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30 June 2021

Ref: TR010044

BY EMAIL ONLY: NIEnquiries@planninginspectorate.gov.uk

Dear Sir/Madam

**Proposed A428 Black Cat to Caxton Gibbet Road Improvement scheme
East West Railway Company Limited: request to become an interested party in the
Examination**

We refer to the above application (the Application) for the Highways England A428 Black Cat to Caxton Gibbet Road Improvement Scheme (the “Application” for the “Scheme”). We write to request that the Examining Authority exercises its discretion to allow East West Railway Company Limited (EWR Co) to take part in the Examination of the Application.

EWR Co has been tasked by the Government with the delivery of the East West Rail project (“Project”). The Project will connect Oxford and Cambridge by rail, linking them with Bicester, Bletchley, Milton Keynes, Bedford and many communities in between. As well as connecting places within the Oxford to Cambridge Arc, it will enable quicker journeys to places further afield, including places east of Cambridge, and join up with existing north-south rail lines. It supports economic growth by unlocking opportunities for jobs, new homes and tourism.

The section of the Project between Bedford and Cambridge was designated as being of national significance by the Secretary of State on 29 August 2019. Accordingly, EWR Co intends to make an application for a Development Consent Order to authorise the construction, operation and maintenance of the Project in due course. The Project is registered on the Planning Inspectorate’s website¹.

¹ <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-west-rail-bedford-to-cambridge-and-western-improvements/>

On 9 June 2021, EWR Co closed its second round of non-statutory consultation which included five potential alignment options for a new section of railway between Bedford and Cambridge. EWR Co identified two emerging preferences for EWR's proposed alignment, both of which would run alongside the proposed Scheme. Other potential alignments would be located close to the Scheme.

Given that the Scheme and the Project would be in close proximity to each other, there are likely to be significant engineering interfaces between them. EWR Co wishes to take part in the examination of the Scheme in order to seek appropriate protection for the Project. As currently proposed, if the Scheme is authorised EWR Co's DCO application may need to seek powers to modify the way in which HE can exercise the functions conferred by the Scheme DCO. It is highly desirable for any such issues to be raised during the examination of the Scheme in order that they can be appropriately addressed.

While EWR Co is not an interested party in the Application within the meaning of section 102(1) of the Planning Act 2008, as a promoter of a registered NSIP its position is analogous to that of a statutory undertaker. EWR Co submits that it should be treated during the examination as if it were an interested party. EWR Co therefore requests that the Examining Authority exercise its discretion to:

- invite EWR Co to attend and take part in the forthcoming preliminary meeting;
- permit EWR Co to attend and take part in any hearings conducted as part of the examination; and
- accept written submissions from EWR Co during the course of the examination.

We would of course be happy to provide any further information that the Examining Authority requires in order to consider our request.

Yours faithfully

Vanessa Ralph
DCO Director