



Trustees of the H C Stock Will Trust
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Ref: OBJ/27

Dear Sirs,

I write in response to the Statement of Case (ref: OBJ/27) dated 18 October 2018 sent on behalf of your clients, the Trustees of the H.C. Stock Will Trust, in respect of the proposed Network Rail (East West Rail Bicester to Bedford Improvements) Order (the Order).

The Statement of Case submitted on behalf of your client refers to land which will be used as an Ecological Compensation Site (ECS) known as ECS B9. An alternative location for the required mitigation is suggested in the Statement of Case, referred to at the 'Yellow Land', the location of which is south of ECS B9.

This area of land contains surface water balancing ponds created in relation to the residential development lying to the east of Furze Lane, Winslow.

The Statement of Case suggests that, with reference to environmental mitigation, the Yellow Land can be jointly used by both the Objector and Network Rail (NR) as an environmental mitigation area and surface water area for which it is currently used. The Statement of Case states that 'the combined requirements of both the Promoter and the Objector can be effectively designed to be accommodated within the Yellow Land thereby obviating the necessity for additional land to be taken by the Promoter yet achieving the stated requirements of the Scheme'. Further information about this proposed combined use is not provided in the Statement of Case.

NR disagrees that the Yellow Land can be designed to mitigate for the environmental effects of the Order Scheme.

ECS B9, located adjacent to the railway corridor, will be used for the translocation of great crested newts (under a Natural England licence). ECS B9 will also be used for the translocation of reptiles. ECS B9 will include creation of ponds and marginal planting, open mosaic habitat, lowland meadow, native species-rich hedgerows with trees, scrub, south-facing reptile embankment, hibernacula and log piles. The provision of these habitats, once

established, will support great crested newts, reptiles, birds, badgers, bats and terrestrial invertebrates such as black, brown and white-letter hairstreak butterflies.

The Yellow Land cannot be used to offset the impacts of the Order Scheme currently proposed at ECS B9. The Yellow Land already contains suitable aquatic and terrestrial habitat for great crested newt (which are using the two balancing ponds for breeding) and other species, and any improvements to the land would not provide any meaningful additionality in relation to environmental mitigation.

In addition to this, balancing ponds, like all surface water drainage systems, require maintenance to enable them to function as they have been designed. This maintenance is not compatible with mitigation requirements for great crested newts, for which the new ponds proposed in ECS B9 will be designed.

Taking into consideration your client's and similar objections, Network Rail has explored potential alternative locations for ECS B9. A potential alternative at Moco Farm has been identified that may allow ECS B9 to be relocated from your client's land and remove the requirement for any acquisition of plot 0613. This relocation and undertaking not to exercise powers of acquisition over plot 0613, is subject to the Moco Farm site obtaining the necessary consents and approvals for an ecological compensation site (including planning permission and Natural England approval). The proposal to move ECS B9 to the Moco Farm site has been submitted to Natural England in an addendum to the great crested newt licence for the Order Scheme. This addendum has also been submitted to the Public Inquiry (document ref: NR238).

Yours sincerely,



Sophie Moeng

Consultation Manager

For and on behalf of Network Rail