



NORTHAMPTON
GATEWAY
STRATEGIC RAIL FREIGHT INTERCHANGE

APPLICANT'S RESPONSES TO RAIL CENTRAL SUBMISSIONS

DOCUMENT 8.8

The Northampton Gateway Rail Freight Interchange Order 201X

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1. Introduction

- 1.1 This single document responds to the various submissions submitted on behalf of Ashfield Land Management Limited and Gazeley GLP Northampton s.a.r.l. ("Rail Central") who are promoting a DCO application for an SRFI on the western side of the Northampton Loop Line, opposite the Northampton Gateway SRFI.
- 1.2 This document therefore responds to the following submissions made on behalf of Rail Central:
- 1.2.1 Written representations (REP1-029, REP1-030 and REP1-031);
 - 1.2.2 Written summary of oral submissions made at DCO ISH1 (REP1-028); and
 - 1.2.3 Response to ExA's questions (ExQ1) (REP1-033).
- 1.3 A substantial amount of material has been submitted with the above submissions and the Applicant has had only nine days in which to respond. Accordingly, this response is focused on those issues in respect of which the Applicant believes it can provide the ExA with the most assistance, rather than responding to every single point with which the Applicant disagrees, or is incorrect.
- 1.4 Clearly, if there are issues that arise from the ExA's consideration of the submissions where it feels it would be assisted by a response from the Applicant, then of course a response will be supplied.
- 1.5 This document also does not repeat information and responses already contained within the Application documentation or documents submitted on behalf of the Applicant since the Application was accepted, including the Applicant's Response to Relevant Representations (**Document 8.3**, REP1-022) and the Applicant's responses to the ExA's first written questions (**Document 8.2**, REP1-020 and REP1-021) submitted at **Deadline 1**.
- 1.6 The ExA is advised that the Applicant received a copy of the Rail Central re-submitted application on 30 October and has distributed copies of the application for its consultants to review. That review commenced immediately after **Deadline 1** and is ongoing. Accordingly, any responses involving a knowledge of the Rail Central proposals are caveated to the extent that they are provisional pending the opportunity to complete a review of the Rail Central proposals. Those proposals have changed since the Applicant undertook its cumulative impact assessment for submission with the Northampton Gateway application.

2. Written representations (REP1-029, REP1-030 and REP1-031)

- 2.1 This response to the written representation submitted by Rail Central deals with the issues raised in the order contained in the representation and as set out in paragraph 4.2 of the representation. Not all issues are responded to.

Interrelationship between Northampton Gateway and Rail Central (Section 5)

- 2.2 The Interrelationship Report, enclosed at Appendix 3 of the written representation, identifies the three areas of physical overlap of the schemes. In addition to appending the Interrelationship Report, Rail Central reproduced, almost verbatim, large sections of the Interrelationship Report in section 5 of the written representations.
- 2.3 The Applicant's current position in relation to the three identified areas of overlap is as follows:

- (i) Rail connections: The Applicant, on the basis of an initial review of the Rail Central application documentation, does not agree that the two rail schemes shown on the application plans are compatible.

Rail Central have stated, in paragraph 3.2.1 of the Interrelationship Report, that *"both projects will be constructing new railway lines at the NLL to connect to their respective intermodal facilities. Configuration of connection points will be determined at the detailed design stage in order to facilitate both connections"*.

However, the physical layouts of the network connections shown on the respective rail plans submitted are incompatible due to the positioning of the southern connections being in the same location. This is not a conflict which can be left to the detailed stage because the re-positioning of the south connections for either scheme would result in the lengthening of the junction which may take a scheme beyond Order limits and have implications on capacity and pathing. This is because entry and exit times will be extended and the amount of wrong direction running will be increased, thereby blocking up both the up and down Northampton lines for longer.

None of the schemes referred to in paragraph 4.2 of the Interrelationship Report are comparable situations.

- (ii) Landscaping and footpaths: The overlap of the order limits in relation to landscaping and footpaths arises from the proposal of Rail Central to use parts of the Northampton Gateway main site for landscaping or footpath diversion works.

The Applicant's view is that the land concerned is an integral part of Northampton Gateway proposals which will not change in the event that the Rail Central proposal is permitted. It would be for Rail Central to adjust its proposed landscaping and footpath diversion to reflect the Northampton Gateway development. This approach is consistent with the position of Rail Central as set out in paragraphs 4.12 and 4.13 of the Interrelationship Report.

- (iii) Highway Improvements: The highway works proposed at Junction 15A for the Rail Central proposal are more extensive than those proposed for Northampton Gateway. They are, however, less extensive than those proposed by Rail Central previously.

Paragraph 4.25 of the Interrelationship Report indicates that the Northampton Gateway dDCO could be amended to *"facilitate the option that [the Northampton Gateway Junction 15A works] may not be required in the event that the Rail Central Junction 15A works are undertaken"*.

The Applicant agrees that it would be appropriate to amend the Northampton Gateway dDCO to ensure that the obligation to carry out the Northampton Gateway Junction 15A works no longer applies if the Rail Central Junction 15A works are undertaken, but only if the reduced Junction 15A works are sufficient to mitigate the impact of both schemes.

The Applicant is in the process of examining the Rail Central application and is not in a position to conclude that such an approach is appropriate until it has had the opportunity to understand fully the effect of the revised Rail Central highway mitigation strategy. The review of the recent application, carried out to date, suggests that the works now proposed at Junction 15A may not be sufficient to accommodate the traffic impact of the Rail Central proposals alone and therefore certainly not sufficient to accommodate the cumulative impact.

- 2.4 In paragraph 5.5 of the written representation a reference is made to protective provisions for the benefit of Rail Central to be discussed with the Applicant. Despite Rail Central having first referred to protective provisions many months ago, the Applicant has yet to see any proposed protective provisions and so is unable to comment on the need for, or appropriateness of, any such provisions.
- 2.5 In paragraphs 5.40-5.43 of the written representations it is asserted that the Northampton Gateway application does not adequately address the possibility of both Rail Central and Northampton Gateway being consented. The Northampton Gateway application contains a comparative assessment of both schemes (Appendix 2.4 of the Environmental Statement) and also a cumulative impact assessment (CIA).
- 2.6 Whilst the Applicant is still reviewing the recently-submitted Rail Central application, it is becoming increasingly clear that the preliminary conclusions of the CIA carried out for inclusion in the Northampton Gateway application, which were based on the Rail Central information available prior to and at Stage 2 consultation, may change.
- 2.7 When the Applicant has completed its review, and the outstanding information on transport modelling is available, the Applicant will be able to provide its up-to-date view on the relative merits of Rail Central and Northampton Gateway and the assessment of cumulative impact.
- 2.8 At this stage the Applicant does not consider that it is possible to conclude, as Rail Central seem to, that both schemes are compatible or that the impact of both is acceptable. Indeed the work currently undertaken in reviewing the Rail Central application suggests to the contrary, as indicated in paragraphs 2.3(i) and (iii) above.

Operational Compatibility (Section 7)

- 2.9 The ExA are referred to the Comparative Assessment Table submitted with the Northampton Gateway application (Appendix 2.4 of the Environmental Statement) which includes a comparison of the relative merits of the rail provision. This will be updated once the review of the Rail Central application has been completed.
- 2.10 From that table it is apparent that the Applicant disagrees with the alleged benefits of the separate access to the WCML fast lines. The Applicant awaits sight of any SoCG between Rail Central and Network Rail.

Cumulative Impact Assessment (CIA)(Section 8)

- 2.11 The ExA are referred to the Applicant's response to ExQ1.9.1.. This response also includes the update for the ExA requested in that question.
- 2.12 In paragraph 8.1 of the written representations, the impression is given that there has been a meeting with the Rail Central team to discuss the CIA. A meeting did take place with the Rail Central team on 2 October 2018 to discuss the general scope of a statement of common ground and passing reference was made to the CIA. No other discussions relating to the CIA have taken place.
- 2.13 As referred to in the Applicant's response to ExQ1.9.1, the transport modelling work which is being undertaken by Rail Central to assess the cumulative impacts of the Rail Central scheme and Northampton Gateway will not be available until towards Christmas 2018 and, potentially, beyond that.
- 2.14 The Applicant is due to submit a revised CIA by **Deadline 4** (8 January 2019). A submission by that date is desirable so that it can inform any ExA second written questions and also ISH4, being an issue-specific hearing into cumulative impact and interaction issues to be held on 12 March 2018.
- 2.15 It will not therefore be possible for the Applicant to await the cumulative impact information yet to be submitted by Rail Central (and which could have, and should have, been submitted with its application). Accordingly, the CIA will be undertaken without this information, based on the best information available.
- 2.16 In respect of the transport aspects of the CIA, which is the missing element of the Rail Central assessment, the Applicant can advise the ExA of the approach to be taken, as follows.
- 2.17 The CIA presented in the Northampton Gateway DCO submission (Environmental Statement paragraphs 12.8.2 to 12.8.28 and Appendix 12.2) was prepared using the Rail Central information that was publicly available at that time, which comprised the following elements:
- Strategic modelling using NSTM2 (J3 scenario) including both the Northampton Gateway and Rail Central schemes and associated highway mitigation (prior to the Rail Central stage two consultation).
 - VISSIM micro-simulation modelling of M1 Junction 15 and M1 Junction 15A using traffic flow data from the NSTM2 (J3 scenario).
 - Further detailed junction modelling of all junctions within the Northampton Gateway study area, again using traffic flow data from the NSTM2 (J3 scenario).
 - Assessment of the cumulative impact of disruption due to construction.
 - Assessment of the cumulative impact of the respective public transport strategies and the impacts on public rights of way; and
 - Assessment of how changes to the Rail Central highway mitigation that were released as part of the Rail Central stage two consultation (after

the conclusion of the NSTM2 (J3 scenario) strategic modelling) could affect the conclusions of the CIA.

- 2.18 The Rail Central highway mitigation strategy has been further amended since the proposals that were released at the Stage 2 consultation. There is not sufficient time before the 8 January 2019 deadline to update the strategic NSTM2 and VISSIM micro-simulation modelling. Nonetheless, there is sufficient information available to undertake an updated CIA which will build on the work already undertaken. The updated Northampton Gateway CIA will use detailed junction modelling to provide quantitative assessment of the performance of key highway network locations. The result of this modelling, and the review of the Rail Central DCO submission, will allow qualitative conclusions to be arrived at on the cumulative effect.
- 2.19 Accordingly, the Applicant proposes to:
- a) undertake a review of the Rail Central transport mitigation strategy and the Rail Central highway mitigation proposals;
 - b) based on an understanding of the Rail Central proposals and assessments submitted to date, comment on any interaction between the respective mitigation strategies and identify where they may be incompatible;
 - c) undertake junction modelling at the identified locations to provide quantitative data to inform a qualitative assessment of the likely residual impacts; and
 - d) for **Deadline 4**, provide an updated CIA, explaining the significance of the cumulative effects and how this significance has been determined.
- 2.20 Prior to the conclusion of the work on the revised cumulative impact assessment, it would be premature to comment further on the contents of section 8 of the written representations.
- 2.21 The criticisms of methodology are noted and are dealt with in the Applicant's response to the Rail Central's response to ExA's questions (see section 4 of this document below).

Environmental Impact – Climate Change (Section 9)

- 2.22 The Applicant notes the criticisms of the Applicant's methodology and approach and would refer the ExA to the Applicant's response to Rail Central's response to the ExA's questions (see section 4 of this document below).
- 2.23 Most of section 9 relates to the sustainability credentials of Rail Central and extolling the virtues of the particular approach Rail Central have taken in their application.
- 2.24 Whilst mention is made of the Sustainability Statement submitted with the Rail Central application, nowhere in section 9 is any mention made of the Sustainability Statement for Planning included in the Northampton Gateway Application (Appendix 2.2 of the Environmental Statement) which addresses the NNNPS and sets out principles to be adhered to. An additional requirement has been added to the dDCO to ensure that those principles are applied.

- 2.25 In paragraph 9.3 (iv) Rail Central draw a distinction between its commitment to BREEAM Excellent 2014 and the Northampton Gateway commitment to BREEAM Very Good 2018 with the implication being that Rail Central is complying with a higher standard. The reality is however that the older standard, which Rail Central intend to apply, is a less stringent standard and not directly comparable to the 2018 standard. The BREEAM matrix has progressed and the standard that development such as this now seek to attain is 2018 Very Good and not the out of date 2014 standard.

Traffic and Transport Issues – The Roade Bypass (Section 10)

- 2.26 The ExA is referred to the Applicant's response to ExQ1.0.17 for a response on the issue of Associated Development and the need for the Roade Bypass.
- 2.27 In paragraph 10.4 – 10.14 Rail Central seem to contest the rationale for the inclusion of the Roade Bypass as part of the highway mitigation strategy for Northampton Gateway.
- 2.28 To mitigate the impact of the additional traffic due to the Proposed Development travelling through the village of Roade, consideration was initially given to improving the congested junctions, and the narrow railway bridge. However, it was reasoned that removing the existing bottlenecks in Roade would be undesirable and problematic, and in the case of the narrow railway bridge, extremely disruptive for extensive periods of time. Not only would the addition of the development traffic through the village be undesirable, any uplift in capacity or removal of congestion on the A508 through Roade would undoubtedly result in suppressed traffic returning to the A508 corridor and impacting on conditions through the village. Therefore, it was concluded at an early stage that a bypass solution would be preferred to accommodate the additional traffic due to the Proposed Development with the added benefit of reducing existing traffic travelling through the village of Roade.
- 2.29 By comparing the development traffic with 2031 traffic flows on the A508, rather than the 2015 flows that are presented in the Transport Assessment, Rail Central are seeking to reduce the apparent impact of the development traffic (from 13% to 10% for all vehicles, and from 17% to 15% for HGVs). However (as explained at paras 8.47 to 8.48 and Table 8.3 of the TA), the NSTM2 modelling shows that traffic growth on the A508 to 2031 is forecast to be very constrained in the reference case scenario, at only 1% in the AM peak hour and 5% in the PM peak hour. The 18% growth figure quoted by Rail Central is a figure provided, and used, to apply traffic growth as part of the work presented at paras 7.42 to 7.46 of the TA in relation to worsening congestion at the High Street mini-roundabout in Roade. However, paras 7.46 and 7.47 of the TA go on to explain that this growth would not likely be realised, as traffic would divert from the A508 to avoid the congestion, leading to a worsening of impacts in the surrounding villages.
- 2.30 The highway mitigation measures included with the Northampton Gateway proposals have been agreed following extensive discussion and examination through the Transport Working Group. They are the subject of agreement with both Highways England and Northamptonshire County Council as is set out in the respective Statements of Common Ground (**Document Series 7.1 and 7.5** respectively). The central strategy of encouraging traffic to utilise the A508 (part of NCC's Strategic Freight Road Network) thus avoiding unacceptable impact on the villages goes hand in hand with the need to ensure unacceptable impacts on the village of Roade are avoided.

- 2.31 It is noted that South Northamptonshire Council, in paragraph 16 of their written representations, state that the bypass is a critical component of the Northampton Gateway proposal.

Compulsory Acquisition (Section 11)

- 2.32 The Applicant notes Rail Central's objection to the acquisition of its rights over parcels 1-7 and 1-12, over which land it has benefit of an option agreement.
- 2.33 However, Rail Central, in their Interrelationship Report (Appendix 3 to their written representations), make it clear that, in the event of the Northampton Gateway proposal proceeding, the use to which the land in question is to be put is appropriate and, only in the event of the Northampton Gateway proposals not proceeding and Rail Central proceeding, would Rail Central require that land. In that scenario, the land would not be compulsorily acquired for the Northampton Gateway scheme.
- 2.34 The basis of the objection to compulsory acquisition is therefore confused, since, even if Rail Central were to proceed in addition to Northampton Gateway, it is clear from the Interrelationship Report that the use of the land as proposed by Northampton Gateway in connection with its scheme would be compatible with the Rail Central proposals. The relevance of much of this section is therefore not understood.
- 2.35 Rail Central complain regarding the failure by the Applicant to negotiate, and seek to acquire by agreement, its interests in Parcels 1-7 and 1-12. In this respect it points to the guidance published by DCLG in September 2013 regarding compulsory acquisition. However, that complaint is artificial. Firstly, the CA Guidance is of course 'guidance' rather than legal requirement. Secondly, the guidance is subject to significant caveats, stating that the "*general rule*" is that parties should seek to acquire land by negotiation "*wherever practicable*". The present situation is one that falls far outside the general norm, since there has never at any time been any reason to think that efforts to engage with Rail Central on this point would have been productive. On the contrary, the formal representations submitted by Turley on behalf of Rail Central made clear that the Parcels 1-7 and 1-12 would not be made available to the Applicant for the purposes of the Northampton Gateway project. In this regard Turley's letter dated 24 November 2017 to the Applicant (referred to in Appendix 13 of Rail Central's representation) repeatedly referred to the land as being "*integral*" to the Rail Central proposal. Further, on the basis that the land was "*required*" by the Rail Central scheme, the representation directed that the Applicant should "*take account of the full extent of the Rail Central development, which includes the integral proposed farmland bird mitigation which is within the ...boundary of your scheme*" (emphasis added). Thus Rail Central made it clear that there was no prospect of the Applicant acquiring the land by agreement. Efforts have therefore been concentrated on land where there is a prospect of resolving the objection rather than land where tactical objections would have been pursued, irrespective of any engagement.
- 2.36 As referred to in the Statement of Reasons (Document 4.1), discussions have been held with the owners of the land concerned (paragraph 3.17.2).
- 2.37 Rail Central produce, at Appendix 13, a selective chronology of contact between representatives of Rail Central and Northampton Gateway, none of which is relevant to compulsory acquisition. The table produced is incomplete and in several respects misrepresents the position. For example, the entry referring to 9 February and 5 March 2018 does not make it clear that on 5 March Northampton Gateway wrote to Rail Central because it had had no response to the information it had submitted to

Rail Central on 9 February. Omissions from the table include the failure to refer to a letter of 6 October 2016, written to Rail Central, requesting traffic information to assist with a cumulative assessment, to which no response was received; a letter of 6 March 2018 from Northampton Gateway's planning consultants chasing information in response to the letter of 12 January regarding the availability of Rail Central's preliminary environmental information; and communications from Northampton Gateway's planning consultants on 18 and 24 September.

- 2.38 In the Applicant's view, this chronology does not assist the ExA in its deliberations on any aspect of the Northampton Gateway proposal. If any serious reliance is to be placed on the contents of this schedule then the Applicant would wish to have the opportunity to correct it so that its errors and omissions are rectified.

Northampton Gateway dDCO (Section 12)

- 2.39 In paragraph 12.6 of the written representation it is stated that the intention of Rail Central is to discuss protective provisions with Northampton Gateway, however as at the writing of this submission (19 November 2018), and despite Rail Central having first referred to protective provisions many months ago, the Applicant has yet to see any proposed protective provisions and so is unable to comment on the need for, or appropriateness of, any such provisions.

Comparative Assessment (Section 13)

- 2.40 The Applicant is still considering the Rail Central application, however it is apparent from the Comparative Assessment Table already submitted with the Northampton Gateway proposal (Appendix 2.4 of the Environmental Statement) that the Applicant does not agree with the assertions made by Rail Central in this section of its written representations.
- 2.41 The Comparative Assessment Table will be updated once the review of the Rail Central application has been completed. The Applicant's position is reserved pending that review. It is noted that Rail Central conclude in their review that Northampton Gateway is a "top performing site" (paragraph 13.52 and elsewhere).

3. Written summary of all submissions made at ISH1 (REP1-028)

Submission 1

- 3.1 Article 3(2) of the dDCO has been deleted and, as indicated at ISH1, is dealt with in the requirements.

Submission 2

- 3.2 Article 46(10) has been deleted as indicated by the Applicant at ISH1.

Submission 3

- 3.3 The tailpiece in requirement 3(3) is alleged by Rail Central to be unlawful (notwithstanding that it is identical to the tailpiece that was included in the Rail Central dDCO submitted with the rejected application).
- 3.4 The Applicant has amended the requirement to reflect its relevance to timing only, as indicated at ISH1.

Submission 4

- 3.5 The Applicant has deleted requirement 6(2) in recognition that enforcement is governed by Part 8 of the Planning Act 2008.
- 3.6 The Applicant has deleted the words "reasonable endeavours" in requirement 6(1) as it indicated it intended doing.

Submission 5

- 3.7 Please see the Applicant's Response to ISH1:107 (**Document 8.1**, REP-019).
- 3.8 In addition, please see the explanation given in the DCO tracker (**Document 3.4A**), submitted for **Deadline 2**, in relation to the amendment to article 4 and article 45. The amendments refer to an amended test for the consideration of whether or not a change to the authorised development would be acceptable.
- 3.9 The test applied by the Applicant to ascertain whether or not a change is acceptable is that contained in Schedule 2, paragraph 13 of the EIA regulations, applying to a change to authorised development. That seems the most appropriate test to apply. This Applicant was referred to Schedule 2, paragraph 13 by the ExA in ISH1, in respect of discussions related to ISH1:107B and referred to in the subsequent ExQ1.4.6. The new tests enables changes to the development to be acceptable in circumstances where, under the EIA regulations, they would be acceptable without the need for EIA.

Submission 6

- 3.10 The assessment concerned had in fact been carried out. An amendment agreed to requirement 18 with Northamptonshire County Council is reflected in the revised dDCO, submitted for **Deadline 2 (Document 3.4B)**.

Submission 7

- 3.11 The Applicant awaits receipt of the, oft referred to, suggested protective provisions so that we can understand their relevance and consider whether they perform any necessary function.

4. Rail Central's Response to ExA's questions (REP1-033)

- 4.1 Rail Central has provided a series of detailed responses to virtually all of the ExA's first written questions, irrespective to whom they were addressed. Although numerous and repetitive, these responses can be distilled into several themes, or queries, which are repeated throughout. For example, Rail Central repeatedly referred to issues raised in the context of ExQ1.02, ExQ1.03 and ExQ1.018.
- 4.2 In the time available it has not been possible for the Applicant to respond to all the responses of Rail Central and, effectively, respond to all of the ExA's questions again. However, the Applicant does wish to provide a response to some of the themes and criticisms which pervade the submission and which seek to give the impression that the environmental statement submitted with the Northampton Gateway scheme is deficient in several respects.

Methodology in general

- 4.3 The central theme of the responses by Rail Central is based on a criticism of the methodology adopted in the environmental statement. Indeed, a failure to apply a certain methodology is Rail Central's main point.
- 4.4 The criticisms suggest that there is a single, set and imposed methodology which is required to be adopted by all authors of environmental statements. As the ExA is well aware, that is not the position. The relevant EIA regulations identify when an Environmental Statement should be prepared and what it should assess, where relevant to the scheme concerned. Neither the primary legislation nor regulations prescribe how an assessment of likely significant environmental effects in an environmental statement should be undertaken.
- 4.5 Approaches vary and it is right that they should, so that environmental statements are bespoke to the scheme in question and are proportionate. The environmental statement for Northampton Gateway follows a different approach from that which, it appears, has been taken in the Rail Central environmental statement. Neither approach is a required approach, they are simply different. In essence, the criticism by Rail Central amounts to the fact that we have not used the methodology they have chosen to use. Rail Central have preferred a more rigid, formulaic approach. Northampton Gateway is more dictated by the specific scheme and specific disciplines.
- 4.6 It is for the decision-maker to decide whether or not an environmental statement provides the information required.
- 4.7 The general and nonspecific criticisms by Rail Central are therefore not accepted, however the points made by the ExA regarding clarity of commitments have been responded to by some amendments to the requirements in Schedule 2 of the dDCO submitted for **Deadline 2 (Document 3.1B)** and the revised Commitments Tracker (**Document 6.11A**) to be submitted for **Deadline 3**.

Cumulative assessment methodology

- 4.8 Each chapter provides a topic-specific assessment of potential cumulative effects, with agreed committed developments and with Rail Central. Rail Central is not regarded as a commitment but was a scheme which was identified as being relevant for consideration given the possibility that it may be approved in due course. It is therefore in a separate category to the other, committed, schemes.
- 4.9 There is no requirement to apply any specific cumulative impact assessment methodology. The Applicant has provided an explanation of the approach taken in Chapter 15 in response to ExQ1.9.2.

Assessments are not based on project description

- 4.10 On numerous occasions Rail Central suggest that the assessments are not clear with the project description being inconsistent. The Environmental Statement includes a full description of development in Chapter 2 which includes extensive reference to the parameters plan. This approach is taken, rather than each chapter repeating the description of development in full. Instead chapter 2 serves to provide a common, full, description. Each topic-specific chapter may identify or emphasise certain elements of the proposal over others to reflect the focus of the topic or receptors in

question, but the ES as a whole is based around the description of development in chapter 2 and the parameters plan as a basis of assessment. This approach is absolutely clear in paragraph 2.12 of the ES chapter 2.

- 4.11 The consolidated table provided at **Deadline 1** (Appendix 2 to **Document 8.2**, REP1020 and REP1-021) provides a more comprehensive summary of the conclusions of each chapter and responds to ExQ1.0.3.

Effective mitigation and commitments

- 4.12 This is frequently referred to by Rail Central. Whilst the generalised and non-specific criticisms by Rail Central are not accepted, the points made by the ExA regarding clarity of commitments have been responded to by amendments to the requirements in Schedule 2 of the dDCO submitted for **Deadline 2 (Document 3.1B)** and the revised Commitments Tracker (**Document 6.11A**) to be submitted for **Deadline 3**. This will include monitoring arrangements as referred to by the ExA in ExQ1.0.18.