



UNIVERSAL DESTINATIONS & EXPERIENCES UK PROJECT

Former Kempston Hardwick
Brickworks and adjoining land, Bedford

Proposed Conditions

Report reference: 1.5.0

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PROPOSED CONDITIONS

INTRODUCTION

- 1.1 This document has been prepared by Universal Destinations & Experiences in support of its proposal seeking planning permission for the construction and operation of a Universal Entertainment Resort Complex, and associated development, in Bedford.
- 1.2 The proposal is sponsored by the Department for Culture Media and Sport. The Department for Transport and its associated arm's-length bodies have assisted in the development of the highways and rail related elements of the proposal with Bedford Borough Council.
- 1.3 The proposal intends to provide sufficient information to enable the Secretary of State for Housing, Communities and Local Government to consult on and consider making a planning decision.
- 1.4 The table below should be read alongside the following documents:
 - 1.4.1 the **Site Location Plan (Document Reference 1.6.0)**;
 - 1.4.2 the **Description of Development (Document Reference 1.9.0)**;
 - 1.4.3 the following plans: (i) the **Parameter Plans (Document References 1.10.0 – 1.15.0)**; and (ii) the **Zonal Plan (Document Reference 1.8.0)**;
 - 1.4.4 the **Environmental Controls Document (Document Reference 6.16.0)**;
 - 1.4.5 the **Land Use Limitations Table (Document Reference 6.17.0)**; and
 - 1.4.6 the **Dependencies Table (Document Reference 6.18.0)**.
- 1.5 The table below sets out proposed conditions to be included in any planning permission for the Authorised Development (should the Secretary of State be minded to grant it) to regulate how the Authorised Development would be delivered.

PROPOSED CONDITIONS

The proposed definitions relevant to such conditions are set out below with the proposed drafting set out in **Table 1**.

Definitions

“1990 Act” means the Town and Country Planning Act 1990;

“2015 Order” means the Town and Country Planning (General Permitted Development) (England) Order 2015;

“Accommodation Action Plan” means a document detailing the measures (such as, for example, incentivising alternate accommodation through a placement service, transport arrangements, or discounts; or provision of additional Serviced Accommodation; or provision of a Temporary Workforce Accommodation Facility) to be undertaken to address any identified Exceedance and a programme for implementation of such measures;

“Accommodation Monitoring Period” means the period from the Initial Monitoring Period to Grand Opening;

“Accommodation Quarterly Monitoring Period” means each quarterly period during the Accommodation Monitoring Period, provided that the initial monitoring period shall begin with the first quarter that begins at least 30 days following completion of the earthworks

and grading phase of construction of any part of the Authorised Development (“the **Initial Monitoring Period**”);

“**Arboricultural Controls**” means those controls for arboriculture as set out in the **Environmental Controls Document (Document Reference 6.16.0)**;

“**Authorised Development**” is the development for which planning permission is granted by the SDO;

“**bank holiday**” means a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971;

“**building**” includes any structure or erection, including plant and machinery, and gates, fence, walls or other means of enclosure, and any part of a building as so defined;

“**commence**” means the carrying out of any material operation (as defined in section 56(4) of the 1990 Act) forming part of, or carried out for the purposes of, the Authorised Development and “**commenced**” and “**commencement**” are to be construed accordingly;

“**Completed Development**” means development authorised by the SDO within the SDO land which has been carried out and completed by Universal or any Other Benefitting Parties;

“**Completed Development Land**” means land upon which the Completed Development is located;

“**Compliance Plans**” means plans and/or drawings showing the following for each of the Core Zone Perimeter, East Gateway Zone, Lake Zone or West Gateway Zone or any Sub–Zone thereof—

- (a) external appearance (such details to be in general accordance with the relevant Design Standards and the relevant Zonal Design Standards for that Zone or Sub–Zone);
- (b) means of access (such details to be in general accordance with the **Parameter Plan – Access and Roadways (Document Reference 1.11.0)**);
- (c) landscaping (such details to be in general accordance with the relevant Habitat Creation and Enhancement Controls and the Arboricultural Controls);
- (d) layout (such details to be in general accordance with the relevant Design Standards);
- (e) lighting (such details to be in accordance with the relevant Zonal Design Standards for that Zone or Sub–Zone);
- (f) drainage (such details to be in accordance with the Drainage Controls); and
- (g) scale (such details to be in accordance with the relevant Design Standards);

“**construction**” includes installation, provision, or any other building or engineering operations, and “**constructed**” is to be construed accordingly;

“**Construction Worker**” means a person engaged in construction work on the SDO land;

“**Controlling Documents**” means those documents identified as controlling documents in Table 2 of the proposed operative and controlling documents (Document Reference 1.16.0);

“**Core Zone**” means the area shown as the Core Zone on the **Zonal Plan (Document Reference 1.8.0)** and comprising the Inner Core Zone and the Core Zone Perimeter;

“**Core Zone Perimeter**” means the perimeter of the Core Zone being 10 metres in width measured from each adjacent existing or proposed public adopted highway boundary and adjacent parcel of land not part of the Authorised Development;

“Core Zone Perimeter Design Standards” means design standards for the Core Zone Perimeter with which the detailed design of development within the Core Zone Perimeter shall comply in respect of the following matters—

- (a) external appearance;
- (b) means of access;
- (c) landscaping (such details to be in accordance with the relevant Habitat Creation and Enhancement Controls and Arboricultural Controls);
- (d) layout; and
- (e) scale;

“Core Zone Perimeter Masterplan” means a master plan for the Core Zone which shall include details of the following—

- (a) the location of any Sub-Zones within the Core Zone;
- (b) the areas of the Entertainment Resort Complex to be provided within the Core Zone Perimeter; and
- (c) the areas for vehicular, pedestrian and any cycle routes within the Core Zone Perimeter;

“Design Standards” means the design standards for the Authorised Development (**Document Reference 6.3.0**);

“Discharging Authority” means any body responsible for giving any consent, agreement or approval required by a condition in the SDO or for giving any consent, agreement, or approval further to any document referred to in any such condition;

“DMPO” means The Town and Country Planning (Development Management Procedure) (England) Order 2015;

“Drainage Controls” means those controls for drainage as set out in the **Environmental Controls Document (Document Reference 6.16.0)**;

“East Gateway Zone” means the means the area shown as the East Gateway Zone on the Zonal Plan;

“Entertainment Resort Complex” means all the development of that description in the **Description of Proposed Development (Document Reference 1.9.0)**;

“EWR” means the East West Railway Company Limited whose registered office is at The Quadrant Elder Gate Milton Keynes MK9 1EN (Company Registration Number 11072935);

“EWR Necessary Consents” means all such statutory orders, consents, approvals, permissions, agreements and/or such other similar authorisations as shall be required to enable the EWR Railway Station to be constructed and thereafter to be used and operated to provide rail services to the public;

“EWR Railway Station” means railway and buildings, structures and facilities for a new EWR railway station and track modifications in accordance with a design and specification agreed in writing between EWR and Universal before the commencement of the construction of such railway and buildings, structures and facilities by EWR;

“EWR Railway Station Land” means that part of the land as shown cross-hatched in purple on **Parameter Plan – East West Rail Safeguarded Land (Document Reference 1.15.0)**;

“Excluded Persons” means:

- (a) individual beneficiaries of any pension funds holding indirect interests in a Non-Universal Undertaking;
- (b) owners of publicly traded shares in a Non-Universal Undertaking that is, or whose Group Entities are, traded on a recognized stock exchange; and
- (c) holders of less than twenty-five percent (25%) in the aggregate of the indirect ownership interests in a Non-Universal Undertaking or any of its Group Entities; provided that if a holder of twenty-five percent (25%) or more of the direct or indirect interests holds any of such interests in any manner other than as described in sub-paragraphs (a) and (b) above, such holder will not be an Excluded Person;

“Future Finished Grade” means the finished grade level after any earthworks and levelling have been completed;

“Grand Opening” means the date on which the Theme Park within the Entertainment Resort Complex officially opens to the general public (excluding its Soft Opening Period, if applicable) with a majority of its attractions operational;

“Group Entities” means, as regards any undertaking, that undertaking and its group undertakings and its associates at any relevant time;

“Habitat Creation and Enhancement Controls” means those controls for habitat creation and enhancement as set out in the **Environmental Controls Document (Document Reference 6.16.0)**;

“Inner Core Zone” means the Core Zone excluding the Core Zone Perimeter;

“Lake Zone” means the area shown as the Lake Zone on the **Zonal Plan (Document Reference 1.8.0)**;

“Non-Core Zone” means (where the context so admits) the East Gateway Zone, the Lake Zone and the West Gateway Zone;

“Non-Universal Undertaking” means any undertaking that does not, together with its Group Entities at any relevant time, in aggregate hold or control substantially all of the interests in at least one Other Universal Theme Park;

“Other Benefitting Parties” means any of the following:

- (a) any mortgagee or chargee of Universal and/or Successors In Title in respect of the SDO land for so long as and to the extent that such mortgagee or chargee has entered into possession of the SDO land;
- (b) any occupier or tenant or licensee of any part or parts of the Authorised Development whose occupation of the Authorised Development is regulated by an agreement with Universal and/or Successors In Title; and
- (c) any contractor or independent connection provider or self-lay organisation or independent distribution network operator engaged to construct or adopt or operate any part or parts of the Authorised Development by or on behalf of Universal and/or Successors In Title or by or on behalf of any mortgagee or chargee (as mentioned in sub-paragraph (a) of this definition) or by or on behalf of any occupier or tenant or a licensee (as mentioned in sub-paragraph (b) of this definition),

provided that where any mortgagee, chargee, occupier, tenant, licensee, relevant independent connection provider, self-lay organisation, or independent distribution network

operator is of, regulated by an agreement with, or engaged by, a Successor in Title then it may only benefit from the planning permission granted by the SDO to the same extent as the relevant Successor in Title pursuant to sub-paragraph (1)(c) of Condition 1 (Benefit of the Order) in Table 1;

“Other Universal Theme Park” means a Universal-branded theme park, other than the Authorised Development. As of the date of the SDO, the Other Universal-branded theme parks consist of Universal Studios Florida®, Universal Islands of Adventure® and Universal Epic Universe® in Orlando, Florida USA, Universal Studios Hollywood® in Universal City, California USA, Universal Studios Japan® in Osaka, Japan, Universal Studios Singapore® on Sentosa Island, Singapore and Universal Studios Beijing® in Beijing, China;

“Permitted Preliminary Works” means works consisting of environmental surveys and monitoring, ecological habitat creation, geotechnical surveys, surveys of existing infrastructure, and other investigations for the purpose of assessing and monitoring ground conditions and levels, the preparation of facilities for the use of contractors, the provision of temporary means of enclosure and site security for construction, vegetation clearance, the temporary display of site notices or advertisements, and any nominal compounds related to such works;

“Permitted Works (EWR Railway Station Land)” means the following works—

- (a) Permitted Preliminary Works;
- (b) any works comprising roads, utilities, and construction use as described in the **Description of Development (Document Reference 1.9.0)** and any utility generation, storage, collection, treatment and processing facilities associated with the Entertainment Resort Complex;
- (c) temporary facilities (including a temporary tree farm) to be removed by the Promoter prior to development of the EWR Railway Station; and
- (d) other works which would not prevent the construction of an EWR Railway Station;

“Practically Completed” means completed save in minor respects so the EWR Railway Station can be used and can be occupied and used by passengers in accordance with the EWR Necessary Consents and **“Practically Complete”** shall be construed accordingly;

“Promoter” means Universal and/or any beneficiary of the planning permission granted by the SDO whose benefit is derived from Universal (whether by an agreement with or an authorisation from or a determination by or as a Successor in Title to Universal) in each case only to the extent such party has an interest in the relevant land pursuant to the beneficiary provisions;

“Quarterly Accommodation Report” means a report for an Accommodation Quarterly Monitoring Period to be prepared for discussion at a Socio-Economic Taskforce meeting which:

- (a) reports on the Construction Worker accommodation patterns, including the quantum, type and location of such accommodation; and
- (b) identifies whether the Threshold has been breached during the Accommodation Quarterly Monitoring Period;

“Rail-related development” means all the development of that description in the **Description of Proposed Development (Document Reference 1.9.0)**;

“Sanctions List” means any list of persons, entities, organisations or governments:

- (a) subject to economic, financial or trade sanctions;
- (b) who support terrorism; or
- (c) any similar list, in each case maintained by His Majesty’s Government, the European Union, the United States of America and/or any other relevant sanctions authority in the location where the party is organised or domiciled;

“SDO land” means the land subject to the SDO;

“Secretary of State” means the Secretary of State for Housing, Communities and Local Government;

“Serviced Accommodation” means a fully furnished lodging outside the SDO land (such as hotel rooms, bed and breakfasts, serviced apartments and aparthotels) where services such as catering and cleaning are provided to guests;

“Site Preparatory Works” means works consisting of archaeological investigations; ground remediation works; pre-construction ecological mitigation; demolition works; receipt and erection of construction plant and equipment; diversion and laying of underground apparatus (including utility infrastructure); the installation of site compounds; mass grading; creation of site accesses; and any other works agreed by the Secretary of State, provided that these are unlikely to give rise to any materially new or materially different environmental effects from those assessed;

“Socio-Economic Taskforce” means the taskforce to be set up as detailed in the **Environmental Controls Document (Document Reference 6.16.0)**;

“Soft Opening Period” means any period prior to the Grand Opening when some or all of the Theme Park on the SDO land is open for technical rehearsal to allow employees an opportunity to deliver guest services in a real-time operating mode, but in a controlled environment for training purposes (e.g., limited attendance, limited hours, and/or limited attraction availability);

“Statutory Undertaker” means any statutory undertaker mentioned in Section 262(1) of the 1990 Act (as amended) or in the definition of “statutory undertaker” in Article 2(1) of the 2015 Order (as amended);

“Sub–Zone” means any section or part of the Authorised Development within a Zone;

“Successor in Title” means any purchaser of a freehold interest in Completed Development Land and such purchaser’s successors in title;

“Temporary Workforce Accommodation Facility” means a facility to temporarily accommodate Construction Workers which may or may not be on the SDO land;

“Theme Park” means the theme park(s), amusement park(s) and/or water park(s) to be provided as part of the Entertainment Resort Complex in the Core Zone;

“Threshold” means more than 535 Serviced Accommodation rooms within Bedford and Central Bedfordshire are being used by Construction Workers (excluding any Serviced Accommodation provided pursuant to an Accommodation Action Plan);

“Universal” means any undertaking involved with the ownership of the SDO land or the ownership or operation of the Theme Park, so long as that undertaking, together with its Group Entities at any relevant time, in aggregate holds or controls substantially all of the interests in at least one Other Universal Theme Park;

“West Gateway Zone” means the area shown as the West Gateway Zone on the Zonal Plan;

“Wixams Rail Station” means that portion of the rail-related development, as described in the **Description of Development (Document Reference 1.9.0)**, located in the East Gateway Zone between the eastern boundary of the adopted highway for Amphill Road and the eastern boundary of the railway undertaker’s operational land on the Midland Main Line;

“Working Day” means a day other than a Saturday or Sunday, a bank holiday or other public holiday in England and Wales;

“Zonal Design Standards” means design standards for a Zone or Sub-Zone with which the detailed design of the Authorised Development within the relevant Zone or Sub-Zone shall comply in respect of the following matters—

- (a) external appearance;
- (b) means of access;
- (c) landscaping (such details to be in general accordance with the relevant Habitat Creation and Enhancement Controls and Arboricultural Controls);
- (d) layout;
- (e) lighting; and
- (f) scale;

“Zonal Masterplan” means a masterplan for a Non-Core Zone showing—

- (a) the location of any Sub-Zones within the relevant Zone;
- (b) the areas of the Entertainment Resort Complex to be provided within the relevant Zone; and
- (c) the areas for vehicular, pedestrian and any cycle routes within the relevant Zone; and
- (d) for the East Gateway Zone only, any areas for Rail-related development within the East Gateway Zone;

“Zonal Plan” means the document of that description showing the Core Zone, East Gateway Zone, Lake Zone and the West Gateway Zone (**Document Reference 1.8.0**); and

“Zone” means (where the context so admits) the Core Zone, East Gateway Zone, Lake Zone and/or the West Gateway Zone.

(2) In this document—

- (a) **“group undertaking”** and **“undertaking”** shall each have the meaning given in section 1161 of the Companies Act 2006 (as appropriate) and, in interpreting this definition, an undertaking shall also be treated as a member of another undertaking if any shares it owns in that other undertaking are registered in the name of another person in connection with the taking of security; and
- (b) any reference to being an **“associate”** of an undertaking shall be interpreted in accordance with section 435 of the Insolvency Act 1986.
- (c) unless expressly provided otherwise, a reference to any legislation—
 - (i) includes a reference to that legislation as re-enacted, consolidated, replaced or amended from time to time;

(ii) includes a reference to any subordinate legislation made under any of the above from time to time,

and for these purposes “**legislation**” means any type of legislation including statutes, subordinate legislation, regulations, retained direct European Union legislation and assimilated direct legislation and any rules, regulations or code issued by a competent authority regulatory or governmental authority.

Table 1: Proposed Conditions

Topic	Proposed Wording
<p>Proposed Condition 1: Benefit of the Order</p>	<p>1. (1) Subject to the provisions of sub-paragraphs (2) and (3), the planning permission granted by the SDO shall have effect solely for the benefit of:</p> <ul style="list-style-type: none"> (a) Universal; and/or (b) any Other Benefitting Parties; and/or (c) any Successor in Title in respect of the use of Completed Development on Completed Development Land as authorised by the SDO but not in respect of the construction by any such Successor in Title of any further development authorised by the SDO on Completed Development Land. <p>(2) Universal may not:</p> <ul style="list-style-type: none"> (a) transfer the freehold interest in the Theme Park to a Non-Universal Undertaking prior to the 15th anniversary of the opening of the Theme Park without the written consent of the Secretary of State; (b) transfer or lease all, or substantially all, of the Theme Park to a Non-Universal Undertaking: <ul style="list-style-type: none"> (i) in relation to whom or whose activities a statement and/or a call-in notice has been issued pursuant to sections 3 and 1 (respectively) of the National Security and Investment Act 2021; (ii) who is (aa) identified or described in/on any of the Sanctions Lists; (bb) blocked by or a target of any sanctions program administered and/or enforced by His Majesty's Government, the European Union, the United Nations, the United States of America or such other relevant sanctions authority for any jurisdiction in which such party is organized or domiciled, that issues economic or other sanctions; and/or (cc) controlled or owned (meaning twenty-five percent (25%) or more) directly or indirectly, by a person who is covered by sub-paragraphs (2)(b)(ii)(aa) or (bb) provided that the foregoing shall not apply with respect to Excluded Persons; (iii) who derives the majority of its revenue from (aa) the manufacture or sale of arms or weapons, or (bb) the production or distribution of pornography (as defined in the Online Safety Act 2023 and official guidance thereunder). For the avoidance of doubt, production or distribution of pornography excludes provision of internet services which may be used by the end user to view any content generally available on the internet; or

	<p>(iv) who has been convicted within the five years before the completion of the transfer or lease of activities which would constitute an offence under mandatory exclusion grounds under the Public Procurement Act 2023, provided that such offence is material in light of the party's overall operations.</p> <p>(3) To the extent and for such time that Universal may determine and notify the relevant Statutory Undertaker in writing, the SDO shall also (in addition to those parties mentioned in sub-paragraph (1)) have effect for the benefit of any Statutory Undertaker and any contractor, independent connection provider or self-lay organisation or independent distribution network operator engaged by any Statutory Undertaker for the components of the development authorised by the SDO to be constructed, owned, adopted and/or operated by any Statutory Undertaker while acting for a purpose under its statutory powers.</p>
Proposed Condition 2: Transfer of the benefit of the Order	<p>2. (1) Subject to the provisions of sub-paragraph (5), Universal may, with the prior written approval of the Secretary of State, transfer the benefit of the SDO or parts of the SDO to any other party not mentioned in sub-paragraphs (2) and (3).</p> <p>(2) Subject to the provisions of sub-paragraph (5), Universal may transfer the benefit of any of the SDO or parts of the SDO to any government body or local government body at any time and without restriction.</p> <p>(3) Subject to the provisions of sub-paragraph (5), any party benefitting from the SDO pursuant to sub-paragraph (3) of Condition 1 (Benefit of the Order) above may transfer the benefit of the SDO (to the extent and for such time as such party benefits pursuant to sub-paragraph (3) of Condition 1 (Benefit of the Order) above) to any successor body in that party exercising the relevant statutory functions and holding the relevant statutory powers to carry out such works.</p> <p>(4) Where any transfer takes place under sub-paragraph (3) the relevant party transferring its powers must give written notice of such transfer to the Secretary of State and to Universal.</p> <p>(5) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under sub-paragraphs (1) to (4) shall be subject to the same restrictions, liabilities and obligations as would apply under the SDO if those benefits or rights were exercised by the transferor.</p>
Proposed Condition 3: Development of the EWR Railway Station Land	<p>3. (1) Save for the Permitted Works (EWR Railway Station Land) or as may otherwise be agreed in writing by the Promoter and EWR, no development may be commenced on the EWR Railway Station Land pursuant to the SDO except where the Promoter is permitted to carry out such development pursuant to sub-paragraph (3) and/or sub-paragraph (4).</p> <p>(2) Subject to the provisions of sub-paragraphs (3) and (4), before 1</p>

	<p>January 2035 EWR may construct and Practically Complete the EWR Railway Station on the EWR Railway Station Land.</p> <p>(3) The Promoter may develop or use any part of the EWR Railway Station Land within its ownership or control for any development or use permitted by the SDO on such land if—</p> <ul style="list-style-type: none"> (a) before 1 January 2030 the Promoter and EWR agree in writing that the Promoter may develop or use any part of the EWR Railway Station Land; (b) by 1 January 2030 EWR has not— <ul style="list-style-type: none"> (i) secured all EWR Necessary Consents; and (ii) completed a construction contract providing for the EWR Railway Station to be Practically Complete by 1 January 2035; or (c) by 1 January 2035, EWR has met the conditions at sub-paragraph (3)(a) above but abandons the construction of the EWR Railway Station (including by failing to commence or having commenced but failing to then diligently pursue the timely construction of the EWR Railway Station). <p>(4) The Promoter may—</p> <ul style="list-style-type: none"> (a) if the Promoter and EWR agree in writing, develop or use any part of the EWR Railway Station Land then within its ownership or control that does not form part of the EWR Railway Station, for any development or use permitted by the SDO on such land to allow both the EWR Railway Station and development or use permitted by the SDO; and/or (b) if EWR constructs and Practically Completes the EWR Railway Station on the EWR Railway Station Land, and the land occupied by the EWR Railway Station on Practical Completion is smaller than the full extent of the EWR Railway Station Land, then the Promoter may develop or use any part of the EWR Railway Station Land then within its ownership or control that does not at the time of its Practical Completion form part of the EWR Railway Station, for any development or use permitted by the SDO on such land.
Proposed Condition 4: Permitted Development Rights	<p>4. (1) Subject to the remaining provisions of this paragraph—</p> <ul style="list-style-type: none"> (a) the 2015 Order applies to the SDO land; and (b) development which is granted planning permission pursuant to the SDO shall not be treated as development of a class for which planning permission is granted by the 2015 Order (or any order replacing it). <p>(2) Development on the SDO land pursuant to any prior approval either granted or for which an application has been submitted prior to the date of the SDO may be undertaken under the 2015 Order (or any</p>

	<p>order replacing it) to the extent permitted by the 2015 Order (and in accordance with the prior approval).</p> <p>(3) The following may be undertaken after the date of the SDO pursuant to the 2015 Order (or any order replacing it) to the extent that it is development permitted by the 2015 Order—</p> <ul style="list-style-type: none"> (a) any development on the SDO land not comprising development for which planning permission has been granted by the SDO; or (b) upon completion of any part of the Authorised Development and adoption of liability for such part by a Statutory Undertaker, any further development in respect of such part by such Statutory Undertaker. <p>Planning permission granted for the Authorised Development pursuant to the SDO is to be treated as a specific planning permission for the purposes of section 264(3)(a) of 1990 Act (specific planning permission for development of statutory undertakers' land relevant to whether the land is operational land) only in respect of operational land as defined in section 263(1) of the 1990 Act.</p>
<p>Proposed Condition 5: Construction and Environmental Management Plan</p>	<p>5. (1) The Promoter may not carry out any part of the Authorised Development (save for the Permitted Preliminary Works) that involves construction work unless—</p> <ul style="list-style-type: none"> (a) the Promoter has submitted for approval a document that sets out a plan, policy, procedure, standard or method statement to be followed in respect of each of the matters specified in subparagraph (2) (a “CEMP”), and (b) the Secretary of State has approved that CEMP in writing. <p>(2) The matters specified are the following matters relating to the construction work comprised in the relevant part of the Authorised Development—</p> <ul style="list-style-type: none"> (a) general environmental management processes, including— <ul style="list-style-type: none"> (i) details of audit and inspection programs; (ii) details of competence training and awareness programs; and (iii) details of required permits and licences required as a part of the applicable works; (b) the hours within which construction work may take place on the SDO land, including— <ul style="list-style-type: none"> (i) details of first hour mobilisation works; (ii) works that may be undertaken during extended construction hours, the notification process for such works, and any necessary amendments thereto; (iii) the management of, and notification process for, emergency construction works; and

	<ul style="list-style-type: none"> (iv) works that may be undertaken on a 24-hour basis, and the notification process for such works; (c) engagement with those who live on the SDO land, or own or occupy land adjoining the SDO land, including— <ul style="list-style-type: none"> (i) how they are to be informed about the impacts of the work that they may reasonably be expected to experience, and (ii) how and with whom they may raise concerns about such impacts, or complaints about impacts of the relevant development that they have experienced. (d) application of best practicable means to minimise noise and vibration, including— <ul style="list-style-type: none"> (i) compliance with the guidance given in BS 5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise and Part 2: Vibration (or any replacement thereof); (ii) use of temporary acoustic barriers and other noise containment measures at the SDO land boundary close to existing sensitive receptors; (iii) locating plant and material storage areas away from the SDO land boundary to limit impact on nearby sensitive receptors; (iv) reduction of noise and vibration by careful selection of less intrusive plant and/or methods of work; and (v) the process for addressing noise and vibration comments and/or complaints, actions that will be taken, the results of those actions, and any supplementary actions required to resolve the issue; (e) application of best practicable means to minimise emissions to air and any other adverse impact on air quality on or around the SDO land, including measures related to— <ul style="list-style-type: none"> (i) site management, (ii) monitoring, (iii) preparing and maintaining the SDO land; (iv) operating vehicles and/or machinery and sustainable travel; (v) general operations; (vi) measures specific to earthworks; (vii) measures specific to construction; and (viii) measures specific to trackout; (f) arrangements for placing, managing and storing materials, including— <ul style="list-style-type: none"> (i) safe storage of materials which are classed as hazardous; and
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	<ul style="list-style-type: none"> (ii) measures describing how soils will be managed on the SDO land including: details on stripping methods; stockpiling requirements (including weather conditions during handling, seeding of stockpiles, and stockpile heights), and reinstatement. (g) arrangements for— <ul style="list-style-type: none"> (i) site compounds and contractor working and welfare areas; (ii) the appropriate disposal of foul water from site welfare facilities; (iii) temporary fencing, hoardings and other security measures; and (iv) safe storage and containment of fuel, oils and chemicals, including a plan showing their locations (generally away from the SDO land boundary, and watercourses), and details of their appearance to minimise visual impact; (h) arrangements for management of construction waste, including— <ul style="list-style-type: none"> (i) measures to ensure that the waste hierarchy (pursuant to the Waste Framework Directive), and the duty of care (as defined in section 34 of the Environmental Protection Act 1990) shall be complied with; (ii) storage and segregation of waste and the locations of such areas; and (iii) procedures for removal of waste from the SDO land; (i) application of best practicable means to minimise the adverse effects of lighting on the amenity of adjoining owners and occupiers, and ecological receptors, including— <ul style="list-style-type: none"> (i) use of minimum lighting levels necessary for the task or function; (ii) selection of appropriate fixtures to avoiding light spill onto known bat roosts, trees, woodland edge, hedgerows and watercourses; (iii) controls to ensure lighting is turned off when not in use; and (iv) use of narrow spectrum light sources where practicable to lower the range of species affected by lighting; (j) arrangements for preventing or controlling any contamination or pollution that may arise from construction work, including— <ul style="list-style-type: none"> (i) measures to protect watercourses from potential sources of contamination, including the effects of silt and sediment, pollution, accidental releases, and fuel spillage;
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	<ul style="list-style-type: none"> (ii) procedures for dealing with contaminated soils encountered on, and the removal from, the SDO land; and (iii) details of works required in any ecological protection buffer; <p>(k) arrangements for management of surface water, including—</p> <ul style="list-style-type: none"> (i) details of any temporary structures to intercept, capture, convey, attenuate and/or treat surface water on the SDO land; (ii) measures to limit and remove suspended solids and other pollutants contained in surface water runoff; and (iii) preparation of flood emergency measures, together with appropriate means of awareness training for all Construction Workers; <p>(l) arrangements for protection of the natural environment, including—</p> <ul style="list-style-type: none"> (i) management of risks arising from the presence of invasive species in, on, under or over the SDO land; (ii) completion of pre-construction surveys prior to commencement of construction on the SDO land related to badgers, birds, bats and otters; (iii) measures to avoid harm to existing species on the SDO land, including bats, badgers, otters, birds (wintering, breeding, Schedule 1 birds), reptiles, amphibians (including great crested newts), aquatic ecology, and terrestrial invertebrates; (iv) securing the appropriate environmental licences, including but not limited to, those related to bats, badgers and great crested newts; and (v) measures to protect and prevent damage to trees, hedgerows and other plantings and habitats that are to be retained on the SDO land; <p>(m) arrangements for appointing and retaining persons with suitable qualifications and experience to carry out, advise on, supervise or verify any work in relation to the construction of the Authorised Development to which their expertise is required in relation to—</p> <ul style="list-style-type: none"> (i) archaeology; (ii) arboriculture; (iii) ecology; (iv) geo-environmental engineering; and (v) health and safety; <p>(n) arrangements for construction traffic, including—</p>
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	<ul style="list-style-type: none"> (i) the regulation of vehicle movements onto and from the SDO land, including site access arrangements (particularly for Broadmead Road and Manor Road, and any associated signalisation) and details of those responsible for supervising, controlling, and monitoring vehicle movements onto and from the SDO land; (ii) details and phasing of routing for vehicles travelling to and from the SDO land in connection with construction work, including arrangements for Construction Workers, abnormal indivisible loads, heavy duty vehicles, and vehicles removing spoil or waste materials from the SDO land; (iii) the management of deliveries to the SDO land so as to avoid queues of vehicles forming on roads adjacent to the SDO land to which the public has access including measures to reduce the number of traffic movements overall, and manage the timing of deliveries to avoid the periods each day when, on average, traffic on roads adjacent to the SDO land is heaviest; (iv) measures and activities to maximise the uptake of sustainable modes of transport by Construction Workers to and from the SDO land; and (v) measures to prevent the deposit of mud and other deleterious material on roads surrounding the SDO land; (o) application of best practicable means to minimise impact to cultural heritage assets, including— <ul style="list-style-type: none"> (i) a Historic England Level 1 historic building survey (basic visual record/photographs) is required to be completed prior to proposed modifications to Midland Mainline infrastructure in the vicinity of Wixams Rail Station; and (ii) for the key below ground asset (Kempston Hardwick moated site (listing entry number: 1012312)), a comprehensive piling risk assessment and strict monitoring program will be required; (p) arrangements for managing the impact to population and human health, including— <ul style="list-style-type: none"> (i) maintenance of suitable access for emergency vehicles to and around the SDO land at all times; (ii) details of a code of conduct that all Construction Workers shall be required to comply with detailing behavioural standards expected of them; (iii) details of the implementation of initial first aid treatment support services designed to provide timely response to a variety of commonly seen urgent and emergent injuries and illnesses presented by team members and contractors; and
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	<ul style="list-style-type: none"> (iv) coordination with local health care system providers related to available resources and support opportunities, protocols for emergency responders attending the site, provision of on-site emergency drills, and training for responder agencies; (q) arrangements for managing the impact of potential major accidents, including— <ul style="list-style-type: none"> (i) measures for the safety of those visiting, or working on, the SDO land; (ii) implementation of appropriate lightning protection for temporary structures (e.g. tower cranes); (iii) notifying the Civil Aviation Authority and relevant aerodrome operators within 13km of the SDO land; (iv) agreement of emergency procedures with the operator of the existing LNG storage facility at the adjacent ASDA chilled distribution centre; (v) site specific health and safety management procedures, including preparation of an incident response plan; and (vi) measures for access control and worker identification procedure; and (r) measures for managing the impact of greenhouse gas emissions, including— <ul style="list-style-type: none"> (i) maximising the use of more sustainable materials with reduced embodied carbon emissions, and materials/resources featuring recycled content; (ii) specifying efficient mechanical and electrical equipment that are long-lasting to maximise the operational lifespan and minimise the need for maintenance and replacement; (iii) using more modern and efficient construction plant and delivery vehicles, and/or those powered by electricity or from alternative and/or lower carbon fuels; (iv) sourcing construction materials from local suppliers, making use of local waste management facilities where practicable to reduce transportation related emissions; and (v) construction waste to be recycled or reused where practicable to avoid disposal to landfill, including the reuse of excavated arisings on-site, where suitable. <p>(3) The Promoter must—</p> <ul style="list-style-type: none"> (a) keep under review any CEMP that— <ul style="list-style-type: none"> (i) is an approved document, and (ii) relates to the Authorised Development, any part of which has not yet been completed,
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	<p>and submit updates to that CEMP for approval as appropriate;</p> <p>(b) keep on the SDO land a copy of—</p> <p>(i) each CEMP to which paragraph (a) applies, and</p> <p>(ii) any subsequent approval relating to it,</p> <p>until the relevant part of the Authorised Development to which it relates has been completed.</p>
Proposed Condition 6: Temporary workforce accommodation	<p>6.(1) Workforce accommodation patterns of Construction Workers shall be monitored throughout the Accommodation Monitoring Period.</p> <p>(2) Within 30 days following each Accommodation Quarterly Monitoring Period, the Promoter shall (or shall procure):</p> <p>(a) prepare a Quarterly Accommodation Report;</p> <p>(b) submit a copy of such Quarterly Accommodation Report to the Socio-Economic Taskforce; and</p> <p>(c) table the Quarterly Accommodation Report as an agenda item to the next meeting of the Socio-Economic Taskforce to take place after its submission to the Socio-Economic Taskforce.</p> <p>(3) If a Quarterly Accommodation Report identifies that the Threshold has been breached (an “Exceedance”), then the Promoter shall (or shall procure):</p> <p>(a) prepare an Accommodation Action Plan;</p> <p>(b) submit a copy of such Accommodation Action Plan to the Socio-Economic Taskforce within two months of the Quarterly Accommodation Report that identifies the Exceedance, or in the event a Temporary Workforce Accommodation Facility is required pursuant to paragraph (d) below then the period for submission of such Accommodation Action Plan shall be 6 months (or such other extended period as may be agreed between the Promoter and the Socio-Economic Taskforce);</p> <p>(c) present such Accommodation Action Plan to the next meeting of the Socio-Economic Taskforce to take place after its submission to the Socio-Economic Taskforce; and</p> <p>(d) if the next two subsequent consecutive Quarterly Accommodation Reports each identify an Exceedance, then the Accommodation Action Plan for the second of such Quarterly Accommodation Reports shall include the provision of a Temporary Workforce Accommodation Facility which shall be provided in accordance with such Accommodation Action Plan PROVIDED THAT if both Bedford Borough Council and Central Bedfordshire Borough Council agree in writing, then such Exceedance shall not count towards determining whether a Temporary Workforce Accommodation Facility is required.</p>

	<p>(4) If any Quarterly Accommodation Report prepared after the provision of a Temporary Workforce Accommodation Facility pursuant to paragraph (3) above still identifies an Exceedance, then the Promoter shall (or shall procure):</p> <ul style="list-style-type: none"> (a) prepare a further Accommodation Action Plan; (b) submit a copy of such Accommodation Action Plan to the Socio-Economic Taskforce within two months of the Quarterly Accommodation Report that identifies that the Exceedance, or in the event a Temporary Workforce Accommodation Facility is required pursuant to paragraph (d) below then the period for submission of such Accommodation Action Plan shall be 6 months (or such other extended period as may be agreed between the Promoter and the Socio-Economic Taskforce); (c) present such Accommodation Action Plan to the next meeting of the Socio-Economic Taskforce to take place after its submission to the Socio-Economic Taskforce; and (d) if the next two subsequent consecutive Quarterly Accommodation Reports each identify an Exceedance, the Promoter shall procure the provision of: <ul style="list-style-type: none"> (i) an additional Temporary Workforce Accommodation Facility; or (ii) an expansion of any existing Temporary Workforce Accommodation Facility, <p>in each case in accordance with the further Accommodation Action Plan prepared pursuant to paragraph (4)(a); PROVIDED THAT if both Bedford Borough Council and Central Bedfordshire Borough Council agree in writing, then such Exceedance shall not count towards determining whether the measures identified in paragraphs (i) or (ii) above must be implemented.</p> <p>(5) The Quarterly Accommodation Reports and the implementation of any Accommodation Action Plans necessary to mitigate Exceedances shall continue until Grand Opening (or such other period as may be agreed with the Secretary of State). In the event that future Construction Workers exceed 2,500 workers at any one time on the SDO land, then sub-paragraphs (1) – (3) shall be complied with mutatis mutandis unless and until the Secretary of State determines that such monitoring is no longer required or where the number of Construction Workers involved in the construction of the Authorised Development falls to 2,500 or below (whichever occurs first).</p> <p>(6) To the extent that any temporary workforce accommodation provided pursuant to the Authorised Development constitutes two or more dwellings for the purposes of Article 9A(2) of DMPO and is provided in a building with 18 or more metres in height or which contains 7 or more storeys (measured in accordance with Article 9A(7)</p>
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	of the DMPO), then such temporary workforce accommodation within such a building shall not be occupied until a fire statement for such use has been submitted to and approved by the Secretary of State.
Proposed Condition 7: Non-Core Zone Design Standards and Masterplans	<p>7. (1) Subject to condition 10 (Detailed Design Approval), no works of construction of —</p> <ul style="list-style-type: none"> (a) the Entertainment Resort Complex (save for the Permitted Preliminary Works and the Site Preparatory Works) may commence in either the Lake Zone or the West Gateway Zone or any Sub-Zone thereof; or (b) the Entertainment Resort Complex or Rail-related development (save for the Permitted Preliminary Works and the Site Preparatory Works) may commence in the East Gateway Zone or any Sub-Zone thereof, <p>unless and until the following have been submitted to and approved in writing by the Secretary of State—</p> <ul style="list-style-type: none"> (i) a Zonal Masterplan for the relevant Zone or Sub-Zone; and (ii) Zonal Design Standards for the relevant Zone or Sub-Zone. <p>(2) The Zonal Design Standards and Zonal Masterplan(s) submitted under sub-paragraph (1) must be in general accordance with the Design Standards.</p> <p>(3) A Compliance Package must be submitted to the Secretary of State prior to commencement of works of construction in a Non-Core Zone or any Sub-Zone thereof (save for the Permitted Preliminary Works).</p> <p>(4) In this condition “Compliance Package” means—</p> <ul style="list-style-type: none"> (a) the Compliance Plans; (b) evidence of approval of the flood modelling by the Environment Agency and the Bedford Group of Internal Drainage Boards; and (c) a written statement detailing how the part of the Authorised Development in question will be constructed in accordance with— <ul style="list-style-type: none"> (i) the relevant Controlling Documents; and (ii) the relevant Zonal Design Standards, once approved by the Secretary of State pursuant to sub-paragraph (1). <p>(5) Once the details pursuant to sub-paragraph (1) are approved and the details in any Compliance Package are submitted, development within the relevant part of any Non-Core Zone or any Sub-Zone thereof shall be undertaken in accordance therewith.</p>
Proposed Condition 8: Core Zone Design	<p>8. (1) Subject to condition 10 (Detailed Design Approval), no works of construction of the Entertainment Resort Complex (save for the Permitted Preliminary Works and the Site Preparatory Works) may commence in the Inner Core Zone or any Sub-Zone thereof unless and</p>

	<p>until a Compliance Statement has been submitted to the Secretary of State.</p> <p>(2) Subject to condition 10 (Detailed Design Approval), no works of construction of the Entertainment Resort Complex (save for the Permitted Preliminary Works and the Site Preparatory Works) may commence in the Core Zone Perimeter or any Sub-Zone thereof unless and until the following have been submitted to and approved in writing by the Secretary of State—</p> <p>(a) a Core Zone Perimeter Masterplan; and</p> <p>(b) Core Zone Perimeter Design Standards.</p> <p>(3) The Core Zone Perimeter Design Standards submitted under sub-paragraph (2) must be in general accordance with the Design Standards.</p> <p>(4) A Compliance Package must be submitted to the Secretary of State prior to commencement of works of construction in the Core Zone Perimeter or any Sub-Zone thereof (save for the Permitted Preliminary Works).</p> <p>(5) In this condition “Compliance Package” and “Compliance Statement” mean—</p> <p>(a) the Compliance Plans;</p> <p>(b) evidence of approval of the flood modelling by the Environment Agency and the Bedford Group of Internal Drainage Boards; and</p> <p>(c) a written statement detailing how the part of the Authorised Development in question will be constructed in accordance with—</p> <p>(i) the relevant Controlling Documents;</p> <p>(ii) only in respect of details to be submitted for the Core Zone Perimeter pursuant to sub-paragraph (2)(b) (and in no event is this required for the Inner Core Zone), the relevant Core Zone Perimeter Design Standards, once approved by the Secretary of State pursuant to sub-paragraph (2),</p> <p>(“a Compliance Statement”).</p> <p>(6) Once the details pursuant to sub-paragraph (2) are approved and the details in any Compliance Package are submitted, development within the Core Zone Perimeter or any Sub-Zone thereof shall be undertaken in accordance therewith.</p>
Proposed Condition 9: Design Approval for buildings or structures over	<p>9. (1) Subject to condition 10 (Detailed Design Approval), prior to the commencement of construction (save for the Permitted Preliminary Works and the Site Preparatory Works) of a building or structure over 45 metres (above Future Finished Grade) in height in a Non-Core Zone or Sub-Zone thereof —</p>

<p>45 metres in height in a Non-Core Zone</p>	<ul style="list-style-type: none"> (a) details of the external appearance (which shall be in general accordance with the relevant Zonal Design Standards and Zonal Masterplan (as applicable)) of such building or structure shall be submitted to and approved in writing by the Secretary of State; and (b) a written statement shall be submitted to the Secretary of State detailing how the part of the Authorised Development in question will be constructed in accordance with— <ul style="list-style-type: none"> (i) the relevant Controlling Documents; and (ii) the relevant Zonal Design Standards (as applicable). <p>(2) The relevant building shall be constructed in accordance with the details approved pursuant to sub-paragraph (1)(a) and those details in the written statement submitted pursuant to sub-paragraph (1)(b).</p> <p>(3) This condition shall not apply to—</p> <ul style="list-style-type: none"> (a) any development within a Non-Core Zone or any Sub-Zone thereof which does not exceed 45 metres in height; and (b) any part of the Authorised Development carried out in the Core Zone.
<p>Proposed Condition 10: Detailed Design Approval</p>	<p>10. (1) Notwithstanding the provisions of conditions 7 (Non-Core Zone Design Standards and Masterplans), 8 (Core Zone Design) and 9 (Design Approval for buildings or structures over 45 metres in height in a Non-Core Zone) above, any works of construction of the Entertainment Resort Complex or the Rail-related development may commence if—</p> <ul style="list-style-type: none"> (a) details of the following in respect of such part (to the extent relevant to such part) of the Authorised Development have been submitted to and approved in writing by the Secretary of State— <ul style="list-style-type: none"> (i) external appearance (such details to be in general accordance with the relevant Design Standards and the relevant Zonal Design Standards for that Zone or Sub-Zone (as applicable)); (ii) means of access (such details to be in general accordance with the Parameter Plan – Access and Roadways (Document Reference 1.11.0)); (iii) landscaping (such details to be in accordance with the relevant Habitat Creation and Enhancement Controls and Arboricultural Controls); (iv) layout (such details to be in general accordance with the relevant Design Standards); (v) lighting (such details to be in accordance with the relevant Zonal Design Standards for that Zone or Sub-Zone (as applicable));

	<p>(vi) drainage (such details to be in accordance with the Drainage Controls); and</p> <p>(vii) scale (such details to be in accordance with the relevant Design Standards);</p> <p>(b) a Compliance Statement in respect of the same has been submitted to the Secretary of State.</p> <p>(2) Development of the relevant part of the Entertainment Resort Complex or Rail-related development shall be undertaken in accordance with the details approved to sub-paragraph (1)(a) and the details in the Compliance Statement.</p> <p>(3) In this condition, “Compliance Statement” means a document that sets out how the part of the Authorised Development in question will be constructed in accordance with the relevant Controlling Documents.</p>
Proposed Conditions 11: Applications made under conditions	<p>11. (1) Where an application has been made to the Discharging Authority for any consent, agreement or approval required by a condition included in the SDO, or for any consent, agreement or approval further to any document referred to in any such condition, the Discharging Authority must:</p> <p>(a) within five Working Days of submission, review the application and determine whether the application is technically sufficient and/or whether it has the relevant documentation to enable it to consider the application;</p> <p>(b) if the Discharging Authority determines that an application is not technically sufficient and/or that further documentation is necessary, notify the Promoter within five Working Days of the date of submission with an explanation as to why the Discharging Authority considers the application is not technically sufficient and/or details of any further documentation it considers necessary;</p> <p>(c) within fifteen Working Days (or within 30 Working Days in respect of any application made pursuant to Conditions 6 (Non-Core Zone Design Standards and Masterplans), 7 (Core Zone Design) and 8 (Design Approval for buildings or structures over 45 metres in height in a Non-Core Zone) and 9 (Detailed Design Approval)) of submission of a technically sufficient application and relevant documentation, review such application and documentation, and:</p> <p>(i) give its consent, agreement or approval to such application; or</p> <p>(ii) refuse its consent, agreement or approval to such application and provide its reasons for that decision with the notice of the decision; and</p> <p>(iii) in the event that the Discharging Authority does not determine the application within the period set out in sub-</p>

	<p>paragraph (c) above, the Discharging Authority is deemed to have granted all parts of the application (without any condition or qualification) at the end of that period unless otherwise agreed in writing;</p> <p>(d) where the Discharging Authority refuses an application pursuant to sub-paragraph (c)(ii) above, the Promoter may resubmit an application and, thereafter, the Discharging Authority shall review the resubmittal and render a decision on the application within five Working Days.</p>
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