

The Network Rail (Leeds to Micklefield Enhancements) Order  
CD 7.12 -Appendices to Environment Proof of Evidence

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TRANSPORT AND WORKS ACT 1992

Transport and Works (Inquiries Procedures) Rules 2004

THE NETWORK RAIL (LEEDS TO MICKLEFIELD  
ENHANCEMENTS) ORDER

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Appendices to Environment Proof of Evidence  
of  
□ Jim Pearson

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**The Network Rail (Leeds to Micklefield Enhancements) Order**

*CD 7.12 -Appendices to Environment Proof of Evidence*

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**The Network Rail (Leeds to Micklefield Enhancements) Order**

*CD 7.12 -Appendices to Environment Proof of Evidence*

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## Business process



## User information

**Red requirements – no variations permitted**

- ### ***Amber requirements – variations permitted subject to approved risk analysis and mitigation***

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**Green guidance – to be used unless alternative solutions are followed**

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## Issue record

Issue	Date	Comments
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NR/L1/ENV/100	Network Rail Environment and Social Performance Policy
NR/L2/INI/CP0070	Principal Contractor Licensing Scheme
NR/L2/MTC/006	Maintenance and Contents of the National Hazard Directory.
NR/L2/TRK/5201	Management of Lineside Vegetation
NR/L3/MTC/MG0194	Management of Third Party Complaints
NR/L3/OPS/045/4.04	Incidents
NR/L3/INV/3001	Reporting and Investigation Manual
NR/L1/ELP/27000	Policy Requirements for Electrical Power Assets
NR/L2/INF/02202	Records management of health and safety files
NR/L3/ENV/305	How to Change Utility Supplies
NR/L3/OPS/045/5.10	Management of Environmental Arrangements
NR/L3/ENV/044	Used Ballast and Excavation Waste Handling
NR/L3/OPS/045/5.04	Management of Station Works
NR/L2/ENV/121	Managing Environmental and Social Impacts of Noise and Vibration
NR/L2/ENV/120	Waste Management
NR/L2/ENV/123	Prevention of Pollution to Land and Water
NR/L3/OHS/0046	The Reporting, Investigation and Recording of Safety and Sustainable Development Events and Close Calls within Infrastructure Projects
NR/L2/MTC/089	Asset Management Plan Forms
NR/L2/ENV/122/01	Management of biodiversity
NR/L3/TRK/003/TEF3069	Pesticide application record form
NR/L2/SCO/306	Disposal of redundant assets
R/L2/SIG/11201/Mod A2-23	Recovery of redundant assets [Issue 1]
NR/L2/CIV/003/F004	Architectural and Layout Acceptance form
NR/L2/OPS/250	Network Rail National Emergency Plan
NR/L3/OPS/045/4.14	Control of Environmental Incident Procedures
NR/L2/INI/P3M/101	Governance for Railway Investment Projects (GRIP)
NR/L2/P3M/201	Project Acceleration in a Controlled Environment (PACE)

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### 3 Definitions

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## Best Practicable Means (BPM)

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**NOTE 2:** *BPM is defined in Section 72 of the Control of Pollution Act as 'reasonably practicable for the local conditions and circumstances, using measures including good design, good practice installation, maintenance, manner and periods of operation of plant and machinery, acoustic structures and the financial implications of each.'*

## Building Research Establishment Environmental Assessment Method (BREEAM)

[illegible]

## Capital Carbon

[illegible]

**NOTE 3:** The term capital carbon has emerged because all these activities are typically funded through capital expenditure (CapEx).

**NOTE 4:** The related term ‘embodied carbon’ is part of capital carbon but only applies to the carbon dioxide and other greenhouse gas emissions during the manufacture of specific materials and products.

## Civil Engineering Environmental Quality Assessment & Awards Scheme (CEEQUAL)

## Circular Economy

## Construction

[illegible]

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## Employer's Representative

## Environmental Product Declaration (EPD)

## Forest Products

## Health & Safety File (HSF)

## Indicators

## Non-construction works

## Potable Water

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## Preliminary Ecological Appraisal (PEA)

## Preliminary Risk Assessment (Contaminated Land)

## Safety Central

## SKA Rating

## Social Performance

## Social Value

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#### 4.1 Environment and Social Appraisal (ESA)

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**NOTE 4:** Formal acceptance of the ESMP is through completion of this form.

**NOTE 5:** EN3 Review and Acceptance form is a PACE product within the PACE Product Index.

## 5.1 Network Rail policies and strategies

## 5.1 Network Rail policies and strategies

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**NOTE 1:** Appendix E of the Principal Contractor Licensing Scheme NR/L2/INI/CP0070 identifies environmental resourcing & competency requirements. (iii)

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☐ I do hereby certify that the above information is true and correct to the Employer's Representative within 7 days of receipt.

☐ I am instructed by the Employer's Representative, \_\_\_\_\_  
\_\_\_\_\_,

## 5.6 Objectives, targets and performance indicators

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## 5.7 Life Cycle Costing (LCC) and Option Selection

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**NOTE 5:** The LCC handbook provides guidance on how life cycle costing is applied within Network Rail available at <https://alpcat.hub.networkrail.co.uk/Pages/LCC-User-Guide.aspx>

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**NOTE 6:** Environmental Life Cycle Appraisal methodologies includes Life Cycle Assessment (LCA), Environmental Product Declaration (EPD) and Best Practicable Environmental Option (BPEO).

### 5.8.1 Stakeholder Management Plan

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**NOTE 7:** The list of stakeholders should include, but is not limited to, lineside neighbours, local authorities, parish councils, schools, local businesses and passengers.

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**NOTE 9:** Noisier works will be defined as the output of the Noise and Vibration Risk Assessment. Typical works might include but not be limited to piling, demolition works and tamping.

**NOTE 10:** Key stakeholders are identified in the Stakeholder Management Plan

**NOTE 11:** The standard Communicating with the public - NR/L3/MTC/PL0215 contains information on how far in advance the public should be notified.

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Do not inform the Employer's Representative and supply a record



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### 5.11.1 General

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**NOTE 15:** Internal data sources include GeoRINM Viewer (GRV), and the National Hazard Directory are available on the National Hazards website - <http://www.nationalhazards.co.uk>.

**NOTE 16:** The National Hazard Directory is a database for hazards on Network Rail's controlled infrastructure which can also record information on environment and social risks and/or features that might impact future works.

**NOTE 17:** The absence of previous environment or social records for the work site(s) does not mean that environment or social risks and constraints are not present.

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### 5.13 Tax allowances and rebates

## 6 Environment Requirements

## 6.1 Biodiversity

## 6.2 Contaminated land

**NOTE 1:** *Dependant on the information already known about the site, it may be deemed appropriate to move straight to conducting a PRA.*

**NOTE 2:** Further information on how to undertake an Initial Hazard Review and PRA is available in the Contaminated land guidance note available on Safety Central.

**NOTE 3:** The Contaminated land guidance note available on Safety Central has more detailed information on competent persons, including information on the Land Contamination Risk Management guidance which should be followed in all site assessments.  
(<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>)

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### 6.4.1 Managing Carbon in Infrastructure (PAS 2080)

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**NOTE 4:** Publicly Available Specification (PAS) 2080:2016  was commissioned by the Green Construction Board. It establishes a framework for all parties involved in the infrastructure value chain to work collaboratively towards a common carbon reduction goal. Network Rail is undertaking work to align more closely with the guiding principles of PAS 2080.

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**NOTE 5:** The principle of whole life carbon management applies to all projects; regardless of size, complexity or type.



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### 6.4.3 Energy and operational carbon

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1. **D**o not use the word "rural" in the title of the report. The word "rural" is used in the title of the report to describe the location of the study. The word "rural" is used in the title of the report to describe the location of the study.

[illegible]

provide the Employer's Representative with a commissioning plan

the Employer's Representative with a commissioning plan

## 6.5 Circular Economy

### 6.5.1 Circular Economy Principles & Resource Efficiency

**NOTE 9:** This could include designing with core construction materials that contain high proportions of recycled constituents and/or designing structures or features that can themselves be readily re-purposed, re-used or recycled at the end of the asset service life.

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- ☐ CL:AIRE ‘Definition of Waste: Development Industry’ Code of Practice  
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**NOTE 10:** The Resource Efficiency Assessment/ workshop could be incorporated into other design reviews, meetings, assessments or workshops such as the safe by design, value engineering, and HAZID. Guidance for undertaking a Resource Efficiency Assessment/ workshop is available on Safety Central.

**NOTE 11:** *SurPlus* is available to download from the Network Rail App Catalogue.

**NOTE 12:** Circular Economy principles will also be met by following many of the sections of this Standard, including Life Cycle Costing, Managing Carbon in Infrastructure, Whole life carbon, responsible sourcing of materials, timber and concrete/aggregate, Low Environmental Impact products and by implementing the waste hierarchy.

### 6.5.2 Materials

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#### 6.5.2.2 Low environmental impact products

**NOTE 14:** Consideration could be given to harmful constituents such as the content of VOCs in paints, adhesives, resin-bond panel products, or the global warming potential of refrigerants in building heating, ventilation and air conditioning (HVAC) services.

### 6.5.2.3 Responsibly sourced timber

**NOTE 17:** This is set out in Network Rail's Responsible Timber Sourcing Policy, which is available on Safety Central. Network Rail undertakes assurance activities on an annual basis to assess compliance against this policy.

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Employer's requirements

Diagram illustrating the evolution of a 1D lattice system. The top row shows the initial state with excitations (black dots) at sites 2, 5, 6, 8, 10, 11, 12, 13, 14, 15, and 16. The bottom row shows the state after a time step, with excitations at sites 1, 3, 4, 7, 9, 12, 13, 14, 15, and 16. Arrows indicate the movement of excitations between sites.

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**NOTE 24:** NR/L3/ENV/044 provides further information on planning and handling track excavation waste at the pre-works design stage and through delivery stages.

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**NOTE 26:** A PCB checklist is available on Safety Central.

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**NOTE 28:** Network Rail guidance is published on the Noise, Nuisance and Disturbance page of Safety Central.

**Employer's Representative.**

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**NOTE 29:** Environmental permits may be required for discharges to local water courses, abstraction or impoundment licenses, or permits to discharge liquid effluent to foul drains.

**NOTE 30:** Network Rail guidance is published on the Pollution of Land/Water page of Safety Central.

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The diagram illustrates a 1D lattice with 10 sites. The top row shows the initial state with red and blue particles. The middle row shows the state after a time step, with particles moved according to the rules. The bottom row shows the state after another time step. The diagram illustrates the movement of particles and the resulting configuration after two time steps.

## 6.10 Water

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Diagram illustrating a sequence alignment or mapping between two sets of data (rows) across multiple positions (columns). The top row contains 16 elements, with the 4th element labeled 'D' and the 10th element labeled 'd'. The bottom row contains 18 elements, with the 7th element labeled 'd' and the 12th element labeled 'd'. A third row below shows 12 elements, with the 4th element labeled 'r' and the 9th element labeled 'r'. Vertical lines connect corresponding positions across the rows.

**NOTE 31:** Consideration should be given to rainwater harvesting and greywater recycling.

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[REDACTED] the Employer's Representative with a  
 [REDACTED] and [REDACTED]

**NOTE 32:** Identify opportunities to use harvested water, grey water recycling, abstraction, tanker delivery and mains supply, both for construction activities and welfare use.

## 6.11 Weather Resilience and Climate Change Adaptation (WRCCA)

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**NOTE 33:** This should include, but not be limited to; flooding (river, coastal, surface and groundwater), high and low temperatures, wind, lightning, adhesion, landslip/subsidence, and precipitation patterns (rain, snow hail). This should also include a high-level review of historic weather event impact occurrences at or adjacent to the location of the project. ☐

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The Designer/Contractor shall provide technical support to the Employer's Representative and/or the Employer's Representative's Representative.

**NOTE 35:** This is particularly relevant when considering collaborative opportunities to resolve mutual weather event and climate change risks for railway infrastructure and local communities (e.g. increasing size of culverts to support community flood alleviation projects).

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**NOTE 36:** The Network Rail Weather Service ([www.nrws.co.uk](http://www.nrws.co.uk)) can be used to forecast adverse and extreme weather conditions in order to facilitate work planning.


## 7 Emergency works and urgent reactive works


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**NOTE 1:** Following emergency and urgent reactive works, Network Rail standards and legal requirements shall be adhered to.

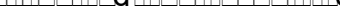



## 8.1 Approach to Social Performance

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☐ I agree to participate in any worker behaviour training if requested by the Employer's Representative. ☐

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**NOTE 3:** Network Rail guidance is published on the *Being a Caring Neighbour* page of Safety Central. ☐

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☐ I understand with the Employer's Representative.

**NOTE 4:** Network Rail guidance is published on the Connecting Communities with the Environment page of Safety Central.

Network Rail's behaviours and

**NOTE 5:** The Code of Business Ethics aims to create a culture of openness, accountability, honesty, integrity and leadership across Network Rail's workforce and supply chain.

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**NOTE 6:** *Speak Out is Network Rail's reporting service for such issues. Contact details and further information can be found on Safety Central.*

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**Rail's “Everyone Matters”**












if requested by the Employer's Representative.

Diagram illustrating a sequence of characters (D, r, r, r, r, d, d) arranged in a grid structure, likely representing a sequence of characters in a string or a sequence of events in a timeline.

**NOTE 7:** Network Rail guidance is published on the *Creating Engaged Employees* page of Safety Central.

## 8.5 Inspiring tomorrow's workforce

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Assessment to complete the Inspiring Tomorrow's Workforce section of the ESMP. □

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**NOTE 8:** Network Rail guidance is published on the Inspiring Tomorrow's Workforce page of Safety Central.

**NOTE 9:** An Employment and Skills Assessment template is available on Safety Central. ☐

## 8.6 Keeping communities safe

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**NOTE 11:** Network Rail guidance is published on the Keeping Communities Safe page of Safety Central.

**NOTE 13:** Network Rail has established an independent Design Advisory Panel (DAP) to review the design impacts of projects on passengers, communities and the environment. The DAP can work with project teams to assure that high quality design is developed, and that projects meet the Network Rail Principles of Good Design. Guidance on the Design Advice Project is available - NR/GN/CIV/100/01.

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## 8.9 Respecting cultural heritage and rail history

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and/or archaeologist appointed by the Employer's Representative access to the site

Employer's Representative. ☐

**NOTE 19:** Network Rail has established an independent Design Advisory Panel (DAP) to review schemes with a heritage impact. Guidance on the Design Advice Project is available - NR/GN/CIV/100/01.

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**NOTE 20:** 'Local' in this context means suppliers that will serve contract delivery from an operational base up to 25 miles from the works.

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**NOTE 22:** Network Rail guidance is published on the Supporting Britain's Economic Development page of Safety Central.

### 9.1.1 Incident Response Plan (IRP)

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**NOTE 3:** For Category 1 and 2 incidents, earliest opportunity would include contacting the Employer's Representative out of normal working hours.

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**NOTE 4:** For Category 3 and 4 incidents, earliest reasonable opportunity would be during normal working hours.

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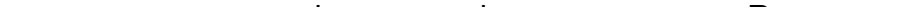
**NOTE 5:** The NR2072P will collate basic information about the incident until such time as a more detailed investigation and report has been completed.

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notified to the Employer's Representative.

**NOTE 6:** Network Rail guidance on when and how incidents are to be reported is published on Environment page of Safety Central.

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## 10.1 Benchmarking environmental performance

## 10.1 Benchmarking environmental performance

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**NOTE 2:** It is anticipated that the expected environmental performance is remitted by sponsors at the outset of a project so opportunities to embed measures to mitigate negative environmental impacts are realised.

**NOTE 4:** This would not be applicable for CEEQUAL Construction (only) or CEEQUAL Design & Construction if the scope of the assessment does not include single option selection.

Department of Health and Human Services (HHS) has set a goal for the 'Silver' as a minimum, and 'Gold' as an aspiration. Alternatively, the HHS has set a goal for the 'Very Good' as a minimum requirement or 'Excellent' as an aspiration.

**NOTE 6:** Design Guidelines can be found in NR/GN/CIV/400/05 – Workplace DNA

Diagram illustrating a 1D lattice with 20 sites. The top row shows the initial state with red and blue particles. The bottom row shows the state after a swap, with a blue particle at site 10 and a red particle at site 11. The swap is indicated by a double-headed arrow between sites 10 and 11.

Dorridge shall aim to achieve a 'Very Good' rating (as a minimum requirement and otherwise) and 'Excellent' as an aspiration, where B

[illegible]



R	NR/L2/ENV/015
D	

## 10.4 Considerate Construction Practices

Considerate Construction Practices (CCP) is a framework of principles and standards that guide the construction industry in the delivery of projects that are safe, sound, secure, sustainable, and socially responsible. The CCP framework is designed to be a common language for all stakeholders involved in the construction process, from the client to the contractor, and from the design team to the construction team. The CCP framework is based on the following principles:

## 10.5 External recognition (awards)

External recognition (awards) is a way of acknowledging the achievements of construction projects and the individuals and organisations involved in their delivery. Awards can be a powerful tool for promoting best practice and encouraging innovation in the construction industry. There are a number of different award schemes available, each with its own criteria and focus. Some of the most well-known awards include the Green Apple Awards, the CIRIA Big Biodiversity Challenge, the UK Rail Industry Awards, the Rail Partnership Awards, the Construction News Awards, and the National Recycling Awards.

**NOTE 7:** External award schemes could include Green Apple Awards, CIRIA Big Biodiversity Challenge, UK Rail Industry Awards, Rail Partnership Awards, Construction news Awards, and National Recycling Awards.

## Standard and control document briefing note

Ref: NR/L2/ENV/015		Issue: 9				
Title: Environment and Social Minimum Requirements for Projects - Design and Construction						
Publication date: 05 June 2021		Compliance Date: 04 September 2021				
Standard/Control Document Owner: Chief Environment & Sustainability Officer						
Technical lead/contact for briefings: Francesca Stainthorpe, Environmental Management Systems Manager, TA		Tel: 07701 069704				
<p><b>Purpose:</b></p> <p>This standard sets out Network Rail's minimum requirements for the management of environment and social risks and opportunities during design and/or construction activities.</p> <p>The implementation of this standard delivers a range of benefits to Network Rail including:</p> <ul style="list-style-type: none"><li>a) improved business cost-efficiency from sustainable practices, such as designing for whole-life energy efficiency, waste minimisation, and capital carbon value engineering;</li><li>b) increased social value created by maximising opportunities for inclusive design, considerate construction and socio-economic growth;</li><li>c) reduced risk of legal and regulatory non-compliance and negative reputational exposure by delivering good practice standards of environmental and social performance; and</li><li>d) alignment with the Network Rail Environmental Sustainability Strategy.</li></ul>		<p><b>Scope:</b></p> <p>This standard is mandatory for all construction and design works carried out by Network Rail and its contractors as part of a PACE managed project.</p> <p>This standard applies to but is not limited to:</p> <ul style="list-style-type: none"><li>a) Designers/Contractors contracted to Network Rail for the provision of design and/or construction services;</li><li>b) Network Rail business units where they act as a design or contractor entity according to Construction (Design and Management) Regulations definitions, e.g. Network Rail Design Delivery and Works Delivery engaged in construction and design works; and</li><li>c) any non-construction works that comply with NR/L2/OHS/0044 – Planning &amp; Managing Construction work.</li></ul> <p>This standard excludes any works associated with maintenance activities.</p> <p>The requirements of this standard apply to all land areas impacted by project activities, including the primary development site(s) and, without limitation, any associated temporary work sites, compounds, haul roads, access routes.</p> <p>Where a joint venture or alliance is established, this standard should be recommended as a minimum when defining contract requirements for those organisations accountable for design or construction within the alliance.</p>				
<p><b>Overview of change</b></p> <p>This standard has been updated as part of the Post-Implementation Review of the standard. The updates have been made in response to comments from stakeholders received during implementation of the standard. A detailed summary of the changes is available in the document attached to this briefing note.</p> <p><b>Detail of change</b></p> <table><tr><td><u>Section(s)/clause(s)</u></td><td><u>Summary of changes</u></td></tr><tr><td colspan="2">Please see attached 'Summary of ESR changes'.</td></tr></table> <p><b>Reasons for change</b></p> <p>In 2019, Environment and Social Minimum Requirements for Projects - Design and Construction [Issue 8]- went through a significant review and update process resulting in a number of new requirements for projects. Compliance with Issue 8 of the standard was by 31 December 2019 and this post-implementation review seeks to provide additional clarification and guidance where needed as raised by stakeholders. This review also seeks to align the standard with existing business process and strategy, and with updated legal requirements.</p>			<u>Section(s)/clause(s)</u>	<u>Summary of changes</u>	Please see attached 'Summary of ESR changes'.	
<u>Section(s)/clause(s)</u>	<u>Summary of changes</u>					
Please see attached 'Summary of ESR changes'.						
<p><b>Affected documents:</b></p> <table><tr><td>Reference</td><td>Impact</td></tr><tr><td>NR/L2/ENV/015 ISSUE 8</td><td>Superseded</td></tr></table>			Reference	Impact	NR/L2/ENV/015 ISSUE 8	Superseded
Reference	Impact					
NR/L2/ENV/015 ISSUE 8	Superseded					
<p><b>Briefing requirements:</b></p> <p><b>Will Briefing Management System be used to deliver the briefing to posts listed below? No</b></p> <p>Technical briefings are given to those who have specific responsibilities within this standard/control document.</p> <p>Awareness briefings are given to those who might be affected by the content but have no specific responsibilities within the standard/control document.</p> <p>Details of the briefing arrangements are included in the associated briefing programme.</p> <p>All posts identified for briefing must be as described in OrgPlus.</p> <p>Roles are directly briefed and do not cascade briefings</p>						

## OFFICIAL

<b>Briefing</b> (A-Awareness/ T-Technical)	<b>Post</b>	<b>Function</b>	<b>Responsible for cascade briefing? Y/N</b>
T	Environment Manager	Route Services	N
T	Environment Manager (IP)	Regions	N
T	Environmental Manager	Technical Authority	N
T	Environment Specialist	Regions	N
T	Environment Specialist	Route Services	N
T	Principal Environment & Social Value Manager	Regions	N
T	Social Value Manager	Regions	N
T	Consents Manager	Regions	N
T	Ecologist	Regions	N
T	Maintenance Workforce Safety & Environment Coach	Route Services	N
T	Head of Environment & Sustainability	Regions	N
T	Chief Environment & Sustainability Officer	Technical Authority	N
T	Environmental Strategy Manager	Technical Authority	N
T	Environmental Management System Manager [Ops]	Technical Authority	N
T	Social Performance Manager	Technical Authority	N
T	Sustainability Strategy Manager (QHSE)	Technical Authority	N
T	Biodiversity Strategy Manager	Technical Authority	N
T	Climate Change Adaptation Manager	Technical Authority	N
T	Weather Resilience & Climate Change Adaptn Strategy Manager	Technical Authority	N
T	Energy & Carbon Strategy Manager	Technical Authority	N
T	Senior Engineer (QHSE) [Energy & Carbon]	Technical Authority	N
T	Assistant Engineer (QHSE) [Energy] [Energy & Carbon]	Technical Authority	N
T	Senior Analyst (QHSE)	Technical Authority	N
T	Technical Capability Manager	Technical Authority (Sustainability)	N
T	HSEA Specialist	Regions	N
T	Workforce Health, Safety & Environment Advisor	Regions	N
T	Workforce Health, Safety & Environment Advisor (HO)	Regions	N
T	Workforce Health, Safety & Environment Advisor (WD)	Regions	N
T	Infrastructure Maintenance Workforce HSE Advisor	Regions	N
T	Infrastructure Maintenance Workforce HSE Advisor [West]	Regions	N
T	Head of Safety & Sustainable Development	Regions	N
T	Head of Safety & Sustainable Development	Route Services	N
T	Head of Health & Safety	Route Services	N
T	Safety Health & Environment Specialist [Assurance]	Route Services	N
T	Safety Health & Environment Specialist [Environment]	Route Services	N
T	Safety Health & Environment Specialist [Improvement]	Route Services	N
T	Safety Health & Environment Specialist [Risk & Assurance]	Route Services	N
T	Safety Health & Environment Specialist [Risk Improvement]	Route Services	N
T	Head of Safety & Sustainable Development	Property	N
T	Scheme Project Manager	Regions	N
T	Scheme Project Manager	Route Services	N
T	Project Management Assistant	Regions	N

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T	Project Management Assistant	Route Services	N
T	Project Manager	Regions	N
T	Project Manager	Route Services	N
<b>Briefing</b> (A-Awareness/ T-Technical)	<b>Role</b>	<b>Function</b>	
A	Various*  (*to include as a minimum the below roles)	Determined by Regions	
A	Programme Manager	Regions	
A	Health and Safety Manager - Capital Delivery	Regions	
A	Project Planner	Route Services, Regions	
A	Project Engineer	Route Services, Regions	
A	Project Development Manager	Route Services, Regions	
A	Community Relations Manager	Route Services, Regions, Technical Authority	
A	Community Relations Executive	Route Services, Regions, Technical Authority	
A	Architect	Technical Authority, Regions	
A	Commercial Manager	Regions	
A	Procurement Manager	Regions	
T	Safety Health & Environment Manager	Route Services	
T	Head of Sustainability	Route Services, Regions, Technical Authority, Property	
T	Sponsor	Regions	
T	Regional Engineer [Discipline]	Regions	
T	Senior Development Manager	Regions	
T	Lead Development Manager	Regions	

**NOTE:** Contractors are responsible for arranging and undertaking their own Technical and Awareness Briefings in accordance with their own processes and procedures.

## Summary of key changes to NR/L2/ENV/015

### Environment and Social Minimum Requirements for Projects – Design and Construction

#### Purpose of this document:

This document has been prepared to assist stakeholders and users of NR/L2/ENV/015 understand the key changes made to the standard as part of the Post-Implementation Review (June 2021 - Issue 9).

This document summarises the key changes that have been made in simple terms. It is not intended to be read in isolation, and the reader should refer to the standard to understand all of the changes in further detail and within context.

#### General document information:

- ☐ **Amended:** Issue number changed from 8 to 9
- ☐ **Amended:** Compliance date amended: 04<sup>th</sup> September 2021
- ☐ **Amended:** Technical lead and approval signatures updated

#### Reference Documentation:

- ☐ **Added:** The following documents have been added to the reference documentation list:
  - ☐ NR/L3/ENV/044: Used Ballast and Excavation Waste Handling
  - ☐ NR/L2/ENV/121: Managing Environmental and Social Impacts of Noise and Vibration
  - ☐ NR/L2/ENV/120: Waste Management
  - ☐ NR/L2/ENV/123: Prevention of Pollution to Land and Water
  - ☐ NR/L3/OHS/0046: The Reporting, Investigation and Recording of Safety and Sustainable Development Events and Close Calls within Infrastructure Projects
  - ☐ NR/L2/MTC/089: Asset Management Plan Forms
  - ☐ NR/L2/ENV/122/01: Management of Biodiversity
  - ☐ NR/L3/TRK/003/TEF3069: Pesticide application record form
  - ☐ NR/L2/SCO/306: Disposal of redundant assets
  - ☐ NR/L2/SIG/11201/Mod A2-23: Recovery of redundant assets [Issue 1]
  - ☐ NR/L2/CIV/003/F004: Architectural and Layout Acceptance form
  - ☐ NR/L2/OPS/250: Network Rail National Emergency Plan
  - ☐ NR/L3/OPS/045/4.14: Control of Emergency Incident Procedures
  - ☐ NR/L3/MTC/MG0197: Power Supply Outage Management
  - ☐ NR/L2/P3M/201: Project Acceleration in a Controlled Environment (PACE)
- ☐ **Removed:** Standards that have been withdrawn/ superseded have been removed (NR/L3/INV3001/RIM101, NR/L3/INV/3001/RIM101, NR/L3/INV/3001/RIM113).

#### Legislation:

- ☐ **Amended:** The wording has changed from listing what legislation the standard complies with to state that the standard 'Complies with relevant environmental and social legislation at the time of publication.'

- ☐ **Removed:** The examples of legislation that the standard complies with have been removed
- ☐ **Added:** A reference to Network Rail's Legal Register has been added.

#### Contents:

- ☐ **Added:** A new section has been added titled 'Emergency works and urgent reactive works.'

#### Purpose:

- ☐ **Added:** Reference to the Network Rail Environmental Sustainability Strategy.

#### Scope:

- ☐ **Amended:** The scope has been updated to PACE managed projects from GRIP (references to GRIP have been updated throughout the standard to align to PACE).
- ☐ **Added:** NR/L2/OHS/0044 - Planning & Managing Construction work has been added as an example when the standard applies.
- ☐ **Amended:** Wording amended that the standard excludes 'works associated with maintenance activities' from 'works carried out for/on behalf of Regional maintenance teams.'

#### Definitions:

- ☐ **Amended:** Definitions have been removed that are not referenced in the text (e.g. Controlled Waters), and other definitions have been added that are referenced in the text (e.g. Circular Economy, non-construction works).

### Section 4 - Environmental and Social Management Processes

#### 4.1 Environment and Social Appraisal (ESA)

- ☐ **Amended:** Text added to state that the ESA shall be completed at the start of the project and is a mandatory PACE product to be updated at each PACE milestone or when significant changes to the project occur.
- ☐ **Amended:** Section updated to make reference to PACE from GRIP.
- ☐ **Added:** Text to confirm that it is the Project Manager's (PM) responsibility for ensuring the ESA is complete and accurate.
- ☐ **Added:** Text added - Employer's Representative to ensure the Designer/Contractor has access to the ESA.
- ☐ **Amended:** Note has been updated with further guidance on the use of the ESA.

#### 4.2 Environmental and Social Management Plans (ESMP)

- ☐ **Added:** A note has been added to cover over-arching ESMP's for alliance and contractors for repeating works.
- ☐ **Added:** Clarification added that environment and social risk assessment shall be populated at the start of the project.
- ☐ **Added:** Design ESMPs to be submitted at a date agreed by Employer's Representative.
- ☐ **Amended:** Previous note has been updated from a green to an amber requirement that formal acceptance of the ESMP is through the completion of EN3 Review and Acceptance Form completed by the PM.
- ☐ **Added:** Note added that EN3 is a PACE product within the PACE Product Index.

## Section 5 - General Requirements – all projects/works

- ☐ **Amended:** Section re-ordered, and new section added (Network Rail policies and strategies)

### 5.1 Network Rail policies and strategies

- ☐ **Added:** 5.1 is a new section
- ☐ **Added:** Requirement added - Designer/Contractor to comply with NR policy, strategy and standards.

### 5.2 Roles and Responsibilities

- ☐ **Added:** Note added to reference Appendix E of the Principal Contractor Licensing Scheme NR/L2/INI/CO0070.

### 5.3 Competence

- ☐ **Added:** Requirement to use a competence framework.

### 5.4 Sub-contracting

- ☐ No changes.

### 5.5 Permits, Licenses and Consents (PLCs)

- ☐ **Added:** Note added to reference Land and Consents Strategy and Commitments Register.

### 5.6 Objectives, targets and performance indicators

- ☐ **Added:** Requirement for Designer/Contractor to progress social performance commitments made in the procurement and contracting process.
- ☐ **Amended:** Text updated to reference 'national and local' KPIs.

### 5.7 Life Cycle Costing (LCC) and Option Selection

- ☐ **Amended:** Title updated from 'Whole-life cost analysis' to 'Life Cycle Costing (LCC) and Option Selection.'
- ☐ **Added:** Further details as to when LCC should be undertaken, and by who. This includes LCC test at strategic development phase and LCC comparison at the project selection phase.
- ☐ **Added:** Note added to reference the LCC handbook, and that the sponsor may request LCC analysis at project development phase.
- ☐ **Added:** Requirement that the Option Selection process includes environmental and social considerations.
- ☐ **Added:** Requirement to undertake a Workshop/ review to identify and assess design options.
- ☐ **Added:** Requirement added that contractors should apply these principles during the delivery phase.
- ☐ **Amended:** Note updated to provide further information on Environmental Life Cycle Appraisal methodologies.

### 5.8 Communication

#### 5.8.1 Stakeholder Management Plan

- ☐ **Added:** 5.8.1 is a new section.

- **Amended:** Requirement for Designer/Contractor to identify a list of stakeholders and appropriate methods of engagement (previously requirement under 7.1 Being a Caring Neighbour).
- **Added:** A note has been added providing guidance on possible stakeholders.

### 5.8.2 Internal Communication

- **Amended:** Environment and Social Performance Policies shall be made available to interested parties (this requirement was previously to display on notice boards in fixed and temporary locations)
- **Added:** Requirement for Designer/Contractor to maintain records of all briefings and communication activities.

### 5.8.3 External Communication

- **Added:** 5.8.3 is a new section
- **Amended:** The previous section 5.7.3 of Issue 8 of ESR 'Communication with Statutory Authorities and Non-Governmental Organisations' has been incorporated into this section.
- **Amended:** The distance that the Designer/Contractor must inform local community relations representative(s) has been updated from 150metres to 200metres. For noisier works, this distance has been updated to 500m.
- **Added:** A note has been added that noisier works will be defined as the output of the Noise and Vibration Risk Assessment.

### 5.8.4 Communication between Network Rail and Suppliers

- **Amended:** A discussion of Opportunities have been added to progress meetings between the Employer's Representative and the Designer/Contractor.

### 5.9 Monitoring and Assurance

- **Added:** A requirement has been added that the NR PM shall put in place a schedule of environment and social inspections.
- **Amended:** A timeframe of 28 days has been added to the Designer/Contractor providing copies of inspections and audits to the Employer's Representative.

### 5.10 Records, documents and knowledge transfer

- **Amended:** The list of what a Designer/Contractor must provide the Employer's Representative with has been updated to include 'Records – including consents, permissions, licences and monitoring records.'
- **Amended:** This list has also been updated to include responses and lessons learnt for environmental incidents.
- **Added:** A requirement for the PM or delegated representative to complete Asset Management Plan Forms at hand-over has been added. A note has been added to support this.
- **Amended:** Content from 'Updating the Hazard Directory Section 5.10.3' in Issue 8 has been moved to this section.



### 5.11 Environment and Social data Sources

- ☐ **Added:** 5.11 is a new section heading that incorporates the information from the 'National Hazard Directory' in Issue 8 of ESR.
- ☐ **Added:** 3 notes have been added on guidance for accessing external and internal data sources, and further information on The National Hazard Directory.

#### 5.11.2 Using data from External records

- ☐ **Added:** Requirement added that the Designer/Contractor must verify the validity of external data sources.
- ☐ **Added:** Note added that the absence of previous environmental or social records does not mean constraints are not present.

### 5.12 Health and Safety File

- ☐ **Added:** Clarification that environmental information shall be submitted to the Employer's Representative.

### 5.13 Tax allowances and rebates

- ☐ **Amended:** Reference to Enhanced Capital Allowance schemes has been removed.

## Section 6 Environmental Requirements

### 6.1 Biodiversity

- ☐ **Added:** Requirement that works follow the processes outlined in NR/L2/ENV/122/01- Management of Biodiversity standard.
- ☐ **Amended:** Reference to 'Biodiversity Calculator' has been altered to a reference to 'biodiversity metric calculations'.
- ☐ **Added:** Requirement for all ecology related outputs to be provided to NR in the format requested within 7 days of receipt (by Designer/Contractor).

### 6.2 Contaminated Land

- ☐ **Added:** Requirement for Designer/Contractor to conduct an Initial Hazard Review to determine whether a Preliminary Risk Assessment is required.
- ☐ **Added:** Details of PRA requirements – including conceptual site model and pollution linkages.
- ☐ **Added:** A note has been added referring to the Contaminated land guidance note available on Safety Central.
- ☐ **Added:** A note has been added to signpost guidance on Land Contamination Risk Management which should be followed in site assessments.
- ☐ **Added:** A requirement to conduct a Generic Quantitative Risk Assessment if required.
- ☐ **Added:** Requirement for Optional Appraisal and remediation and verification considering significant risks to be undertaken if required.
- ☐ **Added:** A requirement to comply with NR/L3/ENV/044 – Used Ballast and Excavation Waste Handling.

### 6.3 Emissions to Air

- ☐ **Added:** Requirement that the contractor shall confirm emissions to air are reduced to ALARP during construction (including a consideration of Non-Road Mobile Machinery).

- **Added:** Requirement for Designer/Contractor to provide information on emissions to air to Asset Manager on completion of the works and include in the Health & Safety File.

## 6.4 Energy and Carbon

### 6.4.1 Managing Carbon in Infrastructure (PAS 2080)

- **Amended:** Wording updated for NR PM to achieve collaboration between all value chain participants.

### 6.4.2 Whole Life Carbon

- **Amended:** Whole life Carbon has been renamed – previously ‘Capital Carbon.’
- **Added:** Requirement added for consequential impacts on aggregated carbon emissions on modular stages of asset life cycle (through entire project life span) to be considered to reduce whole life carbon emissions.
- **Added:** Note added to clarify that the principle of whole life carbon management applies to all projects.
- **Amended:** Clarification provided for what works should use the Rail Carbon Tool (to include civil, mechanical or electrical engineering) and what should be considered.
- **Added:** Note added to provide further detail on exceptions for using the Rail Carbon Tool - including complex componentry asset systems (e.g. signalling and telecoms).
- **Added:** Requirement for the contractor to utilise renewable energy power and energy efficient technologies during construction activities.
- **Added:** Note added regarding training on the Rail Carbon Tool.

### 6.4.3 Energy and operational carbon

- **Added:** Requirement for Designer to propose options for energy efficiency.
- **Added:** Requirement for design to utilise thermal storage, heat recovery, free cooling, renewable energy or natural lighting where practicable.
- **Added:** Requirement for Energy Performance Certificate (EPC) rating of C or above for all new buildings and E for modified buildings for leased buildings.
- **Added:** Reference to the requirements regarding connections and disconnections process as stipulated in NR/L3/ENV/305.
- **Added:** Reference that new connections shall be sub-metered.

## 6.5 Circular Economy

- **Added:** 6.5 is a new section and includes sub-sections of Materials and Waste.

### 6.5.1 Circular Economy Principles & Resource Efficiency

- **Added:** 6.5.1 is a new sub-section.
- **Added:** Requirement that the Designer/Contractor shall incorporate the principles of circular economy.
- **Amended:** The previous requirement to conduct a Resource Efficiency Assessment/ Workshop (previously in the waste section) has been moved to this section.
- **Amended:** The scope of the Resource Efficiency Assessment/ Workshop has been widened to also include carbon and water use.

- ☐ **Amended:** The requirements of the Resource Efficiency Assessment/ Workshop have been updated to include a review of opportunities to reuse materials.
- ☐ **Added:** A note has been added that the Resource Efficiency Assessment/ Workshop could be incorporated into other design reviews, meetings or assessments.
- ☐ **Added:** A note that SURPLUS can be downloaded from the NR App Catalogue has been added.
- ☐ **Added:** A note has been added that Circular Economy Principles will be met by following other sections of the standard (e.g. Life Cycle Costing).

### 6.5.2 Materials – responsible sourcing

- ☐ **Added:** 6.5.2.1 is a new sub- section.
- ☐ **Added:** Requirement for Designer/Contractor to identify opportunities for materials with low environmental and social impact aligned with NR's Environmental Sustainability Strategy; in design and procuring materials for works.
- ☐ **Added:** Note referencing NR's Environmental Sustainability Strategy on Safety Central.

#### 6.5.2.2 Low environmental impact products

- ☐ **Amended:** Requirement to identify materials with negative environmental or social impacts during production, transport, installation, use, decommissioning, and deconstruction.
- ☐ **Added:** Note added for assessment of products/ materials to include information from EPDs or Safety Data Sheets.

#### 6.5.2.3 Responsibly sourced timber

- ☐ **Amended:** Requirement for all timber and timber derived products sourced by NR and supply chain to be from legal and sustainable sources which are credibly certified by a third party and hold full documented chain of custody (this updates from the previous requirements for FSC or PEFC certified timber).
- ☐ **Added:** Note added referring to NR's Responsible Timber Sourcing Policy on Safety Central.
- ☐ **Amended:** Collation and submission of timber consignment data at the request of the Employer's Representative (previously the requirement was to submit timber consignment data quarterly).

#### 6.5.2.4 Concrete and aggregates

- ☐ **Amended:** Removal of requirement for works in excess of 50 tonnes to identify the type and quantity of concrete and aggregate to be used.
- ☐ **Added:** Requirement for concrete/aggregates to be responsibly sourced.
- ☐ **Added:** Requirement to utilise a whole-life carbon approach in material selection.
- ☐ **Added:** Note referencing how to procure NR SCO's recycled aggregate products.

#### 6.5.2.5 Herbicides

- ☐ **Amended:** Reference to 'Herbicide' Agreement on Safety Central (previously Pesticide Agreement).
- ☐ **Added:** Requirement to consider seepage to watercourses.
- ☐ **Added:** Requirement for person with BASIS certification to specify treatment methodology.
- ☐ **Added:** Note added to consider non-chemical methodologies in first instance.
- ☐

- ☐ **Added:** Requirement for competent person to select herbicide type and dosage rates prior to work commencing.
- ☐ **Added:** Note added as to what constitutes competency: NPTC PA1 and NPTC PA6.
- ☐ **Added:** Requirement for advance provision of proposed locations of application to operator
- ☐ **Added:** Requirement to complete NR/L3/TRK/003/TEF3069 – Pesticide Application Record Form.

#### 6.5.3.1 Waste Management

- ☐ **Added:** A requirement to comply with the waste standard - Waste NR/L2/ENV/120.
- ☐ **Amended:** Clarification is provided for design and construction Site Waste Management Plans (SWMPs) and what to include – including a requirement for it to be updated throughout the project.
- ☐ **Amended:** The Resource Efficiency Workshop has been moved to the Circular Economy section.
- ☐ **Added:** A note has been added to reference the Disposal of Redundant Assets Standards – NR/L2/SCO/306 and NR/L2/SIG/11201/Mod A2-23.
- ☐ **Added:** A note has been added to reference NR/L3/ENV/044 – Track Maintenance – Used Ballast and Track Excavation Waste.

#### 6.5.3.2 Polychlorinated bi-phenols (PCBs)

- ☐ **Added:** 6.5.3.2 is a new sub-section.
- ☐ **Added:** Requirement for the Employer's Representative to identify PCB contaminated equipment and assets.
- ☐ **Added:** Requirement for equipment and assets to be tested, registered, and disposed of in accordance with legal requirements.
- ☐ **Added:** Note added that NR maintains a PCB register of known E&P assets.
- ☐ **Added:** Note added that a PCB Checklist is available on Safety Central.

#### 6.6 Noise & Vibration

- ☐ **Added:** Requirement to comply with Managing Environmental & Social Impacts of Noise and Vibration - NR/L2/ENV/121.
- ☐ **Added:** Requirement to conduct a Noise and Vibration Risk Assessment as required by NR/L2/ENV/121.
- ☐ **Added:** Note that a Noise and Vibration Risk Assessment template is available on Safety Central.
- ☐ **Added:** Requirement to consider where site access compounds are located.
- ☐ **Amended:** Requirement for Contractor to implement measures to control noise and vibration using BPM to levels ALARP (previously the requirement was to design measures).

#### 6.7 Dust, odour and lighting

- ☐ **Added:** 6.9 is a new section. The content has been merged from the previous 'Noise, nuisance, and disturbance' section.
- ☐ **Added:** Requirement for design to control intrusive lighting emissions in addition to control of dust and odour emissions from fixed plant or temporary plant and site activities.
- ☐ **Added:** Requirement for contractor to consider the impacts of traffic.

## 6.8 Pollution of land/water

- ☐ **Amended:** Text updated to include a requirement for Designer/Contractor to put in place measures to reduce risks/ pollution pathways to ALARP following the risk assessment (the previous requirement was to assess risks and pollution pathways only).

## 6.9 Sustainable travel

- ☐ **Added:** Requirement to consider the Sustainable Travel Hierarchy, and to use low emission vehicles for on-site use.

## 6.10 Water

- ☐ **Amended:** Requirement for Designer/Contractor to identify water reduction initiatives.

## 6.11 Weather Resilience and Climate Change Adaptation (WRCCA)

- ☐ **Amended:** Requirement for Designer to identify the potential for weather events to impact assets and the area surrounding the project defined as 'Weather and Climate Change Impact Assessment.'
- ☐ **Amended:** Section re-ordered to include requirements for undertaking a Weather and Climate Change Impact Assessment.
- ☐ **Added:** Note added that guidance on how to undertake a Weather and Climate Change Impact Assessment report is available on Safety Central, and that the PM is responsible for approval.

## 7 Emergency works and urgent reactive works

- ☐ **Added:** Section 7 is a new section.
- ☐ **Added:** Requirement to implement measures to minimise environmental and social risks during emergency and urgent reactive works.
- ☐ **Added:** Note added that following completion of emergency and urgent reactive works - usual Network Rail standards and legal requirements shall be followed.

## 8. Social Performance Requirements

- ☐ **Amended:** The order of section 8 has been updated.

### 8.1 Approach to Social Performance

- ☐ **Added:** Guidance added for Designer/Contractor to conduct a workshop on social performance to plan approach to social performance note (This is a green requirement and considered guidance/best practice).
- ☐ **Added:** A note has been added stating the social workshop can be integrated into other existing workshops and does not need to be stand-alone.
- ☐ **Added:** Requirement added that approach to social performance integrated into ESMP, and includes a list of requirements (including risks/ opportunities, objectives and targets, KPIs, how risks will be managed, and how workers will be trained).

### 8.2 Being a caring neighbour

- ☐ **Added:** Requirement for Designer/Contractor to manage/ mitigate risk of disturbance to passengers, lineside neighbours and local communities.
- ☐

- ☐ **Amended:** The distance that the Designer/Contractor must inform local community relations representative(s) has been updated from 150metres to 200metres (for noisier works, this distance has been updated to 500m).
- ☐ **Added:** Note added to reference the Noise and Vibration Risk Assessment template.
- ☐ **Added:** Requirement for Designer/Contractor to participate in stakeholder consultation organised by the Employer's Representative.
- ☐ **Amended:** Requirement for consideration to be given to worker behaviour.

### 8.3 Connecting communities with the environment

- ☐ No changes

### 8.4 Creating engaged employees and positive industry partnerships

- ☐ **Amended:** Wording updated for the Designer/Contractor to implement an approach to manage risk of modern slavery that is aligned to NR's anti-slavery and human trafficking policy.
- ☐ **Added:** Requirement for Designer/Contractor to support the physical and mental health and well being of workers (e.g. through fatigue management).

### 8.5 Inspiring tomorrow's workforce

- ☐ **Amended:** Requirements for Employment and Skills assessment to include early engagement (e.g. school visits), Level 2,3 and 4 apprenticeships, and the development of skills of current workers.
- ☐ **Added:** Note added referring to Employment and Skills Assessment Template on Safety Central.

### 8.6 Keeping communities safe

- ☐ **Amended:** Requirement to contact the Suicide Prevention Team before starting work to understand if it's an area of concern.
- ☐ **Added:** In areas of concern, staff to be issued with the Suicide Prevention Handbook
- ☐ **Added:** Note added on how to access suicide prevention materials and learning tool videos.

### 8.7 Making rail a great experience

- ☐ **Added:** Note added stating NR has established an independent Design Advisory Panel to review design impacts of projects on passengers, communities and the environment.
- ☐ **Added:** Reference to the Design Advice Project Guidance NR/GN/CIV/100/01 added.

### 8.8 Making travel accessible and inclusive

- ☐ **Amended:** Heading updated to include 'and inclusive.'
- ☐ **Amended:** Requirement for a Diversity Impact Assessment (DIA) to be completed by the Employer's Representative now a red, mandatory requirement. Requirement includes a list of what the assessment must include as a minimum.
- ☐ **Added:** Requirement for the Designer/Contractor to collaborate with the Employer's Representative to inform the DIA.
- ☐ **Added:** Note added stating location of DIA templates on Access and Inclusion SharePoint site.
- ☐ **Added:** Requirement for DIA to be reviewed at every PACE milestone.

- ☐ **Added:** Note of protected characteristics added.
- ☐ **Added:** Requirement for the Designer/Contractor to engage with NR's Built Environment Advisory Panel if requested.

## 8.9 Respecting cultural heritage and rail history

- ☐ **Added:** Requirement for architecturally significant schemes requiring planning consent or listed building consent to request architectural layout acceptance by submitting NR/L2/CIV/003/F004.
- ☐ **Added:** Notes have been added providing guidance on the Design Advisory Panel (DAP) and guidance notes on Heritage, Care and Development.

## 8.10 Supporting Britain's economic development

- ☐ **Amended:** Requirement to utilise procurement processes that enable qualified and experienced suppliers or sub-contractors to compete fairly and freely (e.g. SMEs, local businesses, VCSEs).
- ☐ **Amended:** Best practice/ voluntary Requirement for Designer/Contractor to provide at least 2 business groups with opportunities for compete for contracts (note this is a green requirement and considered guidance/best practice).
- ☐ **Amended:** Best practice/ voluntary requirement for job opportunities to be posted locally e.g. in the same local authority as works.
- ☐ **Added:** Best practice/ voluntary requirement for Designer/Contractor to pay workers the Real Living Wage in delivery of NR contracts.

## 9 Incident Management

### 9.1 Incident Response

#### 9.1.1. Incident Response Plan (IRP)

- ☐ **Amended:** Requirement added that IRP shall include procedures for responding to unexpected finds (e.g. protected species).
- ☐ **Amended:** Requirement for reporting of environment and social incidents to be in accordance with NR/L3/OHS/0046.
- ☐ **Amended:** Withdrawn standards have been removed from the list.
- ☐ **Amended:** Requirement to complete Report and Investigation Form (Level 1) updated for Category 1,2 and 3 incidents (previous no mention of categories).

#### 9.1.2 External Reporting

- ☐ **Amended:** Reference to 'Nature Scot' from Scottish Natural Heritage.
- ☐ **Added:** Requirement for external contractors to liaise with the Employer's Representative to agree comms with the relevant regulator.

### 9.2 Incident Investigation

- ☐ No changes

## 10. External benchmarking

- ☐ New sections created within this section (detailed below).



### 10.1 Benchmarking environmental performance

- ☐ **Amended:** Requirement to undertake an environmental performance assessment prior to the selection of a single option (for new construction and major refurbishments for operational property buildings).
- ☐ **Added:** Notes added providing guidance on the use BREEAM and CEEQUAL and the above would not be applicable for CEEQUAL Construction (only) or CEEQUAL Design & Construction if the scope of the assessment doesn't include single option selection.
- ☐ **Added:** Note that expected environmental performance is remitted by sponsors at project outset.

### 10.2 Operational Property enhancement- Refurbishment and fit-out

- ☐ **Added:** 10.2 is a new sub-section.
- ☐ **Added:** Requirement that the Designer/Contractor shall meet RICS SKA rating of 'Silver' as a minimum and 'Gold' as an aspiration. Alternatively, where BREEAM is used, a rating of 'Very Good' is required and 'Excellent' is an aspiration.
- ☐ **Added:** Note added stating the clause applies to refurb and fit outs where the area of building fabric is >50% of surface of individual element or 25% of total building element.
- ☐ **Added:** Note added that design guidelines are available- NR/GN/CIV/400/05- Workplace DNA.

### 10.3 Operational Property enhancement- new construction

- ☐ **Added:** 10.3 is a new sub-section.
- ☐ **Added:** Requirement added that where the project sponsor/ third-party funder has remitted a certification scheme such as BREEAM, the Designer/Contractor shall achieve a 'very good' rating as minimum and 'excellent' as an aspiration.
- ☐ **Added:** Requirement that where formal sustainability assessments are not required, the principles of BREEAM or a similar methodology (e.g. Passivhaus) are applied.

### 10.4 Considerate Construction Practices

- ☐ **Added:** 10.4 is a new sub-section.
- ☐ **Added:** Requirement that where requested by the Employer's Representative, the contractor shall achieve a Considerate Constructors Schemes (CCS) score of at least 35, with aspiration to score above 40.

### 10.5 External recognition (awards)

- ☐ **Added:** 10.5 is a new sub- section.
- ☐ **Added:** Requirement for Designer/Contractor to seek recognition for sustainability achievements by entering external awards where requested by the Employer's Representative.
- ☐ **Added:** Note added - list of example award schemes e.g. Green Apple Awards.

END





THIS AGREEMENT is made on .....2024

**BETWEEN**

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED** (Company Registration No. 02904587) whose Registered Office is at .....(**“Network Rail”**); and
- (2) **THE COUNCIL OF THE CITY OF LEEDS** of the ..... (**“the Council”**)

**BACKGROUND**

- (A) ☐ Network Rail applied on 17 July 2023 under section 6 of the Transport and Works Act 1992 for an Order entitled “The Network Rail (Leeds to Micklefield Enhancements) Order 20[XX]” (**“the Order”**) under sections 1 and 5 of that Act to authorise the construction, maintenance and operation of works on the Transpennine Line between Leeds and Micklefield, including works involving the demolition and construction of overbridges; the closure of level crossings and implementation of safer alternatives; and the land acquisition and temporary access required for construction.
- (B) ☐ Network Rail have undertaken an environmental appraisal of the potential impacts of the components of the Scheme for which deemed planning permission is being sought as part of the Order application and the associated temporary construction compounds and accesses required to deliver those components (referred to herein as Category 1 Works). Identified mitigation measures for these Category 1 Works are reported within an Environmental Report [NR16]. (Refer to section 1 Definitions and Interpretation for the definition of Category 1 and 2 Works for the purposes of this agreement). The Scheme also comprises the Category 2 Works which are not subject to environmental appraisal in the Environmental Report [NR16]. The Order application submission includes this Environmental Report [NR16] and a Code of Construction Practice Part A [NR17].
- (C) ☐ The Council is the local planning authority and local highway authority for the administrative area of the Scheme and is seeking agreement with Network Rail on a number of environmental matters to regulate how the Category 1 Works and Category 2 Works are undertaken and their impacts are mitigated.
- (D) ☐ This agreement has been entered into to secure the implementation of environmental mitigation identified within the Environmental Report [NR16] for Category 1 Works.
- (E) ☐ This agreement also secures commitments from Network Rail which will also be complied with in relation to Category 2 Works. Category 2 works have not been considered in the Environmental Report [NR16].
- (F) ☐ In addition to this Agreement, Network Rail and the Council have also entered into an agreement dated the same date which puts in place various working practices and protocols where Network Rail will be designing highway related structures and undertaking works permitted by the Order affecting the highway.

**OPERATIVE PROVISIONS**

1. ☐ **DEFINITIONS AND INTERPRETATION**

- 1.1 ☐ In this Agreement unless the context otherwise requires, words and expressions have the same meaning as they have in the draft Order and:-

“Deemed Planning Permission”	means the direction granted pursuant to Network Rail’s request for deemed planning permission pursuant to Section 90(2A) of the Town and Country Planning Act 1990 which forms part of the application for the Order.
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<p>“Category 1 Works”</p>	<p>means the following permitted development works (as more particularly described in table 1.1 of the Environmental Report NR16):</p> <ul style="list-style-type: none"> <li>(a) <input type="checkbox"/> Austhorpe Lane Northwest and Southeast Compounds;</li> <li>(b) <input type="checkbox"/> Crawshaw Woods Bridge Compound North and Crawshaw Woods Bridge Compound South</li> <li>(c) <input type="checkbox"/> Barrowby Lane Bridge Compound;</li> <li>(d) <input type="checkbox"/> Ridge Road Northeast Compound and Ridge Road South Compound;</li> </ul> <p>these being the ‘associated temporary construction compounds and accesses’ required to deliver the works to be authorised by the Deemed Planning Permission and forming part of the ‘relevant works components of the Scheme’ as defined in the Environmental Report [NR16].</p> <p>But for the avoidance of doubt Category 1 Works do not include the works that are subject to the application for Deemed Planning Permission as identified in Table 1.1.</p>
<p>“Category 2 Works”</p>	<p>means the following permitted development works (as more particularly described in table 1.2 of the Environmental Report NR16):</p> <ul style="list-style-type: none"> <li>(a) <input type="checkbox"/> Kirkgate Compound and Kirkgate Construction Land</li> <li>(b) <input type="checkbox"/> Marsh Lane Compound and Marsh Lane Construction Land</li> <li>(c) <input type="checkbox"/> Manston Lane Compound</li> <li>(d) <input type="checkbox"/> Brady Farm Overbridge</li> <li>(e) <input type="checkbox"/> Phoenix Avenue Compound</li> <li>(f) <input type="checkbox"/> Osmondthorpe Lane Compound</li> <li>(g) <input type="checkbox"/> Wykebeck Avenue Compound</li> </ul> <p>And for the avoidance of doubt Category 2 Works excludes Garforth Moor Level Crossing Closure; Highroyds Wood Level Crossing Closure and The Neville Hill Access Land (as identified in Table 1.2). And further, the Category 2 Works are components of the Order Scheme that are not included in the Environmental Report [NR16].</p>
<p>“Network Rail”</p>	<p>includes any other person exercising Network Rail’s powers under the Order;</p>
<p>“Order”</p>	<p>has the meaning given in Recital (A) if made;</p>

“permitted development works”	Means works which benefit from such permitted development pursuant to Part 4, Part 8 or Part 18 of the Town and Country Planning (General Permitted Development) Order 1995 (as may be amended or replaced from time to time) and for the avoidance of doubt any works which require prior approval pursuant to part 18 are also permitted development works for the purposes of this agreement.
“outline draft land restoration proposals”	refers to the Outline Draft Land Restoration Proposals shown in Figures 8.6.1 to 8.6.5 of Volume 2 of the Environmental Report [NR16]
“landowner”	means the freehold owner of a plot of land which is subject to the use of temporary possession powers permitted under Articles 28, 29 and 30 of the (draft) Order
The “Scheme”	means works and associated land uses proposed to be authorised by the Network Rail (Leeds to Micklefield Enhancements) Order
“preliminary works”	refer to the definition in the deemed planning permission conditions – <i>‘means environmental investigations, site or soil surveys, ground investigations and the erection of fencing to site boundaries or the marking out of site boundaries; site clearance; and the erection of contractors’ work compounds, access routes and site offices;’</i> [or equivalent in final deemed planning permission]

- 1.2 ☐ References in this Agreement to articles and provisions of, and works authorised by, the Order are taken from the Order as applied for on 17 July 2023 but shall be modified as far as may be necessary to reflect changes in the Order as made.
- 1.3 ☐ Any consent approval authorisation or notice required by this Agreement shall only take effect if given in writing.
- 1.4 ☐ Where any agreement consent approval or expression of satisfaction is required by a Party to this Agreement such agreement consent approval or expression of satisfaction shall not be unreasonably withheld or delayed.
- 1.5 ☐ References in this Agreement to numbered clauses are references to the clauses of this Agreement.
- 1.6 ☐ The headings in this Agreement are included for convenience only and shall not affect its interpretation.
- 1.7 ☐ Network Rail agreed to pay the reasonable costs of the Council in entering into this agreement.
- 1.8 ☐ This Agreement will only take effect if the Order is made by the Secretary of State for Transport (including the grant of Deemed Planning Permission) and remains in force in the event of a statutory challenge.

## 2. ☐ MITIGATION APPROACH

- 2.1 ☐ Network Rail confirms the following mitigation measures and controls will apply to Category 1 Works:
  - (i) ☐ The overarching environmental management of the works as described in the Code of Construction Practice (CoCP) Part A [NR17];
  - (ii) ☐ The measures included in CoCP Part B documents prepared for planning conditions under condition 6 [or equivalent in final deemed planning permission] (subject to 3.2);
  - (iii) ☐ the Outline Draft Land Restoration Proposals which have been provided in Figures 8.6.1 to 8.6.5 in Volume 2 of in Environmental Report [NR16]; and
  - (iv) ☐ Network Rail commitments set out in the Environment and Social Minimum Requirements for Projects – Design and Construction (NR/L2/ENV/015) (as may be updated or amended from time to time) – see Appendix A.
- 2.2 ☐ Network Rail confirms the following mitigation measures and controls will apply to Category 2 Works:
  - (i) ☐ The overarching environmental management of the works as described in the Code of Construction Practice (CoCP) Part A [NR17];
  - (ii) ☐ The measures included in CoCP Part B documents prepared for planning conditions (subject to 3.2); and
  - (iii) ☐ Network Rail commitments set out in the Environment and Social Minimum Requirements for Projects – Design and Construction (NR/L2/ENV/015) (as may be updated or amended from time to time) – see Appendix A.

## 3. ☐ CODE OF CONSTRUCTION PRACTICE

- 3.1 ☐ Network Rail shall apply the measures set out in the CoCP Part B site-specific construction environmental management documents (submitted to the Council for approval as required by planning condition 6 [or equivalent in final deemed planning permission] in relation to the Deemed Planning Permission). Network Rail agrees to apply the approved CoCP Part B to the carrying out of Category 1 Works and Category 2 Works.
- 3.2 ☐ Should it be necessary to commence permitted development works on this land in advance of condition 6 [or equivalent in final deemed planning permission] being discharged, the Category 1 Works and Category 2 Works would be subject to site control measures under the CoCP Part A [NR17] and Network Rail commitments set out in the Environment and Social Minimum Requirements for Projects – Design and Construction (NR/L2/ENV/015) (as

may be updated or amended from time to time) – see Appendix A.

#### 4. □ LAND RESTORATION

- 4.1 □ Network Rail shall undertake pre-works site condition surveys prior to Category 1 and Category 2 works commencing to inform the restoration proposals.
- 4.2 □ Network Rail will consult with the Council and each relevant Landowner prior to the restoration proposals being implemented in accordance with Article 28(4) (*Temporary Use of Land for Construction Works*) of the Order and to confirm the proposed timescales for restoration and restoration proposal to pre-works activity condition as far as practicable (or such other reasonably equivalent state as may be agreed with the landowner acting reasonably) for each of the Category 1 Works in accordance with the Outline Draft Land Restoration Proposals (Figures 8.6.1 to 8.6.5 in Volume 2 of in Environmental Report [NR16]). Landscape plans shall be compliant with BS5837. This will secure the ecological, landscape, visual and arboricultural mitigation measures identified in the Environmental Report [NR16].
- 4.3 □ Once areas for Category 2 works are no longer required as works areas, Network Rail agrees that these areas will be restored to pre-works activity condition as far as practicable (in accordance with pre-works condition surveys undertaken and in accordance with Article 28(4) (*Temporary Use of Land for Construction Works*) of the Order) to the reasonable satisfaction of the landowner or such reasonably equivalent other condition that may be agreed with the landowner (acting reasonably) and in compliance with Network Rail's Environment and Social Minimum Requirements for Projects – Design and Construction (NR/L2/ENV/015) (as may be updated or amended from time to time) – see Appendix A.

#### 5. □ TREE, WOODLAND AND ECOLOGICAL PROTECTION

- 5.1 □ In addition to the Outline Draft Land Restoration Proposals (Figures 8.6.1 to 8.6.5 in Volume 2 of in Environmental Report [NR16]) applicable to Category 1 works, to be consulted upon with the Council as per Section 4.2 mentioned above, Network Rail will provide Tree Protection Plans to the Council showing existing trees and features that will be protected in advance of any works including preliminary works on Category 1 and Category 2 works.

#### 6. □ PROTECTED SPECIES

- 6.1 □ In relation to Category 1 and Category 2 Works Network Rail will liaise with the Council in advance of submitting mitigation to Natural England in support of any European Protected Species Licence or any information required in compliance with Network Rail's Great Crested Newt organisational licence. Network Rail shall supply this information to the Council for their reference.

#### 7. □ BIODIVERSITY NET GAIN

- 7.1 □ Network Rail will secure biodiversity net gain of minimum 10% for the Scheme within the Council's administrative boundary.
- 7.2 □ Network Rail will work together with the Council in a Biodiversity Net Gain Working Group in order to identify and agree opportunities to deliver biodiversity net gain through enhancement on sites within the Council's administrative boundary where 10% net gain cannot be achieved onsite.

#### 8. □ CONSTRUCTION TRAFFIC MANAGEMENT PLAN AND TRAVEL PLAN

- 8.1 □ The Construction Traffic Management Plan and Travel Plan, in accordance with Schedule [1] will be submitted to the Council for approval under draft planning condition 7 [or equivalent in final deemed planning permission] in respect of the Deemed Planning Permission. Network Rail commits to applying the Construction Traffic Management Plan and Travel Plan to Category 1 and Category 2 works.

9. ☐ ARCHAEOLOGY

9.1 ☐ Network Rail will provide a Written Scheme of Investigation (WSI) for Category 1 and Category 2 works where required, with the need for a WSI being considered in consultation with West Yorkshire Archaeology Advisory Service. Mitigation of archaeological effects will be delivered in accordance with the WSI.

10. ☐ POTENTIAL FOR LAND WITH CONTAMINATION

10.1 ☐ Network Rail will consult with the Council and provide copies of all reports produced (subject to any confidentiality requirements) concerning the following mandatory process required under compliance with Network Rail's Environment and Social Minimum Requirements for Projects – Design and Construction (NR/L2/ENV/015) (as may be updated or amended from time to time) – see Appendix A for each site comprising Category 1 Works and/or Category 2 Works:

- ☐ Initial hazard review;
- ☐ Preliminary Risk Assessment (PRA) as may be required;
- ☐ Generic Quantitative Risk Assessment (GQRA) dependent on PRA conclusions, using supplementary ground investigations as required;
  - ☐ Options for remediation or otherwise prevent or minimise any potential effects.
  - ☐ remediation strategies (if required following conclusion of any supplementary ground investigations)
  - ☐ remediation verification

11. ☐ UNEXPECTED CONTAMINATION

11.1 ☐ Where significant\* unexpected contamination is encountered across the Scheme which requires remediation, Network Rail will inform the Council immediately and where agreed as necessary with the Council, operations on the affected part of the site must cease. The process as outlined in Clause 10 will be implemented. Works will not recommence until a remediation strategy for the relevant area of contamination is submitted to and approved by the Council.

(\* significant within this context is taken to mean visual or olfactory evidence of contamination over an extended area of land not previously encountered in the intrusive ground investigation.)

**IN WITNESS** of which this Agreement is executed as a Deed

## **SCHEDULE 1**

### **CONSTRUCTION TRAFFIC MANAGEMENT PLAN AND TRAVEL PLAN REQUIREMENTS**






















The CTMP submitted to the Council for approval shall include, as a minimum, the following:

- (i) details of construction access routes including access and egress routes points onto the public highway, including visibility splays, width, radii, existing traffic regulations and on-street parking conditions;
- (ii) the package of interventions and mitigation outlined in Section 11.3 of Chapter 11 in Volume One of the Environmental Report including an implementation timetable for each stage;
- (iii) details of anticipated off site traffic movements of vehicles associated with staff, commercial or construction vehicles and construction activities;
- (iv) prohibited routes for construction traffic;
- (v) any proposed time restrictions imposed on any routes;
- (vi) details of the monitoring of construction HGV for compliance with the CTMP;
- (vii) controls on interference with carriageway (including methods to be employed to prevent mud, grit, dust and dirt being carried onto the public highway); and
- (viii) details of site parking, including for site operatives, and turning, loading and off-loading facilities.



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### Additional Comments

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A linear map of a 1000 bp DNA sequence. The sequence is represented by a horizontal bar with 1000 bp labeled at the right end. Restriction sites are indicated by vertical lines with labels: EcoRI (E) at 100 bp, KpnI (K) at 200 bp, XbaI (X) at 300 bp, EcoRI (E) at 400 bp, KpnI (K) at 500 bp, XbaI (X) at 600 bp, EcoRI (E) at 700 bp, KpnI (K) at 800 bp, and XbaI (X) at 900 bp.

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# Jessica Yates

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