the internal road being moved west to reflect the presence of the existing gas main on the eastern boundary of Maylands. However, it is now assumed that following the gas main installation works, the internal road will have to be moved further to the west again to reflect the presence of the new gas main. It is not clear how the site will be redesigned to accommodate these changes.

Highways England has not engaged and has provided no detail of how the above will be undertaken or by whom.

4.2. Permanent Issues

4.2.1. Loss of Burial Plots

Since commencement of engagement, Gardens of Peace has never been offered details, despite requesting in 2020, on the future land use restrictions over the Plot 1/8 as a whole or over the gas easement, other than Gardens of Peace is able to place and store materials directly over the gas main (raised in a meeting dated 25th November 2020). Accordingly, it is assumed the approved cemetery design cannot be reinstated post Scheme completion.

Taking into account the intended nature of the land, and in light of the whole plot being subject to the acquisition of permanent rights, it has to be assumed that all the land will be sterilised from its intended use, which directly affects 512 burial plots. This brings rise to significant concerns, not just to the financial viability of the cemetery, but the inability to meet the requirements of the Muslim community.

4.2.2. Easement

During meetings between Gardens of Peace, Cadent, Highways England and Atkins (see Section 5), the easement width has been confirmed by Cadent as 12.2 metres. However, uncertainty continues to surround the restrictions surrounding land use above the gas main itself and within the easement width. As referred to above, the only guidance received thus far is that Gardens of Peace will be allowed to place and store materials directly above the gas main.

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Again, if the land is to be sterilised, it is not clear how the Garden of Peace's development can be redesigned to accommodate this. The effects of this are clear – a further loss of burial plots, further pressure on Gardens of Peace meeting the requirements of the Muslim community with reduced number of burials and the need to undertake further construction works, even once the Scheme is completed, to ensure the site remains operational. Again, this will create further disruption to the operating business.

Furthermore, the existing gas pipeline has an associated 6 metre easement. The site layout has been designed and optimised to minimise transport across the pipeline and selected appropriate operations to be sited in proximity of the easement to accord with Cadent guidelines. The proposed new gas main route introduces a separate 12 metre easement into an area of the site that was previously unaffected by any service easements and combined with the constraints of the existing easement, would place significant additional restrictions upon the layout and type of operations that can be carried out in this area, being an area which is fundamental to the day to day running of the cemetery.

There has been no meaningful engagement from Highways England as to how these issues might be resolved.

4.2.3. Viewpoints / Photomontage

Gardens of Peace has had sight of the photomontage from Viewpoint A (see Appendix 7 – "Photomontage – Viewpoint A"), which is prepared within very close proximity of Maylands, however it does not represent the true visual effects of the Scheme from Maylands itself. Naturally, Gardens of Peace is concerned about the visual and noise impacts of the Scheme in light of the proposed elevation of the highway.

It goes without saying that such impacts would greatly affect the desirability of the cemetery for congregations and visitors, which will have a detrimental impact on the demand for burials at Maylands, thus significant impact on Gardens of Peace as a charity. Highways England has offered no proposals to screening the visual and noise effects of the Scheme from Maylands.

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Part 2 – Engagement and Matters to be Agreed

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5. Engagement and Meetings

Gardens of Peace has had a number of meetings with Highways England, Atkins and Cadent and we provide the minutes below of each meeting. We have referred to any outstanding items after the minutes of the respective meeting.

5.1. Meetings

18th September 2019

In attendance: Gardens of Peace, Cadent Gas and Atkins

Location: Land at Oak Farm

Key Points:

- Atkins and Cadent introduced Gardens of Peace to the M25 Junction 28 improvement Scheme and the need to divert
 the gas main. The existing pipeline was constructed pre-1969 so need to treat it sensitively and ideally not have works
 above it, which the proposed internal road would do. Cadent will need to have a 40 metre easement for construction
 and then a permanent easement.
- 2. The original plan for gas main diversion was to run through the woodland of Maylands, however this was not preferred by Gardens of Peace. Accordingly, the preferred option was to take place under the proposed internal road in the northeast corner of Maylands.
- 3. Gardens of Peace to send updated plans for burial ground to Cadent
- 4. Atkins reported that Highways England will be undertaking a supplementary consultation on all the changes (likely to be beginning of November 2019). Intention is to have ongoing engagement but advised Gardens of Peace to respond to this consultation. Highways England is aiming for submission of the DCO in Spring 2020. Gardens of Peace was advised to consult Highways England on its proposed access/exit from the site despite having agreement from Transport for London.

29th January 2020

In attendance: Gardens of Peace, Valuation Office, Highways England and Atkins

Location: Maylands

Key points:

Public Access

1. Atkins queried what the arrangements were on the site for public access. Gardens of Peace confirmed that one public access would be provided with the remaining access being for operational use only. Access would be gated and fencing provided along the perimeter other than the southern edge where the river provides a boundary. Public access is permitted between 8am-5pm between September and April and 8am – 7pm April to September, 7 days a week. On site staff would be present at all times. Rules for appropriate attire and etiquette to be visible at the entrance with onsite staff ensuring they are enforced.

Cadent Gas Pipe Diversion

2. Atkins gave an update on the proposed Scheme and showed a plan for the gas diversion. Gardens of Peace noted that conversations had been ongoing with Cadent Gas although no plans had been provided.

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- 3. Atkins re-iterated that the gas pipeline diversion works on the surface would require a large area for temporary working space to enable connections. Atkins indicated that the whole gas diversion works would take place over a 6 month period beginning in April 2022. Detailed phasing of the works are not yet known.
- 4. Gardens of Peace noted that the cemetery is due to be completed and operational by summer 2021. It was discussed that the first burial plots could be located away from the proposed gas diversion works area. Gardens of Peace noted that the area proposed for the works interfered with the area required for operational issues of the cemetery and that this cannot be stopped as the cemetery need to operate continually.
- 5. Gardens of Peace suggested that a temporary access road could be installed adjacent to the proposed Cadent works to enable access to operational areas for cemetery. Gardens of Peace to send across the latest cemetery plans to be passed to Cadent for consideration with final design.
- 6. Highways England noted there would be easement and wayleave requirements and that these should be confirmed with Cadent. Gardens of Peace to raise with Cadent Gas.
- 7. Gardens of Peace queried the process for compensation. The Valuation Office noted there are various forms of calculating compensation. Most preferable option for Highways England is to seek agreement with stakeholders. Costs would be determined once final impacts are clarified.
- 8. Atkins noted that the J28 team would be preparing Statements of Common Ground to support the DCO application and details of these discussions would be included.

12th August 2020

In attendance: Gardens of Peace, Savills, Highways England and Atkins

Location: Microsoft Teams

Key Points:

- 1. Atkins presented key dates and the approach taken in the DCO application regarding the burial ground.
- 2. Gardens of Peace would like to see details of the boundary treatment around the gas diversion construction area and to understand the programme, including when access would be required. Gardens of Peace would also like confirmation of the easement so that the impact on the burial ground could be fully understood. Atkins stated that the detailed design of the diversion has started and would be available at the beginning of next year when more certainty but the application contains the situation based on the current understanding. Atkins outlined that Cadent has indicated that this would be 12.2m in total. Highways England to confirm the likely easement requirement for the Cadent diversion.
- 3. Savills asked for CAD files to be made available for the Garden of Peace project team. Atkins asked for specific details that were required so the team could consider further. Gardens of Peace to confirm the details of what it would like. Post meeting note: Request made for PDFs by Gardens of Peace.
- 4. Cadent requested a site visit on 19 August 2020 at 13.00. <u>Post meeting note</u>: Gardens of Peace confirmed that is convenient.
- 5. Savills would like to set up a site visit for 28 August. Atkins and Highways England to consider attendance from the Project Team. <u>Post meeting note:</u> Savills requested a site visit for 3 September 2020. Highways England requested proposed agenda so could consider attendance further.
- 6. All agreed that ongoing engagement would be valuable, also involving Cadent.

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Outstanding Matters

• In relation to point 2 above, Highways England is yet to confirm the land use restrictions in relation to the easement.

Other Matters

In relation to point 5 above, the proposed meeting was later cancel by Highways England reported it was currently not in a position to give any further clarity on the matters of interest that Savills and Gardens of Peace wanted to discuss at the site meeting proposed for 3 September

25th November 2020

In attendance: Gardens of Peace, Cadent and Atkins

Location: Microsoft Teams

Key meeting points:

Gas Pipeline Route Development

- 1. Gardens of Peace queried the need for the pipeline diversion works within the burial ground site. Cadent explained that for technical reasons, it was not possible to make a connection north of the A12. The connection has to be made north of the adjacent pressure reducing station (PRS)
- 2. The original route proposed was along the northern edge of the burial ground. At a meeting with Gardens of Peace, this was amended and the most acceptable location was agreed at the eastern end of the site
- 3. It was also agreed to temporarily relocate the material storage area from the eastern end to a location close to the entrance from the A12
- 4. Cadent agreed to make provision for access to the workshop as shown on the plan it shared, drawing number PREM518-GEN-0000-0012 Rev B.pdf (see Appendix 6, being 'Rev D').
- 5. Gardens of Peace advised that there will be 10 to 12 burials per day with up to 200 cars bringing mourners and it was concerned that the diversion work will be disruptive

Diversion Programme

- 6. Cadent shared the programme for the design and construction of the pipeline diversion. The detailed design is under way and planned to be completed by March 2021
- 7. The construction works are planned as follows:
 - Start of diversion work in March 2022
 - Crossing of the A12 via a tunnel to start in June 2022
 - Completion by October 2022 when the new pipeline will be made live
- 8. Gardens of Peace asked Cadent for a copy of the programme.

Cemetery Layout Design

- 9. Gardens of Peace advised that the plan of the cemetery being used is not the latest version. The main road is in the same position, but the circulation roads have changed. Gardens of Peace is to issue update plant to Cadent
- 10. Post Meeting Note: Gardens of Peace emailed details to meeting attendees on 25/11/2020

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Planning Approval

- 11. Atkins asked Gardens of Peace to advise when planning approval was received for the latest design. Gardens of Peace confirmed the approved plan is available on the LB Havering planning web site.
- 12. Post Meeting Note: Gardens of Peace emailed details to meeting attendees on 25/11/2020

New Access to Cemetery

13. Gardens of Peace is arranging to appoint a contractor to construct the main access to the cemetery. It is proposed that work will start soon and will be completed before Cadent commence its diversionary works

Cadent Design Update

- 14. Cadent shared drone footage and a 3D model of the diversion design. This showed the excavation for the connections and that the pipeline and easement will not encroach on the burial plots. The easement will encroach slightly on the swale
- 15. Cadent advised that the connection pit will avoid known existing services on site. Cadent sought details of the latest information on these services
- 16. Post Meeting Note: Gardens of Peace issued services and drainage drawings on 25/11/2020
- 17. Gardens of Peace requested a copy of Cadent's latest design and queried whether access chambers will be installed to the gas pipeline. Cadent advised that no access to the pipeline will be provided

Easement

- 18. The easement for the diverted pipeline will be 12.2m wide, 6.1m either side of the pipeline. Cadent shared a plan showing that the easement will not encroach onto the burial plots
- 19. Gardens of Peace advised that the swale is no longer being provided but the burial plots have been increased and did not believe that it would be affected by the easement

Receiving Pit

20. There is an existing access chamber for a service located near the proposed A12 crossing receiving pit. Cadent advised that the easement could be locally adjusted to accommodate this

Site Use Above Pipeline

- 21. During construction, there will be temporary pipework and connection devices to join the new diversion to the existing pipeline. This stopple is temporary and will be removed once the connection has been made
- 22. Cadent advised that there will be no restrictions on use of the land above the pipeline for placing/storing materials
- 23. Cadent advised that the pipeline will be approximately 3.5m below ground level

Temporary Access to Workshop

- 24. Gardens of Peace was concerned about compacting the existing ground making it unsuitable for graves. It advised that the ground beneath the temporary access should be reinstated after use
- 25. A geogrid could be used to reduce loading. Cadent sought requirements from Gardens of Peace including anticipated vehicles so that the design and construction of the temporary access can be agreed

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Soil storage

- 26. Gardens of Peace advised that 60% of the soil excavated for a grave is returned to the grave, 30% is taken off site with two lorries in and out of the cemetery each week. There is a need to store soil on site, however, there is more soil than can be stored on site and therefore some needs to be taken off site.
- 27. Gardens of Peace raised concerns that the land required temporarily for the pipeline diversion works would reduce the quantity of soil which can be stored on site generating additional costs of off-site storage. Also, there was concern that lorries would not be able to use the maintenance entrance and would have to use the main cemetery entrance making it muddy and unsightly
- 28. Gardens of Peace expressed concern about the congregation having to share the main entrance with lorries and maintenance vehicles
- 29. Cadent advised it would review what could be done to accommodate the soil storage and access needs of the cemetery. Cadent will consider providing access across part of the working area when the diversion work activity has reduced.
- 30. Gardens of Peace will review and liaise with Cadent.

Costs

31. Gardens of Peace queried who pays the costs incurred by the cemetery arising from the Scheme works. Atkins advised that Highways England will liaise with the Gardens of Peace regarding its costs as a separate discussion.

Outstanding Matters

- In relation to point 8 above, apart from Cadent providing their revised design drawings, which are understood to be subject to approval by Highways England, no detailed programme of the proposed works has been provided
- In relation to point 31, Highways England has not been in contact with Gardens of Peace to advise or confirm who will meet the additional operational costs incurred as a result of the Scheme.

Other Matters

- In relation to point 25, Cadent subsequently agreed to adopt the aluminium tracking system for the temporary road.
- In relation to point 29, Cadent advised that the shared use of the service entrance while the works are in progress would not be practicable. Gardens of Peace will have to use its newly constructed main entrance for all its operations

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17th December 2020

In attendance: Gardens of Peace, Cadent, Highways England and Atkins

Location: Microsoft Teams

Key meeting points:

Access Road Drainage

- 1. Drainage proposals in vicinity of diverted gas main was discussed.
- 2. It was reported that the drain outfalls from the cemetery are to the south east, towards the river
- 3. Cadent asked that drains be located alongside the gas pipeline and 3 metres away, not directly above. OK to cross the pipeline. Gardens of Peace will ask its designer to make adjustments
- 4. Cadent advise that the pipeline will be constructed to within +/- 1000mm, but aim for +/- 500mm of position shown on plan

Layout - burial Plots

- 5. Cadent advised that the amended layout places additional burial plots inside the pipeline easement (see sketches attached to meeting invitation from Cadent dated 15/12/2020) (See Appendix 8 Burial Layout amendments)
- 6. Cadent advised that this encroachment can be accepted but this will need to be documented on the easement record for acknowledgement by future maintenance teams. The extent of the blue rights plot (plot 1/8 on the land plans) can be reduced to avoid these burial plots

Easement Width

- 7. Atkins shared a sketch showing the proposed reduction in the extent of the rights plot in the cemetery (sketch attached to these notes) (See Appendix 9 Proposed Reduction in the Extent of rights to be Acquired). Post meeting note this was amended to avoid the additional burial plots and published in the targeted non-statutory consultation leaflet
- 8. Gardens of Peace appreciated that the width of the rights plot is being reduced but were concerned that the revised width was greater than that needed for the easement. The width shown is greater to accommodate the construction tolerance. Cadent confirmed that the width required for the easement will be less and will be 12.2 metres
- 9. Gardens of Peace did not want any planting removed in any future maintenance work for this was provided as screening
- 10. Cadent queried whether the width of the easement can be stated in the DCO schedule of rights. Atkins to advise
- 11. Gardens of Peace was concerned that any deviation in the location of the pipeline could impact on the use of the cemetery site. Cadent shared a drawing showing the detailed design for the pipeline and advised that the route was constrained with very little variance possible

TfL Approval

12. Cadent advised it will be seeking approval from TfL for the proposed tunnel beneath the A12

Electricity Service

13. Gardens of Peace advised that there is a 4-way duct running to the workshop for an electricity supply in the corridor of the pipeline diversion. Gardens of Peace to send the latest utilities survey to Cadent

Gardens of Peace Muslim Cemetery



Temporary Soil storage Location

14. Gardens of Peace was concerned about the proposal to temporarily store soil close to the main entrance to the cemetery and advised that it should be stored on the eastern edge. Cadent advised that the temporary location of the soil storage had been discussed at earlier meetings and that it has to ensure sufficient working space is available to enable the construction of the pipeline diversion. Cadent shared ideas for releasing part of the construction area to accommodate a soil storage area. To share on a plan

Car Parking

- 15. Gardens of Peace expressed concern at the temporary loss of some car parking during the pipeline construction works.
- 16. Gardens of Peace proposed that a temporary hardened surface be provided to accommodate temporary car parking.
- 17. Gardens of Peace was concerned that the ground was not compacted and metal tracking was discussed. Cadent advised it will ensure that sufficient space is available to replace the car parking spaces. This could be located to the west of the working area.

Cost

18. Gardens of Peace was concerned about the additional costs the cemetery is having to bear dealing with discussions about the pipeline diversion works and for the disruption during the construction phase. Highways England to provide advice on how these costs will be addressed

Outstanding Matters

- In relation to point 6 above, and as mentioned within the minutes, Highways England have incorporated a reduction of the area subject to acquisition of permanent rights in its ongoing non-statutory consultation. Accordingly, these proposals are yet to be adopted.
- In relation to point 18 above, Highways England has not been in contact with Gardens of Peace to advise or confirm who will meet the additional operational costs incurred as a result of the Scheme.

Other Matters

• In relation to point 14 above, Cadent advised that the shared use of the service entrance as well as the DCO area while the works are in progress would not be practicable. Gardens of Peace will have to use its newly constructed main entrance for all its operations including soil storage as shown on the Cadent drawing

Gardens of Peace Muslim Cemetery



5.2. Engagement

As evident there have been meetings between Gardens of Peace, Highways England, Atkins and Cadent concerning the effects on the cemetery as a result of the Scheme. There has been limited engagement by Highways England and the Valuation Office with Savills, being the appointed Agents for Gardens of Peace.

Prior to the DCO application, and following meetings between Gardens of Peace, Cadent and Highways England, the gas main diversion was altered and relocated to the east of Maylands, which was a welcome alteration as this immediately had a lessor effect on the cometary as a whole.

Notwithstanding this, despite the number of meetings where the concerns of Gardens of Peace has been raised and discussed, there has been no engagement from Highways England to eliminate the issues highlighted in Section 3.1 and 3.2. Taking into account the number of meetings and time incurred to date, Gardens of Peace expected proposals to be put forward by Highways England and if agreed by all parties, to have been adopted to mitigate the impacts of the Scheme and concerns of Garden of Peace. The concerns, which will materialise if the Scheme progresses as per the DCO application will cause significant disruption to the cemetery. The fear is demand will drop for burials due to the interruption caused during and post Scheme construction and this will be detrimental to the charity.

In terms of engagement concerning compensation and remedial works, we provide a summary of engagement thus far;

- During the site Meetings on 18th September 2019 and 29th January 2020, Cadent had informally mentioned that it has yet to finalise its proposals, but assured Gardens of Peace that it is usual for Highways England to provide assurances for remedial works and compensation for disruptions. Atkins and the VOA was also present, thus providing reassurance that all costs associated with the new temporary overflow car park, temporary road and the increase in operational costs (such as all soil being removed from the temporary soil storage area on a daily basis) will be incorporated into its budget for the works to be submitted to Highways England.
- This was discussed further during virtual meetings on 25th November 2020, 17th December 2020, 25th November and 17th December 2020 when Gardens of Peace raised issues such as an increase in operational costs, temporary soil storage area, additional consultant fees, road surface material for the temporary road and overflow car park. It was suggested by Cadent that these items will be incorporated into its's budget for the works to be submitted to Highways England.
- The VOA stated on 29th January 2020, in response to a query concerning the process of compensation raised by Gardens of Peace, it noted there are various forms of calculating compensation. Most preferable option is for Highways England is to seek agreement with stakeholders. Costs would be determined once final impacts are clarified.
- Furthermore, Gardens of Peace raised concerns about the additional costs the cemetery is having to bear dealing with discussions about the Scheme and for the disruption during the construction phase. Olivia Nawa of Highways England said she would raise with her Highways England colleagues and provide advice on how these costs will be addressed.

Gardens of Peace Muslim Cemetery



 During the meeting on 25th November 2020, Gardens of Peace queried which party is to pay the costs incurred by the cemetery arising from the Scheme works. Atkins advised that Highways England will liaise with the Gardens of Peace regarding its costs as a separate discussion

Despite the above engagement, no written clarification has been provided to Gardens of Peace concerning the remedial works and costs arising as a result of the Scheme, despite on more than one occasions being told Highways England will revert to clarify these concerns.

Gardens of Peace Muslim Cemetery



6. Targeted Non-Statutory Consultation

We have recently received an invitation from Highways England to comment on proposed changes to Plot 1/8, whereby Highways England intend on reducing the area subject to permanent rights acquisition to just the corridor of deviation for the gas main. The boundary of Plot 1/8 remains unchanged. Land not falling within the area identified for permanent rights acquisition is identified as being required temporary occupation.

It is understood the reduction in width of the original corridor of deviation has come about following meetings between Highways England, Cadent and Gardens of Peace. However, as these proposals are yet to be adopted, and as there is no guarantee they will be adopted at this stage, this written representation is submitted on the assumption they will not be. Accordingly, we have highlighted the temporary and permanent issues in Section 4.1 and 4.2 respectively.

Notwithstanding this, Gardens of Peace would welcome the proposed changes as this will reduce the number of burials affected and limit the area subject to acquisition of permanent rights. However, the temporary issues listed in Section 4.1. would still remain whether the proposed changes are adopted or not and thus, we fear still significant impact on the charity and cemetery.

Gardens of Peace Muslim Cemetery



7. VOA Engagement

Since September 2020, Savills has been trying to engage with the Valuation Office in regards to a fee undertaking to undertake the necessary work to include, not exclusively;

- A review of all documentation on the Scheme,
- Review all correspondence between Gardens of Peace and Highways England
- Attending meetings with Gardens of Peace and Highways England
- To identify and consider potential changes to the design of the Scheme
- To contribute to Scheme amendments to reduce the impact of the Scheme on Garden of Peace's property
- To provide guidance to Gardens of Peace through the DCO process.

The Valuation Office has proposed a total fee cap of £3,500 plus VAT for the above mentioned work i.e. to inspect the site, attend numerous meetings, review the Garden of Peace development proposals, review the DCO documents, understand and report on potential issues and options as well as liaise and negotiate with the VOA to resolve matters and mitigate the impact of the Scheme. This budget offer was also subject hourly rates being capped at Savills Associate level rate, even for Director input which is substantially lower rate than has been accepted by Acquiring Authorities throughout the UK, on a variety of projects. This allows for under 15 hours work in total to complete the above work which is unrealistic.

The situation Gardens of Peace is in is a complex scenario when considering the intended use of the site and where it is in terms of its development timeline. It is a situation Savills is having to guide and manage Gardens of Peace through. Gardens of Peace has no prior experience or knowledge of the DCO process and thus are relying entirely on professional advice and explanations to guide them through the process.

The inadequate fee cap imposed by the VOA and Highways England is unreasonable given the complexity of the issues and sensitive nature of Gardens of Peace's development. It is restricting the adequacy of professional advice Gardens of Peace is able to obtain, and has therefore limited the progress made towards finding solutions to the above mentioned issues and concerns.

To date, despite being provided with copies of Savills' outstanding invoices on 1 December 2020, Highways England has not reimbursed any costs incurred by Gardens of Peace.

Gardens of Peace Muslim Cemetery



Part 3 – Written Representation Summary

Gardens of Peace Muslim Cemetery



8. Summary

- This written representation outlines the nature of our client, being a registered charity, who is in the process of developing a cemetery for the Muslim community. Gardens of Peace have commenced construction works to ensure the cemetery is open and operational by spring 2022 to allow a smooth transition from its existing cemetery to Maylands. This is in light of the reducing number of available adult burial plots at the existing cemetery whilst at the same time an in increase in mortality rates as a result of COVID-19.
- It is evident when reviewing the development plans of the cemetery and the gas main diversion proposals that the Scheme will have a significant effect on the cemetery in terms of loss of the service entrance, internal road, access to workshop / store, loss of soil storage area and loss of half of the overflow car park. This causes great concerns to Gardens of Peace in terms of continuing to operate the cemetery with minimal disruptions, the effect on daily congregations, the safety of staff and visitors due to the need for all public and service vehicles to use the same entrance, the effect of the temporary road and parking on land prepared for burial plots, the need to manage traffic, the effect of the Scheme and temporary measure on the aesthetics of the cemetery and how all of this could impact on the demand for burials at Maylands.
- Whilst there has been engagement with Highways England, Atkins and Cadent, very little progress has been made in terms of resolving the number of issues raised by Gardens of Peace, and which are referred to in Section 4.1 and 4.2. To date, other than the temporary road and car park suggested by Cadent, Highways England have not proposed any measures or works that may seek to mitigate the effects of the Scheme on Maylands and daily congregations.
- Highways England has been reluctant to agree to reasonable professional fees to Garden of Peace's professional advisors, therefore restricting advice and potential for meaningful engagement with Highways England.
- There remains uncertainty on the future land use restrictions over Plot 1/8 and the gas main easement. This has caused Gardens of Peace uncertainty in terms of future land use and whether the development within Plot 1/8, which would have been developed by Scheme commencement, will need to be redesigned to reflect the presence of the gas main following completion of the Scheme.
- Despite the period of time since the first meeting and the subsequent site and virtual meetings where Gardens of Peace
 concerns have been raised, little has been done in terms of formally agreeing amendments to the gas main design to
 alleviate the effects of the Scheme on the cemetery.

Gardens of Peace Muslim Cemetery



- The only recent developments have been those identified within the non-statutory consultation, which is ongoing. The consultation seeks comments on the proposal of reducing the easement width to 12.2 metres and reducing the area subject to the acquisition of permanent rights to just the easement width. The remainder of plot 1/8 will be subject to temporary occupation. Whilst the consultation provides a proposal that appears to provide some benefits in terms of reducing the area subject to acquisition of permanent rights, the proposals have only just come about and are yet to be adopted and therefore provides Gardens of Peace with no certainty or security that the concerns raised thus far are to be considered by Highways England.
- The latest Cadent drawing (appendix 6) reflects the extent of collaboration, and Gardens of Peace anxiously awaits confirmation and acceptance of how its pro-activeness manifests itself in the response from Highways England and the Valuation Office.





Append	ix 1	.0 -	Deve	lopment	Plan
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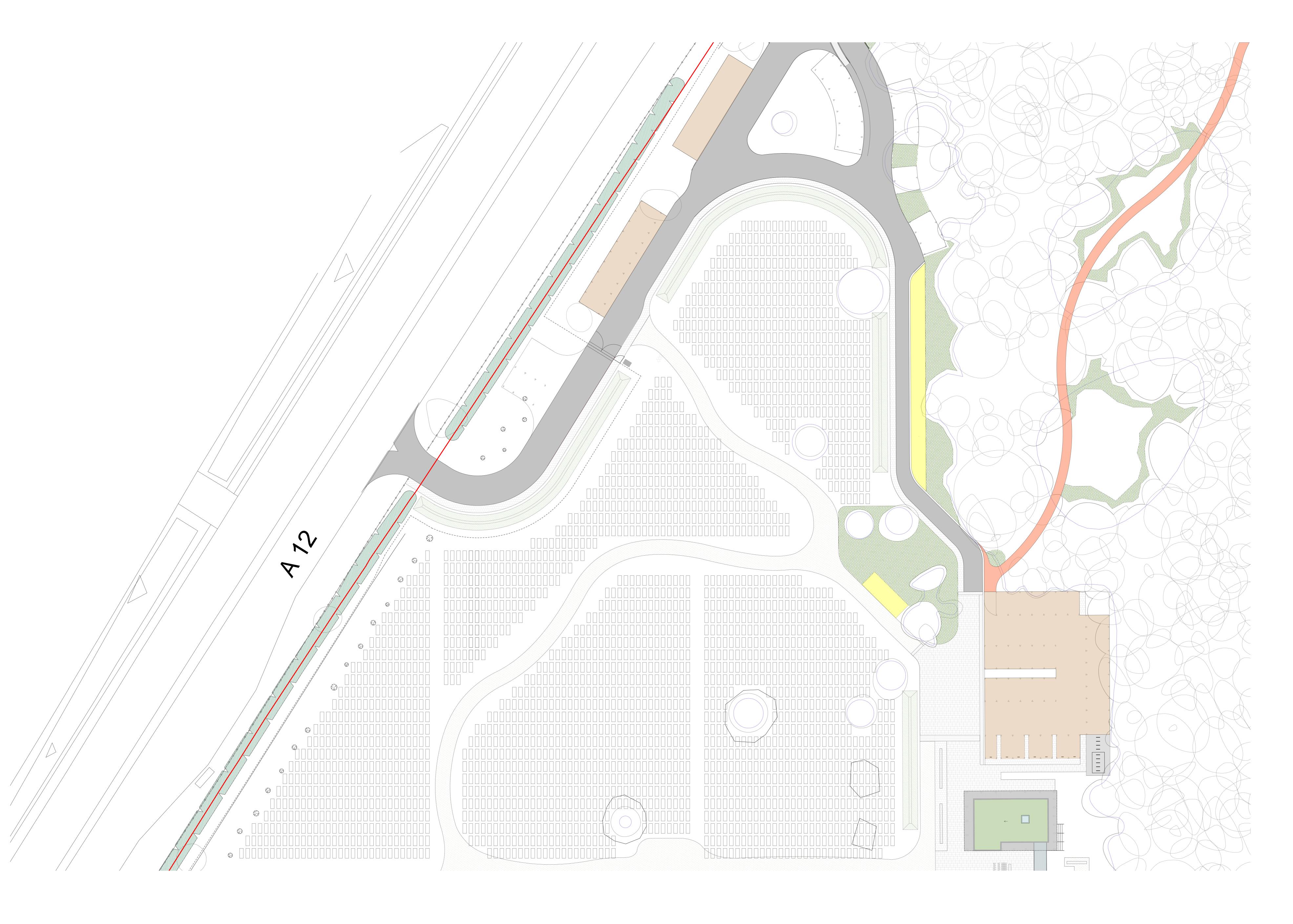


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Revision date **14 11 2019**

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GROUND PAVEMENT AREAS

Natural stone (Feature Paving)

Resinbound gravel (Path)

Resin bound gravel (Parking)

Tegula paving (Harvest colour)

Tarmac (roads)

Existing Grass/Woodland track

Grasscrete

Burial area

Grass Meadow

Ornamental hedge
Buildings

— Level Kerb

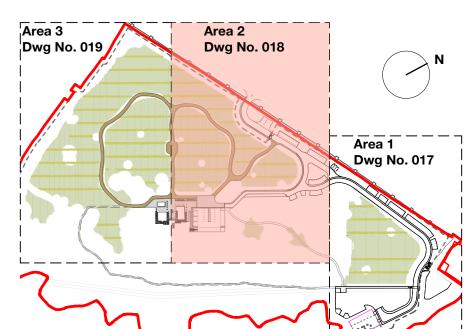
Raised KerbPrecast Concrete Edgings

- Retaining Wall

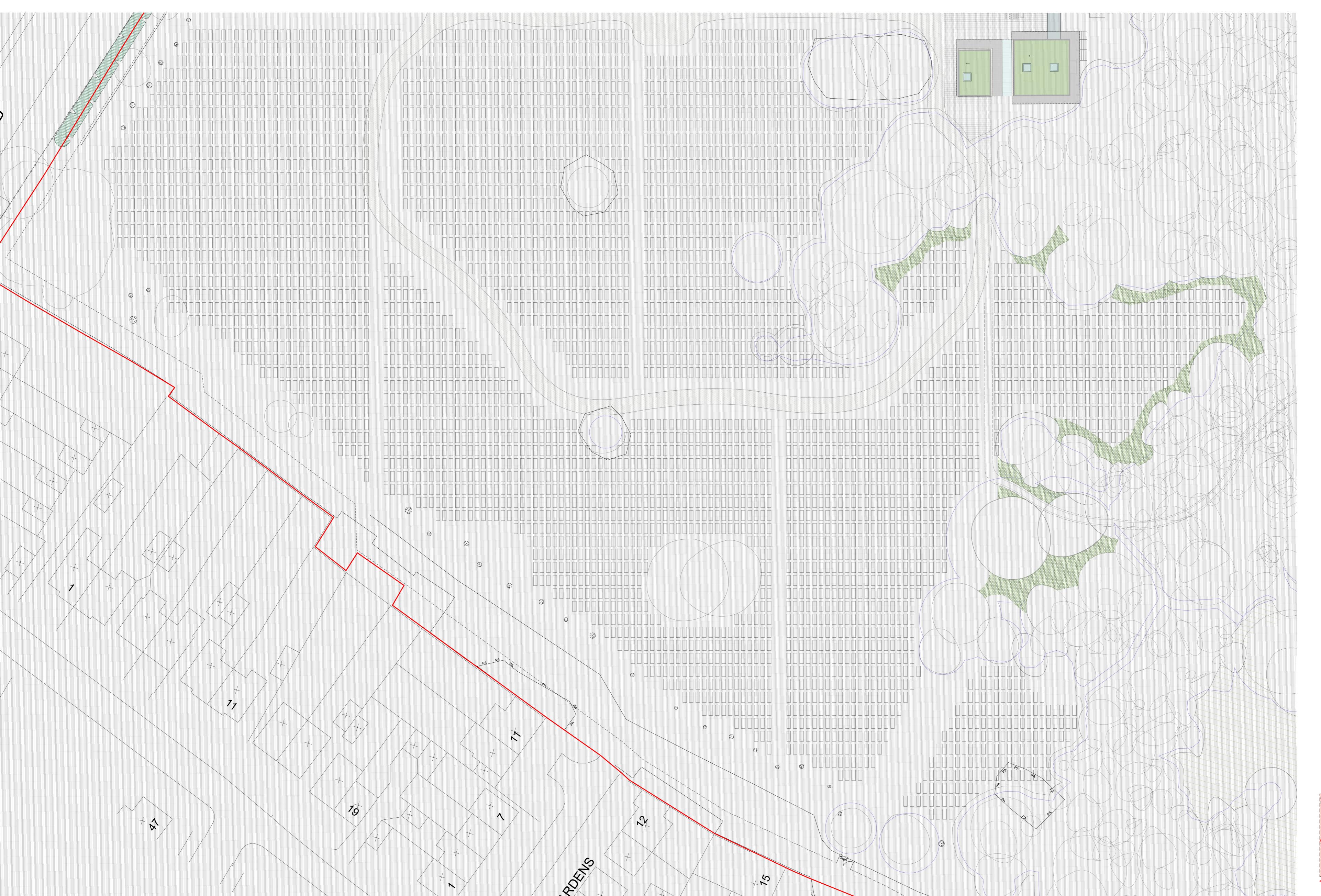
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NOTE:

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Project ID

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Revision

Revision date

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PRELIMINARY

Sheet Title

GROUND SURFACING-Area 3

Drawing No.

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Tarmac (roads)

Existing Grass/Woodland track

Grasscrete

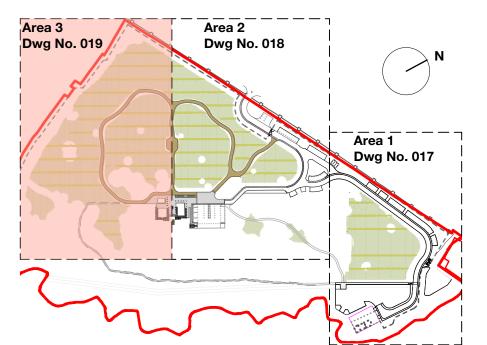
Burial area

Grass Meadow
Ornamental hedge
Buildings
Level Kerb
Raised Kerb

Precast Concrete EdgingsRetaining Wall

NOTE:

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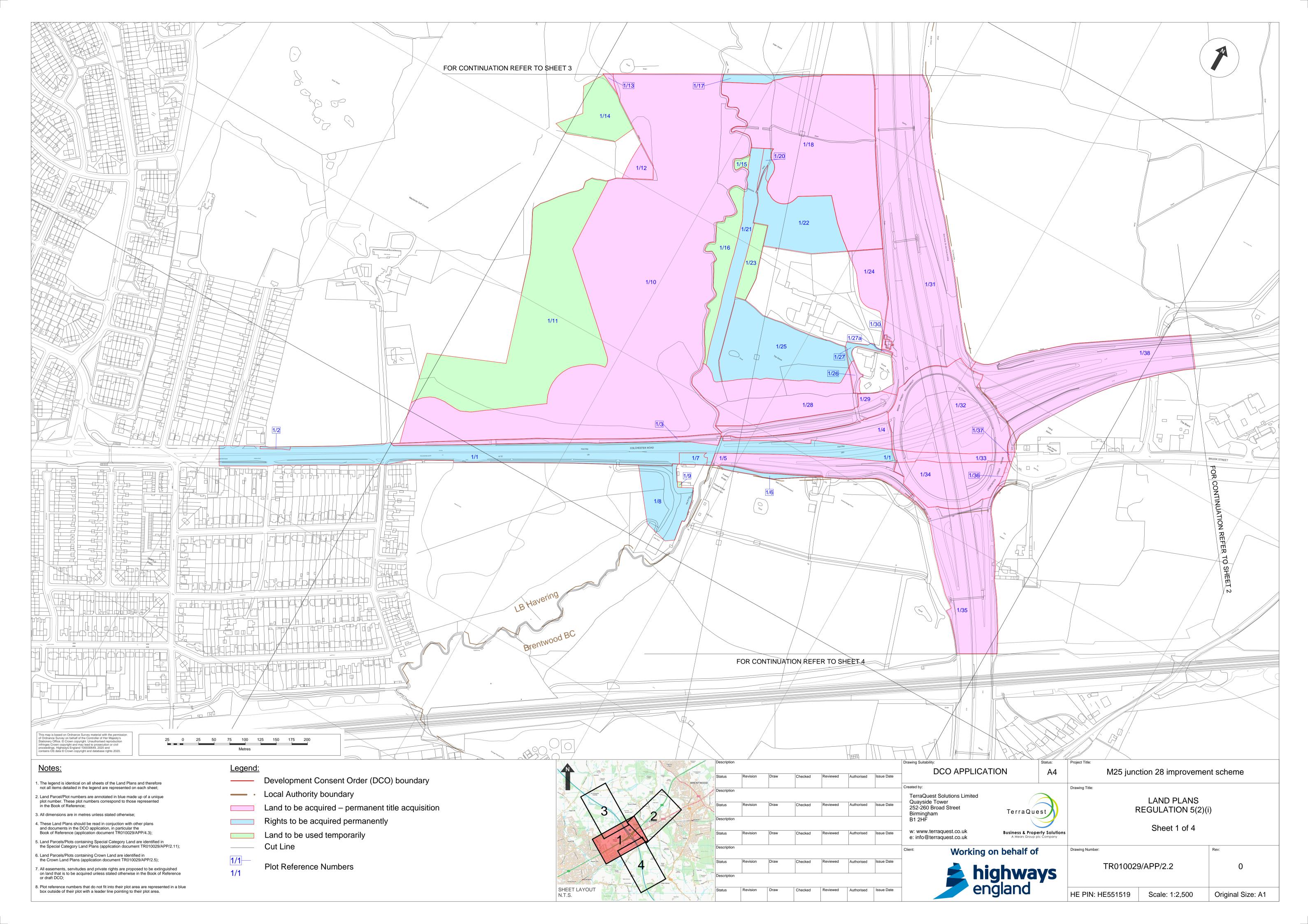


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Appendix 2.0 – Land Plans – Plot 1.8







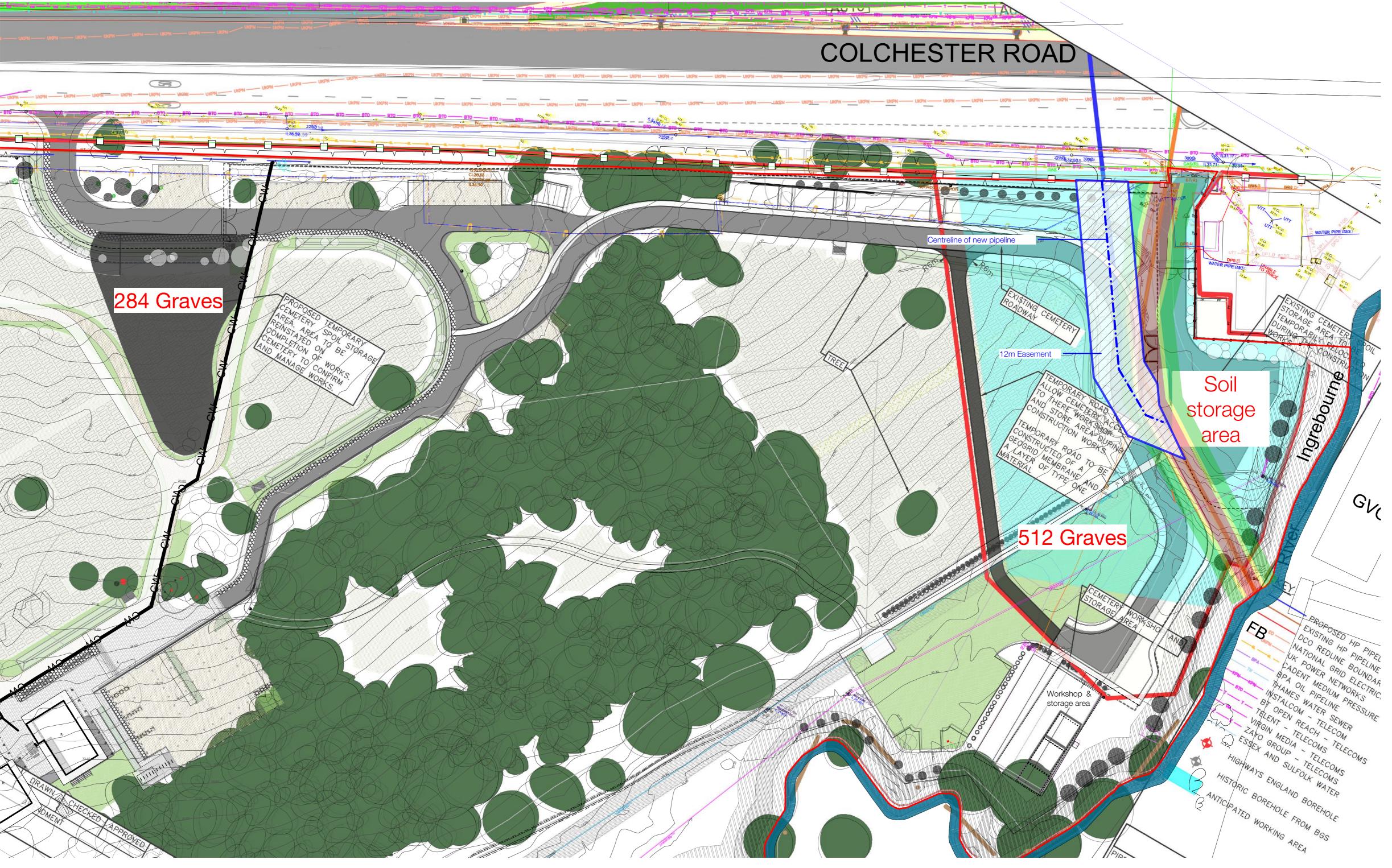
Appendix 3.0 – Work Plan







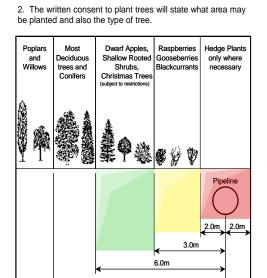
Appendix 4.0 – Plot 1/8 Overlay



M25/J28 Cadent Detailed Design 1:500

National Grids's Notes For Guidance - Tree Planting Restrictions On Pipelines

1. Before any tree planting is carried out on the easement, written approval shall be obtained from National Grid. Any approval granted by National Grid to plant trees on the easement shall be subject to retaining the rights to remove, at purposes or to indicate a field boundary. any time in the future, all trees which in the opinion of National Grid Engineers might become a danger to the pipeline.



3. The only hardwood plants which can be planted directly across a pipeline are hedge plants such as Quickthorn, Blackthorn, etc., and these shall only be planted where hedge is necessary either for screening

4. Poplar and Willow trees shall not be planted within 10 metres of the

5. The following trees and those of similar size, which may be deciduous or evergreen, shall not be planted within 6 metres of the centre line of the pipeline, e.g. Ash, Beech, Birch, most Conifers, Elm, Maple, Lime, Horse Chestnut, Oak, Sycamore, Apple and Pear trees, also come in this category. The above trees may only be planted as individual specimens or as a single row in the area between 6 and 10 metres of the pipeline. Dense mass planting may only be carried out at distances greater than 10 metres from the pipeline.

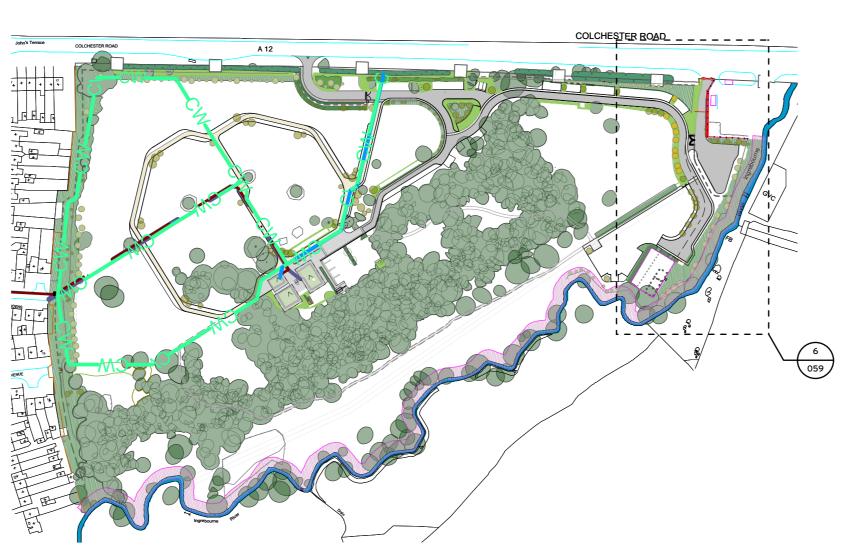
6. Raspberries, Gooseberries and Blackcurrants may be planted on the pipeline, but a 4 metre strip, centred on the pipeline, shall be left clear at

7. Dwarf Apple Stocks may be planted up to 3 metres of the centre line of 8. In cases where screening is required, the following are shallow rooting

and may be planted close to the pipeline: Blackthorn, Broom, Cottoneaster, Elder, Hazel, Laurel, Quickthorn, Privet,

Snowberry and most ornamental shrubs. 9. Christmas trees (Picea Abies) may be planted up to 3 metres of the pipeline. However permission is given on the strict understanding that Christmas trees are clear-felled at intervals not exceeding seven years.

For further guidance refer to NJUG 10.



METHODIC PRACTICE

QAK FARM CEMETERY

209

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PRELIMINARY

M25/J28 Works - Cadent Overlay

Drawing No.

209-04-062

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EXISTING SERVICES

BRITISH TELECOM

150mm Pipe 225mm Pipe

300mm Pipe 600mm Pipe Mains Water Pipe Inspection Chamber

Inspection Chamber

PROPOSED SERVICES

UNDERGROUND SERVICES LEGEND BLK BLOCKED UTT UNABLE TO TRACE
DP0.50 DEPTH BELOW SURFACE (METERS)

Ø250 DIAMETER OF PIPE IN MM. D-U DEPTH UNKNOWN (R) FROM RECORDS

(A) ASSUMED RUN

MAINS ELECTRICAL POWER CABLE LAID IN 125mm DUCT ELECTRICAL POWER CABLE LAID IN 50mm DUCT ELECTRICAL LIGHTING CABLE LAID IN 50mm DUCT

ARMOURED LIGHTING CABLE DATA CABLE LAID IN 50mm DUCT HIGH PRESSURE GAS PIPE NEW MAINS WATER SUPPLY

ESSEX WATER PIPE

SURFACE WATER (SOLID PIPE CROSSING ROADS) — - — SURFACE WATER (FIELD DRAIN)

SURFACE WATER (FRENCH DRAIN) SURFACE WATER (SOLID PIPE) SURFACE WATER (DISHED CHANNEL DRAINAGE) FOUL WATER (SOLID PIPE)

 NEW SURFACE WATER INSPECTION CHAMBER NEW SURFACE WATER MANHOLE NEW FOUL WATER MANHOLE

NEW GULLEY

WATER CONNECTION NEW SERVICES MANHOLE NEW LIGHTING MANHOLE

 LED aluminium post spot light, one head
 44 NO. LED aluminium post spot light, two heads 32 NO. _____ LED strip lights LUCY FEEDER PILLAR

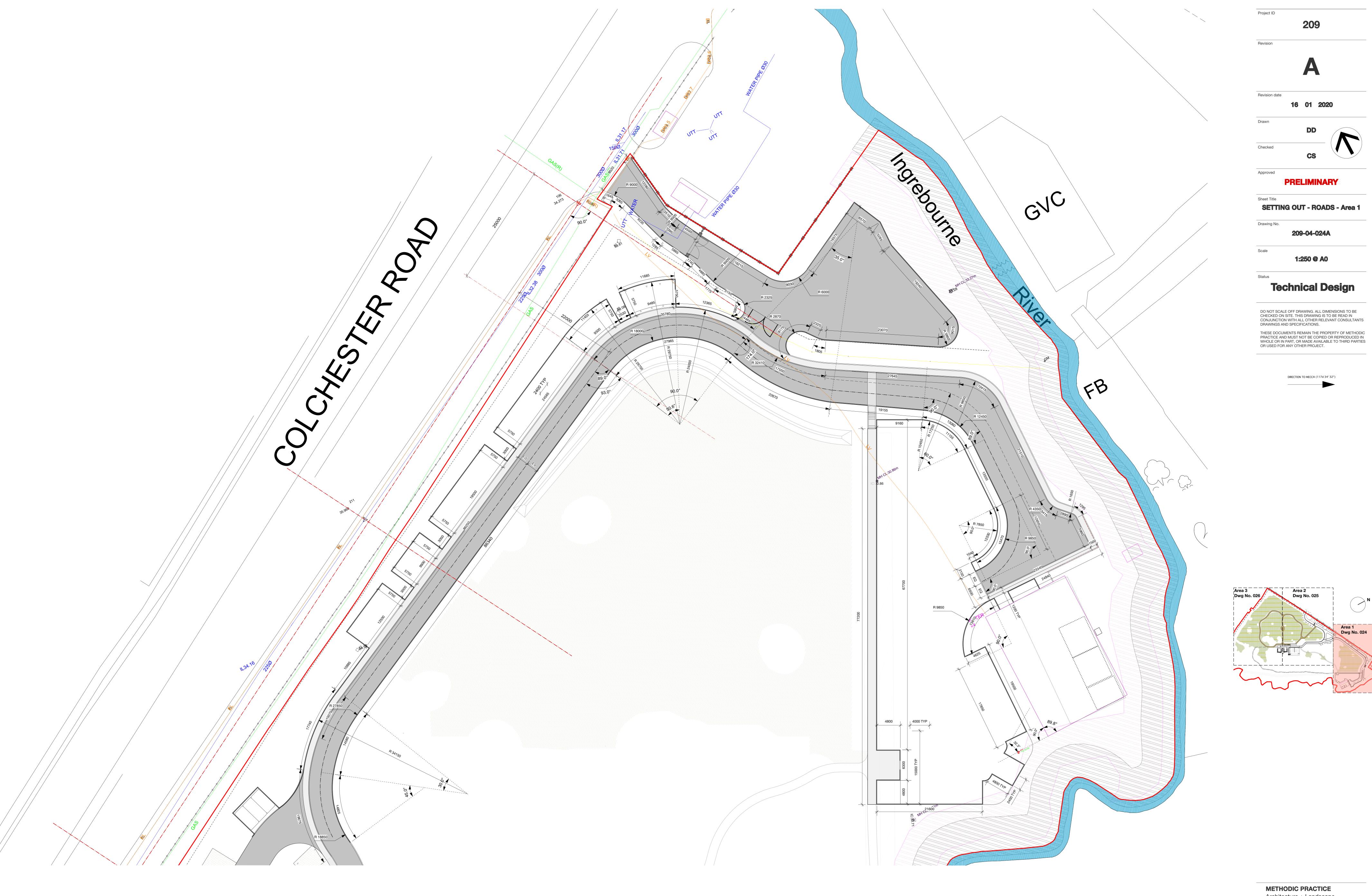
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Appendix 5.0 – Road Layout – Plot 1/8



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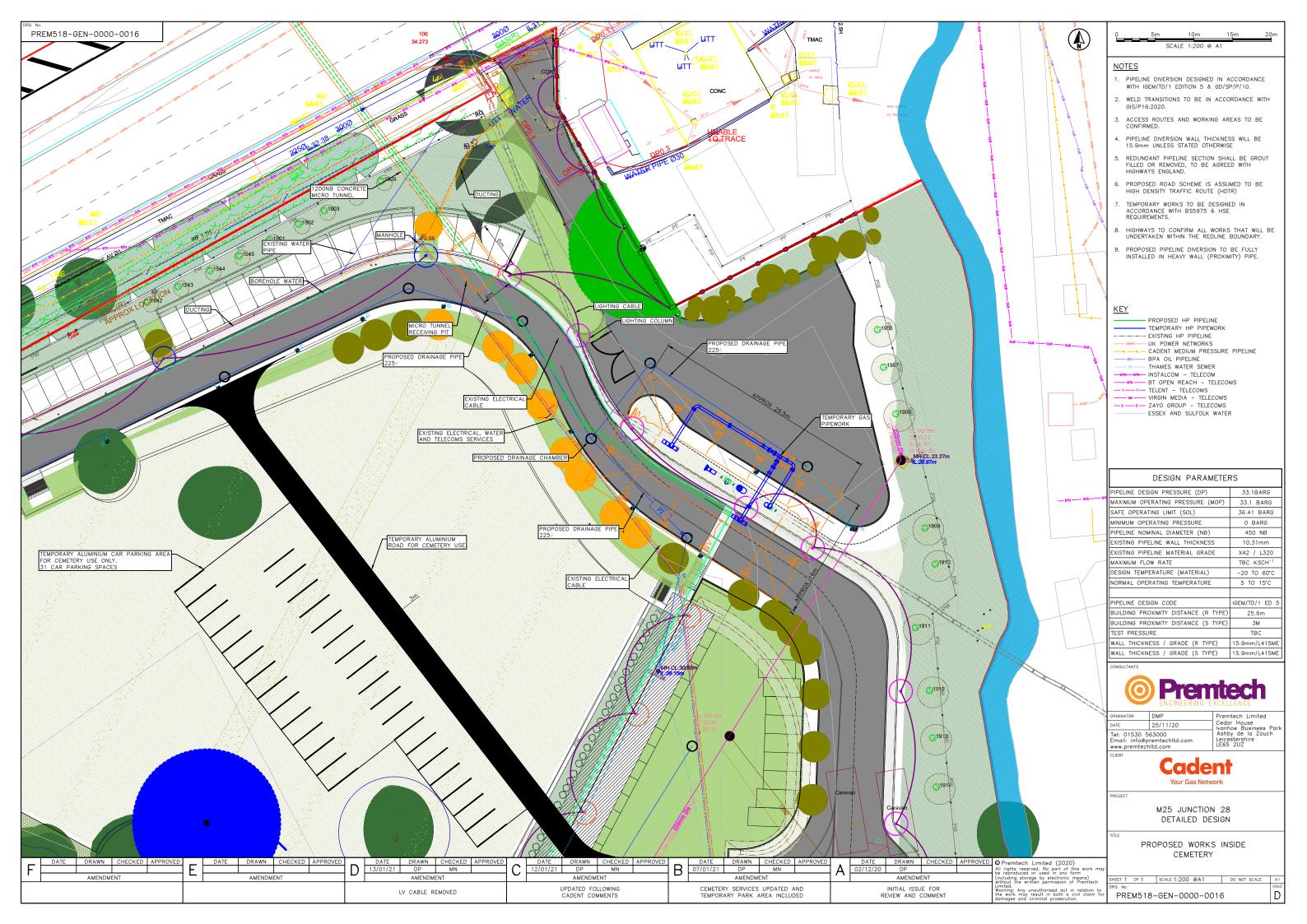
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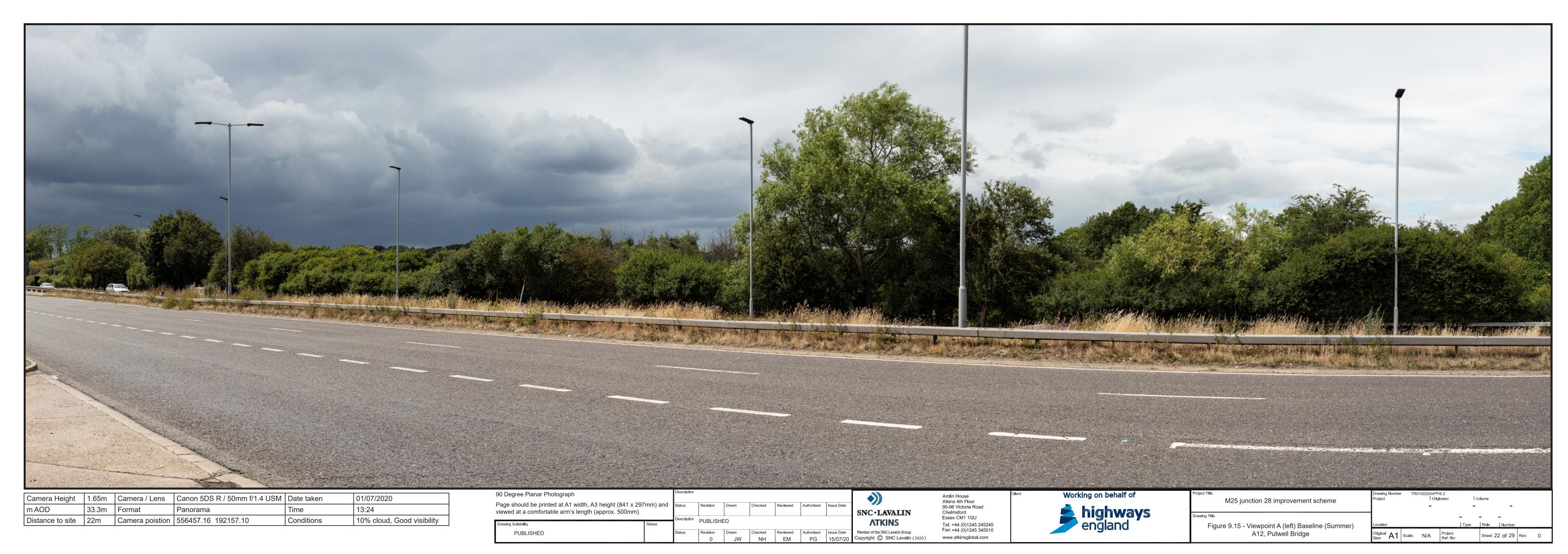
Appendix 6.0 – Cadent Detailed Design







Appendix 7.0 – Photomontage – Viewpoint A



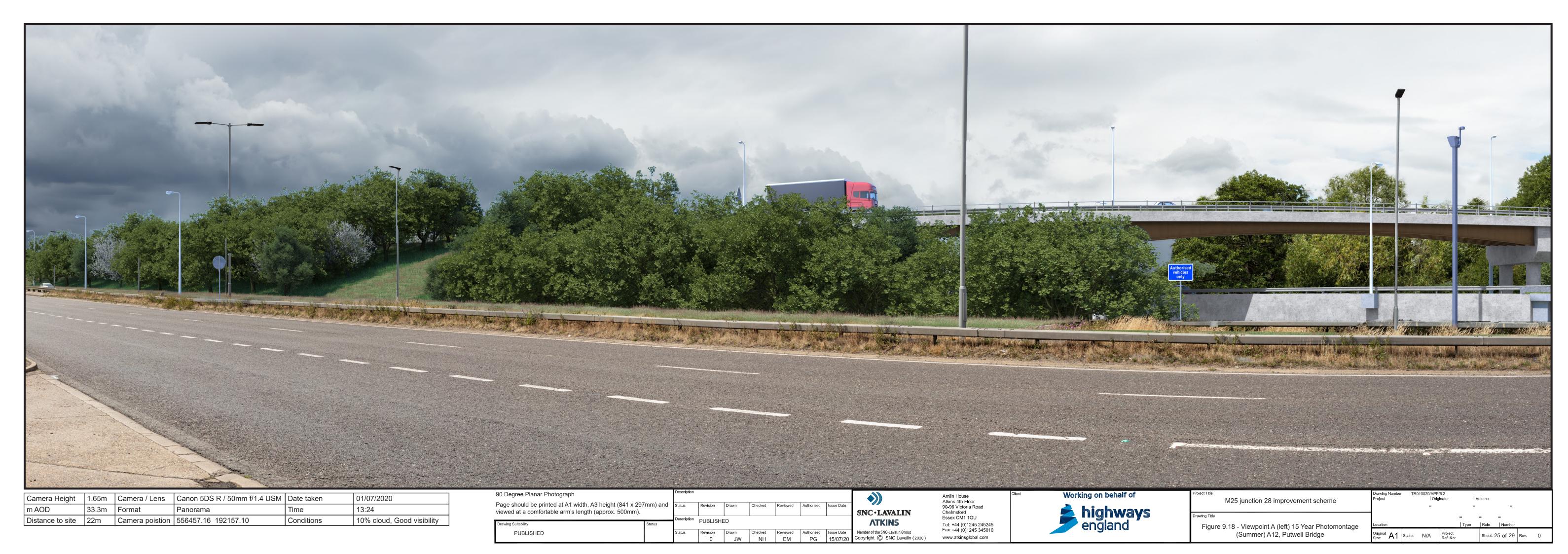


















Appendix 8.0 – Burial Layout Amendments







Appendix 9.0 – Proposed Reduction in the Extent of Rights to be Acquired

