

**EWR Co: Comments on responses to Relevant Representations, Written Representations and the Examining Authority's first written questions
A428 Black Cat to Caxton Gibbet Improvement Scheme**

Deadline 3, 5th October 2021



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1. Introduction

- 1.1. This document sets out East West Railway Company's (EWR Co) Deadline 3 submissions.
- 1.2. Section 2 sets out EWR Co's comments in relation to Deadline 1 submissions, as follows:
 - 1.2.1. Table 1: EWR Co comments on the Applicant's response [REP1-021] to EWR Co Additional Submission [AS-004];
 - 1.2.2. Table 2: EWR Co comments on the Applicant's responses to third party Relevant Representations (RR) [REP1-021];
 - 1.2.3. Table 3: EWR Co comments on the Applicant's Submission of Oral Case for Issue Specific Hearings [REP1-031];
 - 1.2.4. Table 4: EWR Co comments on Written Representations (WR);
 - 1.2.5. Table 5: EWR Co comments on the Applicant's responses to the Examining Authority's first written questions (WQ1) [REP1-022];
 - 1.2.6. Table 6: EWR Co comments on third party responses to WQ1;
 - 1.2.7. Table 7: EWR Co comments on the Applicant's response to submissions made at Open Floor Hearing 1 [REP1-035]; and
 - 1.2.8. Table 8: EWR Co comments on third party statements of common ground.
- 1.3. Section 3 sets out EWR Co's comments in relation to the Local Impact Reports submitted at Deadline 2 (Table 9).
- 1.4. Section 4 sets out a joint statement, agreed between EWR Co and the Applicant, in response to the ExA's Action Points for Compulsory Acquisition Hearing 1 [EV-023].

2. Responses to Deadline 1 Submissions

Table 1 – EWR Co comments on the Applicant’s response [REP1-021] to EWR Co Additional Submission [AS-004]

Item No.	Document name and PINs Reference No.	Extracts	EWR Co Response
1.1	Applicant’s Response to EWR Co additional submission [REP1-021], Page 420	“The East West Rail project and the A428 Scheme are independent of each other, and the A428 Scheme is subject to a separate consent (under the Development Consent Order (DCO) process). Given the East West Rail Scheme is at an early stage of development, it is not appropriate for this Scheme to make specific provision for any new infrastructure which may be required as part of the East West Rail scheme.”	<p>While EWR Co acknowledges that the A428 Black Cat to Caxton Gibbet Improvement Scheme (Scheme) and the EWR Project will be the subject of separate applications for development consent, the two projects have the potential to be geographically related. As such, it is entirely appropriate and efficient that the Scheme make reasonable provision for the accommodation of the EWR Project to ensure that key interfaces are properly managed, taking appropriate and proportionate account of the route alignment eventually chosen for the EWR Project.</p> <p>EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved. At present, it is proposed by EWR Co that this be addressed through the inclusion of protective provisions in the dDCO [APP-025] alongside a side agreement between the parties. A joint statement in respect of the ongoing discussions has been agreed between EWR Co and the Applicant and is included at section 4 of this document.</p>
1.2	Applicant’s Response to EWR Co additional submission [REP1-021], Page 420	“The Applicant will continue to work with East West Rail and local stakeholders to enable planning and delivery of these transformative projects to be co-ordinated where appropriate or possible.”	EWR Co welcomes the Applicant’s confirmation that it will continue to work with EWR Co to enable the coordination of the Scheme and the EWR Project. EWR Co team has engaged with the Applicant’s legal team to discuss the mechanisms by which such a coordination can be achieved, and further

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			<p>updates will be provided in the updates to the draft Statement of Common Ground between EWR Co and the Applicant during the course of the Examination.</p> <p>Further, EWR Co will continue to engage with the Applicant, both in respect of the Scheme and the ongoing development of the EWR Project.</p>
1.3	Applicant's Response to EWR Co additional submission [REP1-021], Page 420	"The Applicant notes the response from East West Rail and can confirm that a Statement of Common Ground has been submitted at Deadline 1 to address the points and aid discussions about the points raised in this relevant representation."	No response required.

Table 2- EWR Co comments on the Applicant's responses to third party Relevant Representations (RR) [REP1-021]

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
2.1	Applicant's Response to Relevant Representations [REP1-021] - Response to Bedford Borough Council [RR-008ai], page 19	"Until EWR has determined the route and locations of the proposed stations, it is not possible for the Applicant to consider any specific provision for any new infrastructure which may be required as part of the EWR scheme."	<p>EWR Co agrees with Bedford Borough Council that the Scheme should make appropriate provision for the EWR Project, and EWR Co has engaged with the Applicant's legal team to discuss the mechanisms by which this can be achieved.</p> <p>Should the Scheme not be delivered in a manner that takes account of the EWR Project, there is a risk that the latter will be rendered more expensive or more difficult to deliver which would also lengthen the programme to delivery. This</p>

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			<p>may adversely affect the achievement of wider transport and economic objectives of the EWR Project. As such, it is important that measures secured by appropriate protective provisions in the dDCO are put in place to ensure that key interfaces are properly managed. Provided this is achieved, there are no reasons in particular why the Scheme should impede delivery of the EWR Project or <i>vice versa</i>.</p> <p>Provided protective provisions are secured, it is envisaged by EWR Co that the manner in which the proper management of interfaces is effected will be the subject of consultation between EWR Co and the Applicant in advance of any works taking place.</p>
2.2	Applicant's Response to Relevant Representations [REP1-021] – Response to James Tebboth [RR-053a], page 204	<p>“The East West Rail Company completed its non-statutory route options consultation for the East West Rail project in June 2021, and a Preferred Route Announcement is not anticipated until 2022. Therefore, since the East West Rail Company has not determined the route and locations of its proposed stations for its project, it is too early to understand the potential interactions between this and the A428 Black Cat to Caxton Gibbet improvements scheme. However, East West Rail and Highways England are collaborating on the preparation of a draft Statement of Common Ground for the A428 Scheme Examination.”</p>	<p>EWR Co welcomes Mr Tebboth's views as to the potential for integration and coordination between the EWR Project and the Scheme.</p> <p>The potential engineering interfaces between the EWR Project and the Scheme for each of the five shortlisted route alignments contained within the EWR Project second non-statutory consultation are set out in EWR Co response to Q1.17.4.1 (b) [REP1-074] and EWR Co submission regarding the draft itinerary for the Accompanied Site Inspection [AS-011]. As such, it is not accepted that it is too early to understand the potential interactions.</p> <p>EWR Co has engaged with the Applicant's legal team to discuss the mechanisms by which this can be achieved. At</p>

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			<p>present, it is proposed by EWR Co that this be addressed through the inclusion of protective provisions in the dDCO [APP-025] alongside a side agreement between the parties.</p> <p>Further updates will be provided in the updates to the draft Statement of Common Ground between EWR Co and the Applicant during the course of the Examination.</p> <p>The Preferred Route Alignment announcement will be made in winter 2021/2022.</p>
2.3	Applicant's Response to Relevant Representations [REP1-021] – Response to Rapleys on behalf of Mactaggart and Mickel [RR-067] (item (d)), page 237	<p>“In terms of the East West Rail Scheme, the Applicant is seeking to provide a joined up approach where there are opportunities to do so, and this is part of ongoing discussions between the two projects. However, it should be noted that East West Rail completed their non-statutory route options consultation in June 2021, and a Preferred Route Announcement is not anticipated until 2022. Therefore, since East West Rail has not determined the route and locations of the proposed stations it is too early to define opportunities for co-ordination.”</p>	<p>EWR Co welcomes the Applicant's confirmation that it will continue to work with EWR Co to enable the coordination of the Scheme and the EWR Project. EWR Co has engaged with the Applicant's legal team to discuss the mechanisms by which such a coordination can be achieved, and further updates will be provided in the updates to the draft Statement of Common Ground between EWR Co and the Applicant during the course of the Examination.</p> <p>The potential engineering interfaces between the EWR Project and the Scheme for each of the five shortlisted route alignments contained within the EWR Project second non-statutory consultation are set out in EWR Co response to Q1.17.4.1 (b) [REP1-074] and EWR Co submission regarding the draft itinerary for the Accompanied Site Inspection [AS-011]. As such, it is not accepted that it is too early to understand the potential interactions.</p>

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			<p>EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved. At present, it is proposed by EWR Co that this be addressed through the inclusion of protective provisions in the dDCO [APP-025] alongside a side agreement between the parties.</p> <p>The Preferred Route Announcement will be made in winter 2021/2022.</p>
2.4	<p>Applicant’s Response to Relevant Representations [REP1-021] – Response to [RR-013] (item (ar) [RR-048] (item (au) and [RR-100] (item (ar), page 78.</p>	<p>“The Applicant categorised the East West Rail project as a Tier 3 development as a scoping report had not yet been prepared, and because information within the public domain regarding the proposed route options was limited.</p> <p>As the Stage 1 assessment recorded potential for the East West Rail project to interact environmentally with the Scheme, the development was progressed to Stage 2 of the assessment. Stage 2 acknowledged that whilst the scale and nature of the East West Rail project may result in significant environmental effects in isolation, it was not possible to confirm the position, or shortlist, this development for inclusion in the cumulative effects assessment at Stages 3 and 4 as very limited information regarding its likely environment effects, or when</p>	<p>A preferred route alignment for the EWR Project in the vicinity of the Scheme has not been announced nor has EWR Co applied for a Scoping Opinion from the Planning Inspectorate.</p> <p>Therefore, at this stage, it is not considered that the EWR Project is a development that is of sufficient certainty to be included within the cumulative assessment for the Scheme. However, EWR Co will continue to engage with the Applicant to ensure that the EWR Project is appropriately reflected in the assessment of the A428 Scheme.</p> <p>It is for the Applicant to assess cumulative impacts in respect of the Scheme. EWR Co will address cumulative impacts of the EWR Project with the Scheme as part of the environmental impact assessment undertaken for the EWR Project. That is the appropriate and conventional approach to cumulative impact assessment.</p>

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		<p>they could occur, was available to inform such an assessment.</p> <p>Accordingly, the East West Rail project was discounted from further consideration in the cumulative effects assessment. Notwithstanding this, the Applicant continues to review the progression of the East West Rail project and will accordingly update its status within the cumulative effects assessment in the event of a scoping report or similar information being published for the project during the DCO Examination.”</p>	
2.5	Applicant’s Response to Relevant Representations [REP1-021] – Response to [RR-013] (item (ar)) [RR-048] (item (au)) and [RR-100] (item (ar)), page 79.	<p>“In relation to how the East West Rail project has been accounted for in the climate assessment, as the receptor for the greenhouse gas assessment is the global climate, it is not appropriate to consider the cumulative impact of the Scheme with only existing development and/or approved development. The UK carbon budgets have been used to identify the impact of the scheme on the climate, and in line with the requirements of DMRB 114 an assessment of project GHG emissions against UK government’s 3rd, 4th 5th and 6th Carbon Budgets has been undertaken, the findings of which are presented in Chapter 14, Climate [APP-083] of the Environmental Statement. The UK carbon budgets provide a legally binding limit of GHG emissions that can be emitted by the UK over</p>	The climate assessment in respect of the Scheme is a matter for the Applicant.

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		<p>defined five-year periods. Accordingly, comparing emissions from the Scheme in the context of the UK carbon budgets inherently provides a cumulative assessment. As the construction and operational phase traffic forecasts include the traffic associated with other developments, as explained in paragraph 15.3.24 of Chapter 14, Climate [APP-083] of the Environmental Statement, the assessment is inherently cumulative and accordingly represents the cumulative effect of the Scheme's effects, and those of other developments, on climate.</p> <p>Further, the receptor for the impact that the Scheme would have on the climate is global, and is tested against the UK Carbon Budgets, which are already the cumulative value in the UK for carbon emissions."</p>	
2.6	Applicant's Response to Relevant Representations [REP1-021] – Response to Roxton Parish Council [RR-093] (item d)), page 338	"The scope of this scheme does not extend to works which may serve East West Rail facilities. East West Rail have committed to a statutory consultation in 2022 where communities will be asked to give their comments on detailed proposals."	<p>EWR Co will continue to engage with relevant communities in respect of the EWR Project. At present, the results of the EWR Project second non-statutory consultation are being taken into account prior to the announcement in winter 2021/2022 of a preferred route alignment between Clapham Green and the Eversdens, and the subsequent statutory consultation prior to the submission of a development consent order application.</p> <p>Prior to the submission of an application for a development consent order, EWR Co will assess the impact of the EWR Project on non-motorised users (NMUs). While the design of</p>

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			<p>the EWR Project continues to be developed, it is expected that this will consider the available options to support sustainable modes of transport to facilitate customer journeys to and from the station, as part of the first or last part of their rail journey.</p>
2.7	<p>Applicant’s Response to Relevant Representations [REP1-021] – Response to Staploe Parish Council [RR-102] (item (a)), page 354</p>	<p>“The Applicant notes the comments about East West Rail.</p> <p>It should be noted that the East West Rail scheme has not announced a route alignment for the Bedford to Cambridge section yet. The East West Rail scheme completed their non-statutory route options consultation in June 2021, and a Preferred Route Announcement is not anticipated until 2022. Therefore, since East West Rail has not determined the route, the Applicant is not able to comment on routes in relation to the new Black Cat junction.”</p>	<p>EWR Co will continue to engage with relevant communities in respect of the EWR Project. At present, the results of the EWR Project second non-statutory consultation are being taken into account prior to the announcement of a preferred route alignment in winter 2021/2022 and the subsequent statutory consultation prior to the submission of a DCO application.</p>
2.8	<p>Applicant’s Response to Relevant Representations [REP1-021] – Response to CPRE Cambridgeshire and Peterborough [RR-023] (item (d)), page 119</p>	<p>“In terms of the East West Rail Scheme, the Applicant is open to developing a joined-up approach where there emerge opportunities to do so, and this will be part of ongoing discussions between the two projects. However, it should be noted that East West Rail completed their non-statutory route options consultation in June 2021, and a Preferred Route Announcement is not anticipated until 2022. Therefore, since East West Rail has not determined the route and locations of</p>	<p>EWR Co welcomes the Applicant’s confirmation that it will continue to work with EWR Co to develop a joined-up approach between the Scheme and the EWR Project.</p> <p>EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved, and further updates will be provided in the updates to the draft Statement of Common Ground between EWR Co and the Applicant during the course of the Examination.</p>

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		the proposed stations it is too early to define integration opportunities.”	<p>While EWR Co accepts that the Preferred Route Announcement has not yet occurred, it is important that measures, secured by appropriate protective provisions in the dDCO, are put in place to ensure that key interfaces are properly managed, regardless of the route alignment eventually chosen for the EWR Project.</p> <p>The Preferred Route Announcement will be made in winter 2021/2022.</p>
2.9	Applicant’s Response to Relevant Representations [REP1-021] – Response to Toseland Parish Council [RR-115] (item (a)), page 381	“The East West Rail company only recently completed their non-statutory route options consultation in June 2021. The consultation showed emerging preferred routes in close proximity to the Scheme which could result in interfaces between the A428 Scheme and the East West Rail scheme. However, the Applicant does not have any specific detail about the location of these interfaces or how the interfaces would be managed. It should also be noted that the route and location of stations has not yet been determined and a Preferred Route Announcement confirming this is not anticipated until 2022.”	<p>EWR Co will continue to engage with relevant communities in respect of the EWR Project. At present, the results of the EWR Project second non-statutory consultation are being taken into account prior to the announcement of a preferred route alignment in winter 2021/22 and the subsequent statutory consultation prior to the submission of a DCO application.</p> <p>As set out at 3.3, below, EWR Co has extensively engaged with the Applicant in respect of the potential interfaces between the EWR Project and the Scheme. Further, the potential engineering interfaces between the EWR Project and the Scheme for each of the five shortlisted route alignments contained within the EWR Project second non-statutory consultation are set out in EWR Co response to Q1.17.4.1 (b) [REP1-074] and EWR Co submission regarding the draft itinerary for the Accompanied Site Inspection [AS-011].</p>

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2.10	Applicant's Response to Relevant Representations [REP1-021]- Response to Yelling Parish Council [RR-123] (item (a)), Page 410	"The Applicant has not been able to take account of East West Rail due to the stage the East West Rail scheme is currently at. Due to the lack of information it has not been possible to undertake a cumulative effects assessment and since the scheme has no planning status, it has also not been taken into account in the transport model."	<p>It is for the Applicant to assess cumulative impacts in respect of the Scheme. EWR Co will address cumulative air quality impacts as part of the environmental impact assessment undertaken in respect of the EWR Project.</p> <p>EWR C's response in respect of cumulative assessment is set out in response to WQ 1.17.4.1(g) [REP1-074].</p>
2.11	Applicant's Response to Relevant Representations [REP1-021] - Response to Yelling Parish Council [RR-123, item (a)] page 411	"Finally, it should be noted that the Applicant is seeking to provide a joined up approach with East West Rail where there are opportunities to do so, and this is part of ongoing discussions between the two projects. However, it should be noted that East West Rail completed their non-statutory route options consultation in June 2021, and a Preferred Route Announcement is not anticipated until 2022. Therefore, since East West Rail has not determined the route and locations of the proposed stations it is too early to define integration opportunities."	<p>It is entirely appropriate and efficient that the Scheme make reasonable provision for the accommodation of the EWR Project to ensure that key interfaces are properly managed, regardless of the route alignment eventually chosen for the EWR Project.</p> <p>EWR Co has engaged with the Applicant's legal team to discuss the mechanisms by which this can be achieved.</p> <p>The Preferred Route Alignment announcement will be made in winter 2021/2022.</p>

Table 3- EWR Comments on Applicant's Submission of Oral Case for Issue Specific Hearings [REP1-031]

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3.1	Highways England - Submission of oral case for Issue Specific Hearing on Strategic Matters on 18 August 2021 [REP1-031], Agenda Item 3, a (ii), Page 2	<p>“The EWR scheme would only provide a very partial solution to solving problems on the A428 given that it would only provide a fraction of the traffic relief on the A428 compared to what was needed and what would be delivered by the proposed scheme.”</p> <p>“The Applicant’s submission is that the EWR project does not affect the need case.”</p> <p>“The Applicant believes that there is need for an EWR scheme but the two schemes should be regarded as complementary not competitive, and this position was supported at ISH1 in the oral submissions made by EWR.”</p>	<p>As set out at paragraph 1.1 of EWR Co’s Post-Hearing submissions including written submissions of oral case at Issue Specific Hearing 1 [REP1-073], EWR Co considers that the Scheme and the EWR Project are complementary rather than competitive.</p> <p>In particular, the need for the EWR Project was identified by the National Infrastructure Commission, which identified the need for both road and rail provision within the Oxford – Cambridge Arc and highlighted that road and rail schemes do not achieve the same objectives. As such, there is a need for both the Scheme and the EWR Project.</p> <p>The need case for the Scheme is a matter for the Applicant. Further, traffic modelling assessments for the EWR Project are not before the Examination, and EWR cannot comment at this stage in respect of the anticipated modal shift resulting from the EWR Project. However, it is anticipated that the traffic Modelling for the EWR Project will incorporate the Scheme as part of the future baseline.</p>
3.2	Highways England - Submission of oral case for Issue Specific Hearing on Strategic Matters on 18 August 2021 [REP1-	<p>“The Applicant does not see the A428 Scheme and EWR scheme as being interdependent as far as need is concerned. The Applicant noted this was an agreed position accepted by EWR.</p>	<p>EWR Co agrees that the Scheme and the EWR Project are complementary rather than competitive. The need for the EWR Project was identified by the National Infrastructure Commission, which identified the need for both road and rail provision within the Oxford - Cambridge arc and highlighted that road and rail schemes do not achieve the</p>

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	031], Agenda Item 3, a (iii), Page 3	Secondly, it is the Applicant’s submission that the A428 Scheme and the EWR scheme are not interdependent as far as delivery is concerned because they will be delivered independently of each other.”	<p>same objectives. As such, there is a need for both the Scheme and the EWR Project.</p> <p>While EWR Co acknowledges that the Scheme and the EWR Project will be the subject of separate applications for development consent, the two projects have the potential to be geographically related. As such, it is entirely appropriate and efficient that the Scheme make reasonable provision for the accommodation of the EWR Project and the coordination with the Scheme. This will ensure that key interfaces are properly managed, including in respect of construction works.</p> <p>EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved. At present, it is proposed by EWR Co that this be addressed through the inclusion of protective provisions in the dDCO [APP-025] alongside a side agreement between the parties.</p>
3.3	Highways England - Submission of oral case for Issue Specific Hearing on Strategic Matters on 18 August 2021 [REP1-031], Agenda Item 3, a (iii), Page 3	“As far as interactions are concerned, the Applicant acknowledged the potential for some interaction between the EWR scheme and the A428 Scheme. However, EWR is part of an ongoing consultation process where no final decision has been reached on route alignment. The plans showing the emerging preferences for the alignments produced for the EWR scheme non-statutory consultation have insufficient detail to assess whether there will be interactions with the A428 Scheme. The Applicant has not discussed	It is not accepted that the Applicant has not seen information as to how any interactions might arise. Details of the engagement between the Applicant and EWR Co are set out in EWR Co’s response to Q1.15.4.1 [REP1-074], and the interactions were presented by EWR Co at the August 2021 Design Integration Workshop. In addition to the engagement described in [REP1-074], further meetings and calls took place on 24 August 2021, 25 August 2021, 10 September 2021, 14 September 2021 and 15 September 2021.

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		potential interactions with EWR because the Applicant has not seen information as to how any interactions might arise. In particular, there is no specific detail about location of interfaces and what they might involve as the final alignment of the EWR route has not been determined yet. “	In any event, the potential engineering interfaces between the EWR Project and the Scheme for each of the five shortlisted route alignments contained within the EWR Project second non-statutory consultation are set out in EWR Co response to Q1.17.4.1 (b) [REP1-074] and EWR Co submission regarding the draft itinerary for the Accompanied Site Inspection [AS-011].
3.4	Highways England - Submission of oral case for Issue Specific Hearing on Strategic Matters on 18 August 2021 [REP1-031], Agenda Item 3, a (iii), Page 3	“EWR's submissions indicated that they would propose draft Protective Provisions (PPs) for inclusion in the draft DCO, albeit EWR accept that they have no assets or infrastructure to protect. EWR indicated that the draft PPs would seek to secure joint working as more detail on the EWR scheme becomes known. The Applicant's submission is that matters relating to cooperation are more appropriately dealt with in a cooperation agreement outside of the DCO process.”	EWR Co has engaged with the Applicant's legal team to discuss the mechanisms by which the coordination of the EWR Project and the Scheme can be achieved. At present, it is proposed by EWR Co that this be addressed through the both the inclusion of protective provisions in the dDCO [APP-025] and the negotiation of a side agreement between the parties. Further updates will be provided in the updates to the draft Statement of Common Ground between EWR Co and the Applicant during the course of the Examination.

Table 4 - EWR Co comments on Written Representations (WR)

Item No.	Document name and PINs Reference No.	Extracts	EWR Co Response
4.1	Bletsloe for Diane Sharman and partners of H G Sharman & Son [REP1-083], final page	“East West Rail: We have also asked the Developer for further detail on how their Scheme will relate to the proposed East West Rail, as in some places it appears to use the same land.”	<p>The potential engineering interfaces between the EWR Project and the Scheme for each of the five shortlisted route alignments contained within the EWR Project second non-statutory consultation are set out in EWR Co response to Q1.17.4.1 (b) [REP1-074] and EWR Co submission regarding the draft itinerary for the Accompanied Site Inspection [AS-011].</p> <p>While the land required in respect of the Scheme is a matter for the Applicant, EWR Co will consult all landowners affected by the EWR Project following the EWR Project Preferred Route Alignment Announcement.</p>
4.2	Bidwells on behalf of the Executors of N A Alington for The Little Barford Estate [REP01-096] paragraph 8.1.1, page 15	“The Executors do not consider that sufficient account has been taken of the need for this scheme to interact with East West Rail and the local authority development proposals. Relatively limited realignment or design changes could accommodate those requirements.”	<p>The potential engineering interfaces between the EWR Project and the Scheme for each of the five shortlisted route alignments contained within the EWR Project second non-statutory consultation are set out in EWR Co response to Q1.17.4.1 (b) [REP1-074] and EWR Co submission regarding the draft itinerary for the Accompanied Site Inspection [AS-011].</p> <p>EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which interactions between the EWR Project and the Scheme can be managed. At present, it is proposed by EWR Co that this be addressed through the inclusion of protective provisions in the dDCO [APP-025] alongside a side agreement between the parties.</p>

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4.3	Camcycle [REP1-053], final page	<p>“The applicant is already planning to overcome these barriers to motor traffic by designing structures that will carry the dual carriageway over them. The designs for those structures should be modified to incorporate provision that allows active travel users also to cross those barriers, such as with suitably designed active travel side-paths on bridges. Alternatively, separate and better-located structures may be provided for active travel users to overcome those barriers, if that provides more reasonable connectivity to the wider active travel network. It would be wise to coordinate this effort with the East West Rail project, which is also designing infrastructure in the same region, and which will require high-quality walking and cycling routes in order to provide access for stations in the vicinity of St Neots and Cambourne.”</p>	<p>It is for the Applicant to consider impacts on NMUs in respect of the Scheme and make provision as necessary.</p> <p>EWR Co will assess the impact of the EWR Project on NMUs prior to submitting a development consent order application. While the design of the EWR Project continues to be developed, it is expected that this will consider the available options to support sustainable modes of transport to facilitate customer journeys to and from the station, as part of the first or last part of their rail journey.</p>
4.4	Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council [REP1-048], paragraph 18.4.6, page 74	<p>“The cumulative impact and relationship of the Scheme with East West Rail / other projects also requires clarification and discussion. While the Councils recognise that schemes are at different stages of development, from a climate perspective, and notably in relation to carbon budgets, it is considered important that the cumulative impacts of these significant infrastructure projects in the area are taken into account. In particular, reducing the construction stage impacts of these projects will become increasingly important as</p>	<p>A preferred route alignment for the EWR Project in the vicinity of the Scheme has not been announced nor has EWR Co applied for a Scoping Opinion from the Planning Inspectorate.</p> <p>Therefore, at this stage, it is not considered that the EWR Project is a development that at this stage is of sufficient certainty to be relevant to the cumulative assessment for the Scheme. However, EWR Co will continue to engage with the Applicant to ensure that the EWR Project is appropriately reflected in the assessment of the Scheme.</p>

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		decarbonisation and alternative technologies reduce some of the operational impacts, giving consideration to the embodied carbon associated with such projects. The Councils require confirmation from the Applicant as to how this is being taken into consideration as part of the development of infrastructure plans, and whether there will be any opportunity to update the cumulative impact assessment once greater detail on East West Rail is known. “	It is for the Applicant to assess cumulative impacts and climate impacts in respect of the Scheme. EWR Co will address cumulative impacts with the Scheme and climate impacts as part of the environmental impact assessment undertaken for the EWR Project. Any potential impacts during the construction phase of the EWR Project will be managed through a Code of Construction Practice, which will form part of the application for a development consent order in respect of the EWR Project.

Table 5: EWR Co comments on the Applicant’s responses to the Examining Authority’s first written questions (WQ1) [REP1-022]

Item No.	Document name and PINs Reference No.	Extracts	EWR Co Response
5.1	Applicant’s Response to the Examining Authority’s First Round of Written Questions [REP 1 -022], Q1.11.6.6 (b) Page 159	Q1.11.6.6(b) “East West Rail has now completed their non statutory route options consultation. Given East West Rail has not yet determined the route and locations of the proposed stations, it is not possible 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 Scheme and the EWR Project have the potential to be geographically related. As such, it is entirely appropriate and efficient that the Scheme make reasonable provision for the accommodation of the EWR Project. EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved.
5.2	Applicant’s Response to the Examining Authority’s First Round	Q1.15.4.1	Details of the engagement between EWR Co and the Applicant are set out in EWR Co response to Q1.15.4.1 [REP1-074]. In

Item No.	Document name and PINs Reference No.	Extracts	EWR Co Response
	of Written Questions [REP 1 -022], Q1.15.4.1 Page 112	<p>“Highways England and EWR have met on a monthly basis to provide an opportunity to discuss at a high level the Development Consent Order (DCO) scheme, potential programme implications and design interfaces. These regular meetings will continue and if necessary, more focused meetings will be held as required. Note that there have been numerous requests from EWR to share information which Highways England, where possible, has supplied, notably around the design, ecology, utility information, and traffic information. It is noted that the Applicant has provided a cordon of the A428 strategic traffic model to EWR which will support their model development.</p> <p>In terms of the information supplied by EWR this has to date been limited given the current status of the EWR scheme. The Applicant has made requests for the demand forecasts prepared by EWR although it is understood that these are currently in preparation. Hence the Applicant’s difficulty to provide meaningful analysis of impacts, indeed without sufficient information potentially damaging conclusions could be drawn. The Applicant will continue to discuss with EWR as more detail becomes available.”</p>	<p>addition to the engagement described in [REP1-074], further meetings and calls took place on 24 August 2021, 25 August 2021, 10 September 2021, 14 September 2021 and 15 September 2021.</p> <p>While the EWR Project continues to undergo refinement in response to consultation and design work, EWR Co have sought to provide the Applicant with information as requested. This includes the provision of information in relation to the interaction between the EWR Project and the Scheme, as well as the provision of traffic models in 2019 and January 2021.</p> <p>EWR Co will continue to engage with the Applicant, both in respect of the Scheme and the ongoing development of the EWR Project.</p>

Item No.	Document name and PINs Reference No.	Extracts	EWR Co Response
5.3	Applicant's Response to the Examining Authority's First Round of Written Questions [REP 1 -022], Q1.15.4.2 Page 215	<p>Q1.15.4.2 "The Level 2 assessment of the East West Rail scheme utilised information provided by East West Rail Limited that included forecasts of trips diverting from highway to EWR services.</p> <p>Based on this, it has been determined that there could be a transfer of between 900 and 1,500 car trips per day from the A428 corridor onto EWR. This daily transfer is small compared to the number of daily vehicles forecast to use the A428 Scheme in 2040 (29,000 between Black Cat and Cambridge Road; and 46,000 between Cambridge Road and Caxton Gibbet). While EWR would reduce the future flows on the road improvement scheme, it would not remove the need for it.</p> <p>It was therefore concluded that EWR would only result in a very modest transfer of trips from road (car) to rail, and as a result would provide only a very partial relief to the A428's problems. Highways England recognises that both the A428 Black Cat to Caxton Gibbet DCO Application and East West Rail Project seek to improve transport reliability from east to west, make journeys quicker and easier. It therefore agrees with the National Infrastructure Commission's (NIC) recommendation for a multi-modal corridor between Oxford and Cambridge combining EWR</p>	<p>As set out at paragraph 1.1 of EWR Co's Post-Hearing submissions including written submissions of oral case at Issue Specific Hearing 1 [REP1-073], EWR Co agree that the Scheme and the EWR Project are complementary.</p> <p>In particular, the need for the EWR Project was identified by the National Infrastructure Commission, which identified the need for both road and rail provision within the Oxford – Cambridge Arc, and highlighted that road and rail schemes do not achieve the same objectives. As such, there is a need for both the Scheme and the EWR Project.</p> <p>The traffic modelling assessments for the EWR Project are not before the Examination, and EWR cannot comment at this stage in respect of the anticipated modal shift resulting from the EWR Project.</p> <p>However, a Transport Assessment Scoping Report is being prepared which will be discussed with the relevant highway authorities, including the Applicant. This will set out the approach to the assessment of the EWR Project including the potential for modal shift from the Scheme arising from the construction of the EWR Project.</p>

Item No.	Document name and PINs Reference No.	Extracts	EWR Co Response
		<p>and the proposed new A428 dual carriageway between Black Cat and Caxton Gibbet.</p> <p>Overall, both schemes are complementary in terms of meeting the objectives of the NIC and Government in creating easier and more reliable east to west travel. As explained at the Issue Specific Hearing 1 on 18 August 2021, the schemes are complementary, not competitive.”</p>	
5.4	Applicant’s Response to the Examining Authority’s First Round of Written Questions [REP 1 -022], Q1.17.4.1 (g) Page 235	<p>Q1.17.4.1 (g)</p> <p>“Stage 2 of the assessment acknowledged that whilst the scale and nature of the East West Rail project would, itself, likely result in significant environmental effects, it was not possible to shortlist this development for inclusion in the cumulative effects assessment at Stages 3 and 4 because very limited information was available regarding: a) its likely environment effects; b) the coverage and extent of its effects; and c) when its effects might occur.</p> <p>Accordingly, the East West Rail project was discounted from further consideration as it was concluded that the absence of this information prevented a meaningful cumulative effects assessment being undertaken.</p>	It is for the Applicant to assess cumulative impacts in respect of the Scheme. EWR Co will address cumulative impacts with the Scheme as part of the environmental impact assessment undertaken for the EWR Project.

Item No.	Document name and PINs Reference No.	Extracts	EWR Co Response
		<p>Notwithstanding this conclusion, the Applicant continues to review the status of the East West Rail project and its progression through statutory procedures. In the event of a scoping report or similar environmental information being published for the East West Rail project prior to, or during, the DCO Examination, the Applicant will update its status within Chapter 15, Assessment of Cumulative Effects.”</p>	
5.5	<p>Applicant’s Response to the Examining Authority’s First Round of Written Questions [REP 1 -022], Q1.17.4.1 Page 236</p>	<p>Q1.17.4.1 (h)</p> <p>“The Applicant and the East West Rail Company have collaborated as far as practicable given the different stages of development of their respective projects. Current indications suggest East West Rail will be consulting on the preferred alignment of their project at the time the Applicant will be concluding the detailed design of its Scheme, indicating a significant gap in the timeline between the two projects.</p> <p>Efficiencies where both projects interact with the same local roads and utilities will be considered when further detail is available to fully assess the impacts. However, given the A428 Scheme is so far advanced these opportunities will be reviewed against any cost or other implications including</p>	<p>EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which coordination can be achieved. Further, EWR Co will continue to engage with the Applicant, both in respect of the Scheme and the ongoing development of the EWR Project.</p> <p>In light of the potential engineering interfaces between the EWR Project and the Scheme for each of the five shortlisted route alignments within the EWR Project second non-statutory consultation having been set out in EWR Co’s response to Q1.17.4.1 (b) [REP1-074] and EWR Co submission regarding the draft itinerary for the Accompanied Site Inspection [AS-011], EWR Co welcomes the Applicant’s confirmation that it will continue to engage as to potential efficiencies.</p>

Item No.	Document name and PINs Reference No.	Extracts	EWR Co Response
		delays to the Scheme initially and then the East West Rail project.”	

Table 6: EWR Co comments on third party responses to WQ1

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
6.1	Freeths LLP for Central Bedfordshire Council (Responses to the ExA’s First Written Questions (WQ1) and Post Hearing Action Points from 18 th August [REP-055] Section 7 Barford Road Bridge, page 8 and 9, paragraph 7.4	“Failing to properly consider and make provision for pedestrian and cyclist access under and over the new A428 in this location will provide a huge barrier to that growth and its ability to come forward as a sustainable (and therefore appropriate) scheme. This is further emphasised by the recent East West Rail (EWR) consultation dated 31 st March – 9 th June 2021 (Section D, page 212), which proposes a new station either north or south the A428 in this location.”	It is for the Applicant to consider impacts on NMUs in respect of the Scheme and make provision as necessary. EWR Co will assess the impact of the EWR Project on NMUs prior to submitting a development consent order application. While the design of the EWR Project continues to be developed, it is expected that this will consider the available options to support sustainable modes of transport to facilitate customer journeys to and from the station, as part of the first or last part of their rail journey.
6.2	Freeths LLP for Central Bedfordshire Council (Responses to the ExA’s First Written Questions (WQ1) and Post Hearing Action Points from 18 th August	“In order to encourage sustainable growth and ongoing sustainable and active travel journeys, there will need to be access over/under the A428 for sustainable transport modes in line with the sustainable transport policies in the NPS for National Networks that make it as easy as possible for people to access these services without using their cars. It would be entirely contrary to	Please see EWR Co’s response at item 6.1, above. In developing its proposals for NMU provision, EWR Co will take account of paragraphs 3.15 to 3.18 of the National Policy Statement for National Networks (NPS NN).

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
	[REP-055] Section 7 Barford Road Bridge, page 9, paragraph 7.4	government policy in relation to sustainable travel and climate change not to future proof what is being proposed in this regard.”	
6.3	<p>Freeths LLP for Central Bedfordshire Council (Responses to the ExA’s First Written Questions (WQ1) and Post Hearing Action Points from 18th August</p> <p>[REP-055] Section 8 Connection, page 9, paragraph 8.1 and 8.2</p>	<p>“8.1 The National Policy Statement (NPS) for National Networks contains the following relevant policies:</p> <ul style="list-style-type: none"> • 5.205 Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users. <p>8.2 Related to these points, as discussed above, the Tempsford/Barford area is clearly going to be subject to significant change in the future, with an EWR station and potentially levels of significant growth. We also already know the A1 is struggling in terms of capacity. As such, the Council considers a vehicular link off the proposed A428 route to the east of Little Barford should be provided or funded by HE, for example, through the Development Consent Obligation or a highways agreement, to enable traffic to divert off this road to the new</p>	<p>Whilst any severance as a result of the Scheme is a matter for the Applicant, EWR Co will take account of paragraphs 3.15 to 3.18 of the NPS NN in designing the EWR Project.</p>

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
		EWR station, and potentially to new homes, prior to it reaching the A1.”	
6.4	Response to Freeths LLP for Central Bedfordshire Council (Responses to the ExA’s First Written Questions (WQ1) and Post Hearing Action Points from 18 th August [REP-055] Section 9 Air Quality, page 12, paragraph 9.9	“The applicant has not adequately factored in the cumulative impacts on AQ when combined with the East-West Rail Link (EWR) proposals, in particular regarding the proposed new station at Tempsford or St Neots and what that is likely to mean in terms of traffic generation on the A1 and consequent congestion etc”.	It is for the Applicant to provide traffic modelling and assess cumulative impacts in respect of the Scheme, including in relation to air quality. EWR Co will address cumulative impacts with the Scheme as part of the environmental impact assessment undertaken for the EWR Project.
6.5	Response to Freeths LLP for Central Bedfordshire Council (Responses to the ExA’s First Written Questions (WQ1) and Post Hearing Action Points from 18 th August [REP-055] Section 9 Air Quality, page 12, paragraph 9.9	“There appears to be an information disconnect with the EWR Project team (so we have been advised by the Black Cat Project Team), despite the EWR Project Team assuring me separately that they were liaising on the cumulative impacts for both projects. They need to resolve this to ensure an accurate assessment of cumulative impacts to accompany the DCO application is reflected in their prediction of air quality impacts, and the impacts on the Sandy AQMA are paramount in this respect.”	EWR Co does not accept that there is an information disconnect between EWR Co and the Applicant. Details of the engagement between EWR Co and the Applicant are set out in EWR Co response to Q1.15.4.1 [REP1-074]. In addition to the engagement described in [REP1-074], further meetings and calls took place on 24 August 2021, 25 August 2021, 10 September 2021, 14 September 2021 and 15 September 2021.
6.6	Freeths LLP for Central Bedfordshire Council	Operational Noise: The cumulative noise impact of both the EWR project and this project operating at	It is for the Applicant to assess cumulative impacts in respect of the Scheme, including in relation to noise.

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
	(Responses to the ExA's First Written Questions (WQ1) and Post Hearing Action Points from 18 th August [REP-055] Section 10 Noise and Vibration, page 13, paragraph 10.4	the same time has again not been assessed and this is requested by CBC. In theory, we would anticipate it is possible that noise from the A1 to dominate to such an extent that the contribution of the EWR operation overall will have little additional impact over and above that already identified.	EWR Co will address cumulative impacts with the Scheme as part of the environmental impact assessment undertaken for the EWR Project.
6.7	Bedford Borough Council [REP1-042] - Further Details Requested in Relation to Question Q1.11.6.6 (first page)	<p>“Bedford BC is concerned that arrangements should be made for a junction on the new road to provide access to the planned East West Rail (EWR) / East Coast Main Line (ECML) interchange station. As the location of that station is still to be determined by EWR, no plans are currently available to show the exactly appropriate layout for such a junction, but EWR has set out four possible station locations as shown on p212 of this document: https://eastwestrailproduction.s3.eu-west-2.amazonaws.com/public/Consultation-Document.pdf</p> <p>As a minimum, confirmation is sought that the status of the A428 does not prohibit new junctions on to the new road to serve the chosen station and associated developments in the future.”</p>	While the location of any new junctions forming part of the Scheme is a matter for the Applicant, EWR Co is engaged in discussions with the Applicant to secure provision for the coordination of the EWR Project and the Scheme. At present, it is proposed by EWR Co that this be addressed through the inclusion of protective provisions in the dDCO [APP-025] alongside a side agreement between the parties.

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
6.8	Bedford Borough Council [REP1-042] - Further Details Requested in Relation to Question Q1.11.6.6 (second page)	“Additionally, it would be sensible for segregated cycle lanes and footpaths to be included on the new / replacement Barford Road overbridge.”	<p>It is for the Applicant to consider impacts on NMUs in respect of the Scheme and make provision as necessary.</p> <p>EWR Co will assess the impact of the EWR Project on NMUs prior to submitting a development consent order application. While the design of the EWR Project continues to be developed, it is expected that this will consider the available options to support sustainable modes of transport to facilitate customer journeys to and from the station, as part of the first or last part of their rail journey.</p>
6.9	CPRE (The Countryside Charity Cambridgeshire and Peterborough) [REP1 056] answer to Q1.11.1.3, page 4	<p>Q1.11.1.3</p> <p>“There appears to be no consideration of the East-West Rail proposals. There is no consideration of the effect of East-West Rail on the volume of local or long-distance traffic demand or the effect of the road on the viability of East-West Rail.”</p>	<p>The need case for the Scheme is a matter for the Applicant. However, as set out at paragraph 1.1 of EWR Co Post-Hearing submissions including written submissions of oral case at Issue Specific Hearing 1 [REP1-073], EWR Co consider that the Scheme and the EWR Project are complementary rather than competitive.</p> <p>Traffic modelling assessments for the EWR Project are not before the Examination, and EWR cannot comment at this stage in respect of the anticipated modal shift resulting from the EWR Project. However, it is anticipated that the traffic modelling for the EWR Project will incorporate the Scheme as part of the future baseline.</p>
6.10	CPRE (The Countryside Charity Cambridgeshire and Peterborough)	<p>Q1.11.1.3</p> <p>“There is no discussion of the effects of EWR route selection on the A428 corridor choice.”</p>	The Applicant’s assessment of alternatives in respect of the selected route corridor for the Scheme is not a matter for EWR Co.

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
	[REP1 056] answer to Q1.11.1.3, page 4		However, it should be noted the preferred route announcement for the Scheme took place in February 2019, while the preferred route option for the EWR Project was announced in January 2020.

Table 7: EWR Co comments on the Applicant's response to submissions made at Open Floor Hearing 1 [REP1-035]

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
7.1	Applicant's response to Central Bedfordshire submissions to Open Floor Hearing 1 [REP1-035], page 7	"In relation to the consideration of cumulative impacts with East West Rail (air quality and noise) the Applicant refers to its response to written question 1.17.4.1 part g."	It is for the Applicant to assess cumulative impacts in respect of the Scheme. EWR Co will address cumulative air quality impacts as part of the environmental impact assessment undertaken in respect of the EWR Project. EWR Co response in respect of cumulative assessment is set out in response to WQ 1.17.4.1(g) [REP1-074].

Table 8 - EWR Co comments on third party statements of common ground

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
8.1	Draft Statement of Common Ground with Central Bedfordshire	"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	The Scheme and the EWR Project have the potential to be geographically related. As such, it is entirely appropriate and efficient that the Scheme make reasonable provision for the accommodation of the EWR Project to ensure that key

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
	Council [REP1-011], page 67	infrastructure which may be required as part of the East West Rail scheme.”	<p>interfaces are properly managed, taking appropriate and proportionate account of the route alignment eventually chosen for the EWR Project.</p> <p>EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved.</p>
8.2	Draft Statement of Common Ground with Bedford Borough Council [REP1-012], page 81	<p>Bedford Borough Council: “The Council wishes to ensure that potential sustainable development in the area is not compromised by the design of the new road. It therefore wishes to be reassured that:</p> <ul style="list-style-type: none"> • a junction on the new road to serve the proposed East West Railway stations in the area is deliverable...” 	<p>The extent of the traffic modelling for the Scheme is a matter for the Applicant. EWR Co will undertake appropriate modelling and assessment in respect of the EWR Project ahead of any application for a development consent order. As full assessments have not yet been undertaken in respect of the EWR Project, EWR Co is not able to provide further comment in relation to specific locations at this stage.</p> <p>However, EWR Co agrees that the Scheme should make appropriate provision for the EWR Project, and EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved.</p> <p>Should the Scheme not be delivered in a manner that takes account of the EWR Project, there is a risk that the latter will be rendered more expensive or more difficult to deliver which would also lengthen the programme to delivery. This may adversely affect the achievement of wider transport and economic objectives of the EWR Project. As such, it is important that measures secured by appropriate protective provisions in the dDCO, are put in place to ensure that key</p>

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
			<p>interfaces are properly managed. Provided this is achieved, there are no reasons in particular why the Scheme should impede delivery of the EWR Project or <i>vice versa</i>.</p>
8.3	<p>Draft Statement of Common Ground with Bedford Borough Council [REP1-012], page [81]</p>	<p>Applicant: “East West Rail has now completed their non statutory consultation. However, 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.”</p>	<p>The Scheme and the EWR Project have the potential to be geographically related. As such, it is entirely appropriate and efficient that the Scheme make reasonable provision for the accommodation of the EWR Project.</p> <p>EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved.</p>

3. Response to Deadline 2 Submissions

Table 9 - EWR Co comments in relation to Local Impact Reports

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
9.1	Edward Peel (Freeths LLP) on behalf of Central Bedfordshire [REP2-004] paragraph 6.4.9	“Of further concern to us is the fact that the applicant has not adequately factored in the cumulative impacts on AQ when combined with the East-West Rail Link (EWR) proposals, in particular regarding the proposed new station at Tempsford or St Neots and what that is likely to mean in terms of traffic generation on the A1 and consequent congestion etc.”	It is for the Applicant to assess cumulative impacts in respect of the Scheme. EWR Co will address cumulative air quality impacts with the Scheme as part of the environmental impact assessment undertaken for the EWR Project.
9.2	Edward Peel (Freeths LLP) on behalf of Central Bedfordshire [REP2-004] paragraph 6.4.9	“Operational Noise: The cumulative noise impact of both the EWR project and this project operating at the same time has again not been assessed and this is requested by CBC. In theory, CBC would anticipate noise from the A1 to dominate to such an extent that the contribution of the EWR operation overall will have little additional impact over and above that already identified. However, this still needs to be considered and demonstrated as both are major infrastructure projects that are likely to impact on the ambient noise environment in this area for the long-term. CBC appreciate there may be difficulties with communication and co-ordination between the two project teams, but that does not obviate the need for these impacts to be properly and robustly assessed, particularly for 2 schemes of such magnitude and significance	It is for the Applicant to assess cumulative impacts in respect of the Scheme, including in relation to noise. EWR Co will address cumulative impacts with the Scheme as part of the environmental impact assessment undertaken for the EWR Project.

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
		and in such close proximity to each other.”	
9.3	Edward Peel (Freeths LLP) on behalf of Central Bedfordshire [REP2-004] paragraph 6.4.9	“There appears to be an information disconnect with the EWR Project team (so we have been advised by the Black Cat Project Team), despite the EWR Project Team assuring me separately that they were liaising on the cumulative impacts for both projects. They need to resolve this to ensure an accurate assessment of cumulative impacts is reflected in their prediction of air quality impacts, and the impacts on the Sandy AQMA are paramount in this respect.”	<p>EWR Co does not accept that there is an information disconnect between EWR Co and the Applicant. Details of the engagement between EWR Co and the Applicant are set out in EWR Co’s response to Q1.15.4.1 [REP1-074]. In addition to the engagement described in [REP1-074], further meetings and calls took place on 24 August 2021, 25 August 2021, 10 September 2021, 14 September 2021 and 15 September 2021.</p> <p>It is for the Applicant to assess cumulative impacts in respect of the Scheme. EWR Co will address cumulative impacts with the Scheme as part of the environmental impact assessment undertaken for the EWR Project.</p>
9.4	Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council [REP2-003], page 10	“Lack of consideration in any detail in the transport modelling of the interaction of the scheme with East West Rail and Cambourne to Cambridge, and the opportunities for interchange from the A428, particularly for trips into Cambridge.”	The extent of the traffic modelling for the Scheme is a matter for the Applicant. EWR Co will undertake appropriate modelling and assessment in respect of the EWR Project ahead of any application for a development consent order. As full assessments have not yet been undertaken in respect of the EWR Project, EWR Co is not able to provide further comment in relation to specific locations at this stage.
9.5	Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council [REP2-003],	“The Landscape and Visual Impact Assessment or scheme design does not discuss or consider possibility of the new East-West rail. The current “emerging preference” route alignments for East-West rail, (route 1 and route 9) closely follow the approximate alignment of the proposed A428. HE	EWR Co agree that there are potential efficiencies to be sought between the Scheme and the EWR Project. EWR Co has engaged with the Applicant’s legal team to discuss the mechanisms by which this can be achieved.

Item No.	Document name and PINs Reference No.	Extracts	EWR Response
	page 13	neglects to consider the possibility of shared supporting infrastructure (bridges, tunnels, water management, access roads between any stations and the A428, integrated, larger scale and better connected, landscape, ecological and visual mitigation. There would also be the opportunity to minimise the land take of the two projects by considering the transport corridor as a single entity, reducing the extent of landscape and visual effects.”	

4. Response to the ExA’s Action Points for Compulsory Acquisition Hearing 1 [EV-023]

4.1. Action point 8 of [EV-023] requests a written update from the Applicant in respect of discussions with EWR Co. Following discussions between the parties, the below joint statement has been prepared:

“Further to the update provided to the ExA by the Applicant during the Compulsory Acquisition Hearing on 20 September 2021, the Applicant and EWR Co have prepared this joint statement for submission at Deadline 3. Discussions between the parties as to protective provisions and a side agreement are ongoing, with drafts to be provided by EWR Co’s Legal Team for the Applicant’s consideration shortly. As such, it is anticipated that discussions on this point will continue and a full update will be provided to the Examination at Deadline 4.”

4.2. In light of the above statement, EWR Co reserves its right to comment on the dDCO at a later stage during the Examination. In particular, it is anticipated that substantive comments, along with a further update in respect of the potential interfaces between the EWR Project and the Scheme, will be provided at Deadline 4.