Canal & River Trust
Making life better by water

National Infrastructure Planning
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Your Ref TR010065

Our Ref IPP – 126

Tuesday 26 November 2024

TR010065 – A46 Newark Bypass Project

Canal & River Trust Comments on responses to ExQ1

Interested Party Number: 20049645

Waterway: River Trent

The Canal & River Trust have reviewed responses to ExQ1 and wish to make the following additional comments.

Q6.1.20 – Article 58 Temporary Suspension of Navigation

The applicant states in its response to Q6.1.20 that the scheme would necessitate measures to suspend or manage navigational rights.

The Trust and the applicant are therefore seeking to agree the wording of a power to suspend navigation rights as necessary, which would be contained in article 58 of the DCO and be subject to protective provisions for the Trust.

That the power is subject to protective provisions for the Trust is necessary to ensure that this power is consistent, so far as possible, with the Trust's duties as navigation authority.

To add more context, the Trust operates a system for enabling 'stoppages' of parts of its network to allow for third party works as well as its own maintenance. The system operates so as to ensure that impacts to the network are kept to a minimum. In any one year, the Trust requires third parties to provide 'stoppage requests' by the March ahead of the winter when the stoppage is requested. The Trust then devises a programme of stoppages during the winter months (the months when the network is used the least) which still allows for travel in north-south and east-west directions at all times, whilst factoring in third party requests and Trust maintenance needed on the network. (Please note allowing for north-south and east west directions of travel does not necessarily give users the equivalent of an alternative route.) The Trust consults with users on this programme in the summer and publishes the final programme in August. This gives users time to plan and adapt. Any stoppages implemented with less notice have the potential to significantly impact planned commercial, operational and recreational activity on the network as users typically plan activities several months in advance.

In contrast, suspensions of navigation between sunset and sunrise are easier to accommodate as there is little, if any navigation during the night. The applicant has indicated that a power to suspend navigation rights during nighttime would assist its works programme, and so the parties are seeking to agree the wording of article 58 together with the necessary protective provisions.

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Q14.0.21 a – Temporary Bridge Clearance over the River Trent

The applicant has stated that it confirms the temporary bridge over the River Trent, shown as Work No. 63 on Sheet 4 of the Works Plans [A5-005] will provide the minimum clearance required by the Trust for navigation. For the avoidance of doubt, to allow for the safe passage of craft below the temporary bridge, a 5m clearance to the River Trent is required. This should be measured from the crest of Nether weir (the first weir downstream of the current A46 road bridge). We consider it important that the final DCO does not include provisions that would allow for a deviation from the description that could reduce this clearance below 5m.

Q15.0.5 – Drainage Strategy

The applicant has stated in REP1-009 and REP2-037 that the rate of discharge for each outfall will be limited to the greatest of:

- the existing flow rate; or
- 5 litres per second.

The applicant has explained that a rate of 5 litres per second is the minimum rate for an outfall as this is a 'self-cleaning velocity'.

The Trust needs to assess both the discharge velocity and the discharge rate to ensure navigational safety. A discharge velocity of up to 0.3 metres per second is generally acceptable, as it would not impact navigational safety. However, higher velocities may be accommodated depending on the final outfall design. This could involve factors such as the angle of discharge into the waterway or the use of baffles to dampen velocity.

In light of this, the Trust considers a discharge rate of up to 5 litres per second acceptable, provided that the discharge velocity is understood and, if necessary, controlled to prevent any impact on navigational safety. As this can be achieved through careful design of the outfall structure, the Trust will need to review and approve the final designs of each outfall to ensure it does not pose any risk to navigational safety. This can be achieved through the protective provisions proposed by the Trust to the applicant on 4th April and updated on 17th October.

Yours sincerely,

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[redacted]

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