

East West Rail
Great Minster House
(33) Horseferry Road
London
SW1P 4DR

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Your ref: ENVPAC/1/EAN/00131
Date: 8 June 2021

Dear Sirs

EAST WEST RAIL - CONSULTATION OVERVIEW: 31 MARCH - 9 JUNE 2021 EAST WEST RAIL CENTRAL SECTION

Thank you for consulting us on the latest stage of public consultation. We have reviewed the information as submitted and wish to make the following comments.

Detailed Comments on the Route Options - Bedford to Cambridge

Flood Risk

The routes can be characterised into 2 main sub groups

1. Those that run along the watershed of the Bourne Brook. This generally avoids fluvial and surface water floodplains. This means there will be reduced mitigation requirements but limits the opportunities to provide wider benefits to the local communities along the route. These are the routes associated with the station North of Cambourne.
2. Those routes that bisect numerous ordinary watercourses and surface water flow paths. This will require a greater level of assessment and potential mitigation. However, they have greater opportunities to reduce flood risk to local communities. These are the routes associated with the station South of Cambourne.

There is currently no obvious preferred route but we would prefer the option that provides the greatest benefit to the local communities with respect to flood risk. Further Flood Risk Assessment (FRA) will need to be carried out to determine whether the benefits of the South Cambourne routes outweigh the risks associated with it.

Common paths

There are several sections where the routes are common for all/most options. These mostly bookend the route at Bedford and Cambridge. These sections also include 3 of the Main River crossings. We are aware that the River Great Ouse Crossings are already the focus of a detailed modelling study and are working in partnership with you to develop your strategy for these crossings so that the works will not negatively impact the local communities, and where feasible, help to reduce the existing risk.

The crossing of the River Great Ouse as it leaves Bedford to the north (Clapham) is in an already congested area (in terms of transport infrastructure), so the interaction between all the existing infrastructure and the proposed crossing needs careful consideration. We strongly advise that the engagement strategy involves the local community and flood groups.

Given the certainty over some parts of the routes, we recommend that the FRAs for these sections are carried out as earlier as possible so that more time is available to assess uncertain sections later.

Making opportunities into reality

Although there are some significant opportunities with all of the proposed routes, the rules of the Development Consent Order (DCO) limits the ability to include options that do not enable the development.

Currently the multiple route options provide a high number of flood risk management options. We would like to work with you to undertake an opportunity mapping exercise to identify these options and categorise them into:

- Benefits to the scheme: Options that reduce the risk along the route, enabling the development and thus being able to be included within the DCO. These may result in additional benefits to the wider community.
- Benefits to the existing infrastructure. Options that reduce the risk to the existing infrastructure, reducing the time flood disrupts travel along the route. That may not be able to be included within the DCO but can be undertaken at the same time. These may result in additional benefits to the wider community.
- Benefits to the local community only. Activities undertaken as part of the project that will not impact the scheme but will provide a legacy of benefits to the local communities along the route. These will not be able to be included within the DCO but can be undertaken at the same time.

This will allow us and other Risk Management Authorities (RMAs) to identify projects they can undertake (in partnership with EWR) to overcome the limitations of the DCO process.

Having this long list of options will also enable you to consider flood risk when providing mitigation for other impacts i.e. if you need to provide compensatory habitats, allowing it to flood will provide a water source for the area (making it more likely to establish), provide an opportunity to provide another type of habitat i.e. wet lands/water edge habitat and reduce flood risk.

Challenges of a Phased Approach

We have found, while working on other phases of EWR and other Nationally Significant Infrastructure Projects (NSIPs), that there is a conflict between the need for a detailed assessment at a very earlier stage and the phased approach to design and construction. To compensate for this we recommend that a technical flood group is set up of all the Risk Management Authorities (Lead Local Flood Authorities, Environment Agency, Internal Drainage Boards, Local Authorities, Utilities, National Rail, Highways England etc). This group should remain consistent throughout the phases. This provides a clear and consistent line of communication that can be used to keep everyone up to date and provide a way to quickly overcome obstacles.

All sources of flood risk

We recommend that all sources of flooding are considered together and not separately. Flooding is usually a series of flood events with multiple sources. For example, a heavy rainfall event will initially trigger surface water flooding as drains (and the ground) capacity are exceeded, this excess water then arrives at the river that causes fluvial flooding and then, as water enters the ground, ground water can occur. This difficulty with achieving a proper strategic overview of all flood risk is that there are numerous RMAs that cover them. We do have a strategic overview of all flood risk, and are willing to facilitate the

creation of a RMA network.

Groundwater Protection

In terms of groundwater sensitivity, alignments 1 and 9 would be preferable because they avoid groundwater Source Protection Zones (SPZ) in the eastern part of the route that would be impacted by the other shortlisted alignments. Whilst the groundwater sensitivities of alignments 1 and 9 are broadly comparable, alignment 9 would be marginally preferable, since it is routed more distal to licensed groundwater abstractions and historic landfill sites south of St Neots.

Additional Comments on the Route Options – Oxford to Bicester

We note the proposals for improvements around Oxford Station, including the potential provision of additional tracks to the north of the station. The area where new tracks are proposed are potentially within areas of fluvial flood risk (Flood Zones 2/3), adjacent to main rivers and located on existing historic landfill sites (as well as contamination from existing train-associated uses). This presents issues and opportunities for the proposed development. These issues are within our planning remit and we would therefore be keen to engage with you further on these proposals. This would need to be through our planning advice (cost recovery) service.

Similarly, 'concept option 6' for the London Road level crossing in Bicester proposes areas for a new road crossing. Some of the proposed search locations would involve crossing the Langford Brook (main river) and its associated floodplain. If this option is taken forward for further consideration, we would be keen to engage with you on the technical details for any crossing of the Langford Brook. Again, this would need to be through our planning advice (cost recovery) service.

Please contact us via planning_THM@environment-agency.gov.uk to discuss further engagement on these proposals for this section of the Scheme.

General High Level Thoughts / Consultation Technical Report Comments

It would be good in the summary to get a sense of the environmental assessment methodology, including datasets /metrics used - to give confidence in "big" statements made in the summary.

- There is a concern that we may have similar issues to those flagged for the Dev Co Masterplanning. There seems to be very little variance in the site, maybe due to the type of assessment / level of detail utilised. In reality some sites/alignments are likely to present much higher risks while others present more opportunities.

Chapter 3:

PWOS: There continues to be scope for the Programme Wide Output Specification (PWOS) to be amended

3.2.7 states that some of the objectives contained in these documents may not be achievable, for example due to budgetary or programme constraints to be decided by the Government, and may need to be traded-off against each other. The requirements on the delivery of the Project will be confirmed as the design evolves and option decisions are made.

- It is important we understand how this is determined – that scope to integrate with existing projects/programmes of other government departments to achieve these

goals in a more affordable manner is explored. Link to 4.3.39 'Working with other scheme promoters'.

3.3 Other Government Policy: References Spatial Framework and its role in planning & transport policy (important Dev Corporations are considered too).

Important that as the EWR project continues to develop it will take account of the emerging spatial framework and shared ambitions/opportunities that align with the PWOS.

3.5 Environment – need to clarify how environmental data such as Local Natural Capital Plan (LNCP) outputs used.

3.5.1 states that Bicester to Bedford improvements (under network rail/EWR order 2020) is committed to 10% Biodiversity Net Gain (BNG)

- For clarity does this main commitment to BNG across the whole line (each of the connection stages)?

3.5.4 'EWR Co has followed the environmental mitigation hierarchy and implemented a decision-making process which seeks to 'design out' potential for environmental impacts'

and as a consequence maximise opportunities for enhancement?

Chapter 4: There appears to be an opportunity for Defra group within the Construction section as the EWR Co.'s Code of Construction Practice (CoCP) is still to be developed – and the principles are yet to be identified.

4.3.7 EWR Co will prepare a CoCP which will set out its expectations of those it employs to deliver the works – again focus of the para on minimising impact

- As this is still to be developed: principles yet to be identified this presents an opportunity for us to explore whether Defra group could inform their development: site waste management plans, site restoration (opportunity for enhancement) etc.

Further detail **4.3.21 Impacts on the environment:** The potential temporary environmental impacts associated with the project will be controlled and managed through the CoCP as far as is reasonably practicable.

It will outline the site controls and monitoring processes that will be implemented to protect the environment and limit nuisance.

4.3.31 'In addition to the temporary measures which EWR Co will enforce during the construction of the works, the longer-term environmental impacts will also be considered in the design solution. The design of the works, therefore, will consider specific measures to minimise the impact of the Project on the surrounding environment – for example the use of landscaping and screening to minimise visual intrusion, and bunds or noise barriers to reduce railway noise'.

- Note focus is again mitigating impact rather than deliver enhancements **Working with other scheme promoters**

4.3.39 It is almost inevitable that other construction works will be undertaken in the same general corridor as EWR during the period of construction. EWR Co will work with local authorities and other scheme promoters to ensure that works are coordinated and that the combined impacts are minimised (cumulative impacts of development are controlled)

Whilst it's positive cumulative impacts will be considered, also important to proactively consider strategic opportunities that EWR can meaningfully contribute to.

Chapter 5: from reviewing 'Chapter 5: Approach to developing the designs' our previous comments re: Assessment Factors remain relevant:

- It is positive that the environment is recognised as an assessment factor. However, the approach to the environment at this high level seems to be fairly generic and reads as constraint focussed 'there are no prohibitive issues that block any of the options' (consideration of mitigation rather than opportunity - this is confirmed when 'all alignment options perform relatively similarly therefore environment is not as important in decision making'. This translates across to a separate ask around EWR recently around taking a natural capital approach and if this has been implemented when considering the environment and utilising the evidence base collated for the Arc through the LNCP - reviewing routes alongside natural capital opportunities mapped, ecosystem services mapping undertaken and so on. To date so far we consider this has not been achieved to the fullest, but we would welcome opportunities to support review in this way if the timeline allowed as leaders on the LNCP.
- Appendix C confirms that consideration / understanding of the environment is at a very early stage of assessment; & after reviewing this chapter our previous comment below re: concerns over whether the Assessment Factor have been uniformly applied seems to have been justified.
- Conversely, Capital cost and Housing growth were considered to be the most important differentiating factors - were the factors equally weighted/same level of detail assessed to determine this. What was the methodology here again? This might be a question of things being communicated out of context.

5.2.8 Weight: Are all Assessment Factors at a similar level of detail i.e. as stated in Appendix C Environment is at a very early stage of assessment. We have some concerns over the consistency of application of the Assessment Factors

5.2.10: First time reference made to environmental impacts and opportunities

5.4.10: Supportive of the slightly altered emphasis and additional reviews highlighted in 5.4.12

i.e. more detailed consideration of how environmental and heritage risk areas could be avoided, and the potential additional land requirements for ecological habitat creation and relocation

Chapters 6-11:

We recognise this is where our area teams will add particular value.

However, we believe it is recognised by all involved that realistically further, more detailed conversations will be required to enable specific comments re: identified site-specific factors and developing options referred to in the report – our understanding is that we should expect this at the next stage of design following further development work from an EWR perspective

This increased level of detail will be needed to provide us with greater confidence in big statement and future decisions. As from reviewing these chapters (albeit briefly) at this stage consideration of the environment and opportunities still appear to be underdeveloped.

Summary

To date focus appears to have been on identification of environmental constraints, but there seems to be a commitment from EWR that as this work develops when deciding which

options to take forward there will be consideration of both environment impacts and opportunities (as one of a number of factors to pay particular attention to). We are supportive of a slightly altered emphasis and additional reviews highlighted in for example: 5.4.12 more detailed consideration of how environmental and heritage risk areas could be avoided, and the potential additional land requirements for ecological habitat creation and relocation – this again supports our earlier comments around the need to make better use of LNCP output, which we'd be happy to support.

Should you wish to discuss this matter further please do not hesitate to contact me.

Yours faithfully

Neville Benn

Senior Planning Advisor

Sustainable Places

Direct dial 0203 0251906

Direct e-mail neville.benn@environment-agency.gov.uk