

# A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.70 Applicant response to actions arising from Issue Specific  
Hearing 4

Planning Act 2008

Rule 8(1)(k)

Infrastructure Planning (Examination Procedure) Rules  
2010

December 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning (Examination  
Procedure) Rules 2010**

**A428 Black Cat to Caxton Gibbet  
improvements**  
Development Consent Order 202[ ]

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**9.70 Applicant response to actions arising from  
Issue Specific Hearing 4**

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<b>Regulation Reference:</b>	Rule 8(1)(k)
<b>Planning Inspectorate Scheme Reference</b>	TR010044
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<b>Author</b>	A428 Black Cat to Caxton Gibbet improvements Project Team, National Highways

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# 1 Applicant’s Response to actions arising from Issue Specific Hearing 4

- 1.1.1 Following Issue Specific Hearing 4 (ISH4) which was held on Tuesday 30 November 2021 the Examining Authority (ExA) published a list of actions arising from ISH4 on 3 December 2021 which required a response or update at Deadline 6.
- 1.1.2 Of the actions identified a number were identified for the Applicant whilst others were directed to other interested parties.
- 1.1.3 The following table sets out only those actions directed to the Applicant and the Applicant’s corresponding response. In some instances, as noted within the table, further discussions will take place with relevant parties after Deadline 6 and the Applicant will update the ExA at subsequent deadlines as appropriate.

**Table 1-1 Applicant’s responses to actions arising from Issue Specific Hearing 4**

Action No.	Action	Party	Response at Deadline 6
1.	Review and confirm implications of their name change including in draft Development Consent Order (dDCO) and Explanatory Memorandum, Funding Statement, Statement of Reasons and Book of Reference.	Applicant	<p>The Applicant for the Scheme was incorporated as Company no. 09346363 and when incorporated the company's name was Highways England Company Limited.</p> <p>As can be seen from the attached enclosure taken from the Companies House website, the company number and registered office for the Applicant remains the same but, on 8 September 2021, it changed its name to National Highways Limited.</p> <p>The Applicant continues to use Highways England branding where appropriate and believes that, for the purposes of the Scheme, it would not be in any party's interests to have all documentation re-issued and re-branded in the new company name.</p> <p>That said, the draft Development Consent Order (dDCO) in Article 2 refers to the Applicant as Highways England Company Limited, quoting the registered office and company number and, for clarity, all references to Highways England Company Limited in the dDCO submitted at Deadline 6 <b>[TR010044/APP/3.1 v4]</b> have been changed to refer to National Highways Limited. The Explanatory Memorandum submitted at Deadline 6 <b>[TR010044/APP/3.2 v4]</b> has also been updated to reflect this change. The proposed changes are shown in the tracked</p>

Action No.	Action	Party	Response at Deadline 6
			<p>and clean dDCO and Explanatory Memorandum submitted at deadline 6.</p> <p>The Applicant will also submit a revised Funding Statement <b>[APP-031]</b> explaining the name change so that it is clear. The Statement of Reasons will also be updated to reflect the name change. It is anticipated that both documents will be submitted at Deadline 10 at the same time as the revised Book of Reference, which itself was updated with the name change at Deadline 5 <b>[REP4-010]</b>.</p> <p>The Applicant however does not intend on updating any other submitted documents. It is proposed that the Explanatory Memorandum can be relied upon to explain that the Applicant remains the same legal person and references to Highways England in application documentation remain references to the same Applicant despite the change of the Applicant's name.</p>
2.	Applicant to confirm existing references in Examination library relating to qualifying features of the Ouse Washes SPA & Ramsar site: Appendix B and D Table 2 <b>[APP-233]</b> . Pg 143 & 144 screening matrix	Applicant	Citations for the Ouse Washes Special Protection Area and the Ouse Washes Ramsar Wetland Site are contained in Appendix A.
3.	Provide citations for Ouse Washes Special Protection Area and Ramsar site	Applicant	Citations for the Ouse Washes Special Protection Area and the Ouse Washes Ramsar Wetland Site are contained in Appendix A.
4.	Disaggregate detail relating to different species <b>[APP-233, Tables 1 and 2]</b> .	Applicant	<p>Tables 1 and 2 have been updated and are presented in Appendix B.</p> <p>Table 1 has been expanded to present how the screening exercise has been reported for the Ouse Washes SAC, SPA and Ramsar Wetland Site as three separate designations.</p> <p>Table 2 has been split into three separate tables (Tables 2a, 2b and 2c) to report the outcomes of the screening exercise for the different species (features) associated with the Ouse Washes SAC, SPA and Ramsar Wetland Site designations.</p>

Action No.	Action	Party	Response at Deadline 6
5.	Confirm whether (and if so when) East West Railway Company (EWR) 2020 bat surveys, that have been relied upon to draw conclusions for this Examination, can be submitted to the Examination	Applicant Natural England EWR	<p>The Applicant would like to clarify that the EWR 2020 bat survey was not relied upon as part of the Scheme Environmental Statement or considerations in relation to Habitat Regulations Assessment, although Natural England has acknowledged that the surveys do support the conclusions reached by the Applicant.</p> <p>The Applicant has submitted the EWR 2020 bat survey into the Examination at Deadline 6, a copy of which is submitted as document <b>[TR010044/EXAM/9.90]</b>.</p>
6.	Discuss rationale as to whether an Appropriate Assessment is required for Habitat Regulations Assessment irrespective of the additional bat survey work undertaken.	Applicant Natural England	<p>Discussion with Natural England is ongoing including a meeting on 10 December 2021 as to whether an Appropriate Assessment is required for Habitat Regulations Assessment. The Applicant has produced an Appropriate Assessment Note for Deadline 6 <b>[TR010044/EXAM/9.89]</b> summarising the rationale and approach proposed by the Applicant which includes the outcome of the most recent discussions with Natural England .</p>
7.	Local Authorities to be involved in discussions on design of bat crossings and routes to those crossing points	Applicant Natural England	<p>The Applicant will involve the Local Authorities in discussions with Natural England during the ongoing Examination process on the design of bat crossings and routes to those crossing points. The next meeting will be in early January 2022.</p>
8.	Submit Defra 2.0 metric technical appendix and user guide in relation to interpreting Biodiversity Net Gain (BNG)	Cambridge shire County Council	N/A to the Applicant.
9.	Provide evidence as to whether the use of the Defra metrics in assessing Biodiversity Net Gain (BNG) has been included in other NSIPs.	Applicant jointly with Natural England and Local Authorities	<p>The A38 has been assessed using Defra metric 2.0.</p> <p>The A47/A11 Thickthorn Scheme, also currently in Examination has used Defra metric 2.0.</p> <p>The A47 North Tuddenham to Easton also currently in Examination has used Defra metric 2.0.</p> <p>The A303 Stonehenge has been assessed using Defra metric 2.0.</p>

Action No.	Action	Party	Response at Deadline 6
			<p>The M54 has been assessed using Defra metric 2.0.</p> <p>The M25/A3 (Lower Thames Crossing) has been assessed using Defra metric 2.0.</p>
10.	Position and supporting policy basis, especially in NPS NN, regarding the need to use BNG metrics	Applicant and Interested Parties	<p>As stated by the Applicant in response to the ExA's Second Written Question (SWQ) Q2.3.2.1, <b>[REP4-037]</b>, the assessment of effects on biodiversity, and the calculation of Biodiversity Net Gain (BNG) are two separate processes. The Scheme's BNG calculations using both the original Highways England Metric and the Defra Metric 2.0 both show similar outcomes which are supportive of the Environmental Statement conclusions that there would be a significant gain in biodiversity (in area-based and river habitats), immediately post construction, developing over time as habitats establish and mature.</p> <p>The NPS NN does not have any specific requirements for Applicants to calculate BNG for national network schemes; however, paragraph 5.33 of the NPS NN requires the Secretary of State, when considering proposals, to consider whether the applicant has maximised opportunities (resulting in beneficial biodiversity or geological features) in and around developments.</p> <p>The Applicant, in the Application Appendix on Biodiversity Net Gain <b>[APP-206]</b> explains in paragraph 1.1.2 that it has committed to reducing the loss of biodiversity with respect to the Strategic Road Network (SRN), moving to biodiversity neutrality and onto biodiversity net gain. Paragraph 1.1.3 explains that although there is no requirement for delivering BNG within the NPS NN, the Applicant seeks to make a net gain, as a result of the Scheme.</p> <p>The Applicant's response to Q2.3.2.1 explains that the design of the Scheme, has from the outset, sought to maximise opportunities to achieve BNG, both as reflected in the outcome of the Defra metric 2.0 assessment of habitats and watercourses/ivers as well as enhancements for species such as Great Crested Newt and species groups such as bats.</p>

Action No.	Action	Party	Response at Deadline 6
			<p>The Applicant is aware that the Environment Act 2021 received royal assent on 9 November 2021.</p> <p>Section 99 of the Act brings in Schedule 15, which in turn amends sections 37, 103-105, 120 and 232 of the Planning Act 2008 and inserts a new schedule 2A into it. This will require certain nationally significant infrastructure projects to meet the objective of increasing biodiversity by at least 10% of the pre-development value of the site, calculated by reference to the <u>biodiversity metric</u>.</p> <p>These provisions have not yet been brought into force; there is likely to be secondary legislation containing more detail, but the timescales for this are not yet known.</p> <p>National Highways has a target to achieve no net loss at an organisational level by 2025. As confirmed in the Operational Metrics Manual, performance to this target is measured using biodiversity metric 2.0 and this metric is used for NSIP applications. National Highways is required to quantify changes in biodiversity for all of its activities using this metric to report to this organisational level target.</p>
11.	Technical note regarding groundwater and surface water modelling and sensitivity testing. IPs to provide comment at following deadline or include in Statement of Common Ground.	Applicant and Interested Parties	<p>Refer to the following documents submitted at Deadline 6:</p> <p>(1) Flood Risk Assessment Technical Note <b>[TR010044/EXAM/9.82]</b>.</p> <p>(2) Groundwater Risk Assessment Technical Note <b>[TR010044/EXAM/9.83]</b>.</p>
12.	Were Bedford Internal Drainage Board consulted on proposals and what is their view of them in relation to groundwater flood risk?	Applicant	<p>The Applicant provided the Flood Risk Assessment Technical Note <b>[TR010044/EXAM/9.82]</b> to the Bedford internal Drainage Board on 7 December 2021.</p> <p>The IDB responded with comments on the Flood Risk Assessment Technical Note <b>[TR010044/EXAM/9.82]</b> on 14 December 2021 and the Applicant is currently considering the points raised</p>
13.	Explanation, including where appropriate any	Applicant	Refer to the Update on the Overview of the Assessment of Alternatives considered at the



Action No.	Action	Party	Response at Deadline 6
	factual information to support the narrative described in the relevant tables in <b>[REP4-032]</b> and <b>[REP4-033]</b> relating to assessment of alternatives at Black Cat junction. Key to aid understanding for the Examining Authority being the chronology of decisions taken and sign posting to relevant information in the Examination Library for non-statutory consultation, specifically, the described effects on Brook Cottages and why the view changed.		Black Cat Junction <b>[TR010044/EXAM/9.80]</b> submitted at Deadline 6.
14.	With reference to the submitted evidence, including <b>[REP4-033]</b> Table 10.2], explain why Option C+ was not combined with the Orange route in design selection process, and the implications of this for that process.	Applicant	Refer to the Update on the Overview of the Assessment of Alternatives considered at the Black Cat Junction <b>[TR010044/EXAM/9.80]</b> submitted at Deadline 6.
15.	List all departures from standard associated with the Proposed Development	Applicant	Refer to the Departures from Standard for the A428 Black Cat to Caxton Gibbet Scheme <b>[TR010044/EXAM/9.85]</b> submitted at Deadline 6.
16.	Bedford Borough Council to be involved in future discussions between Historic England and the Applicant regarding methods to retain as much of Brook Cottages as practicable should it require demolition and relocation.	Applicant Historic England Bedford Borough Council	Bedford Borough Council has been involved in discussions between the Applicant and Historic England to date. This will continue when discussing any issues associated with Brook Cottages, including its demolition and potential relocation.
17.	Update on Requirement 16 in dDCO being discussed with Historic England and if practicable submission of draft wording.	Applicant Historic England	Requirement 16 was issued to Historic England on 16 November 2021 and to Bedford Borough Council on 7 December 2021. The Applicant has received comments from both Historic England and Bedford Borough Council on 14 December 2021 and is considering the amendments sought. Given the ongoing discussions required, the Applicant is not

Action No.	Action	Party	Response at Deadline 6
			<p>proposing to submit the updated Requirement 16 at this stage. The Applicant anticipates submitting a revised Requirement 16 at Deadline 8.</p> <p>In addition to the submission of a revised Requirement 16 at Deadline 8 the Applicant will also be submitting a scope of the Intrusive Survey for Brook Cottages.</p>
18.	LAs to provide evidence relating to any local or regional carbon budgets, including formal adoption process and how individual schemes are considered in relation to those budgets.	Local Authorities	N/A to the Applicant.
19.	Transport Action Network to provide their estimations associated with carbon emissions of RIS2 schemes and any further updated information associated with the economic cost of carbon emissions, including a description of any caveats applied.	Transport Action Network	N/A to the Applicant.

## Appendix A: Action Points 2 and 3 - Citations for the Ouse Washes Special Protection Area and the Ouse Washes Ramsar Wetland Site

# EC Directive 79/409 on the Conservation of Wild Birds: Special Protection Area

## Ouse Washes (Cambridgeshire, Norfolk)

The Ouse Washes Ramsar site and proposed Special Protection Area is a wetland of major international importance comprising seasonally flooded washlands which are agriculturally managed in a traditional manner. It provides breeding and winter habitats for important assemblages of wetland bird species, particularly wildfowl and waders.

The boundaries of the proposed Special Protection Area are coincident with those of the Ouse Washes SSSI apart from the exclusion of a section of the Old Bedford River in the north of the SSSI.

The Ouse Washes qualifies under Article 4.1 of the EC Birds Directive by supporting, in summer, a nationally important breeding population of ruff *Philomachus pugnax* an Annex 1 species. In recent years an average of 57 individuals have been recorded lekking, a significant proportion of the British population.

The site also qualifies under Article 4.1 by regularly supporting internationally or nationally important wintering populations of three Annex 1 species. During the five year period 1986/87 to 1990/91, the following average peak counts were recorded: 4,980 Bewick's swan *Cygnus cohnrbarius bewickii* (29% of the north-west European wintering population, 70% of the British wintering population), and 590 whooper swans *Cygnus cygnus* (3% of the international population, 10% of British). In addition, between 1982-87 an average of 12 wintering hen harrier *Circus cyaneus* was recorded, representing 2% of the British wintering population

The Ouse Washes qualifies under Article 4.2 by supporting, in summer, in recent years, nationally important breeding populations of five migratory species. 111 pairs of gadwall *Anas strepera* (20% of the British breeding population); 850 pairs of mallard *Anas platyrhynchos* (2% of British); 14 pairs of garganey *Anas querquedula* (20% of British). 155 pairs of shoveler *A. clypeata* (12% of British), and 26 pairs of black-tailed godwits *Limosa limosa* (44% of British).

The site further qualifies under Article 4.2 as a wetland of international importance by virtue of regularly supporting over 20,000 waterfowl, with an average peak count of 60,950 birds recorded in the five winter period 1986/7 to 1990/91. This total included internationally or nationally important wintering populations of the following migratory waterfowl (figures given are average peak counts for the five winter period 1986/87 - 1990/91): 270 cormorant *Phalacrocorax carbo* (296 of the British wintering population); 490 mute swan *Cygnus olor* (3% of British); 38,000 widgeon *Arenaria penelope* (5% of the north-west European population, 15% of British); 320 gadwall *Anas strepera* (5% of British); 4,100 teal *A. crecca* (1% of NW European, 4% of British); 1,450 pintail *Anas acuta* (2% NW European, 6% of British); 750 shoveler *Anas clypeata* (2% of NW European, 8% of British); 2,100 pochard *Aythya ferina* (4% of British); 860 tufted duck *Aythya fuligula* (1% of British); and 2,320 coot *Fulica atra* (1% of British).


The site also qualifies under Article 4.2 by virtue of regularly supporting, in summer, a diverse assemblage of the breeding migratory waders of lowland wet grassland, including: oystercatcher *Haematopus ostralegus*, redshank *Tringa totanus*, snipe *Gallinago gallinago*, ruff *Philomachus pugnax*, lapwing *Vanellus vanellus*, and blacktailed godwit *Limosa limosa* and a diverse assemblage of breeding wildfowl with mute swan *Cygnus olor*, shelduck *Tadorna tadorna*, gadwall *Anas strepera*, teal *A. crecca*, mallard *A. platyrhynchos* pintail *A. acuta*, garganey *A. querquedula*, shoveler *A. clypeata*, pochard *Aythya ferina*, tufted duck *Aythya fuligula*, moorhen *Gallinula chloropus* and coot *Fulica atra* occurring regularly. Many of these species are rare and much restricted in Britain and the European Community owing to habitat loss and degradation. The site thus has an important role in maintaining the ranges of several of these species which have been affected by changes in habitat elsewhere in Britain.

During severe winter weather elsewhere, the Ouse Washes can assume even greater national and international importance as wildfowl and waders from many other areas arrive, attracted by the relatively mild climate, compared with continental European areas and the abundant food resources available.

The continued international importance of this site is dependant on the maintenance of a winter flooding regime and a high, but controlled summer water table.

SPA Citation  
DAS/HTR June 1992

This citation/map relates to a site entered on  
the Register of European sites for Great Britain.  
Register reference number.....UK000804.....  
Date of registration.....30 Jan 1996.....

Signed..........  
on behalf of the Secretary of State for the Environment

# Information Sheet on Ramsar Wetlands (RIS)

*Categories approved by Recommendation 4.7 (1990), as amended by Resolution VIII.13 of the 8<sup>th</sup> Conference of the Contracting Parties (2002) and Resolutions IX.1 Annex B, IX.6, IX.21 and IX. 22 of the 9<sup>th</sup> Conference of the Contracting Parties (2005).*

## Notes for compilers:

1. The RIS should be completed in accordance with the attached *Explanatory Notes and Guidelines for completing the Information Sheet on Ramsar Wetlands*. Compilers are strongly advised to read this guidance before filling in the RIS.
2. Further information and guidance in support of Ramsar site designations are provided in the *Strategic Framework for the future development of the List of Wetlands of International Importance* (Ramsar Wise Use Handbook 7, 2nd edition, as amended by COP9 Resolution IX.1 Annex B). A 3rd edition of the Handbook, incorporating these amendments, is in preparation and will be available in 2006.
3. Once completed, the RIS (and accompanying map(s)) should be submitted to the Ramsar Secretariat. Compilers should provide an electronic (MS Word) copy of the RIS and, where possible, digital copies of all maps.

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## 1. Name and address of the compiler of this form:

### Joint Nature Conservation Committee

Monkstone House

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Peterborough

Cambridgeshire PE1 1JY

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DD MM YY

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Designation date

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Site Reference Number

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## 2. Date this sheet was completed/updated:

Designated: 05 January 1976

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## 3. Country:

UK (England)

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## 4. Name of the Ramsar site:

Ouse Washes

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## 5. Designation of new Ramsar site or update of existing site:

**This RIS is for:** Updated information on an existing Ramsar site

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## 6. For RIS updates only, changes to the site since its designation or earlier update:

### a) Site boundary and area:

\*\* Important note: If the boundary and/or area of the designated site is being restricted/reduced, the Contracting Party should have followed the procedures established by the Conference of the Parties in the Annex to COP9 Resolution IX.6 and provided a report in line with paragraph 28 of that Annex, prior to the submission of an updated RIS.

### b) Describe briefly any major changes to the ecological character of the Ramsar site, including in the application of the Criteria, since the previous RIS for the site:

**7. Map of site included:**

Refer to Annex III of the *Explanatory Notes and Guidelines*, for detailed guidance on provision of suitable maps, including digital maps.

a) A map of the site, with clearly delineated boundaries, is included as:

- i) **hard copy** (required for inclusion of site in the Ramsar List): *yes* ✓ -or- *no* ☐;
- ii) **an electronic format** (e.g. a JPEG or ArcView image) *Yes*
- iii) **a GIS file providing geo-referenced site boundary vectors and attribute tables** *yes* ✓ -or- *no* ☐;

b) **Describe briefly the type of boundary delineation applied:**

e.g. the boundary is the same as an existing protected area (nature reserve, national park etc.), or follows a catchment boundary, or follows a geopolitical boundary such as a local government jurisdiction, follows physical boundaries such as roads, follows the shoreline of a waterbody, etc.

The site boundary is the same as, or falls within, an existing protected area.

For precise boundary details, please refer to paper map provided at designation

**8. Geographical coordinates (latitude/longitude):**

52 28 34 N                      00 12 19 E

**9. General location:**

Include in which part of the country and which large administrative region(s), and the location of the nearest large town.

Nearest town/city: Ely

The site lies in the counties of Cambridgeshire and west Norfolk. It extends for 36 km south-west of Downham Market to Erith.

**Administrative region:** Norfolk

**10. Elevation** (average and/or max. & min.) (metres):    **11. Area** (hectares): 2469.08

Min.	0
Max.	5
Mean	2

**12. General overview of the site:**

Provide a short paragraph giving a summary description of the principal ecological characteristics and importance of the wetland.

This site is an area of seasonally-flooded washland habitat managed in a traditional agricultural manner. The washlands support nationally and internationally important numbers of wintering waterfowl and nationally important numbers of breeding waterfowl. The site is also of note for the large area of unimproved neutral grassland communities which it holds, and for the richness of the aquatic flora within the associated watercourses.

**13. Ramsar Criteria:**

Circle or underline each Criterion applied to the designation of the Ramsar site. See Annex II of the *Explanatory Notes and Guidelines* for the Criteria and guidelines for their application (adopted by Resolution VII.11).

**1, 2, 5, 6**

**14. Justification for the application of each Criterion listed in 13 above:**

Provide justification for each Criterion in turn, clearly identifying to which Criterion the justification applies (see Annex II for guidance on acceptable forms of justification).

Ramsar criterion 1

The site is one of the most extensive areas of seasonally-flooding washland of its type in Britain.

Ramsar criterion 2

The site supports several nationally scarce plants, including small water pepper *Polygonum minus*, whorled water-milfoil *Myriophyllum verticillatum*, greater water parsnip *Sium latifolium*, river water-dropwort *Oenanthe fluviatilis*, fringed water-lily *Nymphoides peltata*, long-stalked pondweed *Potamogeton praelongus*, hair-like pondweed *Potamogeton trichoides*, grass-wrack pondweed *Potamogeton compressus*, tasteless water-pepper *Polygonum mite* and marsh dock *Rumex palustris*.

Invertebrate records indicate that the site holds relict fenland fauna, including the British Red Data Book species large darter dragonfly *Libellula fulva* and the rifle beetle *Oulimnius major*.

The site also supports a diverse assemblage of nationally rare breeding waterfowl associated with seasonally-flooding wet grassland.

Ramsar criterion 5

**Assemblages of international importance:**

**Species with peak counts in winter:**

59133 waterfowl (5 year peak mean 1998/99-2002/2003)

**Ramsar criterion 6 – species/populations occurring at levels of international importance.**

**Qualifying Species/populations (as identified at designation):**

**Species with peak counts in winter:**

Tundra swan , <i>Cygnus columbianus bewickii</i> , NW Europe	1140 individuals, representing an average of 3.9% of the population (5 year peak mean 1998/9-2002/3)
Whooper swan , <i>Cygnus cygnus</i> , Iceland/UK/Ireland	653 individuals, representing an average of 3.1% of the population (5 year peak mean 1998/9-2002/3)
Eurasian wigeon , <i>Anas penelope</i> , NW Europe	22630 individuals, representing an average of 1.5% of the population (5 year peak mean 1998/9-2002/3)
Gadwall , <i>Anas strepera strepera</i> , NW Europe	438 individuals, representing an average of 2.5% of the GB population (5 year peak mean 1998/9-2002/3)
Eurasian teal , <i>Anas crecca</i> , NW Europe	3384 individuals, representing an average of 1.7% of the GB population (5 year peak mean 1998/9-2002/3)
Northern pintail , <i>Anas acuta</i> , NW Europe	2108 individuals, representing an average of 3.5% of the population (5 year peak mean 1998/9-2002/3)
Northern shoveler , <i>Anas clypeata</i> , NW & C Europe	627 individuals, representing an average of 1.5% of the population (5 year peak mean 1998/9-2002/3)

**Species/populations identified subsequent to designation for possible future consideration under criterion 6.**

**Species with peak counts in winter:**

Mute swan , <i>Cygnus olor</i> , Britain	722 individuals, representing an average of 1.9% of the population (5 year peak mean 1998/9-2002/3)
Common pochard , <i>Aythya ferina</i> , NE & NW	4678 individuals, representing an average of 1.3% of the population (5 year peak mean



Europe 1998/9-2002/3)

Black-tailed godwit , *Limosa limosa islandica*, 2647 individuals, representing an average of  
Iceland/W Europe 7.5% of the population (5 year peak mean  
1998/9-2002/3)

Contemporary data and information on waterbird trends at this site and their regional (sub-national) and national contexts can be found in the Wetland Bird Survey report, which is updated annually. See [www.bto.org/survey/webs/webs-alerts-index.htm](http://www.bto.org/survey/webs/webs-alerts-index.htm).  
Details of bird species occurring at levels of National importance are given in Section 22

**15. Biogeography** (required when Criteria 1 and/or 3 and /or certain applications of Criterion 2 are applied to the designation):

Name the relevant biogeographic region that includes the Ramsar site, and identify the biogeographic regionalisation system that has been applied.

**a) biogeographic region:**

Atlantic

**b) biogeographic regionalisation scheme** (include reference citation):

Council Directive 92/43/EEC

**16. Physical features of the site:**

Describe, as appropriate, the geology, geomorphology; origins - natural or artificial; hydrology; soil type; water quality; water depth, water permanence; fluctuations in water level; tidal variations; downstream area; general climate, etc.

Soil & geology	acidic, basic, neutral, alluvium, peat
Geomorphology and landscape	lowland, floodplain
Nutrient status	eutrophic
pH	circumneutral
Salinity	fresh
Soil	mainly organic
Water permanence	usually seasonal / intermittent
Summary of main climatic features	Annual averages (Cambridge, 1971–2000) ( <a href="http://www.metoffice.com/climate/uk/averages/19712000/sites/cambridge.html">www.metoffice.com/climate/uk/averages/19712000/sites/cambridge.html</a> ) Max. daily temperature: 14.1° C Min. daily temperature: 6.1° C Days of air frost: 41.9 Rainfall: 553.5 mm Hrs. of sunshine: 1501.2

**General description of the Physical Features:**

The Ouse Washes is an extensive area of seasonally-flooding wet grassland ('washland') lying between the Old and New Bedford Rivers, and acts as a floodwater storage system during winter months.

**17. Physical features of the catchment area:**

Describe the surface area, general geology and geomorphological features, general soil types, general land use, and climate (including climate type).

The Ouse Washes is an extensive area of seasonally-flooding wet grassland ('washland') lying between the Old and New Bedford Rivers, and acts as a floodwater storage system during winter months.

**18. Hydrological values:**

Describe the functions and values of the wetland in groundwater recharge, flood control, sediment trapping, shoreline stabilization, etc.

Flood water storage / desynchronisation of flood peaks

**19. Wetland types:**

Human-made wetland, Inland wetland

Code	Name	% Area
4	Seasonally flooded agricultural land	87.3
9	Canals and drainage channels	7
M	Rivers / streams / creeks: permanent	4
2	Farm ponds, small tanks	1.7

**20. General ecological features:**

Provide further description, as appropriate, of the main habitats, vegetation types, plant and animal communities present in the Ramsar site, and the ecosystem services of the site and the benefits derived from them.

The site is one of the country's few remaining areas of extensive washland habitat. It is notable for the large area of unimproved neutral grassland it holds. The grassland communities are characterised by such species as reed and floating sweet grass *Glyceria maxima* and *G. fluitans*, reed canary-grass *Phalaris arundinacea*, marsh foxtail *Alopecurus geniculatus* together with a variety of sedges and rushes. Typical herbs include amphibious bistort *Persicaria amphibia*, water pepper *P. hydropiper*, and tubular water dropwort *Oenanthe fistulosa*. The associated dykes and rivers hold a great variety of aquatic plants, the pondweeds *Potamogeton* spp. are particularly well represented. Other aquatic species include the fringed water lily *Nymphoides peltata*, greater water-parsonip *Sium latifolium* and the four species of duckweeds *Lemna* spp. The Old Bedford River and River Delph are good examples of base-rich, slow-flowing lowland rivers. The flora includes the fan-leaved water crowfoot *Ranunculus circinatus*, yellow water-lily *Nuphar lutea* and river water-dropwort *Oenanthe fluviatilis*.

Ecosystem services

**21. Noteworthy flora:**

Provide additional information on particular species and why they are noteworthy (expanding as necessary on information provided in 12. Justification for the application of the Criteria) indicating, e.g. which species/communities are unique, rare, endangered or biogeographically important, etc. *Do not include here taxonomic lists of species present – these may be supplied as supplementary information to the RIS.*

**Nationally important species occurring on the site.****Higher Plants.**

*Lactuca saligna*, *Alisma gramineum*, *Sium latifolium*, *Oenanthe fluviatilis*, *Nymphoides peltata*,  
*Potamogeton praelongus*, *Potamogeton trichoides*, *Potamogeton compressus*, *Polygonum mite*,  
*Rumex palustris*.

**22. Noteworthy fauna:**

Provide additional information on particular species and why they are noteworthy (expanding as necessary on information provided in 12. Justification for the application of the Criteria) indicating, e.g. which species/communities are unique, rare, endangered or biogeographically important, etc., including count data. *Do not include here taxonomic lists of species present – these may be supplied as supplementary information to the RIS.*

**Birds****Species currently occurring at levels of national importance:****Species with peak counts in winter:**

Great cormorant, *Phalacrocorax carbo carbo*, 241 individuals, representing an average of 1% of the GB population (5 year peak mean 1998/9-2002/3)  
NW Europe

Bean goose , <i>Anser fabalis fabalis</i> , NW Europe - wintering	13 individuals, representing an average of 3.2% of the GB population (5 year peak mean for 1996/7-2000/01)
Tufted duck , <i>Aythya fuligula</i> , NW Europe	1459 individuals, representing an average of 1.6% of the GB population (5 year peak mean 1998/9-2002/3)
Hen harrier, <i>Circus cyaneus</i> , Europe	12 individuals, representing an average of 1.6% of the GB population (6 year mean 1982-1987)
Common coot , <i>Fulica atra atra</i> , NW Europe	2102 individuals, representing an average of 1.2% of the GB population (5 year peak mean 1998/9-2002/3)
Ruff , <i>Philomachus pugnax</i> , Europe/W Africa	292 individuals, representing an average of 41.7% of the GB population (5 year peak mean 1998/9-2002/3)

### Species Information

#### Species occurring at levels of international importance.

##### Fish.

*Cobitis taenia*.

##### Invertebrates.

*Libellula fulva*, *Oulimnius major*

### 23. Social and cultural values:

Describe if the site has any general social and/or cultural values e.g. fisheries production, forestry, religious importance, archaeological sites, social relations with the wetland, etc. Distinguish between historical/archaeological/religious significance and current socio-economic values.

Aesthetic  
 Environmental education/ interpretation  
 Livestock grazing  
 Non-consumptive recreation  
 Sport fishing  
 Sport hunting  
 Transportation/navigation

**b)** Is the site considered of international importance for holding, in addition to relevant ecological values, examples of significant cultural values, whether material or non-material, linked to its origin, conservation and/or ecological functioning? No

If Yes, describe this importance under one or more of the following categories:

- i) sites which provide a model of wetland wise use, demonstrating the application of traditional knowledge and methods of management and use that maintain the ecological character of the wetland:
- ii) sites which have exceptional cultural traditions or records of former civilizations that have influenced the ecological character of the wetland:
- iii) sites where the ecological character of the wetland depends on the interaction with local communities or indigenous peoples:
- iv) sites where relevant non-material values such as sacred sites are present and their existence is strongly linked with the maintenance of the ecological character of the wetland:

**24. Land tenure/ownership:**

Ownership category	On-site	Off-site
Private	+	+

**25. Current land (including water) use:**

Activity	On-site	Off-site
Nature conservation	+	
Fishing: recreational/sport	+	
Arable agriculture (unspecified)	+	+
Permanent pastoral agriculture	+	
Hay meadows	+	
Hunting: recreational/sport	+	
Flood control	+	
Transport route	+	+

**26. Factors (past, present or potential) adversely affecting the site's ecological character, including changes in land (including water) use and development projects:**

*Explanation of reporting category:*

1. Those factors that are still operating, but it is unclear if they are under control, as there is a lag in showing the management or regulatory regime to be successful.
2. Those factors that are not currently being managed, or where the regulatory regime appears to have been ineffective so far.

*NA = Not Applicable because no factors have been reported.*

Adverse Factor Category	Reporting Category	Description of the problem (Newly reported Factors only)	On-Site	Off-Site	Major Impact?
Vegetation succession	2	Adverse change in vegetation community type in relation to changing hydrological regime (increased levels of annual inundation) and decades of high nutrient-status of receiving water.	+		+
Eutrophication	2	High nutrient levels caused by sewage treatment works and agricultural runoff.	+		+
Reservoir/barrage/dam impact: flooding	2	Recent decades have seen an increase in occurrence of spring flooding and winter flood depths. These two factors have had an adverse impact on vegetation and bird features of the site.	+		+

For category 2 factors only.

What measures have been taken / are planned / regulatory processes invoked, to mitigate the effect of these factors?  
Vegetation succession - Defra is leading a working group to formulate possible solutions to the problems identified for the site.

Is the site subject to adverse ecological change? YES
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**27. Conservation measures taken:**

List national category and legal status of protected areas, including boundary relationships with the Ramsar site; management practices; whether an officially approved management plan exists and whether it is being implemented.

Conservation measure	On-site	Off-site
Site/ Area of Special Scientific Interest (SSSI/ASSI)	+	
Special Protection Area (SPA)	+	
Land owned by a non-governmental organisation for nature conservation	+	
Site management statement/plan implemented	+	
Special Area of Conservation (SAC)	+	

**b) Describe any other current management practices:**

The management of Ramsar sites in the UK is determined by either a formal management plan or through other management planning processes, and is overseen by the relevant statutory conservation agency. Details of the precise management practises are given in these documents.

**28. Conservation measures proposed but not yet implemented:**

e.g. management plan in preparation; official proposal as a legally protected area, etc.

No information available

**29. Current scientific research and facilities:**

e.g. details of current research projects, including biodiversity monitoring; existence of a field research station, etc.

**Fauna.**

Numbers of migratory and wintering wildfowl and waders are monitored annually as part of the national Wetland Birds Survey (WeBS) organised by the British Trust for Ornithology, Wildfowl & Wetlands Trust, the Royal Society for the Protection of Birds and the Joint Nature Conservation Committee.

Breeding bird surveys.

Spined loach *Cobitis taenia* surveys.

**Miscellaneous.**

Refer to Ouse Washes Management Strategy (English Nature *et al.* 19\*\*) for further information on current and proposed monitoring/research.

**30. Current communications, education and public awareness (CEPA) activities related to or benefiting the site:**

e.g. visitor centre, observation hides and nature trails, information booklets, facilities for school visits, etc.

The Royal Society for the Protection of Birds and the Wildfowl & Wetlands Trust have information centres at the site.

**31. Current recreation and tourism:**

State if the wetland is used for recreation/tourism; indicate type(s) and their frequency/intensity.

**Activities, Facilities provided and Seasonality.**

RSPB, WWT information centres and public bird-watching hides.

**32. Jurisdiction:**

Include territorial, e.g. state/region, and functional/sectoral, e.g. Dept. of Agriculture/Dept. of Environment, etc.

Head, Natura 2000 and Ramsar Team, Department for Environment, Food and Rural Affairs,

European Wildlife Division, Zone 1/07, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6EB

### 33. Management authority:

Provide the name and address of the local office(s) of the agency(ies) or organisation(s) directly responsible for managing the wetland. Wherever possible provide also the title and/or name of the person or persons in this office with responsibility for the wetland.

Site Designations Manager, English Nature, Sites and Surveillance Team, Northminster House,  
Northminster Road, Peterborough, PE1 1UA, UK

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### 34. Bibliographical references:

Scientific/technical references only. If biogeographic regionalisation scheme applied (see 15 above), list full reference citation for the scheme.

#### Site-relevant references

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[www.jncc.gov.uk/UKSPA/default.htm](http://www.jncc.gov.uk/UKSPA/default.htm)

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## Appendix B: Action Point 4 - Tables 1 and 2 from the Habitats Regulation Assessment – No Significant Effects Report

**Table 1: Planning Inspectorate screening matrices**

Designation	Effects described in submission information	Presented in screening matrices as
Ouse Washes SPA	Loss of habitat through landtake	Habitat loss
	Reduction of habitat through landtake	
	Fragmentation of habitat through landtake	
	Impacts on qualifying features associated with atmospheric emissions (air quality)	Pollution
	Impacts on qualifying features associated with hydrological emissions (water quality)	
	Climate change resulting from emissions to air	Climate change
	Displacement or disturbance to species through noise	Species displacement
	Displacement or disturbance to species through lighting	
	Displacement or disturbance to species through visual changes	
	In-combination effects on habitats and species resulting from the Scheme interacting with the effects of other plans and projects	In-combination effects
Ouse Washes SAC	Loss of habitat through landtake	Habitat loss
	Reduction of habitat through landtake	
	Fragmentation of habitat through landtake	
	Impacts on qualifying features associated with atmospheric emissions (air quality)	Pollution
	Impacts on qualifying features associated with hydrological emissions (water quality)	
	Climate change resulting from emissions to air	Climate change
	Displacement or disturbance to species through noise	Species displacement
	Displacement or disturbance to species through lighting	
	Displacement or disturbance to species through visual changes	
	In-combination effects on habitats and species resulting from the Scheme interacting with the effects of other plans and projects	In-combination effects
Ouse Washes Ramsar Wetland Site	Loss of habitat through landtake	Habitat loss
	Reduction of habitat through landtake	
	Fragmentation of habitat through landtake	



Designation	Effects described in submission information	Presented in screening matrices as
	Impacts on qualifying features associated with atmospheric emissions (air quality)	Pollution
	Impacts on qualifying features associated with hydrological emissions (water quality)	
	Climate change resulting from emissions to air	Climate change
	Displacement or disturbance to species through noise	Species displacement
	Displacement or disturbance to species through lighting	
	Displacement or disturbance to species through visual changes	
	In-combination effects on habitats and species resulting from the Scheme interacting with the effects of other plans and projects	In-combination effects
Portholme SAC	Loss of habitat through landtake	Habitat loss
	Reduction of habitat through landtake	
	Fragmentation of habitat through landtake	
	Impacts on qualifying features associated with atmospheric emissions (air quality)	Pollution
	Impacts on qualifying features associated with hydrological emissions (water quality)	
	Climate change resulting from emissions to air	Climate change
	In-combination effects on habitats and species resulting from the Scheme interacting with the effects of other plans and projects	In-combination effects
Eversden and Wimpole Woods SAC	Loss of habitat through landtake	Habitat loss
	Reduction of habitat through landtake	
	Fragmentation of habitat through landtake	
	Impacts on qualifying features associated with atmospheric emissions (air quality)	Pollution
	Impacts on qualifying features associated with hydrological emissions (water quality)	
	Climate change resulting from emissions to air and increased flood risk	Climate change
	Mortality to species through road vehicle collisions	Species displacement
	Reductions in the genetic exchange of species	
	Displacement or disturbance to species through noise	

Designation	Effects described in submission information	Presented in screening matrices as
	Displacement or disturbance to species through lighting	
	Displacement or disturbance to species through visual changes	
	In-combination effects on habitats and species resulting from the Scheme interacting with the effects of other plans and projects	In-combination effects

**Table 2a: Screening Matrix for Ouse Washes Special Protection Area (SPA)**

Name of European Site and designation: Ouse Washes SPA															
EU Code: SPA UK9008041															
Distance to Nationally Significant Infrastructure Project: 16.01km (9.45 miles) direct and 43.2 km (26.8 miles) along the River Great Ouse															
European Site Features	Likely effects of Nationally Significant Infrastructure Project														
Effect	Habitat loss			Pollution			Climate change			Species displacement			In-combination effects		
Stage of development	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D
SPA Annex I & Annex II (Ref 1-15) species	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c
SPA Migratory species	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c
SPA Internationally and nationally important waterfowl species	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c
SPA Breeding migratory waders of lowland wet grassland	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c


**Table 2b: Screening Matrix for Ouse Washes Special Area of Conservation (SAC)**

<b>Name of European Site and designation: Ouse Washes SAC</b>															
<b>EU Code: SAC UK0013011</b>															
Distance to Nationally Significant Infrastructure Project: 16.01km (9.45 miles) direct and 43.2 km (26.8 miles) along the River Great Ouse															
European Site Features	Likely effects of Nationally Significant Infrastructure Project														
Effect	Habitat loss			Pollution			Climate change			Species displacement			In-combination effects		
Stage of development	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D
SAC Annex II (Ref 1-3) species (Spined Loach)	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c

**Table 2c: Screening Matrix for Ouse Washes Ramsar Wetland Site**

Name of European Site and designation: Ouse Washes Ramsar Wetland Site															
Ramsar Information Sheet: UK11051															
Distance to Nationally Significant Infrastructure Project: 16.01 km (9.45 miles) direct and 43.2 km (26.8 miles) along the River Great Ouse															
Ramsar Site Features	Likely effects of Nationally Significant Infrastructure Project														
Effect	Habitat loss			Pollution			Climate change			Species displacement			In-combination effects		
Stage of development	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D
Ramsar Nationally scarce plants	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c
Ramsar Fenland fauna	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c
Ramsar Nationally rare breeding waterfowl	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c
Ramsar Internationally important wildfowl	x a	x b	x c	x d	x e	x c	x f	x g	x c	x h	x i	x c	x j	x k	x c

**Matrix Key:**

- ✓ = Likely significant effect cannot be excluded
- ✗ = Likely significant effect can be excluded
- C = Construction
- O = Operation (including maintenance)
- D = Decommissioning
-  = Effect is not relevant to the identified European Site feature

Evidence for, or against, likely significant effects on these European Sites and their qualifying features is detailed within the footnotes to each screening matrix below.

## Footnotes to Tables 1, 2a, 2b and 2c

- a. Construction phase activities including routes for the movement of construction vehicles, traffic management diversions, road closures and temporary land take, would not occur within or in proximity to the SAC, SPA and Ramsar site. Consequently, no habitats within the site would be lost, fragmented or reduced as a result of Scheme construction. Refer to **Table 4-2** for detailed evidence to support this conclusion.
- b. The Scheme would not require permanent land take from the SAC, SPA and Ramsar site; therefore, no habitats within the site would be lost, fragmented or reduced as a result of Scheme operation (and maintenance). Refer to **Table 4-2** for detailed evidence to support this conclusion.
- c. This scenario does not apply as the Scheme has no planned obsolescence (and would therefore not be subject to any decommissioning); therefore, no impacts would occur on the SAC, SPA and Ramsar site. Refer to **Table 4-2** for detailed evidence to support this conclusion.
- d. Due to the distance between the Scheme and the SAC, SPA and Ramsar site, emissions to air from construction vehicles, plant, equipment and machinery would not reach the site. Although the SAC, SPA and Ramsar site are linked to the Scheme hydrologically via the River Great Ouse, the distance of this hydrological link from the proposed river crossing to site (along the river) is 43.2km (26.8 miles). Standard best practice measures would be implemented during construction to reduce any risk of pollution incidents, contamination of watercourses or increase in suspended sediment occurring during this phase of the works. Accordingly, no impacts on air quality and water quality would occur as a result of the Scheme's construction emissions. Refer to **Table 4-2** for detailed evidence to support this conclusion.
- e. The SAC, SPA and Ramsar site do not coincide with the affected road network; therefore, emissions to air from traffic would not reach the site. Although the Scheme design includes a new discharge and outfall point into the River Great Ouse for road runoff, prior to discharge into the river this would pass through an attenuation basin which, in addition to providing attenuation, would function to settle out and filter any sediments, hydrocarbons, dissolved metals and contaminants that may be contained in the water. Given the hydrological distance between the proposed outfall and the SAC, SPA and Ramsar site, in the unlikely event of a failure of the attenuation and filtration measures, any pollution released into the river would be diluted beyond identification at this distance. Accordingly, no impacts on air quality and water quality would occur as a result of emissions associated with operation and maintenance of the Scheme. Refer to **Table 4-2** for detailed evidence to support this conclusion.
- f. Although the Scheme is expected to generate temporary emissions from construction vehicles, plant, equipment and machinery, this is expected to be a very limited contributor to climate change. Accordingly, no impact on climate change is predicted on the SAC, SPA and Ramsar site from Scheme construction. Refer to **Table 4-2** for detailed evidence to support this conclusion.

- g. Although the Scheme would result in changes to traffic volumes during its operation and maintenance phases, which would result in increases in greenhouse gas emissions (which are contributors to climate change), it would reduce congestion and enable more consistent traffic speeds and smoother journey conditions to be achieved, thereby reducing pollution levels and facilitating their dispersion. The Scheme also incorporates flood compensation measures and has been designed to accommodate future climate change predictions. Accordingly, no impact on climate change is predicted on the SAC and SPA from Scheme operation and maintenance. Refer to **Table 4-2** for detailed evidence to support this conclusion.
- h. As the SAC, SPA and Ramsar site are located at distance from the Scheme, there would be no disturbance to, or displacement of, key species during construction of the Scheme from temporary noise, lighting and visual changes. Accordingly, no impacts would occur on the site from these sources during construction. Refer to **Table 4-2** for detailed evidence to support this conclusion.
- i. As the SAC, SPA and Ramsar site are located at distance from the Scheme, there would be no disturbance to, or displacement of, key species during operation and maintenance of the Scheme from noise, lighting and visual changes. Accordingly, no impacts would occur on the site from these sources during the operational and maintenance phases. Refer to **Table 4-2** for detailed evidence to support this conclusion.
- j. As construction of the Scheme would not result in any impacts on the SAC, SPA and Ramsar site, the assessment concluded there is no potential for in-combination effects to occur as a result of the Scheme interacting with other plans and projects. Refer to **Table 4-2** for detailed evidence to support this conclusion.
- k. As operation and maintenance of the Scheme would not result in any impacts on the SAC, SPA and Ramsar site, the assessment concluded there to be no potential for in-combination effects to occur as a result of the Scheme interacting with other plans and projects. Refer to **Table 4-2** for detailed evidence to support this conclusion.