

**From:** Bebbington, Tony <tony.bebbington@environment-agency.gov.uk>  
**Sent:** 25 April 2017 14:48  
**To:** TRANSPORTANDWORKSACT  
**Subject:** Network Rail (Cambridge Level Crossing Reduction) Order - Transport & Works Act Order  
**Attachments:** 3849\_001.pdf

Dear Sirs

Please find attached a copy of our response in connection with the above Order.

I have also sent a copy of this letter by first class recorded delivery in today's post.

If you have any queries please do not hesitate to contact me.

Tony

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Working days: Monday to Friday



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Secretary of State for Transport  
C/O Transport and Works Act Orders  
Unit,  
General Counsel's Office,  
Department For Transport,  
Zone 1/18 Great Minster House,  
33 Horseferry Road,  
London,  
SW1P 4DR

Our ref: EST/CMIS088

Your ref:

Date: 25<sup>th</sup> April 2017

Dear Sirs,

**Network Rail (Cambridge Level Crossing Reduction) Order – Transport & Works Act Order**

I am responding on behalf of the Environment Agency in relation to the Proposed Network Rail (Cambridgeshire Level Crossing Reduction) Order, which confers powers on Network Rail to close or downgrade level crossings with Cambridgeshire.

The Environment Agency ('The Agency') is affected as an interested party at the following four sites as landowner:

1. **NR C09-04** – Second Drove, Queen Adelaide
2. **NR C16-03** – Prickwillow Bridge, Ely
3. **NR C22-03** – New Market Bridge, Great River Ouse, Ely
4. **NR C26-13** – Poplar Drove, Littleport.

The Agency is also affected in relation to how the Order may impact its obligation to carry out statutory duties.

The Agency objects to the above Order for the following reasons:

1. Within the 29 locations identified as part of the Order we have primarily identified six locations that could be considered and regulated under environmental permits. These six locations are in, over or under a Main River. The Order removes the requirement for Network Rail to obtain an environmental permit at these locations. Schedule 16 replaces this with an alternative process that does not provide an equivalent opportunity for The Agency to consider Network Rail's proposal and to ensure that acceptable impacts on the Main River are avoided.
2. The Agency would normally have the opportunity to respond to planning consultations that are in Flood Zone 2, Flood Zone 3 and within 20 metres of a Main River. Some works are proposed within flood plains and may affect flood flow routes or result in the loss of floodplain. The provisions of Schedule



16 should provide The Agency with at least an equivalent opportunity for it to influence Network Rail's proposals.

3. The proposals in relation to the works that are required at the sites where The Agency is landowner to facilitate the closure of these crossings lack detail. The Agency is in principle supportive of these closures at these four sites, but needs further information on the extent, type and duration of work required on the land owned by The Agency as it has so far been unable to fully assess the impact on it's statutory and operational duties, Agency assets and tenants at these sites.
4. The Agency requires that Network Rail and The Agency to agree a timeframe and process for where works will be carried out on land owned by The Agency. As referred to above The Agency is not a typical landowner at these sites with a number of areas of land let out to tenants, used for operational purposes and access by multiple departments within The Agency and adequate time is required to ensure that all relevant parties are informed and any mitigation measures are agreed and implemented to allow these works to take place.

If the terms of this Order do not give the Agency a proper opportunity to consider and influence Network Rail's proposals, which at present lack detail, this could result in flood plain flows/storage being compromised, and an increase in flood risk elsewhere. It could also compromise our access and workings within and close to Main Rivers where the Agency carries out a number of its regulatory duties.

All correspondence regarding this matter must be sent to the following address, FAO Anthony Bebbington, Estates Operations Manager - East, Environment Agency, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough, PE2 5ZR. This will allow us to consult with the necessary departments and our legal departments to ensure we are able to move this matter forward to a suitable resolution so that this objection can be removed.

We hope the above provides sufficient detail however should you require any further information at this time, please do not hesitate to contact us via the above address.

Yours faithfully,



**Anthony Bebbington**  
Estates Operations Manager - East  
For and on behalf of The Environment Agency