

From: "Anne-Marie Rogers (HE)" [REDACTED]

Subject: FW: FW: Dove Farm

Date: 3 June 2021 18:41:36 BST

To: [REDACTED]

Dear Duncan and Maxine,

The information held on the planning inspectors webpages is the definitive source and therefore consider it better for all parties if we continue to use the documents there, rather than email you direct copies. Please see below some references and a link which may help you navigate the application documents:

Drainage Strategy Report section 5.12 and 5.13 on pages 30-31 and Sheet 2 of the Engineering Section Drawings. Appendix B of the FRA, the Ordinary Watercourses Modelling Report section 7.0 Begwary Brook on pages 60-71 (https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010044/TR010044-000386-TR010044_A428_Black_Cat_to_Caxton_Gibbet_Improvements_6-3_Environmental_Statement_Appendices_Appendix_13-4_Annex_B.pdf).

The email I sent you on the 21st of April 2020 sets out our position on the design, and how it was developed,. This is at odds with many of the conclusions you have drawn below. It does not feel productive to repeat comments previously made in that email.

I hope the references and link help you find the information you require. I look forward to speaking to you soon.

Regards

Anne-Marie Rogers, Senior Project Manager
Complex Infrastructure Programme

Highways England | Woodlands | Manton Lane | Bedford |
MK41 7LW

Web: <https://highwaysengland.co.uk>

From: Duncan Buchanan [REDACTED]

Sent: 26 May 2021 12:28

To: Anne-Marie Rogers (HE) [REDACTED]

[REDACTED]; Kirk Macdiarmid

[REDACTED]; Anthony Groom

[REDACTED]; Hazel Gardner (HE)

Subject: Re: FW: Dove Farm

Dear Anne Marie and team,

Thank you for your email. We must however immediately correct the inaccuracies. We ARE and always have been ready and willing to meet and engage with you. We have merely been waiting for a response from you so the meeting could be scheduled!!! It is vital that we address that your response is factually incorrect. To this end it will be beneficial to review our engagement thus far.

As far back as 25/06/2019 we made our position clear:

“We will not support any proposal whereby more of our land is acquired than is necessary....To protect the integrity of your scheme and abide by your statutory obligations we feel you must take the minimal amount possible. We do not accept that this draft fulfils that requirement....We feel we should schedule your requested meeting ASAP to work with you and address these concerns.”

We then met on 17/07/2019. WSP were in attendance and presented a credible case for minimal changes. Despite the meeting concluding with an admission that we were not being unreasonable the design presented did not address these concerns.

On 26/07/2019 we formally objected based on our main concern of excessive land acquisition.

We felt misled, misguided and misinformed. This was the reason we employed WSP to act for us!

I refer to our formal objection dated 26/07/2019 which we copied you in. We thank you for “agreeing to supply our representatives with the detail needed to calculate the size of the ponds.”

We explained that we “eagerly await this information.”

14/04/2020 we reiterate our objective of wanting to work with you. We even state here that we are now willing to accept minimal changes such was our desire to move forward. Again on 14/04/2020 we refer to our request for the information, reminding you we were yet to receive it?!

We conclude this email with a reiteration of our desire to “work with you.” We remind you we are supporters of your scheme who have provided a credible alternative. We ask for a response and again request a meeting as soon as is convenient.

Our email of 01/05/2020 where we refer to your confirmation that “you have presented us with a design that is based on land ownership rather than cost or engineering.”

In this email we refer to how poor the engagement has been, explaining: “there is no doubt you have engaged with us but the quality of engagement has been poor...we want you to interpret this response as our desire to work with you. We still want resolution and are still willing to engage...we simply ask for honesty, transparency and structured positive engagement, not engagement for engagement's sake or say perhaps for an Examiner's sake!”

Again there is the mention that “...this draft has been designed BEFORE level drawings are available.”

We received no response to this!

The email of 26/07/2020 acknowledges this email and no response. AGAIN we reiterate our offer of a rescheduled meeting to discuss our concerns and move forward together. Again 26/07/2020 refers to the request for the level drawings and calculations for the drainage ponds.” We highlight again that we have been told these “are still not available.”

This correspondence refers to the request for light pollution reports. These have never been provided. We would highlight again we have never received the light pollution report, a report which apparently was instrumental to changing the alignment.

We concluded this email “moving forward...” We reiterate AGAIN our willingness to compromise to allow you to deliver your scheme.

Your response of 27/07/2020 explained you were taking “time to give serious consideration as to how we move this forward.” YOU then proposed a “technical meeting between our 2 design teams.”

Since the objective of this meeting was to “provide an opportunity for your design decisions to be explained” we suggested this meeting be scheduled once we had received the information that supposedly justifies your design. Surely it is common sense to put a hold on discussing the design until the calculations were available?!

You explained that WSP could then “seek clarity” and “pose questions”. We fail to see how any of that would be possible without that information.

We STILL remain utterly perplexed, how exactly “clarity” could be achieved or questions answered when apparently this part of the scheme has been designed WITHOUT calculations?!

Whilst we did agree a meeting would be beneficial and have pushed extremely hard for it, it was agreed that “waiting for the technical note would be beneficial in the hope it would provide the opportunity to give a considered approach.”

28/07/2020 We emailed an immediate response, demonstrating our desire to move quickly and secure such a meeting. AGAIN here we reiterate our desire to “work together to move this forward.” AGAIN we reiterate our request for the calculations for the size of the drainage ponds and flood compensation areas. We remind you in this email how long we have waited for this information.

07/09/2020 AGAIN reminds you we are still waiting for the information and AGAIN we “reiterate our appreciation of your suggestion of this meeting.”

18/09/20 we received an email from you in which you stated you would “forward the requested information next week.”

Our response on 21/09/20 refers to our flexibility and we agree as suggested by WSP and yourselves that it would be prudent to wait until we are in receipt of the requested information. The email reminds you that we have been waiting in excess of 18months for the information.

Despite the promise of being sent next week our next email was 02/10/20 which supposedly contained the information as requested.

Unfortunately after considerable cost to us WSP confirmed the information was not entirely what was requested and on 22/10/20 WSP asked again to be provided with “HE

flood risk assessment and drainage pond calculations.'

The response from Hazel was that "Anne Marie is on annual leave" but asked for the information to be "ready on her return."

Unfortunately again this information was not made available.

10/11/20 AGAIN we asked about the information and clarified what was needed for WSP. You thanked us for the reminder.

12/11/20 we received a response. Incredulously some 484 days since this information was first requested and assured was available came your frank admission: "I'm afraid I can't supply the flood risk assessment yet as it is not fully available." !!!

Following this came further admissions of "draft formats" being "yet to reach agreement with BBC and Inland Drainage and that which was provided was "merely an Indication of what is being discussed."

Consequently we were advised by WSP again this information was insufficient, all the time costing us for WSP to review this information.

17/12/20 We advised you that the information was not sufficient. We reiterate our surprise that this information is still not available considering the stage at which the scheme is now at.

We explain if the information is imminent we would hold off on our meeting so as to ensure that everything needing to be discussed can be and such we would not feel we would be wasting your valuable time or taxpayers money!

We received NO response to this email. We genuinely believed that you were still waiting on the promised information.

Our apologies for the repetition and sheer volume of emails, quotes and references but such repetition is we believe necessary to fully understand how woefully inadequate your response of "I'm delighted you are able to meet with us." really is in the context of the many requests for facts and figures that were made so we could have a meaningful discussion! Such a response serves only to highlight how poor the engagement has been. Such a response after so many many many emails and requests for information so a meeting can be scheduled is not only factually inaccurate but frustrating!

Put simply, how exactly did your design team calculate the flood compensation areas and drainage ponds WITHOUT such calculations?

Surely such a vast volume of examples of our attempts to meet and engage means you will wholeheartedly accept that 5months after it was sent, this is not an appropriate response!

The treatment we have received and the quality of the engagement combined with the repeated admission that the necessary information needed to calculate the size of the ponds was "not available" leaves us only able to draw the conclusion that the decision making process has had nothing to do with engineering! We simply cannot believe that the scheme that was presented was produced without data and calculations?

So whilst we thank you for finally providing us with some information we note that the "links" sent are incredibly vast. We are sure you understand the amount we have invested in our engineers at WSP to date means we are somewhat reluctant to pass on mere "links to your DCO application."

Despite the treatment we have received and the quality of engagement thus far we remain committed to working forwards and discussing. We would just simply ask for a direct email containing ALL of the requested information.

Kind Regards

Duncan and Maxine

On Fri, May 21, 2021 at 7:18 PM Anne-Marie Rogers (HE)

████████████████████ wrote:

Good evening Duncan and Maxine,

The DCO application has indeed been accepted for Examination and the Section 56 process is underway. Amendments are still possible, within constraints. Please see below our response to the information you requested. This is included within our DCO application.

I'm delighted you are able to meet with us, I will ask my colleague Laura to arrange.

- Plans showing proposed attenuation basin catchment areas; -

Refer to Sheet 2 of the Engineering Sections (Part 1 - Drainage Layouts) drawings included on the PINS website at the following link:

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010044/TR010044-000180-TR010044_A428_Black_Cat_to_Caxton_Gibbet_Improvements_2-10_Engineering_Sections_Part_1.pdf

- Plans showing the proposed drainage arrangements including pipe networks, SuDS features, outfall locations etc.; and

Refer to Sheet 2 of the General Arrangement Plans included on the PINS website at the following link:

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010044/TR010044-000174-TR010044_A428_Black_Cat_to_Caxton_Gibbet_Improvements_2-4_General_Arrangement_Plans.pdf

Note that proposed SuDs features and outfall locations are indicated on these drawings. The design of the pipe networks

are not available and will be developed as part of the detailed design.

- Plans or a report detailing the proposed flood compensation arrangements and flood zone extents
Refer to the Drainage Strategy Report and Flood Risk Assessment included on the PIN website at the following links:
https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010044/TR010044-000383-TR010044_A428_Black_Cat_to_Caxton_Gibbet_Improvements_6-3_Environmental_Statement_Appendices_Appendix_13-3.pdf
https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010044/TR010044-000384-TR010044_A428_Black_Cat_to_Caxton_Gibbet_Improvements_6-3_Environmental_Statement_Appendices_Appendix_13-4.pdf

Attached is a copy of the full index to the application that is included on the PINS website and which includes links to all documents included in the application. Also below is the link to the Digital ES that is now available and hopefully will help in navigating the Environmental Statement. <https://ee.lytics.com/highwaysengland-a428-digitales/home>

I hope you find this useful. Thank you for getting in touch

Regards

Anne-Marie Rogers,

From: Duncan Buchanan
Sent: 18 May 2021 19:44

To: Anne-Marie Rogers (HE) [REDACTED] ; Kirk Macdiarmid
[REDACTED]

Subject: Fwd: Dove Farm

Dear Anne-Marie,

I refer to the email below sent on the 17th dec to which we have received no response.

We have now received the news that the scheme is now before the Inspectorate detailing how representation can be made.

We are a little confused as we were of the understanding that we were going to have a meeting regarding the amount of land you require from us to deliver your scheme.

Could you explain whether our meeting is still going ahead as we have received no notification of a cancellation of this meeting?

Does the referral to the Inspectorate now mean there cannot be any further changes to the design?

Naturally it would be incredibly frustrating for us since we have paid WSP to prepare for this meeting?

Also could you confirm whether you now have the information referred to in the email? It would be all the more confusing if this information was still not available since it was promised to us over 2 years ago. This becomes ever more confusing that the design could go before an examiner without such calculations?

We would really appreciate your expertise in these matters.

Many thanks

Duncan & Maxine

----- Forwarded message -----

From: Duncan Buchanan [REDACTED]

Date: Thu, Dec 17, 2020 at 7:07 PM

Subject: Fwd: Dove Farm

To: Anne-Marie Rogers (HE) [REDACTED]

[REDACTED], Hazel Gardner (HE)

[REDACTED] Kirk Macdiarmid

[REDACTED] Anthony Groom

[REDACTED]

Dear Anne Marie,

WSP have explained the information provided is not sufficient to answer our questions and prepare for our "virtual" get together. You have explained that the information is not yet available and therefore WSP have asked for the following:

- Plans showing proposed attenuation basin catchment areas;
- Plans showing the proposed drainage arrangements including pipe networks, SuDS features, outfall locations etc.;
- and
- Plans or a report detailing the proposed flood compensation arrangements and flood zone extents

We are surprised the scheme has gone so far into the process and public consultation without the full report but it does provide us with a sense of relief that this large, expansive land acquisition is still subject to change based on what HE actually need for the engineering aspect of your scheme, rather than vast ponds and large flood compensation areas to justify the moving of the road further into our land.

If the information requested is imminent then perhaps we could hold off so as to ensure everything needing to be discussed can be and such will not feel we would be wasting your valuable time or tax payers money!!! Again we are grateful for the opportunity to discuss this with you and your team.

Kind Regards

Duncan and Maxine

----- Forwarded message -----

From: **Anne-Marie Rogers (HE)** [REDACTED]

[REDACTED]

Date: Thu, Nov 12, 2020 at 3:07 PM

Subject: RE: Dove Farm

To: [REDACTED]

[REDACTED]

[REDACTED], Kirk Macdiarmid

[REDACTED]

Cc: Hazel Gardner (HE) [REDACTED]

Dear Duncan and Maxine, thank you for the reminder, yes we did have a good break despite the restrictions, thank you.

I'm afraid I can't supply the full flood risk assessment yet as it is not fully complete. We been able to provide an extract from the drainage strategy report which should be more useful, as the FRA does not relate to the micro drainage files.

This document is in draft format as we need to reach agreement with the Inland drainage board as the Flood risk Authority and Beds Borough Council who will adopt the road. However, I wanted to give you an indication of what is being discussed.

I hope we can get together soon, albeit virtually.

Regards

**Anne-Marie Rogers, Senior Project Manager
Complex Infrastructure Programme**

Highways England | Woodlands | Manton Lane | Bedford |
MK41 7LW

Web: <https://highwaysengland.co.uk>

From: Duncan Buchanan [REDACTED]

Sent: 10 November 2020 11:27

To: Anne-Marie Rogers (HE) [REDACTED]

[REDACTED] Kirk Macdiarmid

[REDACTED]; Hazel Gardner (HE)

Subject: Dove Farm

Dear Anne-Marie,

I hope you had a nice time on annual leave...or as nice as it can be in another lock down!!!!

Hazel Said she would have some information available on your return so we can proceed with WSP.

Just to clarify:

"In order to investigate your queries below more thoroughly and understand the design parameters that Highways England's drainage design (contained in the MDX files, received on 2nd October) has been based on, can we please be provided with Highways England's Flood Risk Assessment?"

Kind Regards

Duncan and Maxine

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Road Project: <https://highwaysengland.co.uk/a428-black-cat-to-caxton-gibbet-home/>

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