

Comments on Statements of Common Ground and Statement of Commonality

This document sets out the comments on the Statements of Common Ground and Statement of Commonality by Cambridgeshire County Council (**CCC**), Huntingdonshire District Council (**HDC**) and South Cambridgeshire District Council (**SCDC**) (together, the **Councils**). Set out below is the relevant respondent and document reference number.

Except where expressly stated otherwise below, the Councils reiterate and rely on their comments submitted to the ExA at Deadline 1 and Deadline 2.

Environment Agency (EA) – REP1-008

Topic	Paragraph Number	Comment
General		The Councils note that a number of matters remain under discussion between the EA and the Applicant.
Road drainage and the water environment – embedded and essential mitigation	Table 3-1, page 20	The Councils note and supports the following comments made by the EA: (i) <i>The WFD requires maintenance or improvement of water quality standards within local waterbodies, to ensure impacts are not negative.</i> (ii) <i>Designing ponds and wetland areas with shallow bank slopes and variation in plan-form can help to improve their ecological value, and that planting should consist of native species characteristic of the local area and ideally be sourced locally.</i> At section 7.1.3(c) of the Councils' Written Representation (WR) [REP1-048], the Councils highlight that it is not clear that the ponds could be considered as anything more than attenuation features and therefore have limited biodiversity value as a result of, for example, runoff pollution. (iii) <i>Written proposals for long term effective maintenance and repair of pollution prevention assets must be included and adhered to.</i> At section 14.3.2 of the Councils WR [REP1-048], the Councils explain that some of the attenuation basins and flow controls are proposed to be maintained by CCC. The ongoing and future maintenance of this infrastructure should be agreed and clearly set out within the submitted information.
Flood risk assessment - modelling	Table 3-1, page 25	The EA has commented that any changes made to the design of watercourse crossings at the detailed design stage could result in an increase in flood levels within third party land, unless sufficient mitigation is provided. In the event that design changes are made, the EA will seek a commitment from Highways

		<p>England to undertake and share further hydraulic modelling to ensure there is no increase in flood risk. The EA also notes this may need to form a requirement of the dDCO.</p> <p>The Councils support this request by the EA and have highlighted the need for flood modelling impacts to be updated in light of any changes made to the Scheme at section 18.4.5 of the Councils' WR [REP1-048].</p>
Flood risk assessment – construction and operational effects	Table 3-1, page 27	<p>The Councils note that the EA is generally content with the conclusions of the flood risk assessment.</p> <p>CCC as lead local flood authority (LLFA) has requested further evidence from the Applicant to demonstrate that there are no downstream flooding issues at Wintringham Brook. The provision of this evidence remains outstanding.</p>

Historic England – REP1-009

Topic	Paragraph Number	Comment
General		The Councils note that a number of matters remain under discussion between Historic England and the Applicant.

Natural England – REP1-010

Topic	Paragraph Number	Comment
General		<p>The Councils note that a number of matters remain under discussion between Natural England and the Applicant.</p> <p>The Councils agree with Natural England that a number of sections of the environmental assessment will require to be updated following the results of the further ongoing survey work.</p>
Biodiversity – Embedded and essential mitigation	Table 3-1, page 22	<p>The Councils support Natural England's comment that opportunities should be taken to fully mitigate impacts and provide enhancements for breeding and wintering birds as far as possible, taking advice from local experts. The ExA's attention is drawn to the Councils' comments on wintering and breeding birds at section 7.1.4(p) and (q) of the Councils' WR [REP1-048].</p> <p>The Councils also agree with Natural England that the Biodiversity Management Plan will need to be</p>

		updated following the results of the further ongoing ecological survey work.
Landscape and visual effects – Embedded and essential mitigation	Table 3-1, page 28	<p>The Councils note that Natural England is satisfied that the embedded mitigation contained within the Environmental Masterplan [APP-091] and the First Iteration EMP [APP-234] seek to avoid and minimise impacts on local Landscape Character Areas and visual receptors. It is noted that Natural England have not confirmed that the proposed mitigation will achieve this aim.</p> <p>The Councils support Natural England’s view that detailed measures should be agreed to ensure opportunities are maximised to benefit priority enhancement areas. In this regard, the Councils highlight the comments made in the Councils’ WR [REP1-048] at section 8.10 in which a number of recommended planting mixes are detailed which would reflect the Landscape Character of the areas into which they are being placed.</p>
Badger licence – Letter of No Impediment	Table 3-4, page 39	The Councils note that Natural England issued a Letter of No Impediment to obtaining a badger licence on 15 July 2021.
Great Crested Newt – Mitigation and compensation	Table 3-4, page 40	The Councils support Natural England’s comments that there is currently a lack of ponds that would allow a district level licence (DLL) for disturbance to Great Crested Newt to be progressed. As noted at section 7.1.5(r) of the Councils’ WR [REP1-048] , two breeding ponds will be lost as part of the scheme. It is requested that the Environmental Masterplan [APP-091] is updated to provide mitigation for Great Crested Newt.
Borrow pits – restoration	Table 3-5, page 41	<p>The Councils support Natural England’s view that the scheme’s borrow pits present an opportunity to incorporate multi-functional environmental and biodiversity enhancements. The options should be fully investigated.</p> <p>The Councils are of the view that this can be achieved whilst restoring the borrow pits to agricultural standards.</p>
Contribution to environmental initiatives and priorities - Biodiversity net gain and environmental enhancements	Table 3-5, page 42	The Councils welcome the Applicant’s commitment to recalculate biodiversity net gain using the Defra Metric 2.0 as requested by Natural England.

Central Bedfordshire Council (CBC) – REP1-011

Topic	Paragraph Number	Comment
General		The Councils note that a number of matters remain under discussion between CBC and the Applicant.
Traffic modelling	Table 3-3, pages 28 and 29	The Councils note that CBC is content with the Base Year traffic model and the Future Year traffic model. As set out in section 2 of the Councils' Joint Written Representation, the Councils continue to have concerns over the methodology used for traffic modelling and for the reasons set out in the Joint Written Representation [REP1-048], request that a revised traffic model is provided.
Biodiversity	Table 3-4, page 49	<p>The Councils note CBC agrees with the scope, coverage and findings of habitat and species surveys. CBC is also in agreement with the surveys planned by the Applicant during 2021 and prior to the construction of the Scheme in 2022, considering them adequate to update the existing baseline and inform mitigation measures (as outlined in the SoCG).</p> <p>The Councils agree with the scope and methodology for the bat surveys to be carried out during 2021.</p>
Biodiversity	Table 3-4, page 50 and 51	The Councils note CBC agrees with the conclusions of the biodiversity assessment and the mitigation proposed as part of the Scheme. As set out in section 7.1.3 of the Councils' Joint Written Representation [REP1-048], the Councils' position is that the Environmental Masterplan fail to adequately mitigate / compensate for adverse impacts, are inappropriate or are a missed opportunity to provide a biodiversity net gain.
Biodiversity	Table 3-4, page 51	The Councils note that CBC agrees with the Applicant's approach in seeking to achieve an increase in biodiversity through environmental measures incorporated into the design of the Scheme. The Councils consider there are missed opportunities within the Scheme design to achieve biodiversity net gain, for example through expanding the range of new hedgerows and allowing trees to grow within them (see 7.1.3(d) of the Councils' Joint Written Representation) [REP1-048].

Impact on Sustainable Development	Table 3-6, page 67	The Councils note that CBC agrees that until East West Rail has determined the route and locations of the proposed stations, it is not appropriate for the Applicant to make or coordinate any specific provision for any new infrastructure which may be required as part of the East West Rail scheme. The Councils wish to reiterate their position that it is important that the cumulative impact and relationship of the Scheme with East West Rail requires further clarification and assessment.
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Bedford Borough Council (BBC) – REP1-012

Topic	Paragraph Number	Comment
General		The Councils note that a number of matters remain under discussion between BBC and the Applicant.
Traffic modelling	Table 3-3, pages 31-32	The Councils note that BBC is content with the Base Year traffic model and the Future Year traffic model. As set out in section 2 of the Councils' Joint Written Representation, the Councils continue to have concerns over the methodology used for traffic modelling and for the reasons set out in the Joint Written Representation, request that a revised traffic model is provided [REP1-048].
Cultural Heritage	Table 3-4, pages 48 and 49	The Councils note that the BBC heritage team agree that the pre-submission archaeological evaluation work provides an adequate baseline assessment of the archaeological potential of the proposed route. The Councils are satisfied with the baseline evidence for Cultural Heritage (see section 12.1 of the Joint Written Representation) [REP1-048].
Cultural Heritage	Table 3-4, pages 51 and 52	The Councils support BBC heritage team's position not to agree with the proposed Archaeological Mitigation Strategy as submitted. It is essential that the strategy complies with the Archaeological Design Brief prepared jointly between BBC, CCC and CBC. [REP1-048]
Biodiversity	Table 3-4, page 60	<p>The Councils note that BBC agree that a suitable range of up-to-date ecological surveys have been completed.</p> <p>The Councils note that further bat surveys are proposed to be carried out by the Applicant during 2021 and the scope and methodology those surveys is agreed between the Applicant, Natural England and the Councils.</p>

Biodiversity	Table 3-4, page 63	The Councils note that BBC agree with the conclusions of the biodiversity net gain assessment but suggest re-running the metric at subsequent iterations of Scheme design. The Councils consider there are missed opportunities within the Scheme design to achieve biodiversity net gain.
Noise	Table 3-4, pages 68 and 69	The Councils note that BBC is of the view that there is very little noise data to consider for the construction phase and borrow pits and that details of exact noise mitigation is not proposed until the detailed design stage. In particular, BBC note that proposed mitigation does not include re-siting of borrow pits if the impact of those pits is unacceptable.

National Farmers Union (NFU) – REP1-014

Topic	Paragraph Number	Comment
Habitat mitigation	Table 3-1, page 10	<p>The Councils note the NFU's position in relation to compulsory acquisition of land for the purposes of delivering habitat mitigation and biodiversity net gain. The Councils also note the Applicant's confirmation that no land is being sought through compulsory acquisition for the sole purpose of delivering biodiversity net gain.</p> <p>The Councils reiterate their view that the measures proposed by the Applicant are necessary to mitigate the effects of the scheme and that there remain opportunities to enhance the mitigation offered, without necessarily requiring the acquisition of additional land. For example, the restoration of borrow pits could be carried out in a manner which would increase the biodiversity value of the restored land.</p>
Soils	Table 3-1, page 17	The Councils support the NFU's request for further detail on Soil Handling and Management to bolster the contents of Appendix E of the First Iteration EMP [APP-234] . Further detail is set out at sections 13.8-13.10 of the Councils' WR [REP1-048] .