

Our ref: CRS 736,041  
Your ref:

Second Floor  
Woodlands  
Manton Lane  
Bedford MK41 7LW

Direct Line: 0300 470 4895

11 April 2016

Dear

**ENVIRONMENTAL INFORMATION REGULATIONS 2004#  
M11 JUNCTIONS 6 - 7 RESURFACING**

Thank you for your letter of 14 March to Jim O'Sullivan requesting a copy of the Environmental Impact Assessment as set out in the Highways Act 1980 as amended by Highways (Environmental Impact Assessment) Regulations 2007 for the resurfacing work we recently completed on the M11 junctions 6 – 7.

We have handled your request under the Environmental Information Regulations 2004 because the information requested concerns measures and activities affecting or likely to affect elements of the environment or affect factors such as noise, pollution discharges and other releases into the environment.

Attached at Annex A is a copy of the Highways (Assessment of Environmental Effects) Regulations 1999 (as amended), at Annex B, a copy of Directive 2011/92/eu of the European Parliament and of the Council of 13 December 2011 and at Annex C a copy of HD 47/08 from the Design Manual for Roads and Bridges.

These documents set out the criteria by which a decision is made as to whether an Environmental Impact Assessment (EIA) is required.

The Directive 2011/92/eu is the European legislation translated into UK legislation to form the EIA Regulations and where Annex I and II originate.

For our translation of those highway schemes that fall into either Annex I or II, please refer to page 7 of HD 47/08 (Annex C).

As you will see, the work we have completed to resurface sections of the M11 falls under Annex II and therefore we determine whether the statutory EIA process is required.

To determine whether or not Annex II projects are relevant, thresholds of project size and environmental sensitivity are defined in the Highways (Assessment of Environmental Effects) Regulations 1999 (as amended). The definition of “relevant” Annex II projects is as follows:

*“a project for constructing or improving a highway where the area of the completed works together with any area occupied during the period of construction or improvement by requisite apparatus, equipment, machinery, materials, plant, spoil heaps or other such facilities exceed one hectare or where any such area is situated in whole or part in a sensitive area.”*

The area calculation includes the area where the actual work is being carried out together with the required working area, storage areas and site compound.

Sensitive areas include Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty, Scheduled Monuments, Special Areas of Conservation and Special Protection Areas.

There are no sensitive areas on the M11 between junctions 6 and 7. We therefore determined that the relevant area fell outside of the requirement to follow the EIA process.

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If you are unhappy with the way we have handled your request you may ask for an internal review. Our internal review process is available at:  
<https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or email [info@highwaysengland.co.uk](mailto:info@highwaysengland.co.uk). You should contact me if you wish to complain.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote reference number 736,041 in any future communications.

Yours sincerely

Business Management Team Leader  
Operations (East)  
Email: