

OBJ/51

Caroline O'Neill

From: Cole, James C
Sent: 04 May 2017 17:24
To: TRANSPORTANDWORKSACT
Subject: Network Rail (Suffolk Level Crossing Reduction) Order - Transport & Works Act Order
Attachments: 3913_001.pdf
Importance: High

**** SENT ON BEHALF OF ANTHONY BEBBINGTON ****

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.

Yours faithfully,

Anthony Bebbington
Estates Operations Manager – East
Environment Agency
Kingfisher House
Orton Goldhay
Peterborough
PE2 5ZR

tony.bebbington@environment-agency.gov.uk
External: 07768 006087 | Mobile: 07768 006087

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/CMIS100

Your ref:

Date: 4th May 2017

Dear Sirs,

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

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

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

1. Within the locations identified as part of the Order we have primarily identified a number of locations that could be considered and regulated under environmental permits. These 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 Agency requires more time in order to undertake the necessary consultation internally to ensure that no assets or access routes are affected by the proposed closures and requires more time to understand the impacts.


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