

Cambridge Waste Water Treatment Plant Relocation Project
Anglian Water Services Limited

Statement of Reasons

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Contents

1	Summary	1
1.1	Introduction.....	1
1.2	Background to the Cambridge Waste Water Treatment Plant Relocation Project	1
1.3	Description of the proposed development.....	2
1.4	The need for the Proposed Development	2
1.5	Location of the Proposed Development and description of the land	3
1.6	Powers sought in the Order and the need for compulsory acquisition.....	5
1.7	Special category land	7
1.8	Other Consents.....	8
1.9	Conclusion	8
2	Introduction	9
2.1	Project context	9
2.2	Documents submitted.....	10
3	The Applicant	13
3.1	Background to the Applicant.....	13
3.2	Corporate ownership of the Applicant	13
3.3	Financial strength of the Applicant	13
4	Cambridge Waste Water Treatment Plant Relocation Project	15
4.1	Overview of the relocation project	15
4.2	Purpose of the Proposed Development.....	16
4.3	Outline description of the Proposed Development	16
4.4	Need for the proposed development	20
4.5	Environmental mitigation	23
4.6	Additional project benefits	23
4.7	The proposed authorised work.....	23
4.8	Pipelines to convey treated water to the outfall at the river Cam	27
4.9	Waste Water pipelines to transfer flows from Waterbeach New Town	27
4.10	Phasing and flexibility.....	28
4.11	Consideration of alternatives	30
5	Location and description of, and need for, the land subject to Compulsory Acquisition	33
5.1	Location	33
5.2	Description of the Order Land and why the land is required	33

5.3	The Existing Cambridge Waste Water Treatment Plant	33
5.4	Waste Water Transfer Tunnel from the existing Cambridge WWTP	36
5.5	The proposed WWTP	43
5.6	Final effluent and storm flow pipelines and outfall	48
5.7	Ecological mitigation area to the north of A14	51
5.8	Waterbeach Pipelines	54
6	Types of Compulsory Acquisition Powers Sought	59
6.1	Purpose of seeking compulsory acquisition powers	59
6.2	Acquisition of freehold	60
6.3	Acquisition of new rights and imposition of restrictive covenants	63
6.4	Nature of the proposed new rights and imposition of restrictive covenants	64
6.5	Temporary use of land	71
6.6	Power to extinguish, suspend or override rights and easements	73
7	Need for Compulsory Acquisition Powers.....	76
7.1	Compulsory acquisition powers and guidance	76
7.2	Requirement for the Order Land	78
7.3	Identifying persons with an interest in land	80
7.4	Unknown interests	80
7.5	Summary of engagement with landowners.....	80
7.6	Funding and compensation.....	82
7.7	Human Rights Considerations and the Equality Act	82
8	Special considerations	86
8.1	Special Category Land	86
8.2	Statutory Undertakers' land.....	86
8.3	Crown Land.....	88
9	Other Consents.....	94
9.1	Introduction.....	94
10	Further information.....	95
10.1	Compensation for land acquisition claims	95
11	Conclusion.....	97

List of Appendices

Appendix number	Appendix title
1	Diligent Inquiry methodology
2	Summary of current status of negotiations with landowners¹
3	List of land parcel numbers, type of acquisition and Work Numbers
4	Summary of the current status of negotiations with Statutory Undertaker for protective provisions and land acquisition (where relevant)²
5	Methodology for the identification of properties falling within Category 3 as set out in Section 57 of the Planning Act 2008
6	Details of the Zone of Influence and the Waste Water Transfer Tunnel Restrictive Covenant
7	A diagrammatical representation of the land requirements around Shafts 4 and 5
8	Copies of letters dated 1 February 2023 sent to Crown bodies

¹ This Appendix has been superseded by the Compulsory Acquisition Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

² This Appendix has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

Tables

Table number	Table name
4-1	Stage 4 final site selection criteria
6-1	Land for freehold acquisition, purpose and relevant Article numbers
6-2	Summary of packages of new rights and restrictions to be imposed
6-3	Land over which only new rights will be acquired and restrictions imposed
6-4	Description of, and reasons for, the temporary use of land
8-1	Details of Crown interests identified the Proposed Development's impact on them and contact with relevant parties
A2-1	Summary of current status of negotiations with landowners³
A3-1	List of land parcel numbers, types of acquisition, Works Numbers and descriptors
A4-1	Summary of current status of negotiations with each Statutory Undertaker for protective provisions and land acquisition (where relevant)⁴
A5-1	Results of desktop assessment of activities for potential s10 claims
A5-2	Results of desktop assessment of activities for potential Part 1 claims

Figures

Figure number	Figure name
1.1	Map showing the location of the Proposed Development
4.1	Chart showing the relationship between the Proposed Development, the scope of the proposed DCO and the future demolition and redevelopment of the site at Cowley Road
4.2	Chart showing the provision anticipated programme of works
5.1	Map showing alignment of the Waste Water Transfer Tunnel
5.2	Diagram showing the Waste Water Transfer Tunnel restriction areas
5.3	Plan showing the location of the Waste Water Transfer Tunnel's Shafts
5.4	Map showing the location of the proposed WWTP
5.5	Drawing showing the extent of the area covered by the LERMP
5.6	Map showing the location of Final Effluent and Storm Flow Pipelines
5.7	Plan showing the location of the proposed Water Vole mitigation habitat
5.9	Map showing the proposed alignment of Waterbeach Pipelines
A6.1	Diagram showing indicative details of the Primary Restriction Zone and the Secondary Restriction Zone

³ This Table has been superseded by the Compulsory Acquisition Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

⁴ This Table has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

Figure number **Figure name**

A6.2	Diagram showing indicative details of the types of foundations which are likely to be allowed within the Waste Water Transfer Tunnel Restrictive Covenant area, together with the types of foundation which are likely not be allowed
A7.1	A diagrammatical representation of the indicative land requirements around Shafts 4 and 5

Glossary

Full name	Abbreviation (if used)	Description
Alternative Dispute Resolution	ADR	A procedure for settling disputes without litigation, such as arbitration, mediation, or negotiation.
Anglian Water Services Limited	AWS	Anglian Water Services Limited (Company Registration Number 02366656)
APFP Regulations	-	The Applications: Prescribed Forms and Procedure Regulations (2009).
Above Ordnance Datum	AOD	Levels in relation to mean sea level
The Applicant	-	Anglian Water Services Limited
The Application	-	This refers to the Applicant's application for a Development Consent Order. The Application consists of a series of documents and plans which are published on the Planning Inspectorate's website.
Asset Management Period	AMP	Five year blocks of time defined as part of the process of regulating water companies
Biodiversity Net Gain	BNG	An approach to development, and/or land management, which aims to leave the natural environment in a measurably better state than it was beforehand.
Book of Reference	BoR	The list of land ownership and occupier details compiled by the Applicant and shown in App Doc Ref 3.3.
Cambridge City Council	-	Cambridge City Council is a district council in the county of Cambridgeshire, which governs the City of Cambridge.
Cambridgeshire County Council	CCC	Cambridgeshire County Council is the county council of Cambridgeshire, England
Cambridge Waste Water Treatment Plant Relocation Project	CWWTPRP	The overall project to deliver the Proposed Development.
Carbon Dioxide	CO ₂	The chemical compound made up of molecules that each have one carbon atom covalently double bonded to two oxygen atoms.
Code of Construction Practice	CoCP	A document submitted as part of the DCO to monitor, control and manage construction impacts of the project. Part A of the document describes project wide environmental requirements and Part B describes more specific environmental requirements. The document is submitted as part of the DCO supported by

Full name	Abbreviation (if used)	Description
		selected management plans. Subsequent management plans will be prepared prior to construction commencement and agreed with the LPA as conditions of the DCO.
Combined Sewer Overflow	CSO	A permitted discharge from the sewerage network allowing excess storm water to overflow from the network in storm conditions.
Compensation Code	-	The body of statutory provisions and caselaw governing the use of compulsory acquisition powers and the settlement of compensation claims arising.
Compulsory Acquisition Guidance	-	Department for Communities and Local Government Guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition' (September 2013)
County Wildlife Site	CWS	Areas identified and selected for their local nature conservation value. They have a non-statutory designation but are recognised as having a high wildlife value, being of county and often regional or national importance.
Decommissioning	-	The activities required at the existing Cambridge WWTP to cease its existing operational function and to facilitate the surrender of its operational permits including the removal of pumps, isolation of plant, electrical connections and pipework, filling and capping of pipework, cleaning of tanks, pipes, screens and other structures, plant and machinery, works to decommission the potable water supply and works to restrict access to walkways, plant and machinery.
Detailed Designed Plans	-	The plans drawn by the Applicant and included with the Application with App Doc Refs 4.10 to 4.14.
Development Consent Order	DCO	Development consent orders (DCOs) are a form of development consent granted by the Secretary of State which authorise the development of Nationally Significant Infrastructure Projects (NSIPs). Introduced in the Planning Act 2008 (PA 2008) for a faster and more transparent development consent system for NSIPs. This is a statutory order which provides consent for a project and means that a range of other consents, such as planning permission and listed building

Full name	Abbreviation (if used)	Description
		consent, will not be required. A DCO can also include provisions authorising the Compulsory Acquisition of land or of interests in or rights over land which is the subject of an application. A draft DCO is submitted by applicants with every application for a DCO.
Draft DCO Order	-	The draft development consent order included as part of the Application with the App Doc Ref of 2.1.
Earth Bank	-	The bank made from excavated material which will encircle the proposed WWTP and form part of the landscape masterplan.
Ecological Mitigation Area	-	An area that has been set aside within the Order Limits for ecological mitigation.
Environment Agency	EA	A non-departmental public body responsible for flood management, regulating land and water pollution, and conservation
Environmental Impact Assessment	EIA	A process by which information about environmental effects of a proposed development is collected, assessed and used to inform decision making. For certain projects, EIA is a statutory requirement.
Environmental Statement	ES	A document produced in accordance with the EIA Directive as transported into UK law by the EIA Regulations to report the results of an EIA.
Environmental Permit	-	Permits that are needed to carry out a wide range of specified activities lawfully under the Environmental Permitting (England and Wales) Regulations 2016. It allows the operator of an installation to carry on various activities which may have an impact on the environment and human health and stipulates what restrictions there are to minimise damage to the environment and human health. The permit for the proposed WWTP will be issued and regulated by the Environment Agency.
European Convention on Human Rights	ECHR	Legislation governing human rights.
European odour unit per cubic metre	ouE/m ³	The principal unit of measurement for the concentration of an odour in ambient air.
Examining Authority		The Inspector or the Panel of Inspectors appointed to conduct the examination of the Application.

Full name	Abbreviation (if used)	Description
Existing Cambridge Waste Water Treatment Plant	existing Cambridge WWTP	The integrated waste water treatment facility currently located to the west of the river Cam and at the western extent of the Order Limits.
Existing Waterbeach Water Recycling Centre	-	The water treatment facility currently located at the northern extent of the Order Limits.
Final Determination	-	The finalisation, by Ofwat, of a Price Review for a water company.
Final Effluent	-	The cleaned and treated water from Water Recycling Centres which is permitted by the Environment Agency to be discharged directly into the environment.
Geographical Information System	GIS	A type of database containing geographic data combined with software tools for managing, analysing, and visualizing those data.
Green Belt	-	Land designation in local plans that aims to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The designation serves five purposes: a) to check the unrestricted sprawl of large built-up areas. b) to prevent neighbouring towns merging into one another. c) to assist in safeguarding the countryside from encroachment. d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
Horizontal Directional Drilling	HDD	A construction method for installing underground pipelines (and also cables and service corridors) through trenchless techniques. It is a low impact method of installing a length of pipe from a launch pit to a reception pit below ground while avoiding obstacles or features of interest at the surface.
Housing Infrastructure Fund	HIF	A grant fund under the Housing Infrastructure Fund Grant Determination Agreement (Forward Funding) administered by Homes England, which is the trading name of the Homes and Community Agency, whose parent Government department is

Full name	Abbreviation (if used)	Description
		the Department for Levelling Up, Housing and Communities.
Housing Infrastructure Fund Agreement	-	An agreement to secure the HIF Funding concluded on 27 March 2020 between Homes England, companies within the Anglian Water group and Cambridge City Council.
Internal Drainage Board	IDB	An authority which is established in areas of special drainage need in England and Wales with permissive powers to undertake work to secure clean water drainage and water level management within drainage districts
Landscape and Ecological and Recreational Management Plan	LERMP	Appendix 8.14, App Doc Ref 5.4.8.14 accompanying the Application.
Limit of Deviation	LOD	The limits of deviation referred to in Article 4 of the Draft DCO and shown on the Works Plans and Detailed Design Drawings.
Listed Building	-	A building or structure designated under Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 as being of “special architectural or historic interest”.
Mechanical Control Centre	MCC	Equipment to control mechanical apparatus.
Micro Tunnel Boring Machine	MTMB	Machine to be used as part of the construction of the Waste Water Transfer Tunnel.
Mitigation	-	The action of reducing the severity and magnitude of change (impact) to the environment. Measures to avoid, reduce, remedy or compensate for significant adverse effects.
National Planning Policy Framework	NPPF	The national planning policies for England as set out by the government of the United Kingdom.
Nationally Significant Infrastructure Project	NSIP	A type of project listed in the Planning Act 2008, which must be consented by a DCO. These can include proposals for power plants, large renewable energy projects, new airports and airport extensions and major road projects.
North East Cambridge	NEC	Area identified for regeneration, located in the north eastern part of Cambridge.
Ofwat (the Water Services Regulatory Authority)	Ofwat	The body responsible for economic regulation of the privatised water and sewerage industry in England and Wales

Full name	Abbreviation (if used)	Description
Order	-	The draft Cambridge Waste Water Treatment Plant Relocation Order
Order Land	-	The land which is within the Order Limits shown on the land plans and is described in the book of reference.
Order Limits	-	The Order Limits define the area within which the development authorised by the DCO may be constructed, operated and maintained.
Outfall	-	A structure to enable the discharge of water into a surface water feature.
Overhead Line	OHL	An electrical conductor, suspended on towers or poles, used for the transmission and distribution of electrical energy.
Permissive Path	-	A type of path which, whilst it is not a formal public right of way, the landowner permits the public to use. The landowner may close the path for periods of time (sometimes to prevent it from becoming a right of way).
Phase One Consultation	-	Non-statutory consultation the Applicant undertook from 8 July to 14 September 2020 on the site selection for the Proposed Development.
Phase Two Consultation	-	Section 47 community consultation the Applicant undertook from 23 June to 18 August 2021.
Phase Three Consultation	-	The second Phase of Section 47 statutory consultation the Applicant undertook from 24 February 2022 to 27 April 2022.
Planning Act 2008	PA 2008	The primary legislation that establishes the legal framework for applying for, examining and determining DCO applications for NSIPs.
Population Equivalent	-	The amount of waste water treatment, measured by oxygen demand, required per person discharging waste water into the sewerage network.
Public Right of Way	PRoW	A public footpath, bridleway, restricted byway or byway open to all traffic, over which the public has a right to pass. These are designated under the Countryside and Rights of Way Act 2000.
Preliminary Environmental Information Report	PEIR	A document produced by the Applicant (App Doc Ref 6.1.20).
Price Review	-	The process for setting prices charged to customers by water companies.

Full name	Abbreviation (if used)	Description
Primary Restriction Zone	-	The area around the Waste Water Transfer Tunnel in which no construction activities will be allowed by the Applicant.
Primary Settlement Tanks	PSTs	Structures used in the first stage of treating waste water.
Proposed Development	-	Proposals for which the Applicant is seeking consent for as part of the CWWTPR DCO Application.
Proposed Waste Water Treatment Plant	Proposed WWTP	The proposed project for a new waste water treatment plant, for which Anglian Water is seeking a Development Consent Order.
Riverside Tunnel	-	Structure, owned by the Applicant, which is used to convey waste water from part of the Cambridge waste water catchment area to the existing Cambridge WWTP.
Secondary Restriction Zone	-	The area around the Waste Water Transfer Tunnel in which construction activities might be allowed, following prior consultation with the Applicant.
Sludge Treatment Centre	STC	A facility in which sewage sludge is treated.
South Cambridgeshire District Council	SCDC	South Cambridgeshire District Council is a district council in the county of Cambridgeshire.
Stakeholder	-	An organisation or individual with a particular interest in a proposed plan or project, in this case, the CWWTPRP.
Stakeholder engagement	-	An inclusive process of consultation and engagement with stakeholders to obtain information, views and opinions on a plan or proposal.
Statutory Undertaker	-	Any person falling within section 127(8) of the Planning Act 2008 (statutory undertaker's land), including public communications providers, as defined in section 151(1) of the Communications Act 2003(a).
Sub soil	-	A stratum of land that is below the surface of the ground.
Targeted Consultation Phase	-	The period of statutory consultation carried out by the Applicant between 15 July and 15 August 2022.
Terminal Pumping Station	TPS	A facility to lift waste water from the Waste Water Transfer Tunnel to the Inlet Works

Full name	Abbreviation (if used)	Description
Transport Infrastructure Fund	TIF	Investment fund administered by the Department of Transport.
Waste Water Transfer Tunnel	-	The tunnel to be used to convey waste water from the existing WWTP to the proposed WWTP.
Waste Water Treatment Plant	WWTP	A facility that treats waste water before the treated effluent is discharged back to inland waters, estuaries and the sea, and includes an STC.
Waterbeach Pipeline	-	The proposed pipes to convey waste water from the Waterbeach waste water catchment area to either the existing Cambridge WWTP or the proposed WWTP.
Water Recycling Centre	WRC	A facility that treats waste water before the treated effluent is discharged back to inland waters, estuaries and the sea.
Water Industry Act 1991	-	The primary legislation governing water companies in England and Wales.
Water Recycling Long-Term Plan	WRLTP	The Applicant's document setting out its long term plan for water recycling.
Works Plans	-	Plans submitted as part of the Application with App Doc Ref 4.3, showing details of the activities to be undertaken as part of the Proposed Development.
Zone of Influence	Zoi	The area above the Waste Water Transfer Tunnel that may influence future development.

1 Summary

1.1 Introduction

- 1.1.1 This Statement of Reasons (the ‘Statement’) relates to an application (the ‘Application’) made by Anglian Water Services Limited (Company Registration Number 02366656) (‘AWS’) (the ‘Applicant’) to the Secretary of State under the Planning Act 2008 (‘PA 2008’) for the Cambridge Waste Water Treatment Plant Relocation Order (the ‘Order’) (App Doc Ref 2.1). Further details about the Applicant can be found in the Funding Statement (App Doc Ref 3.2).
- 1.1.2 This Statement explains the Applicant’s justification for seeking compulsory acquisition powers in the Order, and explains why, in the Applicant’s opinion, there is a compelling case in the public interest for the making of the Order with the inclusion of those compulsory acquisition powers so as to secure the outstanding land and rights required to enable the project to proceed.
- 1.1.3 This Statement has been prepared in accordance with the requirements of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (‘APFP Regulations’) and the Department for Communities and Local Government Guidance ‘Planning Act 2008: Guidance related to procedures for compulsory acquisition’ (September 2013) (‘Compulsory Acquisition Guidance’).

1.2 Background to the Cambridge Waste Water Treatment Plant Relocation Project

- 1.2.1 The Applicant’s Cambridge Waste Water Treatment Plant Relocation project (CWWTPRP) ("the Proposed Development") is funded by Homes England, the Government's housing accelerator. The Proposed Development involves the relocation of the existing Cambridge Waste Water Treatment Plant (WWTP) currently operating at Cowley Road, Cambridge, to a new site between Horningsea, Fen Ditton and Stow cum Quy, adjacent to the A14 in Cambridgeshire.
- 1.2.2 The relocation would make the site of the existing WWTP available to form part of the development of a new low-carbon city district, known as North East Cambridge. The site at Cowley Road is Cambridge’s last major brownfield site, and the wider North East Cambridge district proposals envisage creating around 8,350 homes and 15,000 jobs over the next 20 years.
- 1.2.3 North East Cambridge is one of three key strategic sites which will form “*central building blocks of any future strategy for development*” in the proposed Greater Cambridge Local Plan being jointly prepared by Cambridge City Council and South Cambridgeshire District Council.
- 1.2.4 The importance of the Proposed Development, both regionally and nationally, was recognised by the Secretary of State for Environment, Food and Rural Affairs (DEFRA)

in January 2021, who directed that the Proposed Development is nationally significant and is to be treated as a development for which a Development Consent Order (DCO) is required (see Appendix 1-3 of the Planning Statement (App Doc Ref 7.5)).

1.3 Description of the proposed development

1.3.1 The Application is seeking approval for the following main elements of the Proposed Development.

- An integrated waste water and sludge treatment plant
- A shaft to intercept waste water at the existing Cambridge WWTP and a tunnel/ pipeline to transfer it to the proposed WWTP, with intermediate shafts for construction activities
- A gravity pipeline transferring treated waste water and storm water overflows from the proposed WWTP to a discharge point on the river Cam
- A twin pipeline transferring waste water from Waterbeach to the existing Cambridge WWTP, with the option of a connection direct in to the proposed WWTP
- Buildings on the site of the proposed WWTP
- Environmental mitigation and enhancements including substantial biodiversity net gain, improved habitats for wildlife, extensive landscaping and improved recreational access and connectivity
- Renewable energy generation via anaerobic digestion together with renewable energy generation via solar photovoltaic and associated battery energy storage system
- Other ancillary development such as internal site access, utilities, and a drainage system
- A new vehicle access from Horningsea Road including for Heavy Goods Vehicles
- Temporary construction works including compounds, temporary highway controls, welfare facilities and other works
- Decommissioning works to the existing Cambridge WWTP to cease its existing operational function and to facilitate the surrender of its operational permits

1.4 The need for the Proposed Development

1.4.1 The Proposed Development is designed to accommodate a growing population. It offers the opportunity for a joined-up solution for treating waste water from Cambridge and Greater Cambridge, including Waterbeach. The proposal is for both

waste water from the existing Waterbeach waste water treatment plant and future flows from Waterbeach New Town, which proposes 11,000 new dwellings, to be treated at the proposed WWTP.

- 1.4.2 Once the proposed WWTP is commissioned, the existing Cambridge WWTP will be decommissioned and its site will be made available for the delivery of new homes, business space and community facilities as envisaged in the existing and emerging development plan framework.

1.5 Location of the Proposed Development and description of the land

- 1.5.1 The Proposed Development will be built within the areas edged in red ('Order Limits') on the Works Plans (App Doc Ref 4.3). The Order Limits are also shown edged in red on the Land Plans ('the Land Plans') (App Doc Ref 4.4) accompanying the Application.

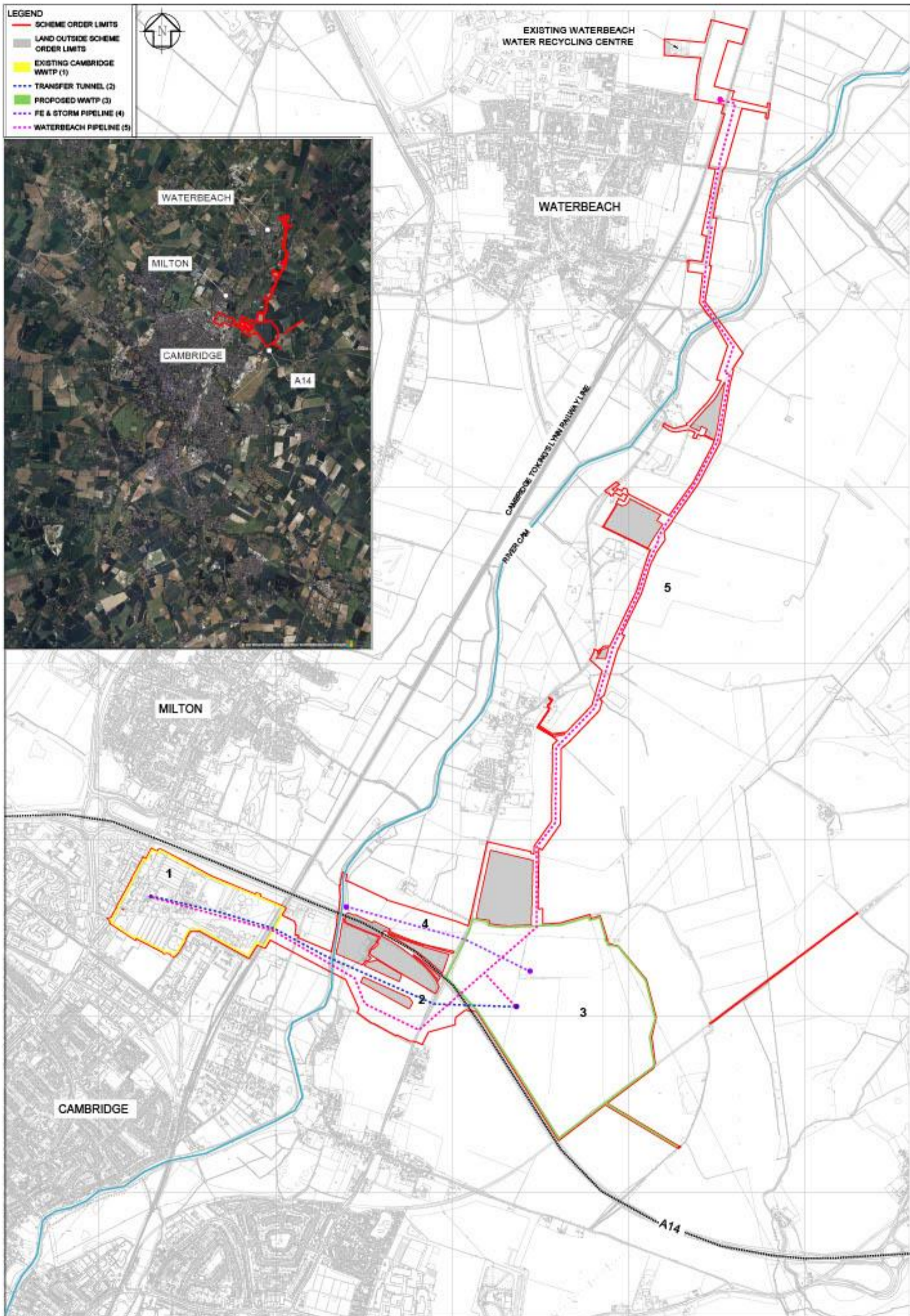


Figure 1.1: Map showing the location of the Proposed Development

Source: The Applicant

- 1.5.2 The land within the Order Limits has a variety of existing uses. The majority of the land within the Order Limits to the west of the river Cam is used as the existing Cambridge WWTP. Immediately to the east is a railway line, with grazing land and a road to the east. The land then descends gently down to the river Cam, and then starts to rise again to the east of the river, up to an area containing a mixture of residential properties (outside the Order Limits) and an operational farm. To the east of Horningsea Road is the A14 Trunk Road and, to the north east of that is an area of agricultural land which is the proposed location of the proposed WWTP (see below).
- 1.5.3 The area to the north of the site of the proposed WWTP is agricultural land, used mainly for arable purposes. The Order Limits includes another part of the river Cam and to the north of that, the land is used for a variety of agricultural, horticultural and equine uses. This area includes a number of droves and, towards the northern extent of the Order Limits, another part of the Cambridge to King's Lynn railway line. The northern most area within the Order Limits includes more agricultural land and the existing Waterbeach Water Recycling Centre ('Waterbeach WRC') (owned by the Applicant).
- 1.5.4 The site of the proposed WWTP is 2km to the east of the existing Cambridge WWTP, as shown on Figure 1.1 above. It is situated immediately north of the A14 and east of the B1047 Horningsea Road in the Cambridge Green Belt between the villages of Horningsea to the north, Stow-cum-Quy to the east and Fen Ditton to the south west.
- 1.5.5 Further details about the Proposed Development can be found in the Project Description (App Doc Ref 5.3.1) accompanying the Application. The Works Plans (App Doc Ref 4.3) accompanying the Application provide details of the location of each part of the Proposed Development.

1.6 Powers sought in the Order and the need for compulsory acquisition

- 1.6.1 The Applicant has been seeking to acquire the land, rights and restrictive covenants over land, and agreements for the temporary use of land by voluntary agreement, in order to ensure the implementation, operation, protection and maintenance of the Proposed Development. Negotiations are still ongoing (see ~~Appendix 2~~⁵ of this Statement) and the Applicant remains willing to progress voluntary discussions with all parties with an interest in land within the Order Limits. It will not be possible, however, to conclude agreements with all parties for all the interests in land required for the Proposed Development within a reasonable timescale. It is, therefore, necessary for the Applicant to seek compulsory acquisition powers to ensure the CWWTPRP can proceed.
- 1.6.2 The powers authorising the acquisition of land, or interests in and/or rights over land, including powers to temporarily use land for construction and maintenance

⁵ This Appendix has been superseded by the Compulsory Acquisition Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

purposes, are principally contained in Articles 26, 28, 29, 30 and 35 of the Draft DCO Order (App Doc Ref 2.1).

- 1.6.3 There are a number of other articles in Part 5 of the Draft DCO Order (Articles 31 and 32) which would grant the Applicant powers, the exercise of which may result in interference with private rights in land.
- 1.6.4 The powers in the Order are being sought by the Applicant to be able to construct, operate, protect and maintain the Proposed Development without impediment.
- 1.6.5 The land over which compulsory acquisition powers are sought in respect of freehold land ownership is shown edged blue and shaded pink on the Land Plans (App Doc Ref 4.4). This land is described in more detail in the Book of Reference (App Doc Ref 3.3) ('the Book of Reference') accompanying the Application.
- 1.6.6 The land shaded pink includes land required for a transfer tunnel (see section 5.4 below), for which only the freehold acquisition of subsoil may be required at a depth greater than 7 (seven) metres beneath the surface. This land is identified in Schedule 11 to the Order. Whilst the Order does not seek the acquisition of the entire freehold ownership of this land, Article 30 of the Order permits the Applicant to acquire new rights in or impose restrictive covenants over the surface of this land where necessary to facilitate, protect and maintain the Proposed Development.
- 1.6.7 The land over which only new rights (including the imposition of restrictive covenants) are being sought compulsorily is shown edged blue and shaded blue or brown on the Land Plans (App Doc Ref 4.4). This land is described in more detail in the Book of Reference (App Doc Ref 3.3) and identified in Schedule 10 to the Order. Details of the rights and restrictions to be acquired or imposed are provided in section 6 of this Statement. The land shown edged blue and shaded brown is required for access rights only.
- 1.6.8 The land over which only temporary use is sought is shown edged blue and shaded green on the Land Plans (App Doc Ref 4.4). This land is described in more detail in the Book of Reference (App Doc Ref 3.3) and identified in Schedule 12 to the Order, to which Article 35 of the Order applies. The compulsory acquisition of the freehold of this land is not sought, but Article 35 preserves the ability to acquire new rights or impose restrictive covenants where necessary.
- 1.6.9 Article 35 to the Order also provides for the exercise of powers for the temporary use of land for the purposes of carrying out the Proposed Development in respect of any of the remainder of the Order Land.
- 1.6.10 The land edge in blue and shaded yellow on the Land Plans (App Doc Ref 4.4) is not proposed to be compulsorily acquired but will be subject to the powers to interfere with private rights contained in Articles 31 and 32 of the Draft DCO Order.
- 1.6.11 Where powers of compulsory acquisition are exercised, owners of the relevant land or rights in land may be entitled to compensation which shall be assessed under the body of statutes and case law known as the 'Compensation Code,' where a valid claim

is made. Any dispute in respect of the compensation payable may be referred to, and determined by, the Lands Chamber of the Upper Tribunal, unless the parties agree that Alternative Dispute Resolution is appropriate.

- 1.6.12 The Applicant has explored reasonable alternatives to compulsory acquisition and made reasonable attempts to acquire the land and rights over land by agreement. This is explained further in section 7 and Appendix of this Statement.
- 1.6.13 Article 1 of the First Protocol to the European Convention on Human Rights (“ECHR”), Articles 6 and 8 of the ECHR, and the Human Rights Act 1998 have been considered in relation to the use of compulsory acquisition powers. The Applicant has concluded that the interference with rights is for a legitimate purpose, is necessary and is proportionate.
- 1.6.14 The Applicant has conducted an EqIA Equalities Assessment (App Doc Ref 7.12) and is not aware of any persons with protected characteristics who may suffer an impact as a result of the construction or operation of the Proposed Development. The Applicant does not consider that the Proposed Development will give rise to any impacts or differential impacts on persons who share a relevant protected characteristic as defined in the Equality Act 2010, or upon persons who do not share such relevant protected characteristic.

1.7 Special category land

- 1.7.1 The Order Land does not include any land that comprises open space, commons or allotments, nor any land belonging to the National Trust.
- 1.7.2 The Order Land does not include any Crown land but does include land which is subject to rights and restrictive covenants for the benefit of the Crown. Further details can be found in section 8.3 of this Statement. In accordance with section 135 of the PA 2008, the Applicant is engaging with the relevant Crown bodies who hold the benefit of those interests.
- 1.7.3 The Order Land includes land, rights, other interests, assets and apparatus owned by Statutory Undertakers. Adequate protection for the statutory undertakers will be included within the protective provisions in the Draft DCO Order (App Doc Ref 2.1) and/or asset protection agreements between the parties. The status of discussions between the Applicant and the various Statutory Undertakers is described in section 8.2 and ~~Appendix 4~~⁶ of this Statement.
- 1.7.4 As a result of these discussions, the Applicant considers the Statutory Undertakers will not suffer serious detriment to their undertakings as a result of the compulsory acquisition of land or rights over land or powers of temporary possession for the Proposed Development.

⁶ This Appendix has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant’s submission at Deadline 1.

1.8 Other Consents

- 1.8.1 The Other Consents and Licences Position Statement (App Doc Ref 7.1) sets out details of the consents, licences and agreements that are expected to be needed for the Proposed Development. These consents will not be sought through the DCO. The Position Statement also sets out the Applicant's intended strategy for obtaining those consents, licences and associated agreements.
- 1.8.2 The Applicant is not aware of any reason why the other consents and licences listed in the Consents and Other Permits Register (App Doc Ref 7.1) accompanying the Application will not be granted.

1.9 Conclusion

- 1.9.1 The Order Land, rights over the Order Land, and the restrictive covenants sought by the Order are required for the purposes of, to facilitate, or are incidental to, the Proposed Development and are no more than reasonably necessary for that purpose.
- 1.9.2 The powers of compulsory acquisition and temporary possession sought in the Order are necessary, proportionate and justified and there is a compelling case in the public interest for these powers to be granted.

2 Introduction

2.1 Project context

- 2.1.1 The Application seeks development consent for the Proposed Development to authorise its construction, operation and maintenance. The Proposed Development consists of a new waste water treatment plant and sludge treatment centre, together with associated wastewater and treated effluent transfer infrastructure, comprising a waste water transfer tunnel, treated effluent transfer pipelines coupled with an outfall to the river Cam, and transfer pipelines from the Waterbeach New Town development.
- 2.1.2 Under Section 35(1) of the PA 2008, the Secretary of State has made a Direction that the Proposed Development is national significant and should be treated as a development for which a DCO is required (see Appendix 1-3 of the Planning Statement (App Doc Ref 7.5)). It is, therefore, necessary for the Applicant to apply under Section 31 of PA 2008 to the Secretary of State for development consent to construct, operate and maintain the Proposed Development.
- 2.1.3 This Statement is one of the documents accompanying the Application, submitted in accordance with Section 55 of the PA 2008 and Regulation 5 of the APFP Regulations, and should be read together with those documents.
- 2.1.4 This Statement explains why it is necessary to acquire land; to acquire and/or create rights and impose restrictive covenants over land; to override, suspend or extinguish rights over land and to temporarily use land for the purposes of the Proposed Development. It also explains the reasons for the inclusion of compulsory acquisition and related powers in the Draft DCO Order (App Doc Ref 2.1) and sets out why there is a clear and compelling case in the public interest, in accordance with section 122 of PA 2008, for the Order to include such powers.
- 2.1.5 The land within the Order Limits which is required for the purposes of the Proposed Development is referred to as the 'Order Land' and is described in more detail in Section 5 of this Statement and shown on the Land Plans (App Doc Ref 4.4) and described in the Book of Reference (App Doc Ref 3.3).
- 2.1.6 Negotiations for the acquisition of land, rights and interests necessary for the Proposed Development (see section 2 of this Statement) are ongoing. Nonetheless, it is necessary for the Applicant to seek compulsory acquisition powers to secure such land, rights and restrictive covenants and to ensure that any private rights affecting such land may be suspended, overridden or extinguished pursuant to the Order, thereby ensuring that the Proposed Development can be constructed, operated, protected and maintained.

2.2 Documents submitted

2.2.1 The following documents, in addition to others, have been submitted as part of the Application in order to meet the requirements of the APFP Regulations and the Compulsory Acquisition Guidance.

- This Statement;
- a Funding Statement (App Doc Ref 3.2) which explains how the construction of the Proposed Development, as well as the acquisition of land and interests, is expected to be funded;
- Land Plans (App Doc Ref 4.4) showing the land over which it is intended to use the compulsory acquisition powers;
- ~~Special Land Plans and~~⁷ Crown Land Plans (App Doc Ref 4.5) showing the extent of Crown Land interests within the Order Limits; and
- a Book of Reference (App Doc Ref 3.3) which provides the details of those persons with an interest in the Order Land.

2.2.2 In addition to the above, this Statement should be read alongside other Application documents that relate to the compulsory acquisition powers sought by the Applicant, including, but not limited to, the following.

- Draft Development Consent Order (App Doc Ref 2.1)
- Explanatory Memorandum (App Doc Ref 2.2)
- Works Plans (App Doc Ref 4.3)
- Project Description (App Doc Ref 5.2.2)
- Code of Construction Practice (Appendix 2.1 & 2.2, App Doc Refs 5.4.2.1 and 5.4.2.2)
- Chapter 8 Biodiversity of the Environmental Statement (App Doc Ref 5.2.8)
- Chapter 11 Community of the Environmental Statement (App Doc Ref 5.2.11)
- Lighting Design Strategy (Appendix 2.5, App Doc Ref 5.4.2.5)
- Preliminary Odour Management Plan (Appendix 18.4, App Doc Ref 5.4.18.4)
- Construction Traffic Management Plan (Appendix 19.7, App Doc Ref 5.4.19.7)

⁷ These were called Special Category Land and Crown Land Plans in the original Application but, as a result of a request from the Examination Authority (ExQ1.8.22), the Applicant has changed the title of the plans.

- Consultation Report (App Doc Ref 6.1)
- Planning Statement (App Doc Ref 7.5)
- Design and Access Statement (App Doc Ref 7.6)

2.2.3 This Statement explains and justifies the inclusion of the compulsory acquisition powers contained within the Order. The structure of this Statement is set out below and also addresses each of the requirements of the Compulsory Acquisition Guidance.

- An introduction to the Applicant is contained in section 3
- A description of the Cambridge Waste Water Treatment Plant Relocation Project is contained in section 4
- A description of the location, and need for the land subject to compulsory acquisition, is contained in section 5
- A description of the types of compulsory acquisition powers sought is contained in section 6
- The need for compulsory acquisition powers is set out in section 7
- Special considerations are set out in section 8
- Details of the other consents needed are contained in section 9
- Further information is contained in section 10
- There is a conclusion in section 11

2.2.4 This Statement also includes the following appendices.

- Appendix 1 contains the description of the methodology used for diligent inquiry used to identify relevant parties to populate the Book of Reference (App Doc Ref 3.3) and other purposes in relation to the process of submitting the Application
- Appendix 2⁸ contains a description of the current status of negotiations with landowners and occupiers in relation to the acquisition of land and rights for the Proposed Development
- Appendix 3 contains a list of Land Parcel Numbers (as shown on the Land Plans (App Doc Ref 4.4), the type of acquisition and Works Numbers shown on the Works Plans (App Doc Ref 4.3)

⁸ This Appendix has been superseded by the Compulsory Acquisition Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

- Appendix 4⁹ contains a summary of the current status of negotiations regarding protective provisions and land acquisition (where relevant) with Statutory Undertakers
- Appendix 5 contains the description of the methodology used to assess properties for the purposes of s44 of the PA 2008
- Appendix 6 contains details of the Zone of Influence identified and used for the purposes of the Waste Water Transfer Tunnel Restrictive Covenant
- Appendix 7 contains a diagrammatical representation of the land requirements around Shafts 4 and 5 of the Waste Water Transfer Tunnel
- Appendix 8 contains copies of the letters sent to the relevant Crown bodies

⁹ This Appendix has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

3 The Applicant

3.1 Background to the Applicant

- 3.1.1 The Applicant is a water company operating in the East of England. It is regulated under Water Industry Act 1991 and other relevant legislation. The water supply, sewerage and sewage treatment responsibilities of Anglian Water Authority were transferred to the Applicant in 1989.
- 3.1.2 As the appointed water and sewerage undertaker for the Anglian region, and the water undertaker for the Hartlepool region, the Applicant is the largest water and water recycling company in England and Wales by geographic area, supplying water and waste water services to almost seven million people in the East of England and Hartlepool. It operates almost a quarter of all water and waste water treatment plants in the country.
- 3.1.3 The Applicant has a strong track record in securing and conserving water resources. Despite a 20 per cent population growth in the region since 1990, its successful demand management strategy means that it supplies the same amount of water today as it did 20 years ago.
- 3.1.4 The Applicant is committed to protecting the natural environment and safeguarding the value it brings to society. The company has a range of environmental programmes including the “Love Every Drop” campaign. Other programmes focus on reducing CO₂ emissions, protecting water resources and local habitats. The company invests in innovative solutions to ensure a sustainable future for water, nature and the communities within which it operates.
- 3.1.5 With global demand for water expected to increase by 30 per cent by 2030, the Applicant considers itself as having an important role to play in shaping how to respond to the challenge of future water resourcing.

3.2 Corporate ownership of the Applicant

- 3.2.1 The Applicant is a subsidiary of Anglian Water Group Limited, which is owned by a consortium of long-term investors representing millions of individual pension holders. Further details of the Anglian Water Group Limited can be found in the Funding Statement (App Doc Ref 3.2).

3.3 Financial strength of the Applicant

- 3.3.1 Paragraph 2.2.14 of the Funding Statement refers to the consolidated accounts for the Applicant for the year ending 31 March 2022 with total assets of £12,245.7 million and net assets of £2,314.0 million. The updated figures for the year ending 31 March 2023 are £12,510.9 million and £2,306.2 million respectively.
- 3.3.2 Ofwat is the economic regulator of all water and waste water companies in England and Wales. As part of the regulatory process, the Applicant’s priorities are decided

through price regulation, based on consultation with the public, customers, and other groups, through a process called the Price Review.

- 3.3.3 A Price Review happens every 5 years. These blocks of time are known as an Asset Management Period ('AMP'). As part of the Price Review, the Applicant submits its business plan to Ofwat, setting out the activities it intends to carry out in the coming AMP. Once the Price Review is approved, which is known as a Final Determination, the Applicant can use this allocation of funding to help fulfil its statutory obligations.
- 3.3.4 The Final Determination is an allowance to expend, but the money comes from the payment of bills by customers, debt and contributions from property developers. For AMP7 (2020 to 2025), the total expenditure in the Applicant's Final Determination was c.£5,800 million (see the Funding Statement (App Doc Ref 3.2)).
- 3.3.5 Further details about the Applicant can be found in the Funding Statement (App Doc Ref 3.2) accompanying the Application.

4 Cambridge Waste Water Treatment Plant Relocation Project

4.1 Overview of the relocation project

- 4.1.1 Anglian Water's Cambridge Waste Water Treatment Plant Relocation project (CWWTPRP) ("the Proposed Development") is funded by Homes England, the Government's housing accelerator which seeks to improve neighbourhoods and grow communities by releasing land for development.
- 4.1.2 The Proposed Development involves the relocation of the existing Cambridge Waste Water Treatment Plant (WWTP) currently operating at Cowley Road, Cambridge, to a new site between Horningsea, Fen Ditton and Stow cum Quy, adjacent to the A14 in Cambridgeshire.
- 4.1.3 The relocation would make the site of the existing WWTP available to form part of the development of a new low-carbon city district, known as North East Cambridge. The site at Cowley Road, is Cambridge's last major brownfield site, and the wider North East Cambridge district proposals envisage creating around 8,350 homes and 15,000 jobs over the next 20 years.
- 4.1.4 North East Cambridge is a highly sustainable location for housing. In addition to the Homes England funding, the area has benefitted from Transport Infrastructure Fund (TIF) funding for Park & Ride, the completion of Cambridge Guided Bus public transport infrastructure, the delivery of the Cambridge North rail station and the Chisholm Trail.
- 4.1.5 North East Cambridge is one of three key strategic sites which will form "*central building blocks of any future strategy for development*" in the proposed Greater Cambridge Local Plan being jointly prepared by Cambridge City Council and South Cambridgeshire District Council that will be subject to public consultation in Autumn 2023. The North East Cambridge Area Action Plan (AAP), currently in "Proposed Submission" form, will be the planning policy framework which ultimately guides the development of North East Cambridge city district.
- 4.1.6 The importance of the Proposed Development, both regionally and nationally, was recognised by the Secretary of State for Environment, Food and Rural Affairs (DEFRA) in January 2021, who directed that the Proposed Development is nationally significant and is to be treated as a development for which a DCO is required (see Appendix 1-3 of the Planning Statement (App Doc Ref 7.5)).
- 4.1.7 The policy context of the Proposed Development is described in more detail in the Planning Statement (App Doc Ref 7.5).

4.2 Purpose of the Proposed Development

- 4.2.1 The Proposed Development for which the DCO is being sought will deliver all the functions of the existing Cambridge WWTP at Cowley Road, treating all waste water from the Cambridge catchment and wet sludge from the wider region.
- 4.2.2 In addition, it will have an increased capacity, being intended to treat the waste water from the Waterbeach catchment and anticipated housing growth in the combined Cambridge and Waterbeach catchment area.
- 4.2.3 The infrastructure provided as part of the main works will have a design life to at least 2090, and the supporting infrastructure (i.e. the transfer tunnel, pipelines and outfall) will have a designed capacity sufficient to meet population growth projections plus an allowance for climate change into the 2080s. Furthermore, there is capability for expansion in space that has been provided within the earth bank and by modification, enhancement and optimisation of the design to accommodate anticipated flows into the early 2100s.

4.3 Outline description of the Proposed Development

- 4.3.1 The DCO application is seeking approval for the following main elements of the Proposed Development.
- An integrated waste water and sludge treatment plant.
 - A shaft to intercept waste water at the existing Cambridge WWTP on Cowley Road and a tunnel/ pipeline to transfer it to the proposed WWTP and terminal pumping station. Temporary intermediate shafts to launch and recover the micro-tunnel boring machine.
 - A gravity pipeline transferring treated waste water from the proposed WWTP to a discharge point on the river Cam and a pipeline for storm water overflows.
 - A twin pipeline transferring waste water from Waterbeach to the existing Cambridge WWTP, with the option of a connection direct in to the proposed WWTP when the existing works is decommissioned.
 - On-site buildings, including a Gateway Building with incorporated Discovery Centre, substation building, workshop, vehicle parking including electrical vehicle charging points, fencing and lighting.
 - Environmental mitigation and enhancements including substantial biodiversity net gain, improved habitats for wildlife, extensive landscaping, a landscaped earth bank enclosing the proposed WWTP, climate resilient drainage system and improved recreational access and connectivity.
 - Renewable energy generation via anaerobic digestion which is part of the sludge treatment process that produces biogas designed to be able to feed directly into

the local gas network to heat homes, or as an alternative potential future option burnt in combined heat and power engines.

- Renewable energy generation via solar photovoltaic and associated battery energy storage system.
- Other ancillary development such as internal site access, utilities, including gas, electricity and communications and connection to the site drainage system.
- A new vehicle access from Horningsea Road including for HGVs bringing sludge onto the site for treatment and other site traffic.
- Temporary construction works including compounds, temporary highway controls, accesses and signage, fencing and gates, security and safety measures, lighting, welfare facilities, communication control and telemetry infrastructure.
- Decommissioning works at the existing Cambridge WWTP to cease its existing operational function and to facilitate the surrender of its operational permits including the removal of pumps, isolation of plant, electrical connections and pipework, filling and capping of pipework, cleaning of tanks, pipes, screens and other structures, plant and machinery, works to decommission the potable water supply and works to restrict access to walkways, plant and machinery.

4.3.2 Additional elements, together with more information on the above features are provided in Chapter 2: Project Description of the Environmental Statement (App Doc Ref 5.2.2). Principles of Good Design have been used to inform the development of the project, which has been guided by the National Infrastructure Commission's Design Principles, advice from the Design Council and review by the Cambridgeshire Quality Panel, as described in the Design and Access Statement (App Doc Ref 7.6).

4.3.3 Construction activities, likely to take 3-4 years, will include the creation of a shaft to intercept waste water at the existing Cambridge WWTP and temporary intermediate shafts between the existing Cambridge WWTP and the proposed WWTP to launch and recover a micro-tunnel boring machine. The sequence and location of construction activities are also detailed in Chapter 2: Project Description of the Environmental Statement (App Doc Ref 5.2.2).

4.3.4 Towards the end of the construction period, commissioning of the Proposed Development will commence, lasting for between 6 months and 1 year.

4.3.5 The Proposed Development will also involve the decommissioning of the existing Cambridge WWTP at Cowley Road. This is secured by the Development Consent Order and the Outline Decommissioning Plan (Appendix 2.3, App Doc Ref 5.4.2.3) and involves activities necessary to take the existing plant out of operational use and to surrender its current operational permits.

4.3.6 Following decommissioning, the site of the existing Cambridge WWTP (and land to the south owned by Cambridge City Council) will be made available in accordance

with agreements already in place with Homes England and with the master developer appointed to deliver the redevelopment of North East Cambridge. See HIF related documents (App Doc Refs 8.8 and 8.9) included in the Applicant's submission at Deadline 1 for further details.

- 4.3.7 Consent is not sought under the Development Consent Order for the subsequent demolition or redevelopment of the Cowley Road site, which, as described in Chapter 2: Project Description of the Environmental Statement (App Doc Ref 5.2.2) will be consented under a separate and future planning permission, by master developers, Land SecU+I¹⁰ and TOWN, appointed under the agreements described above.
- 4.3.8 The relationship between the Proposed Development, the scope of the proposed DCO and the future demolition and redevelopment of the site at Cowley Road is set out in Figure 4.1 below.

¹⁰ Since its appointment as the master developer of Hartree, U+I has been acquired by Land Securities Group Plc and is now called LandSecU+I.

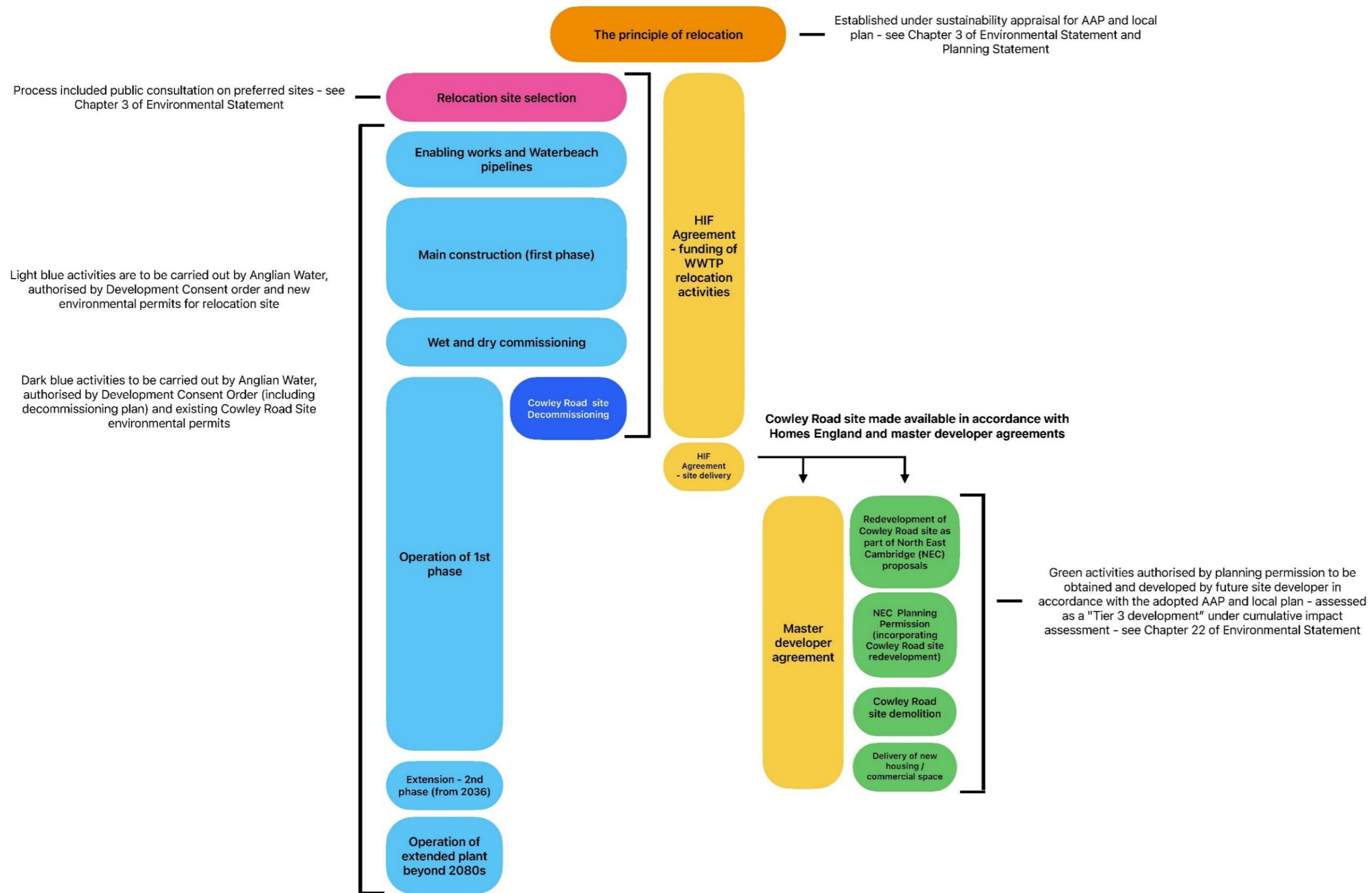


Figure 4.1: Chart showing the relationship between the Proposed Development, the scope of the proposed DCO and the future demolition and redevelopment of the site at Cowley Road

Source: The Applicant

4.4 Need for the proposed development

- 4.4.1 The relocation of the existing Cambridge WWTP is necessary for the delivery of new housing which is of critical importance to the sustainable and continued success and growth of the nationally important city and region of Cambridge and will enable the delivery of significant planning benefits to be realised. Once the existing Cambridge WWTP is relocated, the site will be at the core of the transformation of this major opportunity area to support Greater Cambridge's continued sustainable growth (as recognised in the Secretary of State's s35 direction dated 18 January 2021 (see Appendix 3 of the Planning Statement (App Doc Ref 7.5)) and help meet the ambition of Cambridgeshire and Peterborough Combined Authority to double the Regional Gross Value Added (GVA) by reinforcing Cambridge's position as a global centre of excellence for research, development and business success. Specifically, the Proposed Development will enable Cambridge City and South Cambridgeshire District Councils' long held ambition to develop a new low-carbon city district on Cambridge's last major brownfield site, known as North East Cambridge (NEC).
- 4.4.2 The relocation of the existing Cambridge WWTP will enable this new city district to come forward and deliver 8,350 homes, 15,000 new jobs and a wide range of community, cultural and open space facilities in NEC. NEC is recognised as the most sustainable location suitable and available (subject to the confirmation of the Draft DCO) in Greater Cambridge to meet housing needs.
- 4.4.3 The significant development potential of NEC has long been identified by Cambridge City Council, South Cambridgeshire District Council and Cambridgeshire County Council (as landowners and planning authorities). The area has benefitted from TIF funding for a Park & Ride, completion of Cambridge Guided Bus public transport infrastructure, the provision of Cambridge North railway station, completion of the Chisholm Trail walking and cycling route and, most recently, securing HIF funding from Homes England for the relocation of the existing Cambridge WWTP.
- 4.4.4 The existing Cambridge WWTP site is the most sustainable location suitable and available (subject to the confirmation of the Draft DCO) in Greater Cambridge as part of meeting housing requirements to 2041. Downsizing on site would not produce sufficient land for housing because of buffer requirements and, therefore, would not have secure HIF funding, impacting on its viability, and would also prejudice the development of other adjacent strategically important previously developed land. The optimal form of relocation is total removal from the current site. This conclusion is also described in sections 6.2 of the Planning Statement (App Doc Ref 7.5).
- 4.4.5 North East Cambridge is one of three key strategic sites which will form "*central building blocks of any future strategy for development*" in the proposed Greater Cambridge Local Plan being jointly prepared by Cambridge City Council and South Cambridgeshire District Council that will be subject to public consultation in Autumn 2023. The North East Cambridge Area Action Plan (NECAAP) has also been agreed by the Councils in its Proposed Submission form and will be subject to public consultation prior to submission, once the DCO application is determined. The

relocation of the existing Cambridge WWTP will enable this new district to come forward and deliver 8,350 homes, 15,000 new jobs and a wide range of community, cultural and open space facilities in North East Cambridge. The Proposed Development will also accommodate the growth arising from the Waterbeach New Town. The committed expansion of Waterbeach comprises over 11,000 new dwellings.

- 4.4.6 The Proposed Development will allow the Applicant to continue providing vital waste water services to customers across Cambridge and Greater Cambridge in a new, modern, carbon-efficient facility. The new plant will continue storing and treating storm flows and treating sludge to produce renewable energy. It is designed to accommodate a growing population. It offers the opportunity for a joined-up solution for treating waste water from Cambridge and Greater Cambridge, including Waterbeach. The proposal is for both waste water from the existing Waterbeach WRC and future flows from Waterbeach New Town to be treated at the proposed WWTP.
- 4.4.7 The proposed WWTP's design capacity will have a waste water treatment population equivalent of 300,000 and sludge treatment population equivalent capacity of 548,000. This capacity will be sufficient to serve all existing and planned residential and commercial development within the Cambridge and Waterbeach combined waste water catchment as a minimum to 2041 (being the end of the next Local Plan period) based on existing commitments and emerging needs and allocations identified in the emerging Local Plan (with headroom should the housing requirement/target increase), as well as from the strategic sites (i.e. Cambridge East, NEC and Waterbeach) beyond the next Local Plan period.
- 4.4.8 The infrastructure provided as part of the main works will have a design life to at least 2080, and the supporting infrastructure (i.e. the transfer tunnel, pipelines and outfall) will have a designed capacity sufficient to meet population growth projections plus an allowance for climate change into the 2080s. Furthermore, there is capability for expansion in space that has been provided within the earth bank and by modification, enhancement and optimisation of the design to accommodate anticipated flows into the early 2100s. The proposed development is therefore capable of accommodating the capacity of all the identified strategic sites within the Cambridge and Waterbeach combined waste water catchment that will be built out beyond 2041.
- 4.4.9 The Planning Statement (App Doc Ref 7.5) provides further details about the need for the Proposed Development to achieve the wider planning objectives of the Councils, arising principally from population growth and urbanisation in Cambridge (in land use and water treatment terms) and also in Waterbeach (in water treatment terms).
- 4.4.10 Consistent with its Water Recycling Long-Term Plan (WRLTP) published in 2018, the Applicant assessed the options for replacement of the existing Waterbeach WRC through either, option 1, the construction of a new water recycling centre at

Waterbeach or option 2, to pump the waste water, via a new pipeline, from the existing Waterbeach village, (together with the new waste water flows generated by Waterbeach New Town). Option 2 could be delivered with flows sent back to the existing Cambridge WWTP or to a new consolidated single WWTP, in effect combining the two catchment areas.

- 4.4.11 The Applicant's original proposed waste water recycling strategy for Waterbeach New Town was to adopt the first of these options and to build a new Waterbeach WWTP to the east of the existing facility. A pre-application for planning advice for a new Waterbeach WRC was submitted to Cambridgeshire County Council in May 2019, however, it prompted responses from Cambridgeshire County Council (in September 2019) making it clear that Cambridgeshire County Council was not satisfied that the Applicant had demonstrated a feasible site for a new WWTP, particularly in relation to the location of the proposed site within a Flood Zone 2 area. The Environment Agency raised similar concerns and advised that pumping to Cambridge (the existing Cambridge or proposed WWTP) would be the only feasible and deliverable option.
- 4.4.12 Given the constraints in flood risk terms to the identification of a suitable site with sufficient resilience to accommodate a new WWTP at Waterbeach (made by Cambridgeshire County Council and the Environment Agency), along with the benefits of, amongst other factors, operational efficiencies, capital cost efficiencies and carbon emissions reductions, on 11 September 2019, the Applicant decided to adopt option 2 and construct a new pipeline to align the project for the proposed WWTP with the timing of requirements for Waterbeach. The connection of the existing Waterbeach catchment and the Waterbeach New Town development to the Proposed Development would enable waste water flows to be treated at a single WWTP. This represents operational and capital cost efficiencies and carbon cost reductions.
- 4.4.13 The planned growth in Waterbeach will, therefore, be met by the existing Waterbeach WRC until that plant reaches capacity (currently anticipated to be in 2028), at which point all flows will be re-routed to the new WWTP (or to the existing Cambridge WWTP in the event that the new WWTP is not ready to receive flows at that point in time) and the existing Waterbeach WRC replaced by a new pumping station within the Waterbeach New Town site.
- 4.4.14 The requirement for new capacity to respond to the waste water demands generated by the above growth would, therefore, be the function of the CWWTPRP.
- 4.4.15 The existing Cambridge WWTP and Waterbeach WRC play a vital role storing and treating storm flows during heavy rainfall before discharging to the river Cam and provide a material contribution to the flow within the river Cam. Storm overflows play a vital role in combined waste water network systems as they work like pressure release valves to protect homes and businesses from flooding during periods of extreme rainfall (as recognised in paragraph 2.3.5 of the NPSWW).

4.4.16 The Environment Agency issues permits for storm overflows. In the climate change context, as Greater Cambridge continues to grow, the role played by WWTPs in responding to climate change becomes increasingly important. The proposed WWTP will be able to treat a greater volume of storm flows to a higher standard than would be the case at the existing Cambridge WWTP and Waterbeach WRC and will provide greater resilience and improved storm management, meaning storm overflows and Combined Sewer Overflows are far less likely to occur (as described in the Storm Model report (Appendix 20.10, App Doc Ref. 5.4.20.10)).

4.5 Environmental mitigation

4.5.1 Through the environmental impact assessment process and community and technical stakeholder engagement, the Proposed Development has incorporated comprehensive environmental mitigation, secured through the Development Consent Order.

4.5.2 This mitigation includes a Landscape, Ecological and Recreational Management Plan (LERMP) (Appendix 8.14 App Doc Ref 5.4.8.14)) has been developed to complement regional and local initiatives, including the Wicken Fen Vision and the Cambridge Nature Network. The 22-hectare footprint of the plant is encircled by a landscaped and planted earth bank situated within the broader LERMP area of around 70-hectares.

4.6 Additional project benefits

4.6.1 In addition to enabling housing growth and future economic development of the Greater Cambridge area the project will also give rise to a number of additional benefits including:

- significantly reduced carbon emissions compared to the existing Cambridge WWTP, being operationally net zero and energy neutral, contributing to the Applicant's ambition of being operationally net zero as a business by 2030;
- greater resilience and improved storm management, meaning storm overflows and Combined Sewer Overflows (CSOs) are far less likely to occur. This means that, as Greater Cambridge continues to grow, the facility will be able to treat a greater volume of storm flows to a higher standard than would be the case at today's facility; and,
- the proposed WWTP is being designed to reduce concentration in final treated effluent discharges of phosphorus, ammonia, total suspended solids and biological oxygen demand (BOD), compared to the existing Cambridge WWTP. This means that when the proposed WWTP starts to operate, water quality in the river Cam will improve.

4.7 The proposed authorised work

4.7.1 The Proposed Development has four main parts.

- A tunnel to transfer waste water ('the Waste Water Transfer Tunnel') from the existing Cambridge WWTP
- A new waste water treatment plant
- Pipelines to convey treated water and storm flows to the river Cam
- Rising mains to transfer waste water flows from the Waterbeach catchment, including the Waterbeach New Town, to the existing Cambridge WWTRP or the proposed WWTP

4.7.2 These are described in following sections.

4.7.3 Other related works include the diversion of rising and gravity mains, carrying out highways works, creating footpaths and a bridleway, creating ecological habitats and decommissioning the existing Cambridge WWTP. These are described in other sections of this Statement, together with land or rights in land required for them.

4.7.4 Further details of the Proposed Development can be found in Chapter 2 Project Description of the Environmental Statement (App Doc Ref 5.2.2).

Waste Water Transfer Tunnel from the existing Cambridge Waste Water Treatment Plant

4.7.5 The Waste Water Transfer Tunnel will be a gravity system and will require six shafts, sited at connections and changes of tunnel direction or, otherwise, at approximately 600m intervals, at the following locations.

- An interception shaft, Shaft 1, located at the existing Cambridge WWTP to intercept the existing Riverside Tunnel which conveys waste water from part of Cambridge to the existing Cambridge WWTP
- An intermediate shaft, Shaft 2, located adjacent to the existing Cambridge WWTP interception shaft and linking it to Waste Water Transfer Tunnel
- An intermediate shaft, Shaft 3, located adjacent to the eastern boundary of the existing Cambridge WWTP, on the western side of the Cambridge to King's Lynn railway line
- An intermediate shaft, Shaft 4, located on the eastern side of the river Cam, within Poplar Hall Farm
- An intermediate shaft, Shaft 5, located on the west side of Horningsea Road (the B1047), also within Poplar Hall Farm
- A reception shaft, Shaft 6, which will accommodate a terminal pumping station ('TPS') located within the proposed WWTP

New Waste Water Treatment Plant

Inlet and terminal pumping station

- 4.7.6 An on-site TPS at the end of the Waste Water Transfer Tunnel will lift the untreated waste water and storm flows into a new elevated inlet channel or stormwater management system. The TPS will be designed to manage flows of up to 7,000 litres/second.

Inlet works

- 4.7.7 The inlet works will be located close to the TPS and will receive the flows pumped from the TPS. As well as receiving flows from the TPS, the inlet works will also receive imported liquors from septage tankers and treated liquors from the Sludge Treatment Centre ('STC') (see below).
- 4.7.8 The inlet works will consist of a concrete structure with flow channels, within which mechanical plant will be installed to screen out solids and remove grit from incoming flows to protect downstream plant and equipment.

Primary treatment

- 4.7.9 At the primary treatment stage, a large proportion of the solid organic matter is separated from the water by allowing it to gravitate to the base of the primary settling tanks ('PSTs'). The settled solids, referred to as primary sludge, will be removed from the tanks by mechanical scrapers directing the sludge to central wells within the tanks, from where it is withdrawn and pumped to the STC for further treatment.

Secondary treatment and final settlement tanks

- 4.7.10 Secondary treatment is the biological treatment process in which bacteria removes the soluble and poorly settling organic and inorganic fractions of the primary treated waste water effluent.

Tertiary treatment

- 4.7.11 The purpose of the tertiary treatment stage is to provide the final, finest grade of treatment to ensure the effluent complies with discharge consent limits.

Sludge Treatment Centre

- 4.7.12 The integrated STC has been designed to treat indigenous sludge produced at the Proposed Development plus imported liquid sludges to the amount of 16,000 Tonnes Dry Solids per year.

STC odour control plant

- 4.7.13 Odour control plant will be provided within the STC to mitigate any odour emissions.

Final effluent treatment

- 4.7.14 This process will filter and disinfect final effluent for use within the sludge treatment process, to help with the transfer of heat, cooling and washdown.

Utilities provision and connections

- 4.7.15 The STC will require a new gas connection to the gas network in order to fuel the boilers in case of plant failure. The current proposal is to connect into the existing intermediate pressure network located south east of the proposed WWTP. This connection has been checked and confirmed by the gas network operator. If this is not possible an alternative connection to the gas transmission network will be secured.
- 4.7.16 The proposed WWTP will be powered by a new electrical supply which has been secured from UK Power Networks. A new dual 11kV connection is proposed from the existing Cambridge WWTP sub-station, located adjacent to the existing Cambridge WWTP.
- 4.7.17 The potable water supply to the proposed WWTP will be supplied by Cambridge Water. A new connection from Horningsea Road is proposed running adjacent to the new access road (see Design Plans – Highways (App Doc Ref 4.11)).
- 4.7.18 A new telecommunications connection will be supplied by BT/Openreach. A new connection from Horningsea Road is proposed running adjacent to the new access road (see Design Plans – Highways (App Doc Ref 4.11)).

On-site buildings

- 4.7.19 Work offices, substation building, workshop and vehicle parking, including electrical vehicle charging points will be included. In addition to these buildings, Mechanical Control Centre ('MCC') kiosks are proposed.

Gateway building

- 4.7.20 The gateway building is a two-storey structure at the entrance to the proposed WWTP. It will contain offices, welfare facilities and a discovery centre. The building has ground floor access from both sides, allowing public access from the west and access for staff from the east.
- 4.7.21 Facilities within it will include a suite of large and small offices and meeting spaces on the ground and first floor, as well as messing facilities (including kitchenette, showers, changing and toilet facilities). The discovery centre, located on part of the first floor, will provide an education space for visitors, as well as multipurpose meeting spaces and a viewing terrace.

Workshop building

- 4.7.22 A workshop building will be situated towards the southwest of the Earth Bank. The building provides two separate workshop spaces, a large space for the maintenance of equipment and a smaller space for vehicles maintenance.
- 4.7.23 Innovation space and a laboratory are proposed within the workshop building. In addition, messing facilities (including a kitchenette, showers, changing and toilet facilities), a storeroom and space for services will be provided.

Fencing and security

- 4.7.24 A security fence will enclose the operational areas of the proposed WWTP, consisting of a 3 metres high steel mesh fence.

4.8 Pipelines to convey treated water to the outfall at the river Cam

- 4.8.1 Two gravity pipelines (as opposed to pumped mains) will be required to transfer treated final effluent and, occasionally, settled storm flow, to an outfall located on the eastern bank of the river Cam ('the Outfall Structure'). The pipelines, of 1.5 and 1.8 metres internal diameter respectively, will be laid in parallel in a buried trench and will be approximately 1.25km in length.
- 4.8.2 The pipelines will mainly be constructed using an open cut method but pipe jacking, or other trenchless methods, will be used where the pipelines cross other infrastructure (see section 2.7 of the Project Description (App Doc Ref 5.2.2)).
- 4.8.3 The Outfall will be located on the eastern bank of the river Cam, approximately 35m downstream of the A14 bridge. Access to the Outfall Structure will be taken from Horningsea Road, using the access to Poplar Hall Farm (parcel 021a), heading under the bridge over the A14, and across parcels 019a and 021b. These parcels can be found on Sheet 2 of the Land Plans (App Doc Ref 4.4.2).
- 4.8.4 The Outfall Structure will be a concrete structure located within parcel 019a¹¹ and parcel 021b, as shown on Sheet 2 of the Land Plans (App Doc Ref 4.4.2) and on Sheet 3 of the Works Plans (App Doc Ref 4.3.3). It will have two compartments to accommodate flows of up to 2 metres³/second of treated effluent and 5 metres³/second of settled storm flow.

4.9 Waste Water pipelines to transfer flows from Waterbeach New Town

- 4.9.1 The Waterbeach Pipeline is expected to comprise twin 500mm pipes to be laid below ground (with the exception of the section within the existing Cambridge WWTP). The two new pipelines (rising mains) will be approximately 8.4km in total length, with

¹¹ This parcel has been reduced in size, as shown on Sheet 2 of the Land Plans included in the Applicant's submission at Deadline 1.

around 5.6km from a new pumping station at Waterbeach (see paragraph 4.6.2 below) to the proposed WWTP and approximately 2.8km from the proposed WWTP to the existing Cambridge WWTP. The pipelines will be installed mainly in agricultural land, under various roads, the Cambridge to King's Lynn railway line and the river Cam.

- 4.9.2 The Waterbeach Pipeline will convey waste water from a new pumping station in the vicinity of the existing Waterbeach WRC to the proposed WWTP. The new pumping station is not within the definition of the Proposed Development and the consents required for it will be obtained by the developer (see paragraph 2.8.3 of the Project Description (App Doc Ref 5.2.2)).

4.10 Phasing and flexibility

- 4.10.1 The design capacity of the proposed WWTP will be delivered in phases, as follows.
- Phase 1 is expected to have a waste water capacity to serve circa 275,000 population equivalent, plus the full sludge treatment capacity. On current modelling, this will provide sufficient waste water treatment capacity to 2035. The supporting infrastructure to allow for growth to 2080 will also be constructed; and,
 - Phase 2 will provide the balance of waste water treatment capacity to 2041. This will largely comprise a modular build exercise within the earth bund.
- 4.10.2 It is possible that Phase 2 might be needed earlier or later than 2035 and that further capacity expansion may be needed earlier or later than 2041, for example, recognising that more housing might ultimately be allocated and build rates could be faster or slower than predicted. This phasing approach provides the Applicant with the operational flexibility it needs to continue to provide waste water treatment services in accordance with its statutory duty at all times up to at least 2080. See section 2.2 of the Planning Statement (App Doc Ref 7.5) accompanying the Application.
- 4.10.3 Section 3 of the Project Description (App Doc Ref 5.2.2) provides details of the likely construction phasing of the Proposed Development. The construction programme is shown in Figure 4.2 below.

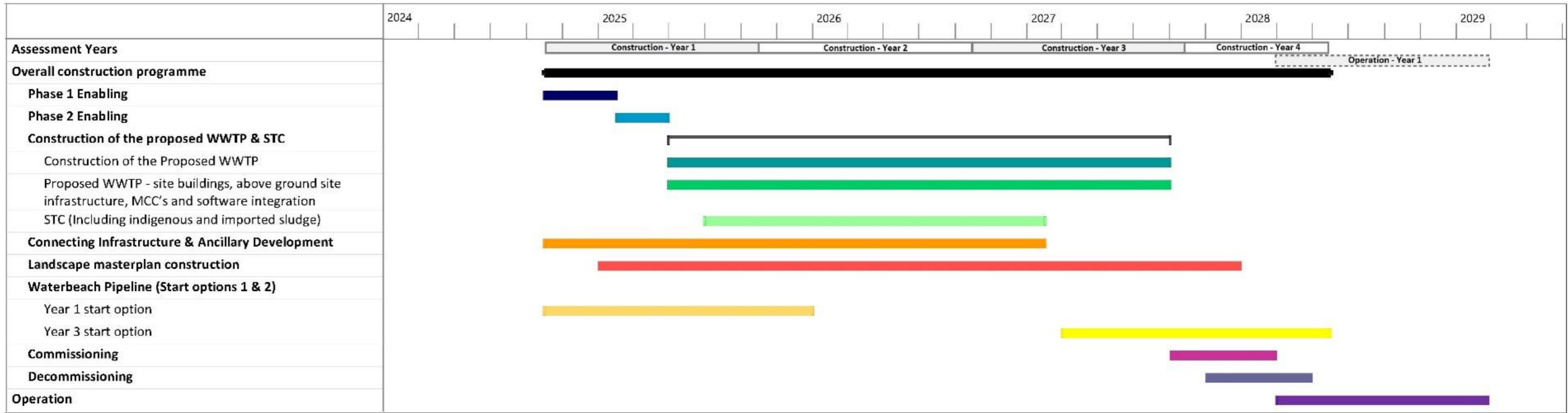


Figure 4.2: Chart showing provision anticipated programme of works

Source: The Applicant. Section 3 of the Project Description (App Doc Ref 5.2.2).

- 4.10.4 The installation of the Waterbeach Pipeline has been shown in the programme from the earliest possible stage, and a late possible stage, as an alternative. The option of installing only portions of the Waterbeach Pipeline at particular points in time, so as avoid interference with other planned development, such as the proposed new Waterbeach railway station, is also included in the flexibility of delivery contained in the Project Description (App Doc Ref 5.2.2).
- 4.10.5 The scale of the Proposed Development, the nature of its detailed design process, together with the timing of the consenting process, means the Applicant requires a degree of flexibility for the siting of elements of the Proposed Development. This flexibility is provided for in Article 6 of the Draft DCO Order (App Doc Ref 2.1) by the inclusion of limits of deviation and as described in the Project Description (App Doc Ref 5.2.2). This flexibility has been assessed in the preparation of the Environmental Statement. Further details can be found in the Project Description (App Doc Ref 5.2.2) accompanying the Application.

4.11 Consideration of alternatives

- 4.11.1 Section 1.2 of the Site Selection and Alternatives report (App Doc Ref 5.2.3), describes how the Applicant considered the co-location of new housing and other forms of development alongside the existing Cambridge WWTP but concluded this would not be possible because it would be contrary to planning policy.
- 4.11.2 Section 1.2 also states the Applicant considered the consolidation of the existing Cambridge WWTP on its current site to provide space for housing and other forms of development. The Applicant concluded this would also be contrary to planning policy. These conclusions are also described in sections 6.2.4 and 6.2.5 of the Planning Statement (App Doc Ref 7.5).
- 4.11.3 Chapter 3 Site Selection and Alternatives of the Environmental Statement (App Doc Ref 5.2.3) contains a description of the site selection process undertaken to identify the site of the proposed WWTP. This involved a 4 stage site selection process, having regard to selection criteria including environmental, community impacts, operational considerations, planning policy requirements, economic factors and programme needs. These criteria are shown in Table 4-1 below.

Table 4-1: Stage 4 final site selection criteria

Theme	Criteria
Environmental	<ul style="list-style-type: none"> ● Nature conservation and biodiversity ● Landscape and visual amenity ● Historic environment ● Land and water quality ● Carbon emissions ● Noise ● Air quality ● Odour
Community	<ul style="list-style-type: none"> ● Land use, property and business viability ● Traffic ● Amenity (based on the combined impacts of air quality, odour, noise, landscape and visual and traffic)
Operational considerations	<ul style="list-style-type: none"> ● Delivery of Anglian Water’s strategic corporate commitments ● Odour (operational) ● Future urban growth ● Future operational needs (post 2050) ● Transport and access ● Flood risk
Planning	<ul style="list-style-type: none"> ● Evaluation of site against national and local planning policies
Economic	<ul style="list-style-type: none"> ● Assessment of development, capital and operational costs of each site, with and without appropriate environmental mitigation
Programme risks	<ul style="list-style-type: none"> ● Whether the site could be developed within the timeframe required by the Homes England funding agreement

Source: The Applicant. Table 2-1 in section 2.3.8 of Chapter 3 Site Selection and Alternatives of the Environmental Statement (App Doc Ref 5.2.3)

4.11.4 The use of these criteria in the selection process resulted in the selection of the site shown in the various documents that make up the Application. The selected site had an area of 127 hectares which would provide significant opportunities for environmental enhancement, and overcoming Green Belt harm.

4.11.5 The selected site allows the mitigation of the Proposed Development’s impact on the landscape, biodiversity and heritage assets, integrated with the delivery of Biodiversity Net Gain (see the Biodiversity Net Gain (BNG) Report (Appendix 8.13, App Doc Ref 5.4.8.13)). This integration can be seen in the Landscape and Ecological and Recreational Management Plan (Appendix 8.14, App Doc Ref 5.4.8.14).

- 4.11.6 Following the selection of the site for the proposed WWTP, a process of refinement took place, with a more detailed consideration of site constraints, layout and landscape design. This led to the rotunda design for the siting of the proposed WWTP and a reduction in the land required to 94 hectares. This design was part of the Phase Two Consultation (see the Consultation Report (App Doc Ref 6.1)).
- 4.11.7 Chapter 3 Site Selection and Alternatives of the Environmental Statement (App Doc Ref 5.2.3) also contains a description of the alternatives considered for the tunnelling and pipeline routing. Following the more detailed siting of the proposed WWTP, the location of the infrastructure was refined, drawing on further studies including ground investigations. Options for the location of the outfall structure were reviewed, including whether it should be upstream or downstream of Baits Bite Lock.
- 4.11.8 This process included reviewing two alternative construction methodologies for the Waste Water Transfer Tunnel. These were installing a segmentally lined bored tunnel or using a technique known as "pipe jacking". Both methodologies were considered for cost, safety, programme, environmental impact and risk factors. Pipe jacking was chosen as the preferred methodology due to a reduced requirement for below ground working, reduced material usage and spoil generation, reduced risk of ground contamination, and reduced cost.
- 4.11.9 The routing of the Waste Water Transfer Tunnel was determined by applying four primary rules, as follows.
- The Waste Water Transfer Tunnel was not to pass under any existing buildings
 - The Waste Water Transfer Tunnel was to cross major infrastructure (such as railways, roads or rivers) as close to perpendicular as possible to minimise crossing length
 - Construction shafts for the Waste Water Treatment Works should, where possible, be spaced as evenly as possible to reduce cost and environmental impact and be in areas not subject to environmental risk (such as flooding) and where good traffic access could be achieved
 - Significant bends should be avoided to minimise turbulence and the potential creation of odour from the Waste Water Transfer Tunnel
- 4.11.10 Preliminary routing and shaft location took place to inform the Phase Three Consultation (see the Consultation Report (App Doc Ref 6.1)), where draft works plans were shared with landowners and other consultees.
- 4.11.11 Concerns were raised by stakeholders about the proposed location of a tunnel shaft east of the river Cam (Shaft 4). As a result, the location of this shaft was changed (see section 5.4 of this Statement for more details and section 4 of the Site Selection and Alternatives report (App Doc Ref 5.2.3)).

5 Location and description of, and need for, the land subject to Compulsory Acquisition

5.1 Location

- 5.1.1 The Proposed Development will be located within the Order Limits which cover an area to the north east of Cambridge, as shown in Figure 1.1 above. The Order Limits extend from Cowley Road, Cambridge in the west, Low Fen Drove Way, Horningsea in the east and Bannold Drove, Waterbeach in the north. There is an additional, non-contiguous area within the Order Limits location between Low Fen Drove Way, Horningsea and Station Road, Stow-cum-Quy.
- 5.1.2 Within this spatial extent, some areas of land are enclosed by the Order Limits have been expressly excluded from the Order Limits. For ease of identification, these areas are shown shaded grey on the Land Plans (App Doc Ref 4.4) and described as Land Outside Order Limits.
- 5.1.3 The Order Limits include land within the administrative areas of Cambridge City Council (in the west) and South Cambridgeshire District Council (in the east and north). The boundaries of the administrative areas as shown both on the Works Plans (App Doc Ref 4.3) and on the Land Plans (App Doc Ref 4.4).

5.2 Description of the Order Land and why the land is required

- 5.2.1 The Order Land, which is land within the Order Limits that the Applicant is proposing to be acquire or use, is shown on the Land Plans (App Doc Ref 4.4) and details of land owners and occupiers of that land are listed in the Book of Reference (App Doc Ref 3.3).
- 5.2.2 A summary description of the Proposed Development can be found in section 4 of this Statement and, in full, in the Project Description (App Doc Ref 5.2.2) and shown on the Works Plans (App Doc Ref 4.3). The key constituent parts of the Proposed Development are described in the following sections.

5.3 The Existing Cambridge Waste Water Treatment Plant

- 5.3.1 The following parcels shown on the Land Plans (App Doc Ref 4.4) cover the existing Cambridge WWTP: 003a; 003b; 003c; 003d; 003e; 005a; 005b; 005c; 005d; 005e; 005f; 005g; 005h; 005i; 005j.
- 5.3.2 This facility is located in the north east of Cambridge, bounded by the A14 to the north, Cowley Road to the west, and the London to King's Lynn railway line to the east.
- 5.3.3 The general area around the existing Cambridge WWTP has a mix of commercial uses, including offices, an industrial estate, a golf driving range and, a little further away, Cambridge North railway station to the south east.

- 5.3.4 St John's Innovation Centre is located to the west of the existing Cambridge WWTP, and Cambridge City Council's works depot, the Cowley Road Industrial Estate and an aggregates railway sidings and handling facility are all located to the south or south east.
- 5.3.5 The operational areas of the existing Cambridge WWTP are owned by the Applicant. The existing Cambridge WWTP comprises a number of structures used for the treatment of waste water and sludge. These include tanks, pump houses, control kiosks, circulation roads and ancillary equipment. In addition, there are general offices and mess rooms.
- 5.3.6 Once the proposed WWTP is operational, the existing Cambridge WWTP will be decommissioned, see section 6.1 of Project Description (App Doc Ref 5.2.2) and Work No 40 in Schedule 1 of the Draft DCO Order (App Doc Ref 2.1) accompanying the Application.
- 5.3.7 Along Cowley Road the part of Cowley Road that runs in a north easterly to south westerly direction, there are four residential properties, all of which are in the ownership of a company within the Applicant's group of companies (see paragraph 5.3.13 below). These properties are let to various tenants. Whilst new rights are sought over this land to facilitate the decommissioning works, there is no requirement for the residential tenants to relocate as a result of the Proposed Development.
- 5.3.8 A company within the Applicant's group of companies also owns the freehold of a site used as a waste processing facility. This is located in parcels 006a, 006b and 006c on Sheet 1 of the Land Plans App Doc Ref (4.4.1) and is let to a waste processing operator. A small part of this site (parcel 006a) will be needed for works associated with the interception of the Riverside Tunnel (Work No 26) and associated activity, but that will not require the relocation of the facility. Rights are also sought over these parcels to facilitate entry to carry out the decommissioning works, Work No 40 (see Schedule 1 of the Draft DCO Order (App Doc Ref 2.1)).
- 5.3.9 A telecommunications mast is located next to the waste processing facility. This, and an adjoining area used for equipment buildings related to the use of the telecommunications mast, are let to various telecommunications operators. The Proposed Development, including the decommissioning (see section 6.1 of Project Description (App Doc Ref 5.2.2) and Work No 40 in as defined in Schedule 1 of the Draft DCO Order (App Doc Ref 2.1) accompanying the Application will not interfere with the use of the telecommunications mast or the related equipment buildings and those structures and equipment will not have to be moved.
- 5.3.10 The Applicant has discussed the Proposed Development with the telecommunications operators and will continue to do so with the aim of granting protective provisions to the operators, if required (see Appendix 4 of this Statement).
- 5.3.11 Another company within the Applicant's group of companies owns the freehold of parcels 002a, 002b and 002c (see Sheet 1 of the Land Plans (App Doc Ref 4.4.1). Parcel

002b is a residential property and 002c is used as an office. Neither of these uses will be affected by the Proposed Development. Rights are also sought over these parcels to facilitate entry to carry out the decommissioning works (Work No 40 (see the Works Plans (App Doc Ref 4.3)).

- 5.3.12 Within the existing Cambridge WWTP, there are a number of electrical substations providing electricity. Overhead power lines operated by UK Power Networks cross the existing Cambridge WWTP in approximately a north easterly to south westerly direction. The Proposed Development does not require the diversion of these power lines or the relocation of the substations.
- 5.3.13 The First Public Drain runs along the eastern, and part of the southern, boundaries of the existing Cambridge WWTP. The operation of the Drain is the responsibility of Cambridge City Council, and will not be impacted by the Proposed Development, but will be subject to the need for rights to facilitate the decommissioning of the existing Cambridge WWTP (Work No 40) and the construction of the Waste Water Transfer Tunnel (Work No 27).
- 5.3.14 Part of Cowley Road is included within the Order Limits to facilitate Work No 17 – Existing rising and gravity main diversion (see Sheet 1 of the Land Plans (App Doc Ref 4.4.1)).
- 5.3.15 In summary, because the Applicant owns the freehold of the majority of the existing Cambridge WWTP, only limited powers of acquisition are being sought over the site as follows.
- The powers required for the Work No 17 – Existing rising and gravity main diversion works which impact on land which is the subject of leases, tenancies or other interests or occupied by parties other than the Applicant or a company within the Applicant's group of companies, and so new rights are sought to facilitate the necessary work.
 - The permanent acquisition of all interests required in relation to the Waste Water Transfer Tunnel, its shafts or permanent infrastructure where this affects private property interests, including the right to impose the Transfer Tunnel Restrictive Covenant (see Schedule 1 of the Draft Development Consent Order (App Doc Ref 2.1)).
 - The rights to carry out Work No 40 to decommission the existing Cambridge WWTP which will enable entry to be taken on land where there are leases, tenancies or occupational interests.
 - The ability to interfere with any private rights and easements that conflict with the Proposed Development or the exercise of the Applicant's land rights, so as to ensure that the Proposed Development is not impeded by any such Category 2 land interests which burden the land. The Applicant will rely on the powers in Articles 31 and 32 of the Draft DCO (App Doc Ref 2.1), as appropriate, to ensure

those activities may be lawfully undertaken, notwithstanding any private rights and easements that might conflict with them.

5.4 Waste Water Transfer Tunnel from the existing Cambridge WWTP

5.4.1 A tunnel to transfer waste water flows from the existing Cambridge WWTP at Cowley Road in Cambridge ('the Waste Water Transfer Tunnel') will run east from the existing Cambridge WWTP, underneath the Cambridge to King's Lynn railway line, Fen Road, the river Cam, Horningsea Road, the A14, and various fields and other land uses along its route. The Waste Water Transfer Tunnel will finish at the site of the proposed WWTP. The land ownership along the route is mixed, with some in private and public ownerships.

5.4.2 The alignment of the Waste Water Transfer Tunnel is shown green on Figure 5.1 below. Further details about the tunnel can be found in Section 4 of this Statement.

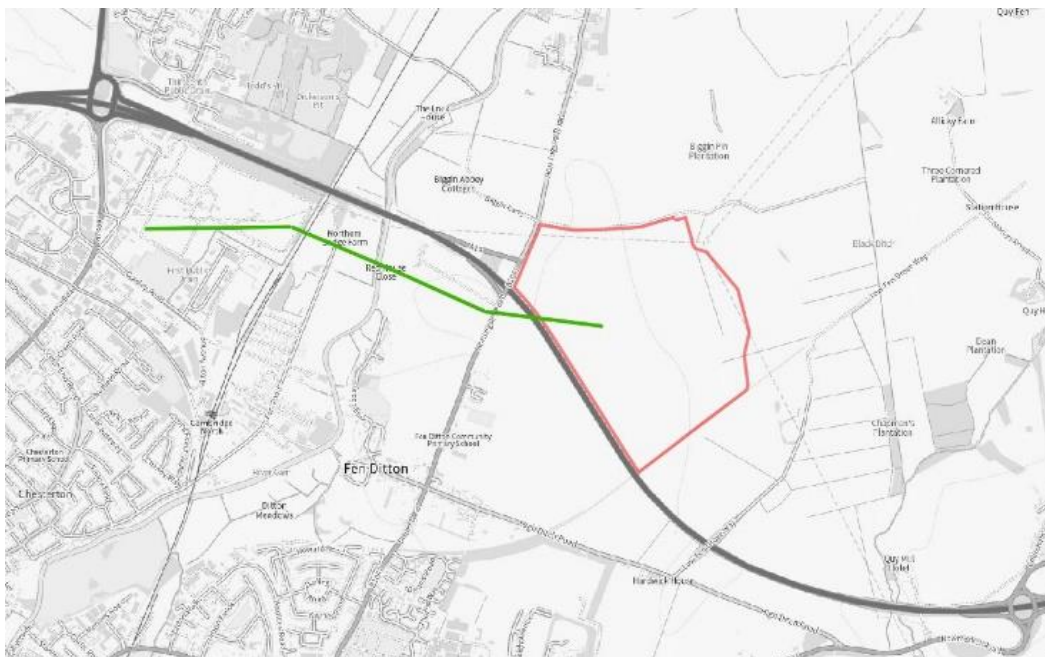


Figure 5.1: Map showing alignment of the Waste Water Transfer Tunnel

Source: The Applicant

5.4.3 The structure of the Waste Water Transfer Tunnel will be approximately 2.4 metres internal diameter. It will be located at a depth between approximately minus 8.5 metres AOD at its western end and approximately minus 15.5 metres AOD at its eastern end. A longitudinal section plan of the Waste Water Transfer Tunnel can be found in Design Plans – Waste Water Transfer Tunnel & Longitudinal Section (App Doc Ref 4.12). There is the ability for vertical deviation upwards of up to 2 metres for the Waste Water Transfer Tunnel, and downwards, as may be necessary or convenient, as described in Article 6 of the Draft Development Consent Order (App Doc Ref 2.1).

- 5.4.4 Along the route of the Waste Water Transfer Tunnel, the freehold interest in the subsoil through which it passes will be acquired, together with a protective sleeve of subsoil approximately 0.3 metres around it.
- 5.4.5 As described in section 2.6 of the Project Description (App Doc Ref 5.2.2), the precise alignment of the Waste Water Transfer Tunnel is not currently fixed, as it will depend on ground conditions and constraints which might become apparent during construction. As a result, the alignment may be anywhere within the limits of Work No 27 – Transfer Tunnel. As a result, there is a requirement for powers to acquire the necessary land within the relevant parcels shown on the Land Plans (App Doc Refs 4.4.1 to 4.4.10). See Table 6-1 below for a list of the relevant land parcels.
- 5.4.6 The Waste Water Transfer Tunnel will be constructed using a Micro Tunnel Boring Machine (MTBM). This machine will excavate the soil along the route of the Waste Water Transfer Tunnel and install concrete segments to form its structure. The soil (or spoil) will be taken out of the Waste Water Transfer Tunnel at the drive shafts (Shafts 3 and 5) and taken to the site of the proposed WWTP to form part of the Earth Bank (see paragraph 3.4.33 of the Project Description (App Doc Ref 5.2.2)).
- 5.4.7 There will be construction compounds around each shaft location. The MTBM will “drive” from some of the shafts and be “received” at others. This process requires the assembly of the MTBM at the drive shafts (Shafts 3 and 5) and disassembly of it at the receiving shafts (Shafts 1/2, 4 and 6). Further details can be found in section 2.2 of the Project Description (App Doc Ref 5.2.2).
- 5.4.8 Given the strategic importance of the Waste Water Transfer Tunnel as part of the infrastructure needed to treat waste water in the Cambridge area, the structural integrity of the Waste Water Transfer Tunnel cannot be compromised as a result of the construction of new buildings or structures within its proximity.
- 5.4.9 As a result, a restrictive covenant is to be imposed on an area of between 36 and 55 metres in width at ground level, centered on the centre line of the Waste Water Transfer Tunnel. The final extent of this area will depend on the actual depth of the Waste Water Transfer Tunnel in any particular location, and so will not be known precisely until after construction.
- 5.4.10 The imposition of the restrictions will limit the ability to build on the land within the area of those restrictions.
- 5.4.11 The restrictions will require control of building or encroaching within a Primary Restriction Zone of approximately 5 metres around the Waste Water Transfer Tunnel, as shown shaded red on Figure 5.2 below.

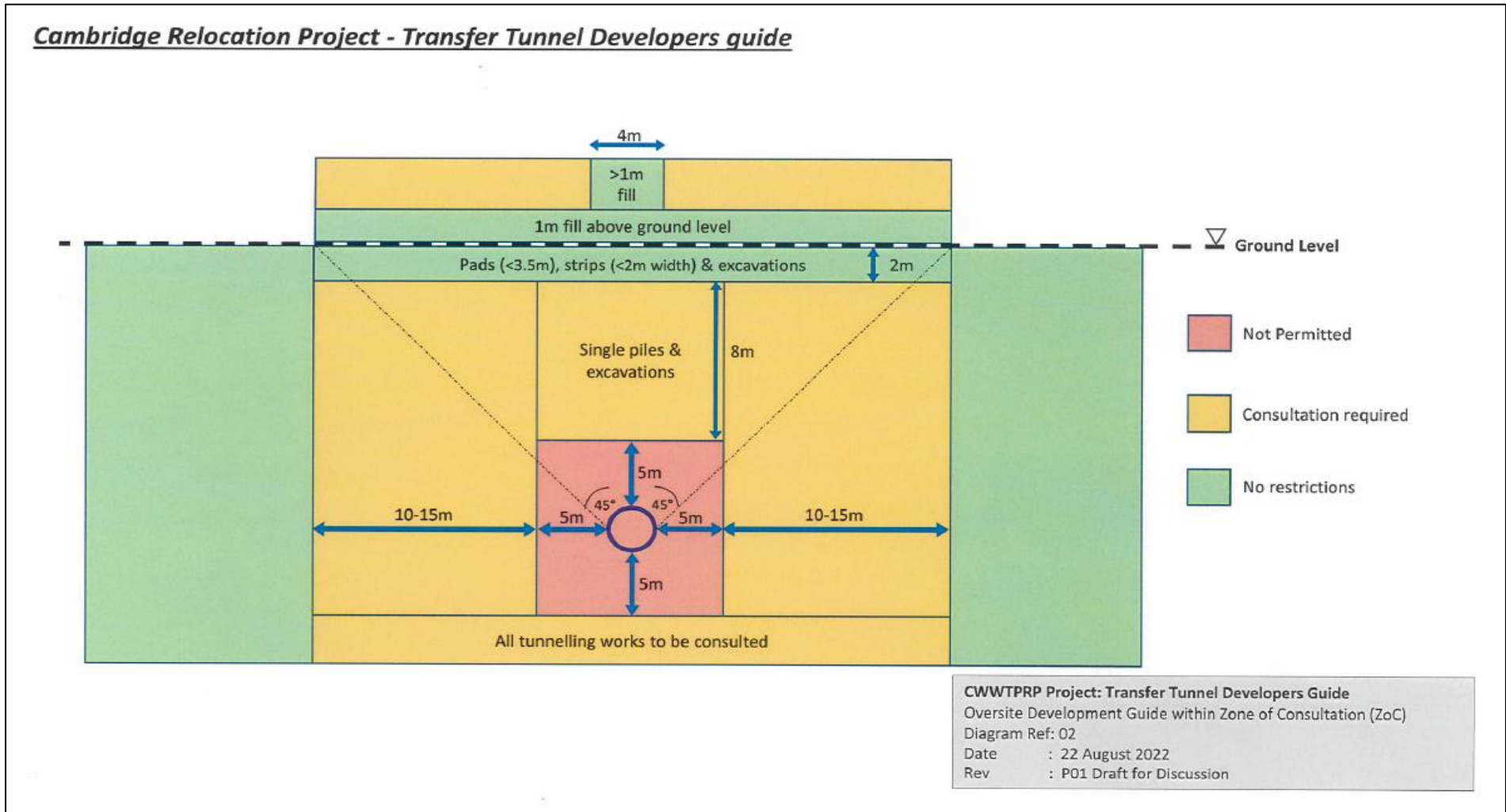


Figure 5.2: Diagram showing the Waste Water Transfer Tunnel restriction areas

Source: The Applicant

- 5.4.12 With the Secondary Restriction Area, landowners will need to consult with the Applicant to gain consent for proposed structures. The Secondary Restriction Zone will be approximately 15 metres either side of the Primary Restriction Zone, as shown in the area shaded orange in Figure 5.2 above.
- 5.4.13 Within the Secondary Protection Zone, the Applicant is likely to be able to agree to the construction of small structures following consultation with the landowner. The size of these structures is likely to be up to two storeys, with pad or strip foundation designs. The construction of larger structures within the Secondary Restriction Zone, or structures with piled foundations, are likely to require more detailed engagement with the Applicant to enable consent to be granted.
- 5.4.14 Further details of the likely permissibility of proposed structures within the Secondary Restriction Zone can be found in Appendix 6 to this Statement. Further details relating to the acquisition of the subsoil and the imposition of the restrictive covenants are also contained in section 6 of this Statement.

Transfer Tunnel Shafts

- 5.4.15 The Waste Water Transfer Tunnel structure will include the construction of up to six shafts at the approximate proposed locations shown in Figure 5.3 below.

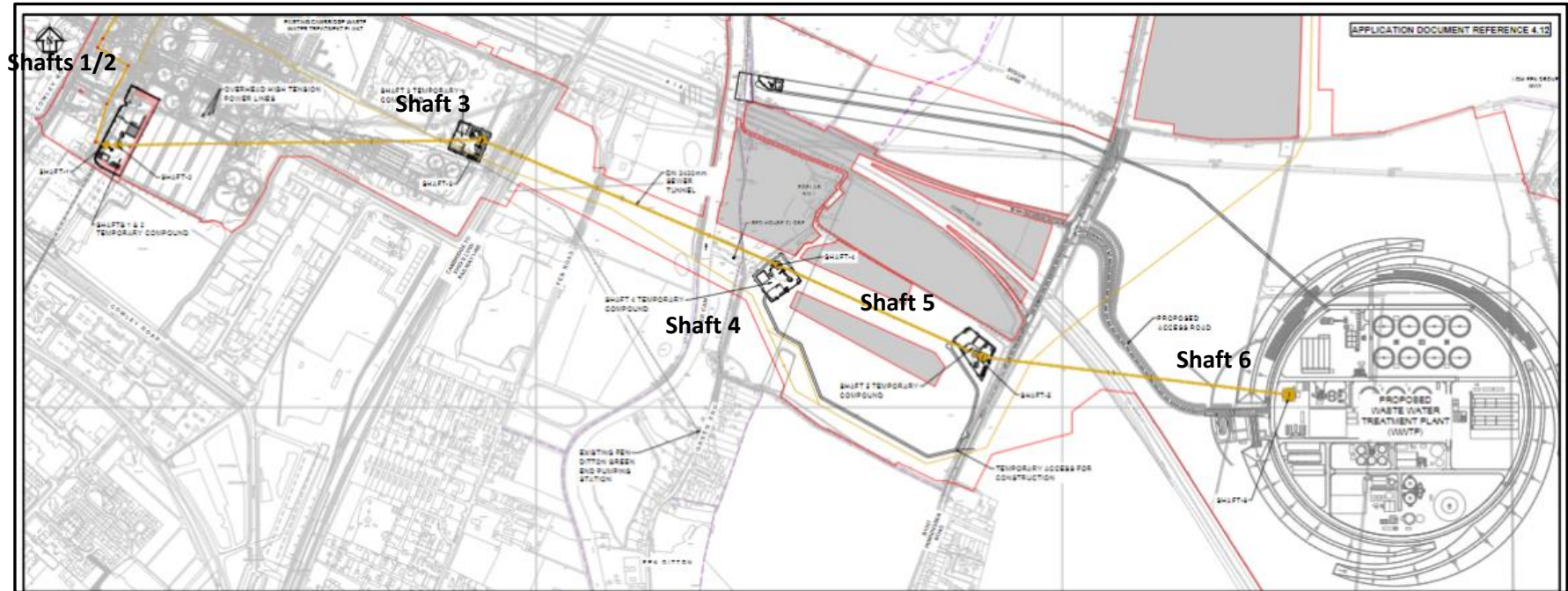


Figure 5.3: Plan showing the proposed locations of the Waste Water Transfer Tunnel shafts Source: The Applicant. Design Plans – Waste Water Transfer Tunnel & Longitudinal Section (App Doc Ref 4.12)

- 5.4.16 Each shaft location has been chosen to comply with design requirements of the Waste Water Transfer Tunnel and to minimise the impact of it on landowners and occupiers during its construction and operation.
- 5.4.17 Shafts 1/2, 3 and 6 will be located in land either already owned by the Applicant, or in land the freehold of which will be owned by the Applicant (Shaft 6 in Parcel 038a) (see the Land Plans (App Doc Ref 4.4.3)). There are four small parcels located in the vicinity of Shafts 1/2 which, subject to the detailed design of the Waste Water Transfer Tunnel structure, may be required for the Proposed Development.
- 5.4.18 Once built, all of the shafts will remain physically connected to, and be part of, the structural integrity of the Waste Water Transfer Tunnel. The shafts will be backfilled with spoil and will form part of the overall structure of the Waste Water Transfer Tunnel. As explained above, the importance of the Waste Water Transfer Tunnel, and the necessity to protect it, means the Applicant must have control of the land within which the shafts are located.
- 5.4.19 Where the Applicant does not already own the land within which a shaft will be located, it will require the necessary powers of compulsory acquisition. The Land Plans (App Doc Ref 4.4.3) show Parcel 021s for the location of Shaft 4 and Parcel 021r for the location of Shaft 5. The size of these parcels currently allows for flexibility over the final permanent land requirements because the exact extent and location of the shaft will be dictated by the final tunnel alignment and will not be known until detailed design and construction has taken place.
- 5.4.20 Parcels 021o and 021v provide the access routes to Shafts 4 and 5 respectively for maintenance of the shafts.
- 5.4.21 In addition, a 5 metre area around the circumference of the structures will be controlled by the imposition of the Waste Water Transfer Tunnel Restrictive Covenant to control the location and type of structures that may be constructed in this area in the future (see Schedule 1 of the Draft Development Consent Order (App Doc Ref 2.1)).
- 5.4.22 Appendix 7 contains Figure A7.1 which shows an indicative representation of the land requirements around Shafts 4 and 5 of the Waste Water Transfer Tunnel.
- 5.4.23 Details of the Waste Water Transfer Tunnel, including the methods of construction, can be found in section 2.6 of the Project Description (App Doc Ref 5.2.2) and in Design Plans – Waste Water Transfer Tunnel & Longitudinal Section (App Doc Ref 4.12).

Shaft 1

- 5.4.24 The location of Shaft 1 was determined by the need to intercept the existing Riverside Tunnel, which is the existing conduit used to transfer waste water from central Cambridge to the existing Cambridge WWTP. The diameter of Shaft 1 will be between 9

and 12.5 metres, depending on the need for Shaft 2 (see below). Shaft 1 will also be the point of reception for the waste water conveyed by the existing waste water rising mains located to the north west of the existing Cambridge WWTP. These rising mains convey waste water flows from other parts of the catchment served by the existing Cambridge WWTP.

- 5.4.25 To allow Shaft 1 to be constructed, a pumping pit will be constructed to the south of Shaft 1 to allow waste water flows to be temporarily intercepted at a point upstream of Shaft 1 and redirected to the terminal pumping station at the existing Cambridge WWTP. The land within which Shaft 1 is located, and where the pumping pit will also be located, is owned by the Applicant and is part of the existing Cambridge WWTP. Albeit, as explained in paragraph 5.3 above, part of the land required for these works is let to a waste processing operator and three small parcels are let to an electricity district network operator, providing power to the existing WWTP. The extent of these works may mean ownership and vacant possession of this land is required for Works 18 (as shown on Sheet 1 of the Works Plans (App Doc Ref 4.3.1)).
- 5.4.26 Shaft 1 will also be the location of a permanent vent pipe approximately 12 metres in height. This is required to regulate the flow of air in the Waste Water Transfer Tunnel once it is operational. The vent will be fitted with carbon filters to reduce odour emissions when it is operating. Once constructed, and the Waste Water Waste Water Transfer Tunnel has become operational, Shaft 1 will be capped, but will provide a point of access to the Waste Water Transfer Tunnel for maintenance purposes. To accommodate this, a working area around Shaft 1 will be retained by the Applicant to allow access and egress of plant and machinery. This will include an access from Cowley Road, which is the nearest public highway.

Shaft 2

- 5.4.27 Shaft 2 will be approximately 9 metres in diameter and be located close to Shaft 1, serving as a receiving shaft for the MTBM. In this event, a heading (or pipe link) will be constructed between Shafts 1 and 2 to allow the flow of waste water. If the MTBM can be received in Shaft 1, Shaft 2 will not be required. The detailed design of the Transfer Tunnel will show whether Shaft 2 is required. Should it be required, the land within which Shaft 2 is located is owned by the Applicant and it is part of the existing WWTP.
- 5.4.28 As with Shaft 1, however, three small parcels are let to an electricity district network operator, providing power to some of the existing WWTP. The extent of these works may mean ownership and vacant possession of this land is required for Works 18 (as shown on Sheet 1 of the Works Plans (App Doc Ref 4.3.1)). Part of the land required for these works is let to a third party. The extent of these works may mean possession of the land is required for Works 18 (as shown on Sheet 1 of the Works Plans (App Doc Ref 4.3.1)) will be required.

Shaft 3

- 5.4.29 Shaft 3 will be approximately 12.5 metres in diameter and be located at the eastern end of the existing WWTP, to the west of the Cambridge to King's Lynn railway line. It will be a drive shaft for the MTBM, creating the structure of the Waste Water Transfer Tunnel westwards to Shafts 1 or 2, and then eastwards towards Shaft 4. Once constructed, and the Waste Water Transfer Tunnel has become operational, Shaft 3 will be backed filled. The land within which Shaft 3 is located is owned by the Applicant and it is part of the existing Cambridge WWTP.

Shaft 4

- 5.4.30 Shaft 4 will be approximately 9 metres in diameter and will be located in a field forming part of Poplar Hall Farm, to the south of Polar Hall and east of Red House Close. Shaft 4 will be a receiving shaft for the MTBM constructing the Waste Water Transfer Tunnel. Once the Waste Water Transfer Tunnel is constructed and operational, Shaft 4 will be back filled with spoil. The land within which Shaft 4 is located is owned by an education institution and is let to a tenant farmer who uses it mainly for arable cultivation.

Shaft 5

- 5.4.31 Shaft 5 will be approximately 12.5 metres in diameter and located in a field which forms part of Poplar Hall Farm, adjacent to Horningsea Road. It will be a drive shaft for the MTBM, creating the structure of the Waste Water Transfer Tunnel westwards to Shaft 4, and eastwards towards Shaft 6. Once constructed, and the Waste Water Transfer Tunnel has become operational, Shaft 5 will be backed filled. The land within which Shaft 5 is located is also owned by an education institution and is let to the same tenant who occupies the land within which Shaft 4 is located.

Shaft 6

- 5.4.32 Shaft 6 will be approximately 20 metres in diameter and located in a field forming part of Parsonage Farm, to the east of Horningsea Road and north of the A14. Shaft 6 will be a receiving shaft for the construction of the Waste Water Transfer Tunnel. Once constructed, Shaft 6 will become the location of the Terminal Pumping Station for the proposed WWTP. The land within which Shaft 6 is located is owned by an individual and let for agricultural use.

5.5 The proposed WWTP

- 5.5.1 The site of the proposed WWTP was chosen as a result of the site selection process, as described in the Site Selection and Alternatives report (App Doc Ref 5.2.3) and referred to in section 4.8 above of this Statement.
- 5.5.2 The site of the proposed WWTP is located between the villages of Horningsea to the north and Fen Ditton to the south. Both villages are within the administrative area of South Cambridgeshire District Council.

5.5.3 The site is bounded by the A14 to the south west, the route of a dismantled railway to the south east, Horningsea Road to the west and Low Fen Drove Way, part of which is to the north and part to the east. Beyond Low Fen Drove Way, open countryside extends to the north and east. The Gatehouse is the nearest residential property, approximately 450 metres from the eastern boundary of the proposed site. The location of the proposed WWTP is shown in Figure 5.4.

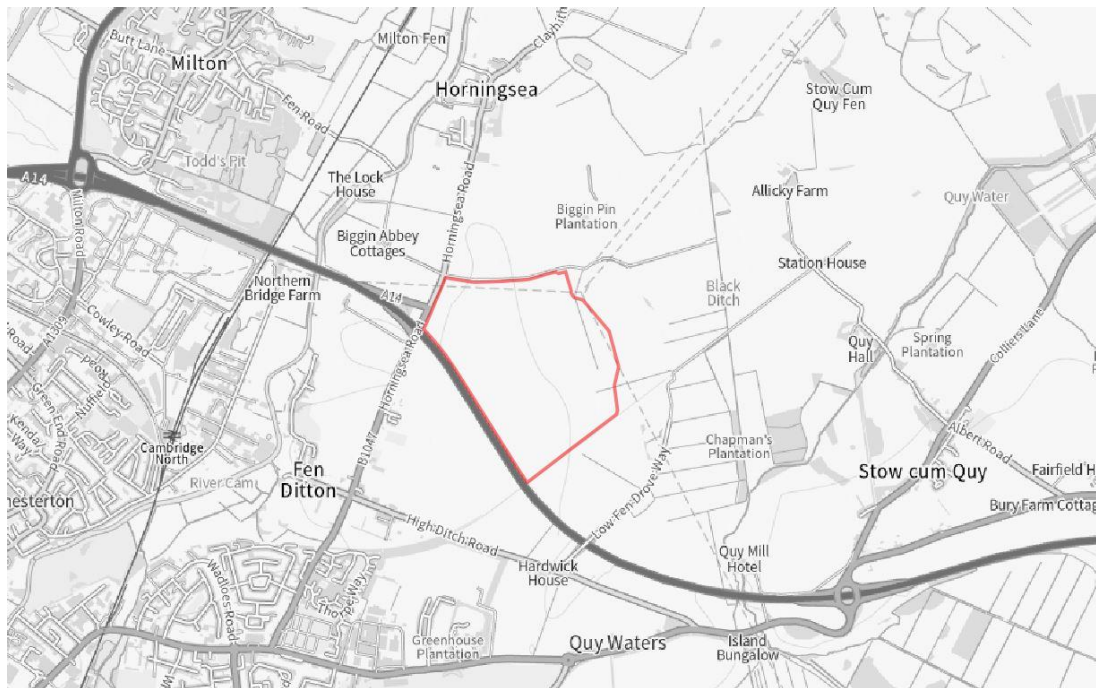


Figure 5.4: Map showing the location of the proposed WWTP

Source: The Applicant

- 5.5.4 The site of the proposed WWTP will extend to 94 hectares, as shown in the LERMP (Appendix 8.14, App Doc Ref 5.4.8.14 and the General Arrangement Plans (App Doc Ref 4.2) accompanying the Application. This land is arable farmland, broken up by a limited number of hedges, ditches and farm access tracks. There is one small, unused, agricultural building close to the site, to the north east corner. Part of the route of the dismantled railway (see above) is a County Wildlife Site as listed in Table 3-3 of Chapter 8 Biodiversity of the Environmental Statement (App Doc Ref 5.2.8).
- 5.5.5 The design of the proposed WWTP has resulted in an operational footprint covering around 22 hectares (see the Project Description (App Doc Ref 5.5.5)). This area will contain all of the structures and associated facilities, as described in the Project Description (App Doc Ref 5.2.2) accompanying the Application and the Design Plans – Proposed Waste Water Treatment Plant (App Doc Ref 4.9).
- 5.5.6 All of the 22 hectares referred to above will be required for Phase 1 of proposed WWTP, as explained in section 2.2 of the Planning Statement (App Doc Ref 7.5). That section of the Planning Statement also explains that the expansion of the proposed

WWTP to meet increased capacity requirements for Phase 2 can be accommodated on the land initially required for construction of the proposed WWTP.

- 5.5.7 Given the strategic operational importance of the assets to be contained within the operational footprint of the proposed WWTP, the Applicant, as the statutory waste water undertaker for the area, requires the freehold ownership of this land. Further details are contained in section 6 of this Statement.
- 5.5.8 Through the environmental impact assessment process, and community and technical stakeholder engagement, the Proposed Development has incorporated comprehensive environmental mitigation, secured through the Development Consent Order. This mitigation includes the LERMP and has been developed to complement regional and local initiatives, including the Wicken Fen Vision and the Cambridge Nature Network (Appendix 8.14, see App Doc Ref 5.4.8.14).
- 5.5.9 The 22-hectare operational footprint of the proposed WWTP is encircled by a landscaped and planted earth bank situated within the broader LERMP area of around 70-hectares. This land is, therefore, required to mitigate the impacts of the Proposed Development and also to deliver the recreation, biodiversity and landscape benefits which are explained in detail in the LERMP (Appendix 8.14, App Doc Ref 5.4.8.14) and its acquisition for that purpose is considered in Chapter 11 Community of the Environmental Statement (App Doc Ref 5.2.11). The design takes into account factors that include the following, as described in section 2 (Overview – a Multi-Functional Approach) and section 3 (The Landscape Masterplan) of the LERMP (Appendix 8.14, App Doc Ref 5.4.8.14).
- The proposed WWTP’s impact on the surrounding landscape and visual amenity
 - The need for improvements to recreational connectivity given that Cambridgeshire has one of the lowest levels of natural green space available for public access in the UK
 - The mitigation of the impact of odour from the proposed WWTP. See Chapter 18 Odour of the Environmental Statement (App Doc Ref 5.2.18)
- 5.5.10 To address these impacts holistically, the Applicant instructed landscape architects to design an appropriate landscape masterplan for the site of the proposed WWTP. As a nationally significant project to be treated as a development for which a Development Consent Order (DCO) is required (see Appendix 1-3 of the Planning Statement (App Doc Ref 7.5), national policy requires the Proposed Development to meet the principles of good design. These are set out in The National Policy Statement for Wastewater and Design Principles for National Infrastructure which states that good design should ensure attractive, usable, durable and adaptable places, and it should contribute towards sustainable development.
- 5.5.11 In designing the landscape masterplan, the landscape architects considered the following inputs during the design process.

- A layout and organisation that results in an efficient functioning of the proposed WWTP
 - The character of the landscape
 - The constraints and opportunities particular to the site, including access to transportation, topography, existing use and vegetation, setting, and proximity to existing settlement and heritage assets
 - The need for visual mitigation and the most efficient way to achieve screening without unduly intervening in the local landscape character and its setting
 - The objective to enhance accessibility, inclusive design and connectivity
 - The objectives for sustainable design and ecological enhancement
 - The objective to occupy the minimum land required to achieve project aims (as well as construct the project and maintain it over the long-term)
 - The feedback from the public, stakeholders and landowners
- 5.5.12 In addition, the landscape architects were able to incorporate some of the land initially required for temporary construction activities within the design for the wider area for permanent landscaping purposes.
- 5.5.13 The landscape architects, together with the ecologists and recreational specialists advising the Applicant, recommended the design of the proposed WWTP, including its landscaping, should be situated within a parkland-like setting of trees and grassland. The recommendation was based on the suggested design providing a high level of visual shielding from sensitive viewpoints, while delivering BNG, and offering improved recreational opportunities.
- 5.5.14 Chapter 18 Odour of the Environmental Statement (App Doc Ref 5.2.18) accompanying the Application assessed the impact of odour from the proposed WWTP on the surrounding area. It concluded that the 1.5 ou_E/m³ isopleth would mainly be contained within the 94 hectare area. This accords with the area identified by the landscape architects for the mitigation of the impacts of the proposed WWTP on landscape, visual and recreational amenity.
- 5.5.15 Further details explaining the design process can be found in the Site Selection and Alternatives Chapter of the Environmental Statement (App Doc Ref 5.2.3).
- 5.5.16 As a result, the landscape master plan formed the basis of the LERMP (Appendix 8.14, App Doc Ref 5.4.8.14) accompanying the Application. The extent of land required for the LERMP is shown in the Figure 5.5.



Figure 5.5: Drawing showing the extent of the area covered by the LERMP

Source: The Applicant. LERMP (Appendix 8.14, App Doc Ref 5.4.8.14)

5.5.17 The area covered by the LERMP will contain the following features.

- Sculptured earth bank ('Earth Bank')
- Extensive tree planting
- Extensive hedge row planting
- Cycle routes

- Footpaths (see below)
 - Scrapes and seasonal ponds
 - Ecological habitats
- 5.5.18 Section 3.5 of the LERMP (Appendix 8.14, App Doc Ref 5.4.8.14) sets out the need for, and delivery of, recreational routes around the proposed WWTP for walking, cycling and horse riding. These routes will be located within the 94 hectares required for the proposed WWTP. In addition, a new footpath, extending from the proposed WWTP in a south easterly direction to connect to Low Fen Drove Way will be provided. This is shown as parcel 037b on Sheet 4 of the Land Plans (App Doc Ref 4.4.4).
- 5.5.19 Paragraph 3.5.11 of the LERMP (Appendix 8.14, App Doc Ref 5.4.8.14) sets out the need for a new bridleway, from Low Fen Drove Way to provide access to existing routes to the north east. The route of the bridleway will be contained in Parcels 033a, 035a, 037c and 037d as shown on sheet 6 the Land Plans (App Doc Ref 4.4.6).
- 5.5.20 The LERMP was also subject to interactive design reviews by the Design Council, the UK's national strategic advisor for design. These reviews influenced the design iterations through the process, details of which can be found in the Design and Access Statement (App Doc Ref 7.6).
- 5.5.21 To fulfil the Applicant's obligations relating to both the design process for the proposed WWTP and the elements required to mitigate its impact, the land shown in Figure 5.4 is required for the proposed WWTP. The nature of the uses proposed in that area, and the long-term nature of the landscape and ecological mitigation management requirements, means the freehold of that land will be required by the Applicant.

5.6 Final effluent and storm flow pipelines and outfall

- 5.6.1 The proposed WWTP will treat waste water to the standards needed to allow the Applicant to return it to the environment (see section 9 of this Statement). Details of those standards and other relevant details can be found in the Consents and Other Permits Register (App Doc Ref 7.1) accompanying the Application. The resultant water returned to the environment is called Final Effluent.
- 5.6.2 At times of high rainfall, a mixture of rain and surface water discharges into the surface water network. When these two flows combine in the sewerage system, the volume of water can be too great, requiring the need to discharge storm flows ('Storm Flow'). Further details can be found in the Project Description (App Doc Ref 5.2.2).
- 5.6.3 Two underground pipelines will convey the Final Effluent and Storm Flows from the proposed WWTP to a point on the eastern bank of the river Cam where it will be

discharged into the river through an outfall structure. Further details can be found in section 2.7 of the Project Description (App Doc Ref 5.2.2).

- 5.6.4 The two pipelines will be located at an approximate depth of 1.5 metres below ground level at their eastern end (at the proposed WWTP), graduating to approximately 1.8 metres below ground level at its western end ('Final Effluent and Storm Flow Pipelines'). The approximate location of the Final Effluent and Storm Flow Pipelines are shown in Figure 5.6.

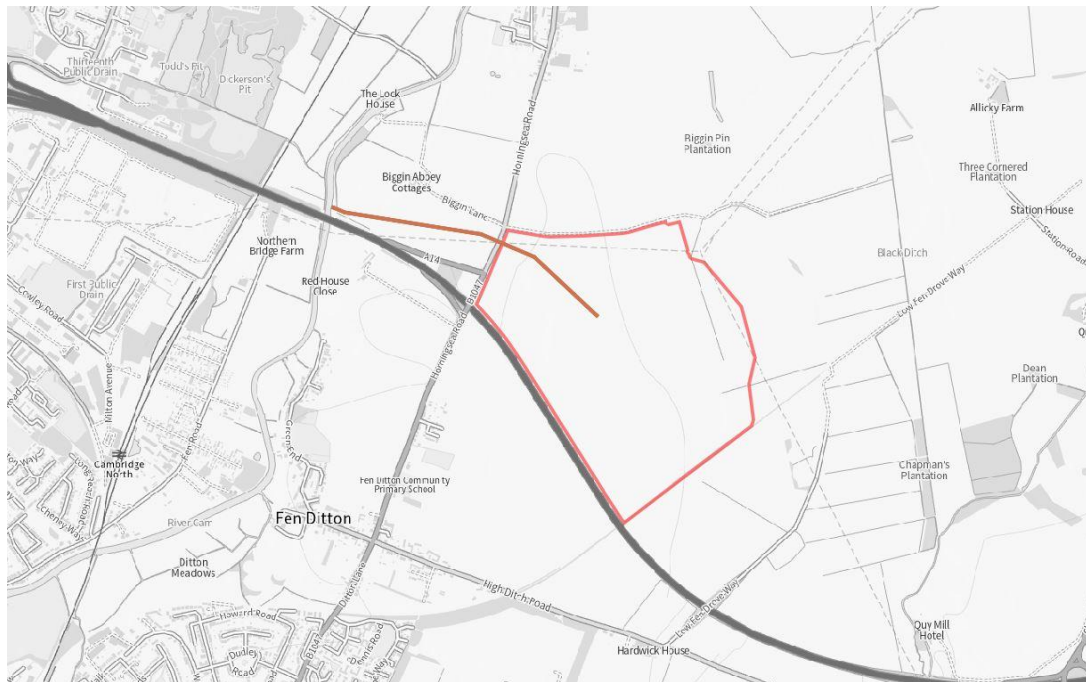


Figure 5.6: Map showing the location of Final Effluent and Storm Flow Pipelines
Source: The Applicant

- 5.6.5 The route of the Final Effluent and Storm Flow Pipelines will run from the proposed WWTP, under Horningsea Road and then through agricultural land in the vicinity of Biggin Abbey down to the river Cam. The Final Effluent and Storm Flow Pipelines will cross a public footpath (Fen Ditton 85/6) underground. The land through which the Final Effluent and Storm Flow Pipelines will run is in two ownerships, one private and the other is an educational institution.
- 5.6.6 Along the route of the Final Effluent and Storm Flow Pipelines, a small number of access chambers will be required, the locations of which will be finalised at the detailed design stage.
- 5.6.7 The installation of the Final Effluent and Storm Flow Pipelines will require the temporary occupation of a working area. This working area, in general, is likely to be approximately 30 metres in width to allow for safe and efficient working during the installation of the pipes. The Final Effluent and Storm Flow Pipelines will require the acquisition of new rights to allow the pipes to be installed, operated and maintained.

A restrictive covenant is also required to protect the structural and operational integrity of the Final Effluent and Storm Flow Pipelines.

- 5.6.8 It is anticipated that the Applicant will exercise temporary possession powers over the working area for construction purposes. It will then acquire the permanent rights and restrictive covenant over a narrower area within which the Final Effluent and Storm Flow Pipelines have been installed. The width of the final permanent area, within which new rights and restrictions will be acquired, will be between 8 and 12 metres depending on the depth and spacing of the installed Final Effluent and Storm Flow Pipelines. Further details are contained in section 6 of this Statement.
- 5.6.9 Design plans, including a longitudinal section plan, of the Final Effluent and Storm Flow Pipelines can be found in Design Plans - Outfall (App Doc Ref 4.13).
- 5.6.10 Full details of the Final Effluent and Storm Flow Pipelines, including the methods of construction, can be found in section 2.7 of the Project Description (App Doc Ref: 5.2.2) accompanying the Application.
- 5.6.11 The Final Effluent and Storm Flow Pipelines will convey the Final Effluent and Storm Flows to the Outfall Structure, located on the eastern bank of the river Cam. This structure will control the discharge of the Final Effluent and Storm Flows into the river Cam in accordance with the Environmental Permit issued by the EA (see Consents and Other Permits Register (App Doc Ref 7.1)).
- 5.6.12 The presence of the Outfall Structure will require the acquisition of the freehold interest in a part of the eastern bank of the river Cam, within parcels 019a¹², 019k and 021b, as shown on Sheet 2 of the Land Plans (App Doc Ref 4.4.2) accompanying the Application. Details of the route to be used to reach the Outfall Structure for maintenance purposes can be found in paragraph 4.4.3 above.
- 5.6.13 The Outfall Structure is an important part of the infrastructure required to convey treated water to the river Cam, and so the Applicant requires control of the land in which it is located by the acquisition of the freehold. Further details are contained in section 6 of this Statement.
- 5.6.14 The outfall structure (Works No 32 (see Sheet 2 of the Works Plans (App Doc Ref 4.3) [AS-150]) will be located in parcels 019a and 021b. The presence of the outfall structure will be incompatible with other uses of the land therefore the Applicant requires exclusive possession and control of the land in which it is situated.
- 5.6.15 Parcel 021b is also the proposed location for ecological mitigation and Biodiversity Net Gain (Works Nos 39 Ecological Mitigation Area (see Sheet 2 of the Works Plans (App Doc Ref 4.3) [AS-150])).

¹² This parcel has been reduced in size, as shown on Sheet 2 of the Land Plans included in the Applicant's submission at Deadline 1.

- 5.6.16 Flexibility is needed for the final location and layout of the ecological mitigation and Biodiversity Net Gain because its location will need to take account of the construction compound, the sequence of the construction work associated with the outfall and final effluent/storm pipelines, the siting of the footpath diversion and the location of the ecological mitigation activity. See Sheet 2 of the Works Plans (App Doc Ref 4.3) [AS-150] for the various proposed activities in the area.
- 5.6.17 Freehold acquisition of the land comprising the ecological mitigation and BNG area is required in order to exclude other land uses and protect the newly established habitats.
- 5.6.18 The Applicant intends to take temporary possession of the parcel 021b (see Land Plans (App Doc Ref 4.4) [AS-151] area during the construction period, and then only permanently acquire the freehold of the proposed outfall and ecological mitigation area, which will significantly minimise the extent of permanent acquisition required. The Applicant will also acquire permanent rights and a restrictive covenant for the final effluent pipeline when its final layout is known.
- 5.6.19 In summary, this area of land is also required for:
- ecological mitigation works, as described further in section 5.7 below, which result from the works of the Proposed Development in the area around the Outfall Structure;
 - a temporary construction compound which will need to be located within this area to facilitate the construction of the Outfall Structure and the Final Effluent and Storm Flow Pipelines (see Outfall & Effluent Storm Pipeline Plans Final Effluent Longitudinal Section (App Doc Ref 4.13.1)); and,
 - the temporary diversion of Footpath Fen Ditton 85/6 (see Sheet 2 of the Rights of Way Plans (App Doc Ref 4.6.2) for further details).
- 5.6.20 The need to deliver these construction activities and permanent works in a coordinated manner, and ensure the permanent works (Work No 31 – Final Effluent & Storm Pipelines, Work No 32 – Outfall and Work No 39 – Ecological Mitigation Area shown on Sheet 2 of the Works Plans (App Doc Ref 4.3.2) are protected and can be maintained, requires the Applicant to have control of, and acquire all interests in, this land.
- 5.6.21 Full details of the Outfall Structure, including the methods of construction, can be found in section 2.7 of the Project Description (App Doc Ref 5.2.2) and in the Design Plans - Outfall (App Doc Ref 4.13) accompanying the Application.

5.7 Ecological mitigation area to the north of A14

- 5.7.1 In paragraph 4.2.73 of Chapter 8 Biodiversity of the Environmental Statement (App Doc Ref 5.2.8), the Applicant has identified the need to mitigate the loss of water

vole habitat in the vicinity of the Final Effluent and Stormflow Pipelines Outfall Structure (see the Project Description (App Doc Ref 5.2.2)) accompanying the Application, which is to be located in Parcels 019a¹³ and 021b, as shown on Sheet 2 of the Land Plans (App Doc Ref 4.4.2).

- 5.7.2 Paragraph 4.3.66 of Chapter 8 Biodiversity of the Environmental Statement (App Doc Ref 5.2.8) states that the mitigation for the loss of water vole habitat should be the creation of wet ditches in the vicinity of the Final Effluent and Stormflow Pipelines Outfall Structure.

As a result, a suitably qualified ecologist was instructed by the Applicant to design an appropriate mitigation habitat for the water voles. The design produced by the ecologist is made up of 345 metres of ditch in total, divided between two connected ditch runs. These ditches will be connected to the existing ditch immediately to the north which is connected to the river Cam and land drainage to the north. The proposed length of wet ditch feature will

¹³ This parcel has been reduced in size, as shown on Sheet 2 of the Land Plans included in the Applicant's submission at Deadline 1.

provide the 261 metres of ditch to ensure a 20% gain in river units, in addition to the 84 metres of ditch creation for water vole mitigation which will be delivered in an integrated manner



Figure 5.7: Plan showing the location of the proposed Water Vole mitigation habitat

Source: CWWTPR Biodiversity Net Gain (BNG) Report (Appendix 8.13, App Doc Ref 5.4.8.13)

Note: the blue lines shown in Figure 5.7 show the proposed locations of the ditch runs referred to above. These will be connected to the existing ditch to the north. The red line is the Order Limits.

- 5.7.3 The most suitable location of the habitat was determined by the ecologist to be immediately to the south of an existing ditch which drains land to the east. In addition to this ditch having a connection to the existing ditch network, it also has suitable ground conditions and topographical levels, and a potential maintenance access route from the south (under the A14) (see Sheet 2 of the Land Plans (App Doc Ref 4.2.2)). The area needed for the ditches, allowing for maintenance access, extends to an area of approximately 1.04 hectares as shown in **Error! Reference source not found.** above
- 5.7.4 As this area of land is required for ecological mitigation and habitat creation, the Applicant requires the freehold of the land in order to control, protect and manage the habitat in the long term in accordance with the contents of Appendix C of the Biodiversity Net Gain (BNG) Report (Appendix 8.13, App Doc Ref 5.4.8.13). The provision of ecological mitigation and BNG will both be secured by the dDCO and will bring significant environmental benefits. The proposed water vole mitigation and monitoring is outlined within the ES Appendix 8.22 Water Vole Natural England Ghost Licence Method Statement (App Doc Ref [5.4.8.22](#)) which, subject to minor amendments to be submitted post DCO consent, is acceptable to Natural England (Letter of No Impediment issued on 25 Jan 2023).
- 5.7.5 Works Area 39 as shown in Works Plans (App Doc Ref 4.3) includes specific habitat compensation in relation to water vole, which will be completed in accordance with the approach set out within the draft licence. Requirement 10 in the draft DCO (App Doc Ref 2.1) requires detailed plans to be prepared in relation to the outfall and Works Area 39 This would include design information relating to ditch habitat creation, monitoring and maintenance measures to be submitted to and approved in writing by the relevant planning authority. The BNG will also be secured by amendment to requirement 10(6)(e) of the dDCO.
- 5.7.6 The required land is part of a field with a hedge and ditch on its northern edge and a shallow ditch on its western edge. It is owned by an educational institution and let to a tenant farmer. It is part of a field, the balance of which will still be capable of use after the relevant land has been acquired. As at the date of submission of the Application, the field is not in cultivation.

5.8 Waterbeach Pipelines

- 5.8.1 Twin underground pipes, known as rising mains ('the Waterbeach Pipelines'), will run south from a new pumping station, (see below) to be located close to the existing Waterbeach WRC. This pumping station will be provided by the developers of Waterbeach New Town, using the relevant mechanisms contained within the Water Industry Act 1991.
- 5.8.2 As such, the exact location of the pumping station is still to be determined and so is not known to the Applicant as at the submission of the Application. The Applicant has, therefore, allowed for flexibility in the design of the Proposed Development in that area to allow a connection to be made between the new pumping station and

the Waterbeach Pipelines. This flexibility will also facilitate co-ordination of delivery of the Waterbeach Pipelines with other planned development in the area (see paragraph 4.5.8 above).

5.8.3 The Waterbeach Pipelines will either convey waste water from the Waterbeach catchment, including Waterbeach New Town, to the existing Cambridge WWTP or to the proposed WWTP, depending on the waste water flows arising from the catchment and the timing of the decommissioning of the existing Cambridge WWTP. (see section 2.4 of the Planning Statement (App Doc Ref 7.5) and Table 1-2 and section 2.8 of the Project Description (App Doc Ref 5.2.2)). If the waste water flows are conveyed to the existing Cambridge WWTP, the pipelines will run overground for a short distance, in an area owned by the Applicant.

5.8.4 The proposed alignment of the Waterbeach Pipelines is shown in Figure 5.8. Further details of which can be found in Project Description (App Doc Ref 5.2.2) accompanying the Application.

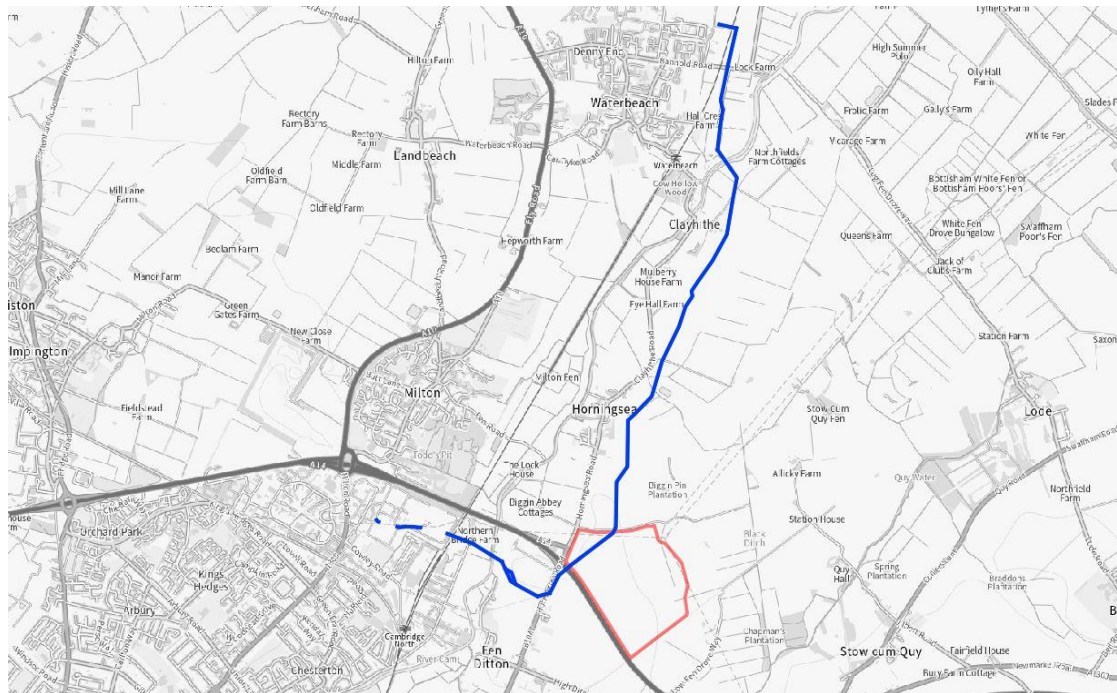


Figure 5.8: Map showing the proposed alignment of Waterbeach Pipelines in blue and the site for the proposed waste water treatment works outlined in red.

Source: The Applicant

5.8.5 The Waterbeach Pipelines will consist of two 500mm diameter pipes laid using a mixture of open cut (trenched) and trenchless (directionally drilled) methods of construction.

5.8.6 The Waterbeach Pipelines will be laid with a minimum cover of 1000mm in agricultural land and 750mm in carriageways. The depth will vary depending on the

features they cross, with the railway, the river Cam and other water courses requiring increased cover.

- 5.8.7 Along the route of the Waterbeach Pipelines there will be a number of air valves, chambers and ancillary structures required for their operation. The number and location of these will be determined during the detailed design stage.
- 5.8.8 The installation of the Waterbeach Pipelines will require the temporary occupation of a working area. This working area, in general, is likely to be approximately 30 metres wide to allow for safe and efficient working during the installation of the pipes (see section 2.8 of the Project Description (App Doc Ref 5.2.2)). The Waterbeach Pipelines will require the acquisition of new rights to allow the Waterbeach Pipelines to be installed, operated and maintained. A restrictive covenant will also be required to protect the structural and operational integrity of the Waterbeach Pipelines.
- 5.8.9 It is anticipated that the Applicant will exercise temporary possession powers over the working area for construction purposes. It will then acquire the permanent rights and restrictive covenant over a narrower area, within which the Waterbeach Pipelines have been installed.
- 5.8.10 Where the open cut method of installation is used, the width of the final permanent area within which permanent new rights and restrictions will be acquired will be between 8 and 12 metres, depending on the depth and spacing of the installed Waterbeach Pipelines in those locations. Where the HDD ('Horizontal Directional Drilling') or other trenchless methods of installation are used, the width of the area within which new rights and restrictions will be between 8 and 22 metres, depending on the depth and spacing of the installed Waterbeach Pipelines in those locations. Further details are contained in section 6 of this Statement.
- 5.8.11 In the event of existing land drains being affected by the installation of the Waterbeach Pipelines, the rights sought in the Order make provision for their reinstatement within the Order Land.
- 5.8.12 An explanation of the land affected by the section of the proposed Waterbeach Pipelines referred to as 'Waterbeach North' (Work No 33) is provided below.

Waterbeach Water Recycling Centre to Bannold Road

- 5.8.13 The two pipes will be installed across arable land from Bannold Drove to Bannold Road passing under the Cambridge to King's Lynn railway line. This section will be constructed, predominantly, by the open cut method but the section under the railway line will be directionally drilled. The land is in two private ownerships and part is subject to a promotion and option agreement relating to the development of (part of) Waterbeach New Town (see Appendix 2 of this Statement for details of the Applicant's discussions with the landowners). Existing physical constraints include ditches and field drains.

Bannold Road to Hartridges Lane

- 5.8.14 The pipelines will be installed by directional drilling from the north side of Bannold Road under the land to the west of Burgess Drove and into an arable field to the west of the Drove. The pipes will then be installed by the open cut method until the alignment turns to the southeast to cross the river Cam. The section under the river will be installed by directional drilling through the arable land to the southeast of the river and, from there on, by open cut to Hartridge's Lane.
- 5.8.15 This section then passes through seven identified ownerships (which are predominantly private). Land uses include horticultural, grassland, permanent and temporary pasture and arable land.
- 5.8.16 Existing constraints include the Internal Drainage Board's drainage channels, ecology, private land drainage schemes, an Environment Agency designated main river, public footpath (130/13), bridleway (247/10) and permissive public access between Burgess Drove and the bank of the river Cam.

Hartridges Lane to Clayhithe Road Carpark and farm road/bridleway to Quy Fen (130/8)

- 5.8.17 This section will be installed using the open cut methodology. This section passes through three private landownerships, with mixed arable use. Constraints include public rights of way (FP 130/10; FP 130/16; BW 130/12; BW 130/8), farm accesses, private land drainage schemes and ecology.

Clayhithe Road Carpark to Low Fen Drove Way

- 5.8.18 This section will be installed by the open cut methodology. The land is in three private ownerships and is in use as arable rotation. Constraints include public rights of way (FP 130/6), private land drainage schemes and an Internal Drainage Board ('IDB') regulated drain.

Low Fen Drove Way to Horningsea Road

- 5.8.19 This section will be installed by open cut either side of a drill shot under the A14. The land is in two private ownerships and is currently in arable rotation. Constraints include some private land drains.
- 5.8.20 An explanation of the land affected by the section of the proposed Waterbeach Pipelines referred to as 'Waterbeach South' (Work no. 36) is provided below.

Horningsea Road to Fen Road

- 5.8.21 This section will be installed by a mixture of open cut and directional drilling techniques. The proposal is to drill under the Horningsea Road, and then open cut installation along the southern boundary of the field to the south of the track that serves Poplar Hall Farm and Poplar Hall. Directional drilling will then be used for the section to the south of Red House Close, under the river Cam and the permanent pasture fields between the river Cam and the Cambridge to King's Lynn railway line. The land is in three private ownerships and is used for a mixture of uses.

- 5.8.22 Constraints include the proximity to the neighbouring residential properties, Public Rights of Way (FP 85/6; FP 162/1) and the river Cam.

Fen Road to the existing Cambridge WWTP

- 5.8.23 The Waterbeach Pipelines will be predominantly directionally drilled from the field to the west of Fen Road, and then under the Cambridge to King's Lynn railway line into the existing Cambridge WWTP. The land to the west of Fen Road is permanent pasture. Constraints include restricted access (no through road, with access over the railway level crossing and through residential areas) and the First Drain, to the west of the Cambridge to King's Lynn railway line. The route of the Waterbeach Pipeline will then head towards Shaft 3 which will be within the operational area of the existing Cambridge WWTP. From that point, the Pipelines will then be overground, connecting into the existing Cambridge WWTP, which is owned by the Applicant.

6 Types of Compulsory Acquisition Powers Sought

6.1 Purpose of seeking compulsory acquisition powers

- 6.1.1 The Applicant has been seeking to acquire the land, rights and restrictive covenants over land and agreements for the temporary use of land by voluntary agreement, in order to ensure the implementation, operation, protection and maintenance of the Proposed Development. Negotiations are still ongoing (see Appendix 2 of this Statement) and the Applicant will continue to progress voluntary discussions with all parties with an interest in land within the Order Limits. It will not be possible, however, to conclude agreements for all the interests in land required for the Proposed Development within a reasonable timescale and, therefore, it is necessary for the Applicant to seek powers of compulsory acquisition to ensure this nationally significant project can proceed.
- 6.1.2 The powers authorising the acquisition of land, or interests in and/or rights over land, including powers to temporarily use land for construction and maintenance purposes, are principally contained in Articles 26, 28, 29, 30 and 35 of the Draft DCO Order (App Doc Ref 2.1).
- 6.1.3 There are a number of other articles in Part 5 of the Draft DCO Order (Articles 31 and 32) which would grant the Applicant powers, the exercise of which may result in interference with private rights in land.
- 6.1.4 The powers in the Order are being sought in order for the Applicant to be able to construct, operate, protect and maintain the Proposed Development without impediment.
- 6.1.5 The purposes for which the Order Land is required and the primary acquisition powers sought in relation to those land parcels are summarised below. A detailed plot by plot description of the purposes for which the land is required and the type of acquisition powers sought can be found in the Appendix 3 of this Statement. The works numbers in column 3 of that schedule relate to the works descriptions in Schedule 1 to the Draft DCO Order and reference is made to the plot numbers detailed on the Land Plans (App Doc Ref 4.4) and described in the Book of Reference (App Doc Ref 3.3).
- 6.1.6 Article 27 of the Draft DCO Order (App Doc Ref 2.1) states that the compulsory acquisition powers must be exercised within 5 years of the making of the Order. The Applicant considers this to be an appropriate timescale for the exercise of the proposed compulsory acquisition powers owing to the complexity and scale of the Proposed Development.
- 6.1.7 The land which is shaded yellow on the Land Plans (App Doc Ref 4.3) is not proposed to be compulsorily acquired but will be subject to the powers to interfere with private rights contained in Articles 31 and 32 of the Draft DCO Order (App Doc Ref 2.1).

6.2 Acquisition of freehold

- 6.2.1 The land over which compulsory acquisition powers are sought in respect of freehold land ownership is shown edged blue and shaded pink on the Land Plans (App Doc Ref 4.4).
- 6.2.2 The Applicant requires the acquisition of two types of freehold interests in land:
- the freehold acquisition of all interests in the land; and
 - the freehold acquisition of only the subsoil interests in the land.

Freehold - All interests

- 6.2.3 In relation to the land for which all interests are required, the largest area falling into this category is the land upon which upon which the proposed WWTP will be located. The relevant parcels of land are 036a and 038a, as shown on the Land Plans (App Doc Ref 4.4). The acquisition of this land will provide the control over the land needed to access, construct, operate, upgrade and maintain it in accordance with the Applicant's statutory duties pursuant to the Water Industry Act 1991, and in accordance with the obligations contained within the Licence it holds from Ofwat to operate as the waste water statutory undertaker for the Cambridge area.
- 6.2.4 The freehold acquisition of all interests in the land relating to Shafts 1/2, 4 and 5, as shown on the Design Plans – Waste Water Transfer Tunnel & Longitudinal Section (App Doc Ref 4.12) are also required. The structural integrity of these parts of the Waste Water Transfer Tunnel, which extend vertically up to the surface from the horizontal parts of the structure, must be protected, and so control of those areas of land is required by the Applicant (see section 5.4 of this Statement for more details).
- 6.2.5 As a result, and given the physical interconnection of these parts of the Waste Water Transfer Tunnel, the Applicant requires the acquisition of the freehold of the areas of land containing and around these shafts. The final extent of the areas required will be established after construction within the relevant parcels shown on the Land Plans (App Doc Ref 3.3).
- 6.2.6 The need to mitigate the Proposed Development's impact on recreational uses around the site of the proposed WWTP has resulted in a requirement to provide a new bridleway and a new footpath (see section 2 of the LERMP (Appendix 8.14, App Doc Ref 5.4.8.14). The new bridleway will be located in parcels 033a/035a/037c/037d and the new footpath will be located in parcel 037b as shown on the Land Plans (App Doc Ref 4.4) accompanying the Application. As a result, the freehold of these areas will be acquired so the Applicant has the necessary land rights to be able to do the works and dedicate the land as a new bridleway and to grant and control the permissive rights of access for the footpath.
- 6.2.7 The requirement to mitigate the loss of water vole habitat as a result of the Proposed Development on the ecology around the location of the proposed Outfall Structure

(see the BNG Report Appendix C (Appendix 8.13, App Doc Ref 5.4.8.13)) means an area adjoining the river Cam will be required to allow the installation and maintenance of new ditches. This area is the northern part of Parcel 021b, as shown on the Land Plans (App Doc Ref 4.4). See section 5.7 above.

- 6.2.8 Paragraph 4.3.4 of the LERMP (Appendix 8.14, App Doc Ref 5.4.8.14) states that the Applicant will be maintaining the new biodiversity resulting from the Proposed Development for “a minimum of 30 years”. As a result, the Applicant will require control of this area by acquiring the freehold of the land.
- 6.2.9 Parcels 036b and 038b (as shown on the Land Plans (App Doc Refs 4.4.3 and 4.4.7) show the acquisition of the freehold of these areas, and adjacent areas for Permanent Access Rights around them (parcels coloured brown). The freehold of parcels 036b and 038b is required for the installation, retention and maintenance of landscape mitigation measures (see Chapter 15 Landscape and visual amenity of the Environmental Statement (App Doc Ref 5.2.15)).
- 6.2.10 In addition to the specific requirements and benefits described above, the Applicant also considers the use of compulsory acquisition powers is justified to help deliver the additional benefits of the proposed Development referred to in section 4.6 above.

Freehold – acquisition of subsoil

- 6.2.11 The other type of freehold acquisition required for the Proposed Development relates to the stratum of subsoil within which the Waste Water Transfer Tunnel structure will be located. This land is also shown shaded pink on the Land Plans but it is identified in Schedule 11 to the Draft DCO (App Doc Ref 2.1) which restricts the permanent acquisition of freehold land to land lying at a depth greater than 7 metres beneath the surface.
- 6.2.12 The strategic operational importance of Waste Water Transfer Tunnel means the Applicant must control the land occupied by its structure to ensure its structural integrity is not compromised. Given the Waste Water Transfer Tunnel will be a significant permanent structure which is unlikely to be removed, the Applicant requires control of the land within which it is located. This requires the acquisition of the freehold of the subsoil. The alignment of the Waste Water Transfer Tunnel is shown on Design Plans – Waste Water Transfer Tunnel & Longitudinal Section (App Doc Ref 4.12).
- 6.2.13 The route of the Waste Water Transfer Tunnel passes through a number of parcels shown on the Land Plans (App Doc Ref 4.4), details of which can be found in the first row of Table 6-1 below. The width of those parcels shown on the relevant Land Plan sheets (App Doc Refs 4.4.2 and 4.4.3) is greater than the extent of subsoil required permanently because the exact alignment of the Waste Water Transfer Tunnel will not be known until a detailed design is carried out and it has been constructed. The construction process will take into account any specific ground conditions that may require the alignment to vary with the width of the parcels shown.

- 6.2.14 It should be noted that whilst the Draft DCO (App Doc Ref 2.1) does not seek the acquisition of the freehold ownership of the entirety of the land in these parcels, Article 30 of the Draft DCO permits the Applicant to acquire new rights in, or impose restrictive covenants over, the surface of the land where necessary to facilitate, protect and maintain the Proposed Development. The purposes for which the rights or restrictive covenants may be acquired over the identified subsoil acquisition parcels are prescribed in Schedule 11 to the Draft DCO.
- 6.2.15 It is necessary to impose the Transfer Tunnel Restrictive Covenant over the surface of all of the subsoil acquisition land parcels to ensure that the Transfer Tunnel is protected. Parcels 005b, 008a, 012a, 012m, 027a, 032a are additionally affected by the proposed Waterbeach Pipeline therefore it is necessary to acquire Waterbeach Pipeline Rights and impose the Waterbeach Pipeline Restrictive Covenant over this land. The surface of Plots 005a and 005b is subject to Decommissioning Works Rights, and access rights are required in respect of plots 021l and 012m.
- 6.2.16 Details of the land of which the permanent freehold acquisition is sought, as shown coloured pink on the Land Plans (App Doc Ref 4.4), can be found in Table 6-1 below.

Table 6-1: Land for freehold acquisition, purpose and relevant Article numbers

Freehold parcel numbers shown on Land Plans	Purpose for which land may be acquired	Article Numbers
005a; 005b; 008a; 012a; 012m; 013a; 013i; 015a; 017a; 018a; 019b; 020a; 021c; 021e; 021k; 021l; 021t; 022a; 027a; 032a; 034a	Waste Water Transfer Tunnel (subsoil only)	26 and 29
003a; 003b; 003c; 006a; 021r; 021s	Waste Water Transfer Tunnel shafts	26
036a; 037a; 038a	Operational area for the proposed WWTP, landscape mitigation, recreational impact mitigation, Ecological mitigation and the provision of Biodiversity Net Gain	26
033a; 035a; 036b; 037b; 037c; 037d; 038b	Landscape mitigation, footpath and bridleway.	26

007a; 019a ¹⁴ ; 021b; 021p; 022b;	Part operational area, part landscape mitigation, part ecological mitigation	26
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Source: The Applicant

6.3 Acquisition of new rights and imposition of restrictive covenants

- 6.3.1 The Applicant requires new rights in, and restrictive covenants over, land in order to construct, operate, protect and maintain the Proposed Development. These rights are necessary because of the need to access areas of land or locations within the Order Limits and to construct, retain, protect, maintain and operate the Proposed Development.
- 6.3.2 As stated in sections 5.4 (Waste Water Transfer Tunnel), 5.6 (Final Effluent and Stormflow Pipelines) and 5.8 (Waterbeach Pipelines), the Applicant considers the imposition of restrictive covenants on the use of land by others is necessary in order to protect the operational assets to be constructed as part of the Proposed Development.
- 6.3.3 The restrictions sought in respect of those pipelines will limit the use of the land over the installed infrastructure and the land immediately adjacent to it, with a width of between 6 to 12 metres generally, and up to 30 metres in width in a limited number of places along the Waterbeach Pipelines where HDD or other trenchless techniques are used to cross existing infrastructure and other constraints. The final width of the permanent rights and restrictions will be determined after detail design and construction, so specific construction and ground condition factors can be addressed.
- 6.3.4 The proposed restrictions sought will limit the placement of structures, pipes and cables within the restrictions area; and will restrict activities that could damage the pipelines, including excavating and piling, and the planting of trees with invasive root structures, without first obtaining consent from the Applicant.
- 6.3.5 Article 28 to the Draft DCO Order (App Doc Ref 2.1) permits the Applicant to acquire new rights and impose restrictive covenants in respect of any of the land proposed to be compulsorily acquired, i.e. land shaded pink on the Land Plans (App Doc Ref 4.4).
- 6.3.6 Where land is shown coloured blue or brown on the Land Plans (App Doc Ref 4.4), the freehold of that land will not be acquired compulsorily as the nature of the permanent compulsory acquisition powers will be limited to the acquisition of new rights or imposition of restriction covenants. The descriptions of the proposed rights or restrictive covenants to be acquired in relation to that land can be found in

¹⁴ This parcel has been reduced in size, as shown on Sheet 2 of the Land Plans included in the Applicant's submission at Deadline 1.

Schedule 10 to the Draft DCO Order (App Doc Ref 2.1), and are also explained in the next section.

6.4 Nature of the proposed new rights and imposition of restrictive covenants

- 6.4.1 A number of rights are sought to facilitate the Applicant and all persons authorised on its behalf to construct, use, operate, protect and maintain the Proposed Development. Those rights have been categorised by reference to the primary part of the Proposed Development or works to which they relate, and have been named accordingly to assist in the clarifying the purposes for the particular rights packages are required, details of which can be found in Table 6-2 below. The specific rights and restrictions that are being sought over each plot are set out in the Book of Reference (App Doc Ref 3.3) accompanying the Application and in Schedule 10 to the Draft DCO.
- 6.4.2 In some cases, more than one package of rights is sought over a single land parcel. For example, where a land parcel is required for the purposes of the Waterbeach Pipeline, but is also subject to the proposed restrictive covenant for the Waste Water Transfer Tunnel.
- 6.4.3 It should be noted that there are two differently named packages for permanent access rights, the Waste Water Treatment Plant Permanent Access Rights package, and the Waterbeach Pipeline Permanent Access Rights package. Whilst the nature of the access rights sought are the same, the purposes for which they may be acquired and exercised differ depending on whether the access is required for the proposed WWTP or for the Waterbeach Pipelines.
- 6.4.4 It may be necessary to distinguish between the purposes of the proposed access rights when exercising the rights depending on the phasing of construction, and whether the rights of access to the proposed WWTP are assigned to CWRP Relocation Limited, who, as explained in the Funding Statement (App Doc Ref 3.2) is the company within the Applicant’s group of companies responsible for the construction of the Proposed Development.

Table 6-2: Summary of packages of new rights and restrictions to be imposed

Packages of rights	Nature of the rights (summary)	Reasons for, and comments on, the packages of rights
Waste Water Treatment Plant Permanent Access Rights	All rights necessary to pass and re-pass on foot, with or without vehicles, plant, machinery, apparatus, equipment, materials, contractors and personnel	To allow access across private land to construct, operate and maintain operational assets.
Waterbeach Pipeline Permanent Access Rights	(including to lay any surface) at all reasonable	The extent of these rights have been

Packages of rights	Nature of the rights (summary)	Reasons for, and comments on, the packages of rights
	times (and in an emergency at any time)	minimised and, where practicable, follow existing tracks or paths.
Waterbeach Pipeline Rights	All rights necessary for the purposes of or incidental to the construction, installation, operation, protection, and maintenance of the Waterbeach Pipelines	<p>To allow the Waterbeach Pipelines to be installed, operated and maintained.</p> <p>New rights for the Waterbeach Pipelines will be required along the route shown the Land Plans (App Doc Ref 4.4) accompanying the Application. The width of the permanent rights corridor, following construction, will be between 8 to 12 metres centred on the mid-point of the pipelines. At various locations along the route, the new rights will allow the presence of air valves which are necessary for the operation of the pipelines.</p>
Waterbeach Pipelines Restrictive Covenant	All restrictions necessary over the land to prevent activities which are likely to cause damage or injury to the Waterbeach Pipeline or to obstruct, interrupt or interfere with the exercise of the Waterbeach Pipeline Rights, the free flow of water or other material through the Waterbeach Pipeline, or render access to	<p>To protect the Waterbeach Pipelines.</p> <p>Restrictive covenant to restrict activities within the area of the permanent rights corridor, including restrictions on the installation of structures, intrusive</p>

Packages of rights	Nature of the rights (summary)	Reasons for, and comments on, the packages of rights
	it more difficult or expensive.	<p>activities and planting of vegetation.</p> <p>The prior consent of the Applicant may be sought.</p>
Waste Water Transfer Tunnel Restrictive Covenant	All restrictions necessary over the land to prevent activities which are likely to cause damage or injury to the underground Waste Water Transfer Tunnel	<p>There is a need to impose restrictive covenants along the route of the Waste Water Transfer Tunnel. The restrictions are necessary in order to mitigate the risk of new structures affecting the structural integrity of the Waste Water Transfer Tunnel structure (see section 5.4 above and Appendix 6 for further details).</p> <p>The prior consent of the Applicant may be sought for activities within the Secondary Restriction Zone.</p>
Final Effluent and Stormflow Pipeline Rights	All rights necessary for the purposes of or incidental to the construction, installation, operation, protection, and maintenance of the Final Effluent and Storm Pipeline	<p>To allow the Final Effluent and Stormflow Pipeline to be installed, operated and maintained.</p> <p>New rights for the Final Effluent and Stormflow Pipeline will be required along the route shown the Land Plans (App Doc Ref 4.4) accompanying the Application. The width of the permanent rights</p>

Packages of rights	Nature of the rights (summary)	Reasons for, and comments on, the packages of rights
		<p>corridor, following construction, will be 8 to 12 metres centred on the mid-point of the pipelines. At various locations along the route, the new rights will allow the presence of access chambers which are necessary for the operation of the pipelines.</p>
<p>Final Effluent and Stormflow Pipeline Restrictive Covenant</p>	<p>All restrictions necessary over the land for the benefit of the remainder of the Order Land to prevent activities which are likely to cause damage or injury to the underground Final Effluent and Stormflow Pipeline</p>	<p>To protect the Final Effluent and Stormflow Pipeline.</p> <p>Restrictive covenant to restrict activities within the area of the permanent rights corridor, including restrictions on the installation of structures, intrusive activities and planting of vegetation.</p> <p>The prior consent of the Applicant may be sought.</p>
<p>River Cam Rights</p>	<p>All rights to construct, retain, maintain and protect the Final Effluent Outfall Structure and scour protection measures</p>	<p>To facilitate the construction and protection of the Final Effluent Outfall structure.</p>
<p>River Cam Restrictive Covenant</p>	<p>All restriction necessary to prevent the erection of structures and buildings and other activities which could damage the Final Effluent Outfall Structure</p>	<p>To protect the Final Effluent Outfall structure.</p> <p>The area covered by the restriction is likely to be approximately</p>

Packages of rights	Nature of the rights (summary)	Reasons for, and comments on, the packages of rights
	without the Applicant's consent	5m from the edge of the Final Effluent Outfall Structure.
Decommissioning Works Rights	Rights necessary for the purposes of or incidental to the carrying out of that part of the authorised development comprised in Work No. 40 (the Decommissioning Existing Cambridge Waste Water Treatment Works) to cease its existing operational function and to facilitate the surrender of its current operational permits	To allow the Decommissioning Works . For example, these rights are sought over those parts of the existing Cambridge WWTP where there are leases, tenancies or other interests or occupational rights, so as to facilitate the decommissioning of the existing Cambridge WWTP.
Rising and Gravity Main Diversion Rights	Rights required to facilitate the Rising and Gravity Main Diversion Rights	To allow the necessary diversions to take place where there are leases, tenancies or other interests or occupational rights
Drainage Rights	Rights required to facilitate land drain reinstatement or permanent drainage	To allow the drainage of water over private land into existing water courses.

Source: The Applicant

6.4.5 The land over which only new rights may be acquired and/or restrictive covenants imposed is set out in Table 6-3 below and is shown edged blue and shaded blue or brown on the Land Plans (App Doc Ref 4.4) accompanying the Application. The land shaded brown has been coloured separately to assist affected parties in identifying these areas are proposed to be subject to rights of access only rather than for infrastructure works. The relevant land parcel numbers and the purpose of the rights or restrictions are set out in Table 6-3 below.

Table 6-3: Land over which only new rights will be acquired and restrictions imposed

New Rights and Restrictive Covenants only parcel numbers shown on Land Plans	Purpose for which rights may be acquired	Article and Schedule numbers
002a, 002b, 002c, 003d, 003e, 004a, 004b, 004c, 004d, 005d, 005e, 005f, 005g, 005j, 006b, 006c, 009a, 010a, 011a	Decommissioning Works Rights	Articles 26 and 28 and Schedule 10
005f; 005g; 005j; 008b; 008e; 009a; 010a; 011a; 012b; 012e; 012k; 012l; 013b; 013c; 013e; 013h; 013j; 013k; 015b; 015c; 015e; 015f; 016a; 017c; 017d; 018c; 018d; 019c; 019d; 020b; 021f; 021h; 021m; 021n; 021o; 021u; 021w; 022c; 022d; 027b; 027c; 027d; 032b; 032c; 032e; 034c;	Transfer Tunnel Restrictive Covenant	Articles 26 and 28 and Schedule 10
012c; 012i; 012j; 012k; 012l; 014a; 021a; 021o; 021q; 021v; 021w; 022h; 022i; 036e; 036f; 038d;	Waste Water Treatment Plant Permanent Access Rights	Articles 26 and 28 and Schedule 10
012j; 014a; 021a; 021j; 021m; 021o; 022i; 026a; 029a; 039c; 042d; 044d; 047d; 050a; 056d;	Waterbeach Pipeline Permanent Access Rights	Articles 26 and 28 and Schedule 10
005d; 005e; 005f; 005g; 008b; 008c; 008e; 008g; 012b; 012c; 012d; 012e; 012f; 012g; 012i; 012k; 012l; 013b; 013d; 013j; 013l; 015b; 015d; 017b; 018b; 019e; 020c; 021d; 022e; 027b; 027d; 027e; 028a; 031d; 032b; 032d; 032e; 032f; 034d; 036c; 036e; 039a; 042a; 044a; 046a; 046b; 047a; 051a; 052a; 053a; 054a; 055a; 056a; 057a; 058a; 059a; 060a; 060b; 061a; 062a; 063a; 064a; 065a; 066a; 068a; 069a; 070a; 070b; 071a; 071b; 071c; 071d; 072a; 072b; 074c	Waterbeach Pipeline Restrictive Covenant	Articles 26 and 28 and Schedule 10
005d; 005e; 005f; 005g; 008b; 008c; 008e; 008g; 012b; 012c; 012d; 012e; 012f; 012g; 012i;	Waterbeach Pipeline Rights	Articles 26 and 28 and Schedule 10

New Rights and Restrictive Covenants only parcel numbers shown on Land Plans	Purpose for which rights may be acquired	Article and Schedule numbers
012k; 012l; 013b; 013d; 013j; 013l; 015b; 015d; 017b; 018b; 019e; 020c; 021d; 022e; 027b; 027d; 027e; 028a; 031d; 032b; 032d; 032e; 032f; 034d; 036c; 036e; 039a; 042a; 044a; 046a; 046b; 047a; 051a; 052a; 053a; 054a; 055a; 056a; 057a; 058a; 059a; 060a; 060b; 061a; 062a; 063a; 064a; 065a; 066a; 068a; 069a; 070a; 070b; 071a; 071b; 071c; 071d; 072a; 072b; 074c		
034e; 038c	Final Effluent and Storm Pipeline Rights	Articles 26 and 28 and Schedule 10
034e; 038c	Final Effluent and Storm Pipeline Restrictive Covenant	Articles 26 and 28 and Schedule 10
019k; 019l; 019n	River Cam Rights	Articles 26 and 28 and Schedule 10
019k; 019l; 019n	River Cam Restrictive Covenant	Articles 26 and 28 and Schedule 10
058e	Waterbeach Pipeline Permanent Drainage Rights	Articles 26 and 28 and Schedule 10
001a; 004a; 004b; 004c; 004d; 006c	Rising and Gravity Main Diversion Rights	Articles 26 and 28 and Schedule 10

Source: The Applicant

6.4.6 Paragraph 24 of the Planning Inspectorate guidance in Advice Note 15 concerning the drafting of DCOs advises that it may be appropriate to include a power to impose restrictive covenants over part of the land which is subject to compulsory acquisition or use under the DCO. The guidance states that before deciding whether or not such a power is justified the Secretary of State will need to consider issues such as proportionality; the risk that use of land above or below a structure could be sterilised if it has to be acquired outright in the absence of a power to impose restrictive covenants; or whether there is for example a policy of establishing a continuous protection zone for the infrastructure network which could be secured more efficiently with the benefit of this power.

- 6.4.7 The guidance states that the power to impose restrictive covenants over land above a buried cable or pipe, or where a slope contains artificial reinforcement has been granted in DCOs, and cites Article 22 of the Silvertown Tunnel Order (2018) as an example. The guidance advises that in order to enable the Secretary of State to consider whether the imposition of restrictive covenants is necessary for the purposes of implementing an nationally significant project and appropriate in human rights terms, applicants should be prepared to fully explain and justify the need for including such powers.
- 6.4.8 The Applicant has had regard to this guidance in preparing its Order. Article 28 includes a power to impose restrictive covenants over land, and the land over which it is proposed acquire restrictive covenants and their purposes are explained in Schedule 10 to the Order. These proposed restrictions are required to protect the underground infrastructure (the Waste Water Transfer Tunnel, the Waterbeach Pipeline and the Final Effluent and Storm Flow Pipeline) from becoming exposed, damaged or built over; preventing operations which may obstruct, interrupt or interfere with the Applicant's undertaking, the infrastructure, or the exercise of any new rights required; ensuring that access for future maintenance can be facilitated and ensuring that land requirements are minimised so far as possible. In the absence of a power to impose the necessary restrictive covenants, the Applicant would need to acquire a greater extent of freehold land on a permanent basis in order to safeguard its operations and infrastructure.
- 6.4.9 The Applicant considers the imposition of such restrictive covenants to be justified and proportionate in the circumstances of this case, in order to protect and preserve the integrity of the Proposed Development.

6.5 Temporary use of land

- 6.5.1 Powers for the temporary use of land pursuant to Articles 35 and 36 of the Order are required in order to facilitate the use of land by the Applicant and all persons authorised on its behalf during the construction of the Proposed Development and, thereafter, for essential maintenance purposes.
- 6.5.2 Land over which only temporary use is sought for the carrying out of the Proposed Development pursuant to Article 35 of the Order is shown edged blue and shaded green on the Land Plans (App Doc Ref 4.4) accompanying the Application and described in the Book of Reference (App Doc Ref 3.3) accompanying the Application.
- 6.5.3 The purposes for which temporary possession of that land is required is set out in Schedule 12 to the Order and are summarised in Table 6-4 below. In general, the use of this land will be for construction compounds, temporary working areas to facilitate the establishment of ecological mitigation and landscaping works, temporary working areas for the decommissioning of the existing Cambridge WWTP, construction only access routes and the siting of monitoring equipment.
- 6.5.4 The temporary use of land (green parcels on the Land Plans (App Doc Ref 4.4) will generally not be required for long periods of time and much of the affected land is

not currently occupied for active uses. Parcel 021i (part of Poplar Hall Farm (see Sheet 2 of the Land Plans (App Doc Ref 4.4.2))) will be required for 12 months to facilitate the installation of the Waterbeach Pipelines (Work 34 Waterbeach Pipeline Construction Area and Compounds (see Works Plan Sheet 2 (App Doc Ref 4.3.2))). Parcel 070a (see Sheet 10 of the Land Plans (App Doc Ref 4.4.10)) will also be required for 12 months for the Waterbeach Pipelines (Work 34 Waterbeach Pipeline Construction Area and Compounds (see Works Plan Sheet 2 (App Doc Ref 4.3.2))).

- 6.5.5 Before giving up temporary possession of the land the Applicant would be required to remove all temporary works and restore the land to the satisfaction of the owner in accordance with the provisions of Article 35 of the Order.
- 6.5.6 Where the Applicant is seeking to acquire land, subsoil or new rights or restrictions over land, the power for temporary use of such land (including the surface land above the Waste Water Transfer Tunnel) is also sought (this is provided for in Article 35 of the Draft Development Consent Order (App Doc Ref 2.1)). These parcels are shown shaded pink, blue or brown on the Land Plans (App Doc Ref 4.4). These powers enable the Applicant to enter onto land for construction purposes in advance of the acquisition of the relevant permanent land or land rights. This enables the Applicant to take a proportionate approach to permanent acquisition so as to only compulsorily acquire the minimum amount of permanent land and rights/restrictions over land required to construct, operate and maintain the Proposed Development.
- 6.5.7 It is envisaged that this approach will be used principally in connection with the temporary and permanent land rights required for the Waterbeach Pipeline and the Final Effluent and Storm Flow Pipeline, for which a wider corridor of land, will be required during the construction of those works. The area over which the permanent new rights and restrictive covenants for those pipelines will be in the order of 8 to 12 metres.

Table 6-4: Description of, and reasons for, the temporary use of land

Types of proposed temporary use	Reason for temporary use
Construction worksite, compound, storage, welfare and laydown area, HDD work area, area for the stringing out of pipelines, for the purposes of carrying out the authorised development.	For the safe and efficient construction of the Proposed Development.
Worksite, landscaping and ecological works	To allow space to carry out these works.
Mud and soil handling, earthworks, ground re-profiling and vegetation clearance.	To allow space to carry out these works.
Dewatering, construction and commission drainage and discharge.	To allow these construction related activities to be carried out.

Erection of associated temporary structures, siting of a crane, storage of equipment and connection of utilities services, including fencing, security, lighting, welfare requirements and signage.	For the safe and efficient construction of the Proposed Development.
Access, including parking, with or without vehicles, plant, machinery and materials, for carrying out the authorised development.	For the safe and efficient construction of the Proposed Development.
Creation of temporary haul roads, laying of hardstanding and improvements to means of access	To protect ground conditions and soil structure and facilitate construction access
The siting of and operation of apparatus for monitoring vibration, ground movement and other construction impacts in the vicinity of the operational railway.	To fulfil the requirements of Network Rail relating to the safe operation of the Cambridge to King’s Lynn railway line.
Decommissioning activities and access for the same	To carry out the activities required at the existing Cambridge WWTP to cease its existing operational function and to facilitate the surrender of its operational permits.

Source: The Applicant

6.6 Power to extinguish, suspend or override rights and easements

- 6.6.1 Article 31 (Private Rights) ensures that the construction and operation of the Proposed Development is not impeded by any existing private rights within the Order Land. This includes private rights of navigation in relation to the river Cam and any private rights to use the moorings and river banks.
- 6.6.2 Such rights will be extinguished over land which the Applicant acquires permanently (whether by agreement or compulsion). In relation to land over which it is proposed to acquire new rights and restrictive covenants, private rights will only be extinguished to the extent that their continuance would be inconsistent with the exercise of the new right or compliance with the restrictive covenants.
- 6.6.3 Private rights will be suspended over land where the Applicant exercises powers to temporarily use land under Articles 35 and 36 of the Draft Development Consent Order (App Doc Ref 2.1) for so long as the Applicant remains in lawful possession.
- 6.6.4 Article 31 provides for a mechanism for the Applicant to direct that existing private rights shall continue if the Applicant decides that the powers of compulsory purchase

of land, new rights and restrictions, or the temporary use of land, can be exercised without interruption, making extinguishment or suspension unnecessary.

- 6.6.5 Article 32 to the Draft Development Consent Order (App Doc Ref 2.1) provides the power to override private rights and easements, including private rights of navigation, where the exercise of powers under the Draft Development Consent Order (App Doc Ref 2.1) or the carrying out of the Proposed Development or use of land interferes with or breaches those private rights.
- 6.6.6 Articles 31 and 32 apply to all of the Order Land and are necessary to ensure that the construction, operation, protection and maintenance of the Proposed Development is not prejudiced by the existence of private rights. However, land which is shown coloured yellow on the Land Plans (App Doc Ref 4.4) is subject only to these powers and is not otherwise permitted to be acquired compulsorily. For example, parcel 019g (part of the river Cam in the vicinity of the new Outfall Structure) as shown on Sheet 2 of the Land Plans (App Doc Ref 4.4.2) may be subject to private navigation or mooring rights, which may conflict with, and be temporarily affected by, the construction activities for the Proposed Development.
- 6.6.7 Persons whose private rights are interfered with subject to the powers in these articles may be entitled to claim compensation for losses suffered.
- 6.6.8 All private rights which are proposed to be extinguished, suspended or interfered with in the Order Land and which were identified through diligent enquiry are detailed in Part 3 of the Book of Reference (App Doc Ref 3.3) accompanying the Application.
- 6.6.9 Unknown interests which were not identified through such measures are still subject to the provisions of the Order, including Articles 31 and 32, to enable the Proposed Development to be delivered without impediment.

Highways

- 6.6.10 Article 41 (Statutory undertakers) authorises the Applicant to acquire land and new rights in land belonging to statutory undertakers within the Order Land. It further provides for the extinguishment of rights and the removal or relocation of apparatus belonging to statutory undertakers over or within the Order Land. The exercise of this power is subject to the protective provisions set out in Schedule 15 to the Draft DCO (App Doc Ref 2.1).
- 6.6.11 Within the Order Land, there are a number of adopted highways which will be affected by the Proposed Development. The majority of these are not subject to the permanent acquisition of land or rights, nor are they proposed to be subject to temporary use, but are shown coloured yellow on the Land Plans (App Doc Ref 4.4), denoting interference with private rights only.
- 6.6.12 In respect of these public highways and streets, the Applicant is relying on the powers in Part 3 of the Order and in Article 43 of the Draft DCO (App Doc Ref 2.1) in relation

to street works (to enter onto them and to lay and maintain apparatus in them), to construct means of access and to create temporary prohibitions and restrictions of the use of such streets. Protective provisions will govern the way in which the highway works are carried out, which, as explained in section 8.2 below and in Appendix 4 to this Statement, are the subject of discussions with the relevant highway authorities.

- 6.6.13 There are a limited number of land parcels comprising public highways and streets where temporary use powers are sought under Article 35, such as Cowley Road, Horningsea Road and Low Fen Drove Way. These are shown coloured green on the Land Plans (App Doc Ref 4.4) and are principally required for temporary access or workspace during periods where the highways are to be temporarily closed. In addition, there are a number of parcels comprising public highways and streets which are shaded blue on the Land Plans because new rights and restrictions are required in relation to the Waterbeach Pipeline which will be laid in the subsoil to the highway.
- 6.6.14 Access to all premises adjoining public highways affected by the Proposed Development will be maintained at all times during the execution and operation of the works and will not be materially affected by the operation of Proposed Development. In addition, the Applicant will adhere to the Code of Construction Practice (Appendix 2.1 & 2.2, App Doc Refs 5.4.2.1 and 5.4.2.2 and the Construction Traffic Management Plan (Appendix 19.7, App Doc Ref 5.4.19.7).

7 Need for Compulsory Acquisition Powers

7.1 Compulsory acquisition powers and guidance

7.1.1 Section 120 and Part 1 of Schedule 5 of the PA 2008 prescribe those matters which may be included in a DCO. A DCO may impose requirements in connection with the development for which consent is granted, and in particular these include:

- the acquisition of land, compulsorily or by agreement; and
- the creation, suspension or extinguishment of, or interference with, interests in or rights over land (including rights of navigation over water), compulsorily or by agreement.

7.1.2 Sections 122(1) of the PA 2008 provides that a DCO which includes powers of compulsory acquisition may only be granted if the conditions in Sections 122(2) and 122(3) of the PA 2008 are met. These conditions are as follows.

7.1.3 Under section 122(2), that the land is:

- required for the development to which the development consent relates;
- required to facilitate or is incidental to that development; or
- is replacement land to be given in exchange for commons, open spaces etc.

7.1.4 Section 122(3) of the PA 2008 requires that there is a compelling case in the public interest for the land to be acquired compulsorily.

7.1.5 The Compulsory Acquisition Guidance explains, at paragraphs 6 and 7, that before any compulsory acquisition can be authorised, the decision maker must be satisfied that one of the section 122(2) conditions is met and the applicant must therefore be prepared to justify its proposals for the compulsory acquisition of any land to the satisfaction of the Secretary of State.

7.1.6 With regard to the condition in Section 122(2)(a) - that the land is required for the development to which the development consent relates - the Compulsory Acquisition Guidance (paragraph 11) requires the applicant to demonstrate to the satisfaction of the Secretary of State that the land in question is needed for the development for which consent is sought. The Secretary of State should be satisfied, in this regard, that the land to be acquired is no more than is reasonably required for the purposes of the development.

7.1.7 With regard to Section 122(2)(b) - that the land is required to facilitate or is incidental to the proposed development – the Compulsory Acquisition Guidance (paragraph 11) requires the Secretary of State to be satisfied that the land to be taken is no more than is reasonably necessary for that purpose and is proportionate.

- 7.1.8 The condition in section 122(2)(c) relating to exchange land does not arise in relation to the Order as there is no special category land comprising of open space, commons or allotments.
- 7.1.9 In relation to the condition in Section 122(3), the Compulsory Acquisition Guidance requires (paragraphs 12 and 13) the Secretary of State to be satisfied that there is a compelling case in the public interest for the land to be acquired compulsorily. For this condition to be met, the Secretary of State will need to be persuaded that there is compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired. Parliament has always taken the view that land should only be taken compulsorily where there is clear evidence that the public benefit will outweigh the private loss.
- 7.1.10 The Compulsory Acquisition Guidance goes on explain some of the general considerations which the Secretary of State will have regard to in deciding whether or not to include a provision authorising the compulsory acquisition of land in a DCO:
- that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored (paragraph 8);
 - that the proposed interference with the rights of those with an interest in the land is for a legitimate purpose, is necessary and is proportionate (paragraph 8);
 - that the applicant has a clear idea of how the land will be used (paragraph 9);
 - that there is a reasonable prospect of the requisite funds for acquisition becoming available (paragraph 9); and
 - that the purposes for which compulsory acquisition powers are sought are legitimate and sufficiently justifying interfering with the human rights of those with an interest in the affected land. In particular that Article 1 of the First Protocol to the European Convention on Human Rights ('ECHR') and (in the case of acquisition of a dwelling), Article 8 of the ECHR have been considered (paragraph 10).
- 7.1.11 In addition, applicants will need to be able to demonstrate that (paragraph 19): any potential risks or impediments to the implementation of the scheme have been properly managed, and that they have taken account of any other physical and legal matters pertaining to the application, including the programming of any necessary infrastructure accommodation works and the need to obtain any operational and other consents which may apply to the type of development for which they seek development consent. For the reasons set out in this Statement, the Applicant considers that the conditions of section 122 of the PA 2008 have been met.

7.2 Requirement for the Order Land

- 7.2.1 Each plot of land described in the Book of Reference (App Doc Ref 3.3) and shown on the Land Plans (App Doc Ref 4.4) is required either for the purposes of the Proposed Development, or is needed to facilitate, or is incidental to the Proposed Development.
- 7.2.2 The land or rights over land or imposition of restrictions sought by the Applicant (as explained in section 6 above) are required for the construction, operation, protection and maintenance of the Proposed Development. The power to compulsorily acquire such land and rights over land is required to ensure there is no impediment to the delivery of the Proposed Development. A list showing the parcel numbers (as shown on the Land Plans (App Doc Ref 4.4)), type of acquisition and Works Number (as shown on the Works Plans (App Doc Ref 4.3)) for which the land, right, restriction or temporary use is required can be found in Appendix 3 to this Statement. Section 5 of this Statement further explains the proposed works and use of the land.
- 7.2.3 As explained in Site Selection and Alternatives report (App Doc Ref 5.2.3), feasibility studies, environmental appraisals and engineering appraisals were conducted to determine the most suitable location for the various elements of the Proposed Development. The location and extent of land has been carefully considered and designed in order to take the minimum amount of land possible.
- 7.2.4 Furthermore, the Applicant has sought a proportionate approach to acquisition and is seeking a combination of freehold title, subsoil, permanent rights and restrictions, and temporary use powers, which limits the acquisition of all interests in freehold land to where it is absolutely necessary, such as for the site of the proposed WWTP, to ensure that the Applicant has the necessary exclusive possession and control of the land for the safe construction, operation, protection and maintenance of the infrastructure.
- 7.2.5 In addition, as explained in section 6 above, the Applicant will, where practicable, seek to minimise the extent of land over which permanent rights and restrictive covenants are acquired for the Waterbeach Pipeline and the Final Effluent and Storm Flow Pipeline by first taking temporary possession of the land required for construction and then acquiring permanent rights and restrictions over a smaller area when the final location of the infrastructure is known.
- 7.2.6 Whilst, as explained in section 7.5 below and Appendix 2 to this Statement, the Applicant continues to seek to acquire the land rights required for the Proposed Development by agreement on appropriate terms, it is clear that it will not be possible to secure all outstanding interests and rights by agreement in a reasonable commercial timescale.
- 7.2.7 There are unknown ownerships in the Order Land, for which it has not been possible to establish the identity of the landowners despite making reasonable and diligent enquiry. It is therefore essential that, when the DCO is made, and compulsory

acquisition powers are authorised so as to allow the Proposed Development to proceed.

- 7.2.8 Projects of the scale and complexity of the Proposed Development, require the co-ordination of a number of stakeholders and workstreams, and the commitment of significant resources. The lead-in process to develop and construct a major infrastructure project of this nature is lengthy, as it involves site assembly, planning, engineering, design, funding and procurement of contractors. The certainty of having control of the necessary land and rights within the Order Land is therefore vital to the delivery of the Proposed Development so the Applicant can ensure it comes forward in a timely, efficient and co-ordinated manner.
- 7.2.9 All of the Order Land will be retained in the Order even where option agreements have been concluded with landowners. This is to ensure that the Proposed Development is not impeded by the subsequent discovery, despite diligent enquiry, of any interests or private rights in that land, or by the inability to exercise the option agreements that have been secured for any reason. The reasoning for including land in the Order even where agreement has been reached has been explained to landowners.
- 7.2.10 As explained in Planning Statement (App Doc Ref 7.5), and in section 4 of this Statement, the making of the Order and the delivery of the Proposed Development will facilitate significant operational and public benefits, both for the Applicant's customers and for the wider community. These will not be achieved without the authorisation of compulsory acquisition powers in the Order.
- 7.2.11 The Applicant does not consider these objectives could be achieved by any other means such as any alternative proposals put forward by owners of the land. Nor are there any alternative locations which are suitable for the purpose for which the land and new rights are being acquired. As explained in Site Selection and Alternatives report (App Doc Ref 5.2.3), and in section 4 of this Statement, alternative locations and layouts were considered as part of the development of the Proposed Development, and the reasons for rejecting these have been reported in the documents accompany the Application.
- 7.2.12 Furthermore, as explained above in Section 5 of this Statement and in the Consultation Report (App Doc Ref 6.1), where landowners have made requests to vary elements of the project as it affects their landholding, the Applicant has given proper consideration to these requests. Whilst in some cases it has been possible to accommodate landowner change requests, this has not been practicable in all circumstances.
- 7.2.13 The Applicant considers that the conditions in section 122 of the PA 2008 are met and that there is a compelling case in the public interest for the power to compulsorily acquire land and rights over land (together with the imposition of restrictive covenants) to be included in the Order.

7.3 Identifying persons with an interest in land

- 7.3.1 The Applicant has carried out diligent inquiry to identify all persons with an interest in land within the Order Limits in accordance with section 44 of the PA 2008. Such persons are listed in the Book of Reference (App Doc Ref 3.3) and have been consulted in respect of the Application in accordance with section 42 of the PA 2008. This is further explained in the Consultation Report (App Doc Ref 6.1). Diligent inquiry to identify persons with an interest in land and those with a potential claim was undertaken by the Applicant's land referencing team (see Appendix 1 of this Statement).
- 7.3.2 Updates were requested from Land Registry on a regular basis so as to capture any changes to the data in advance of the phases of statutory consultation. Consultation has been undertaken with parties where new interests were revealed and verified in advance of the submission of the Application. Updates will continue to be sought and any amendments to the Book of Reference (App Doc Ref 3.3) that are revealed will be recorded and the parties notified at the Section 56 notification stage following acceptance of the Application.
- 7.3.3 Appendix 1 of this Statement provides details of the land referencing methodology, including the process of diligent inquiry undertaken to identify and contact persons and entities with interests in land in respect of each Category of persons as defined by section 44 of the PA 2008.

7.4 Unknown interests

- 7.4.1 There are a number of interests identified in the Book of Reference (App Doc Ref 3.3) where it has not been possible to identify ownership of a parcel. The word "Unknown" is given in the Book of Reference (App Doc Ref 3.3) accompanying the Application where diligent inquiry has been carried out and it has still not been possible to obtain ownership information. The Applicant has carried out searches and enquiries with the Land Registry, site visits have been made and notices have been erected on the parcels to seek to identify landowners or persons with an interest in the land.
- 7.4.2 Where responses were received, due diligence has been carried out and the details of the owners and occupiers noted in the Book of Reference (App Doc Ref 3.3) accompanying the Application.

7.5 Summary of engagement with landowners

- 7.5.1 All relevant landowners, lessees, tenants and occupiers identified by diligent inquiry have been notified about the Proposed Development and included in the consultation process. Details of consultation process can be found in the Consultation Report (App Doc Ref 6.1) accompanying the Application. Each landowner has been contacted with a view to entering into negotiations to acquire land or rights over the Order Land, as necessary. This process has included an

explanation of the way in which the person's land will be required for the Proposed Development.

- 7.5.2 Engagement with the landowners started in 2020 to arrange access for the surveys necessary in preparation of the Application. This engagement included site visits, emails and telephone conversations with the landowners (or their agents where appointed). This engagement continued for around two years, and was interspersed with engagement at the various phases of consultation (see the Consultation Report (App Doc Ref 6.1)).
- 7.5.3 In August 2022, letters were sent by the Applicant to all landowners, offering to be granted an option to acquire the necessary land and rights in land for the Proposed Development. ~~Appendix 2~~¹⁵ of this Statement provides details of the current status of the negotiations relating to those options. This will be updated during the examination of the Application.
- 7.5.4 The Applicant is aiming to successfully conclude commercial negotiations to enter into those options to purchase all of the land and rights/restrictions required for the Proposed Development. As the Compulsory Acquisition Guidance acknowledges, however, where a scheme entails the compulsory acquisition of many separate plots of land, and gives the example of a long, linear scheme, such as the tunnel and pipelines forming part of the Proposed Development, it may not always be practicable to acquire land and/or rights over land by agreement. The Compulsory Acquisition Guidance states that: "where this is the case, it is reasonable to include provision authorising compulsory acquisition covering all the land at the outset" and negotiate with landowners in parallel to acquire land by agreement.
- 7.5.5 The Applicant is therefore including all the relevant land within the Order Land to ensure that all of the land rights can be assembled and secured with certainty. In addition to the unregistered land interests referred to in section 7.4 above, there may be unknown rights, restrictions, easements or servitudes affecting that land which also need to be overridden, removed and/or extinguished pursuant to the powers in Articles 31 and 32 of the Order in order to facilitate the construction, protection, maintenance and operation of the Proposed Development without hindrance.
- 7.5.6 The Applicant will continue to pursue the acquisition of land, rights and restrictive covenants, and arrangements for the temporary use of land by agreement wherever possible, and will seek to secure the voluntary removal of rights affecting the Order Land that may impede the Proposed Development. However, the Applicant considers that the Proposed Development cannot be successfully delivered without compulsory acquisition powers.

¹⁵ Appendix 2 has been replaced by the Compulsory Acquisition Schedule which is included in the Applicant's submission at Deadline 1.

7.6 Funding and compensation

- 7.6.1 The Funding Statement (App Doc Ref 3.2) accompanying the Application explains how it is expected that the construction of the Proposed Development, as well as the acquisition of land and interests, will be funded.
- 7.6.2 Where the powers of compulsory acquisition and other powers included in the Order are exercised, owners of the relevant land or rights in land may be entitled to compensation. Claims for compensation will be assessed in accordance with the body of statutory provisions and caselaw known as the Compensation Code. This requires the Applicant to compensate landowners for the acquisition of their land at a fair, open market value that is unaffected by the Proposed Developments. Additional payments for disturbance and statutory loss payments may be payable in some circumstances.
- 7.6.3 Claimants will have the right to refer a dispute in respect of the compensation payable for determination by the Lands Chamber of the Upper Tribunal. The same also applies to valid claims made by Category 3 persons and to persons who suffer loss arising from the temporary use of land. Where appropriate, the Applicant will seek to resolve disputed compensation claims by means of Alternative Dispute Resolution ('ADR').
- 7.6.4 The Funding Statement explains how the compensation arising from the exercise of compulsory acquisition powers pursuant to the DCO will be met, including any blight claims.
- 7.6.5 Section 3 of the Funding Statement explains the funding that has been committed to date for the delivery of the Proposed Development, including monies from Homes England. It also states that the parties to the HIF Grant Funding Agreement (App Doc Ref 8.8) are committed to working together to secure any additional funding that may be required for the Proposed Development to ensure the successful delivery of the it.

7.7 Human Rights Considerations and the Equality Act

- 7.7.1 The Human Rights Act 1998 incorporated the European Convention on Human Rights (the 'ECHR') into UK law. The ECHR includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.
- 7.7.2 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the ECHR. The position is summarised in paragraph 13 of the Compulsory Acquisition Guidance, which states that compulsory acquisition powers should only be authorised where the Secretary of State is:

“persuaded that there is compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired...”

7.7.3 Paragraph 14 goes on to explain that:

“in determining where the balance of public interest lies, the Secretary of State will weigh up the public benefits that a scheme will bring against any private loss to those affected by compulsory acquisition...”

7.7.4 The Secretary of State, as the decision maker, is therefore under a duty to consider whether the exercise of powers interacts with the rights protected by the ECHR.

7.7.5 The following Articles of the ECHR are relevant to the Secretary of State's decision as to whether the Order should be made so as to include powers of compulsory acquisition.

7.7.6 Article 1 of the First Protocol to the ECHR states that:

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law...”

7.7.7 Article 6 of the First Protocol to the ECHR states that:

“In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law...”

7.7.8 Article 8 of the First Protocol to the ECHR states that:

“Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others...”

7.7.9 Whilst owners and occupiers of the Order Land may be deprived of their property/interest in property if the Order is made, this will be done in accordance with the law. Such an infringement is authorised by law provided that:

- the statutory procedures for making the Order are followed and there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the Order; and
- the interference with the convention right is proportionate.

7.7.10 In preparing the Application, the Applicant has considered Article 1 and the potential infringement of the ECHR rights in consequence of the inclusion of compulsory acquisition powers within the Order and has sought to minimise the amount of land

over which it requires powers of compulsory acquisition. The Applicant considers that there would be a very significant public benefit arising from the grant of the Order. The benefit is only realised if the Order is accompanied by the grant of powers of compulsory acquisition.

- 7.7.11 The Applicant has concluded on balance that the significant public benefits outweigh the effects upon persons who own property within the Order Land. For those affected by expropriation or dispossession, compensation is payable in accordance with the Compensation Code. The Applicant considers that the Order will therefore strike the right balance between the public interest in the delivery of the Proposed Development and those private rights that will be affected by the Order.
- 7.7.12 With regards to Article 8, whilst there are some residential dwellings within the Order Land, as explained in section 5.3 of this Statement, those residents will not be displaced by the powers of compulsory acquisition sought under the Order, and only limited rights to enter and carry out works are required in the vicinity of those properties. No residential dwellings are proposed to be acquired or demolished for the purposes of the Proposed Development.
- 7.7.13 In accordance with Part 5 of the PA 2008, the Applicant has consulted with persons set out in the categories contained in Section 44 of the PA 2008, which includes owners of land within the Order Land and those who may be able to make claims either under Sections 7 and 10 of the Compulsory Purchase Act 1965 in respect of injurious affection or under Part 1 of the Land Compensation Act 1973. Also, the beneficiaries of any private rights that are interfered with pursuant to Articles 31 or 32 of the Order would be entitled to make claims for compensation as a result of the operation of those powers.
- 7.7.14 In relation to Article 6, there has been opportunity to make representations regarding the preparation of the Application. As explained in the Consultation Report (App Doc Ref 6.1), the CWWTTPR has been extensively publicised and consultation has taken place with the community, affected landowners and occupiers, and key stakeholders.
- 7.7.15 Furthermore, representations can also be made in response to notice given under Section 56 of the PA 2008 for consideration at examination of the Application by the Examining Authority and in any written representations procedure which the Examining Authority decides to uphold or at any compulsory acquisition hearing held under Section 92 of the PA 2008.
- 7.7.16 Should the Order be made, any person aggrieved may challenge the Order in the High Court if they consider that the grounds for doing so are made out pursuant to Section 118 of the PA 2008. Such statutory processes are in compliance with Article 6 of the ECHR.
- 7.7.17 Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the Compulsory Purchase Compensation Code. The Compensation Code has been held to be compliant with

Article 8 and Article 1 of the First Protocol to the ECHR. Affected persons will also have the right to apply to the Upper Tribunal (Lands Chamber), which is an independent judicial body to determine the compensation payable.

- 7.7.18 For the above reasons, any infringement of the ECHR rights of those whose interests are affected by the inclusion in the Order of powers of compulsory acquisition, is proportionate and legitimate and is in accordance with national and European law. For the reasons set out in this Statement, the Applicant considers that there is a compelling case in the public interest for the exercise of such powers of compulsory acquisition.
- 7.7.19 The Applicant has sought to keep any interference with the rights of those with interests in the Order Land to a minimum. The Order Land has been limited to the minimum required for the Proposed Development to be constructed, operated and maintained. Furthermore, the site selection, design and route selection has been selected to minimise the impact on land use and neighbouring properties as far as possible.
- 7.7.20 The requirements of the Human Rights Act 1998 and the ECHR, particularly the rights of property owners, have therefore been fully taken into account. The Applicant considers that the Draft Development Consent Order (App Doc Ref 2.1) strikes a fair balance between the public interest in the development going ahead and the interference with the private rights that will be affected. The Applicant considers that there is a compelling case in the public interest for the Order to be made and compulsory acquisition powers authorised, and that the interference with the private rights of those with an interest in the land affected as a result of the exercise of compulsory acquisition powers conferred by the Order would be lawful, justified and proportionate.

Equality Act 2010

- 7.7.21 The Applicant has, as a non-public body exercising public functions, had regard to the public sector equality duty set out in s149(1) of the Equality Act 2010 in promoting the Order and has undertaken an extensive community consultation and landowner engagement exercise as explained in the Consultation Report (App Doc Ref 6.1) accompanying the Application.
- 7.7.22 The Applicant has conducted an EqIA Equalities Assessment (App Doc Ref 7.12) and is not aware of any persons with protected characteristics who may suffer an impact as a result of the construction or operation of the Proposed Development. The Applicant does not consider that the Proposed Development will give rise to any impacts or differential impacts on persons who share a relevant protected characteristic as defined in the Equality Act 2010, or upon persons who do not share such relevant protected characteristic.

8 Special considerations

8.1 Special Category Land

Common land, Open Space, fuel or field garden allotments

- 8.1.1 Sections 131 and 132 of the PA 2008 apply to the compulsory acquisition of land or of new rights over land forming part of common, open space or fuel or field garden allotment. They make provision for special parliamentary procedure to apply where an order authorises the compulsory acquisition of land or of rights over land unless exemptions in those sections apply.
- 8.1.2 The Applicant has not identified any special category land within the Order Land to which sections 131 and/or 132 of the PA 2008 apply.

8.2 Statutory Undertakers' land

- 8.2.1 The land, rights and interests held by each statutory undertaker within the Order Land are identified in Part 2 and Part 3 of the Book of Reference (App Doc Ref 3.3) accompanying the Application.
- 8.2.2 Section 127(2) of the PA 2008 states that an order granting development consent may only include provision authorising the compulsory acquisition of statutory undertakers' land to the extent that:
- the land can be purchased and not replaced without serious detriment to the carrying on of the undertaking; or
 - the land can be replaced by other land belonging to or available for acquisition by the undertakers without serious detriment to the carrying on of the undertaking.
- 8.2.3 Section 127(5) of the PA 2008 states that an order granting development consent may only include provision authorising the compulsory acquisition of a right over statutory undertaker's land by the creation of a new right over land to the extent that:
- the right can be purchased without serious detriment to the carrying on of the undertaking; or
 - any detriment to the carrying on of the undertaking, in consequence of the acquisition of the right, can be made good by the undertakers by the use of the other land belonging to or available for acquisition by them.
- 8.2.4 Adequate protection for the statutory undertakers will be included within protective provisions in Schedule 15 of the Order and/or asset protection agreements between the parties. The Applicant considers that the statutory undertakers will not suffer serious detriment to the carrying on of the undertaking as a result of the compulsory

acquisition of land or rights over land or powers of temporary possession. The tests set out in section 127(6)(a) of the PA 2008 are therefore satisfied.

8.2.5 Section 138 of the PA 2008 is engaged by Article 41 of the Order. This Article will permit the undertaker to extinguish or relocate the relevant rights or relevant apparatus of Statutory Undertakers and electronic communications apparatus. For the purposes of section 138:

a. 'relevant right' means a right of way, or a right of laying down, erecting, continuing or maintaining apparatus on, under or over the land which is vested in or belongs to statutory undertakers for the purpose of carrying on their undertaking, or which is conferred on a telecommunications code operator.

b. 'relevant apparatus' means apparatus vested in or belonging to statutory undertakers for the purpose of the carrying on of their undertaking, or electronic communications apparatus kept installed for the purposes of an electronic communications code network.

8.2.6 Such power may only be included in the Order if the Secretary of State is satisfied the extinguishment or removal is necessary for the authorised development.

8.2.7 The construction of the Proposed Development will require interference with Statutory Undertakers' relevant rights and the possible relocation of their apparatus and electronic communications apparatus. The exercise of such powers, however, will be carried out in accordance with the protective provisions, which set out constraints on their exercise with a view to safeguarding the Statutory Undertakers' and electronic communications apparatus owners' interests. The Applicant therefore considers that the test set out section 138 of the PA 2008 is satisfied.

8.2.8 The construction of the Proposed Development will require the acquisition of interests in land from National Highways Limited. These relate to the Waste Water Transfer Tunnel under the A14 (parcel 027a), the installation of the Waterbeach Pipelines (parcel 022e) and the construction of the Final Effluent and Storm Flow Pipelines (parcel 034e). These parcels are shown on the Land Plans (App Doc Refs 4.4.2 and 4.4.3). Where highway works are proposed within highway owned by National Highways Limited, compulsory acquisition powers are not being sought.

8.2.9 A summary of the current status of negotiations with each statutory undertaker relating to the granting of protective provisions and/or the acquisition of land and rights in land for the Proposed Development is set out in ~~Appendix 4~~¹⁶ of this Statement.

8.2.10 It should be noted that the table in Appendix 4¹⁷ includes details of statutory undertakers who, whilst they do not own land for the purposes of section 127 of the

¹⁶ This Table has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

¹⁷ Ditto

PA 2008 or a relevant right or relevant apparatus for the purposes of section 138 of the PA 2008, they have statutory functions in relation to land within the Order Land. Some of those parties have requested protective provisions, the details of which are under discussion. Further details can be found in Appendix 4¹⁸ of this Statement.

- 8.2.11 In addition, the table at Appendix 4¹⁹ lists the Cam Conservancy and the IDB who, whilst they are not statutory undertakers for the purposes of the PA 2008, have functions derived from local legislation and byelaws. The Cam Conservancy has requested protective provisions which are currently under discussion.

8.3 Crown Land

- 8.3.1 Section 135 of the PA 2008 provides protection for Crown Land against compulsory acquisition.
- 8.3.2 Section 135(1) of the PA 2008 provides that a DCO may include provisions authorising the compulsory acquisition of an interest in Crown Land only if the Crown consents to the inclusion of the provisions.
- 8.3.3 The Applicant does not consider that section 135(1) of the PA 2008 is engaged. There are no proposals to acquire any Crown interest and the Order Land does not contain any Crown Land. However, the Applicant has written to the relevant Crown bodies to seek precautionary confirmation that they do not have any objections pursuant to section 135(1).
- 8.3.4 The Order Land does contain land which is subject to rights and interests owned by the Crown, namely by the Secretary of State for Transport and the Secretary of State for Defence. These are listed in Table 8-1 below.
- 8.3.5 Section 135(2) of the PA 2008 is engaged because the DCO includes general provisions applying to land in which there are rights benefiting the Crown, such as the proposed grant of development consent in Article 3, the authorisation of use in Article 4, the power to maintain in Article 5 and the power to survey and investigate land in Article 21. The consent of the Crown bodies to the making of the order has, therefore, been requested.
- 8.3.6 The compulsory acquisition powers in Part 5 of the DCO do not affect the Crown rights. It is not, therefore, necessary to seek consent from the Crown bodies for the interference with these rights pursuant to either Articles 31 or 32 of the DCO because the relevant Crown rights will not be interfered with by the proposed development. The Crown rights will be unaffected and will, therefore, remain exercisable.

¹⁸ This Table has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

¹⁹ Ditto

- 8.3.7 Whilst the Applicant does not consider that there is anything in the DCO which prejudicially affects a Crown right, Article 50 is included in the DCO for completeness, in case anything unforeseen arises.
- 8.3.8 The relevant Parcels are summarised in Table 8-1 below and are shown on the Special Category Land Plans and Crown Land Plans (App Doc Refs 4.5.1 and 4.5.2).
- 8.3.9 Whilst none of the land identified on the Special Category Land Plans and Crown Land Plans is owned by the Crown, a precautionary approach has been taken to note the land in which the Crown has an interest on those plans and to seek a s135 consent. The Applicant has contacted the relevant Crown bodies about the rights and restrictive covenants identified, and will take forward those discussions to gain a Section 135 (of the PA 2008) consent from the Crown.
- 8.3.10 The Applicant wrote to the relevant Crown bodies on 1 February 2023 to take forward discussions to gain a Section 135 consent from the relevant Crown entities (see Table 8-1 below). Copies of the relevant letters (excluding their enclosures) can be found at Appendix 8 of the Statement.
- 8.3.11 For the avoidance of doubt, the Applicant has not identified any Special Category Land and, as a result, and at the suggestion of the Examination Authority (see ExQ1.8.22), the title of the Special Category Land and Crown Land Plans (App Doc Ref 4.5) submitted with the Application, have been changed to Crown Land Plans .

Table 8-1: Details of Crown interests identified, the Proposed Development’s impact on them and contact with the relevant parties

Parcel numbers	How affected by the Draft DCO Order	Description of Crown interest	Owner of interest	Engagement with relevant parties ²⁰
019l; 021p; 022b;	Freehold acquisition The owner’s rights will remain and will not be affected.	Reservations in favour of the owner to facilitate the maintenance of the A14 trunk road.	SoS for Transport	<p>A s44 notice was served on the owner as part of the statutory consultation.</p> <p>The stakeholder has made contact with the Applicant and discussions about the Application are ongoing.</p> <p>The Applicant has been seeking to ascertain from National Highways whether these interests have now transferred to them from the SoS for Transport. The rights appear to have been created for the purposes of the construction and maintenance of the A14 (previously the A45) which was constructed in the 1960s. It is now operated by National Highways.</p> <p>National Highways will continue to have the benefit of protective provisions to ensure that access is maintained.</p> <p>Discussions with National Highways, in relation to both protective provisions and acquisition of rights in land are ongoing (see Appendix 4²¹).</p>

²⁰ This table has been updated since the version submitted with the Applicant’s Waterbeach Scheme Order Limits Change Application.

²¹ This Appendix has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant’s submission at Deadline 1.

Parcel numbers	How affected by the Draft DCO Order	Description of Crown interest	Owner of interest	Engagement with relevant parties ²⁰
021q; 022h	<p>Permanent access rights are being sought.</p> <p>The owner's rights will remain and will not be affected.</p>	Reservations in favour of the owner to facilitate the maintenance of the A14 trunk road.	SoS for Transport	<p>A s44 notice was served on the owner as part of the statutory consultation.</p> <p>The stakeholder has made contact with the Applicant and discussions about the Application are ongoing.</p> <p>The Applicant has been seeking to ascertain from National Highways whether these interests have now transferred to them from the SoS for Transport. The rights appear to have been created for the purposes of the construction and maintenance of the A14 (previously the A45) which was constructed in the 1960s. It is now operated by National Highways.</p> <p>National Highways will continue to have the benefit of protective provisions to ensure that access is maintained.</p> <p>Discussions with National Highways, in relation to both protective provisions and acquisition of rights in land are ongoing (see Appendix 4)²².</p>
019f; 019m; 022f	<p>Interference with private rights only.</p> <p>The owner's rights will remain and</p>	Reservations in favour of the owner to facilitate the maintenance	SoS for Transport	<p>A s44 notice was served on the owner as part of the statutory consultation.</p> <p>The stakeholder has made contact with the Applicant and discussions about the Application are ongoing.</p>

²² This Appendix has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

Parcel numbers	How affected by the Draft DCO Order	Description of Crown interest	Owner of interest	Engagement with relevant parties ²⁰
	will not be affected.	of the A14 trunk road.		<p>The Applicant has been seeking to ascertain from National Highways whether these interests have now transferred to them from the SoS for Transport. The rights appear to have been created for the purposes of the construction and maintenance of the A14 (previously the A45) which was constructed in the 1960s. It is now operated by National Highways.</p> <p>National Highways will continue to have the benefit of protective provisions to ensure that access is maintained.</p> <p>Discussions with National Highways, in relation to both protective provisions and acquisition of rights in land are ongoing (see Appendix 4)²³.</p>
071c; 072b	<p>Permanent New Rights</p> <p>The owner's rights will remain and will not be affected.</p>	Right to drain across parcels 071c and 072b.	SoS for Defence	<p>A s44 notice was served on the owner as part of the statutory consultation.</p> <p>The stakeholder has made contact with the Applicant and discussions about the Application are ongoing.</p>
073a	Interference with private rights only.	Restrictive covenants over parcel 073a.	SoS for Defence	A s44 notice was served on the owner as part of the statutory consultation.

²³ This Appendix has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

Parcel numbers	How affected by the Draft DCO Order	Description of Crown interest	Owner of interest	Engagement with relevant parties ²⁰
	The owner's rights will remain and will not be affected.			The stakeholder has made contact with the Applicant and discussions about the Application are ongoing.

Source: The Applicant

9 Other Consents

9.1 Introduction

9.1.1 The Order will grant consent for the construction, operation and maintenance of the Proposed Development, however, there are a number of additional consents and licences that may be required from bodies such as Natural England and the Environment Agency.

9.1.2 These additional consents and licences are listed in the Consents and Other Permits Register (App Doc Ref 7.1) accompanying the Application.

9.1.3 The additional consents and licences include:

- European Protected Species licences under the Conservation of Habitats and Species Regulations 2017; and
- Environmental permits under the Environmental Permitting (England & Wales) Regulations 2016.

9.1.4 The Applicant is not aware of any reason why the other consents and licences listed in the Consents and Other Permits Register (App Doc Ref 7.1) accompanying the Application will not be granted.

10 Further information

10.1 Compensation for land acquisition claims

10.1.1 Provision is made by statute with regard to compensation for the compulsory acquisition of land and rights over land and the depreciation in value of land.

10.1.2 A guide to Compulsory Purchase and Conformation is available on the website for the CWWTPRP:

https://cwwtpr.com/wp-content/uploads/2022/09/220825_Anglian-Water-Compensation-Leaflet.-V1.pdf.

This was provided to help landowners with any questions they may have about the compulsory purchase process.

10.1.3 Information is also available in the series of booklets published by the Department of Levelling Up, Housing and Communities entitled “Compulsory Purchase and Compensation,” and these are listed below.

Compulsory purchase and compensation: guide 1 - procedure

<https://www.gov.uk/guidance/compulsory-purchase-and-compensationguide-1-procedure>

Compulsory purchase and compensation: guide 2 - compensation to business owners and occupiers

<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-2-compensation-to-business-owners-and-occupiers>

Compulsory purchase and compensation: guide 3 - compensation to agricultural owners and occupiers

<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-3-compensation-to-agricultural-owners-and-occupiers>

Compulsory purchase and compensation: guide 4 - compensation to residential owners and occupiers

<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-4-compensation-to-residential-owners-and-occupiers>

10.1.4 The Applicant's land team are available to discuss any aspect of the acquisition of land and rights. They can be contacted using the following.

- Email: cwwtpr@savills.com
- Telephone: 0800 196 1661
- Postal address: FREEPOST – CWWTPR – LAND

11 Conclusion

11.1.1 This Statement demonstrates that the inclusion of compulsory acquisition powers within the Order meets the requirements of Section 122 of the PA 2008 and the Compulsory Acquisition Guidance.

11.1.2 This Statement and its appendices explain all of the Order Land, including the proposed new rights and restrictive covenants over the Order Land, are required for the purposes of the Proposed Development, to facilitate the Proposed Development, or are incidental to, the Proposed Development. All of the land subject to compulsory acquisition and temporary possession powers is necessary to construct, operate, protect, and maintain the Proposed Development. The extent of land within the Order Limits is reasonable and proportionate, and is no more than is reasonably necessary.

11.1.3 Furthermore, there is a compelling case in the public interest for the land and rights/restrictions over the land to be acquired given the positive benefits that the development will generate.

11.1.4 In addition:

- reasonable alternatives to compulsory acquisition have been explored;
- it has been demonstrated that the interference with rights is for a legitimate purpose, is necessary and is proportionate;
- the Applicant has demonstrated it has a clear idea how it intends to use the land (or rights/restrictions over land);
- an explanation has been provided as to how it is expected that the construction of the Proposed Development and the acquisition of the land or rights over the land will be funded, as well as compensation arising from the exercise of powers of compulsory acquisition, which demonstrates that there is a reasonable prospect of the requisite funds being available;
- subject to the making of the Order, there are no known impediments to the delivery of the Proposed Development;
- negotiations have been undertaken with owners, lessees, occupiers and other persons with an interest in land who are affected by the Order. These negotiations are ongoing and will be progressed in parallel with the process for examining the Order; and
- Article 1 of the First Protocol to the ECHR and Articles 6 and 8 of the ECHR have been considered, and the outputs and benefits which will be realised by the CWWTPR will outweigh the private loss that would be suffered by those whose land and/or interests are to be subject to compulsory acquisition.

- 11.1.5 Confirmation of the compulsory acquisition powers in the Order is necessary to ensure the Proposed Development can be delivered within a reasonable timescale. Without compulsory acquisition powers, the Order Land could not be assembled and the Proposed Development would not proceed. It is therefore submitted that the Order be made and any compulsory acquisition powers and powers of temporary possession sought within the Order be granted.

Appendix 1: Diligent Inquiry methodology

Introduction

- 1.1.1 The PA 2008 requires the Applicant to identify individuals in one or more of the categories set out in Section 44 for the purposes of consultation and notification under Section 42. This includes undertaking “diligent inquiry” to identify parties with an interest in land within Categories 1, 2 and 3, which are defined below.
- Category 1 includes owners, lessees, tenants (whatever the tenancy period) or occupiers of the land within Order Limits;
 - Category 2 includes parties that have an interest in the land or who have the power to sell, convey or release the land within Order limits; and
 - Category 3 includes parties that that the Applicant thinks that, if the order sought by the application were made and fully implemented, the person would or might be entitled to make a relevant claim for compensation under Section 10 of the Compulsory Purchase Act 1965 and/or Part 1 of the Land Compensation Act 1973 and/or Section 152(3) of the Act.
- 1.1.2 The land management team have undertaken diligent inquiry to identify individuals in the categories set out in Section 44 of the PA 2008. Land referencing has been undertaken throughout the pre-application period to capture the relevant land ownership details. The land referencing process included updating the land ownership information at various points during the pre-application period to ensure any changes in ownership or new interests have been identified. The results of this process for the purposes of the submission of the DCO Application are set out in the Book of Reference (document reference 3.3).
- 1.1.3 Consultation and engagement with landowners and occupiers has been ongoing throughout the pre-application phase of the Proposed Development. This included the liaison to allow both non-intrusive and intrusive surveys to be carried out from March 2020 to the submission of the Application. This process was also used to check land ownership and occupation details with land owners and occupiers. This information was captured by the land management team, who were appointed to arrange access for the surveys, and stored the information in its land referencing database.
- 1.1.4 The diligent inquiry process set out below was followed to identify persons with an interest in land for all stages of consultation and informal engagement and to prepare the Book of Reference (App Doc Ref 3.3).

Non-contact referencing

- 1.1.5 Land owners and other parties with interests relevant to the Categories defined in section 44 of the PA 2008 were identified through title searches at the Land Registry. Land Registry data was received in the form of a digital shape file (a GIS layer) and

digital copies of the Official Copy Registers and Title Plans were obtained and reviewed.

- 1.1.6 All relevant freehold and leasehold title information, together with the beneficiaries of relevant mortgages, charges, private rights, easements, and restrictive covenants were identified within the Order Limits and stored in the land management team's land referencing database.
- 1.1.7 Updates of this data were requested from Land Registry on a regular basis, ready for key milestones such as phases of consultation. In particular, this was carried out prior to the Section 42 consultation (Phase 3 consultation), which ran from 24 February 2022 to 27 April 2022, and again before the Targeted Consultation which ran from 15 July 2022 to 15 August 2022. In addition, Land Registry updates were obtained prior to the submission of the Application in April 2023 and again prior to Deadline 1 (20 November 2023).
- 1.1.8 During November 2022, the Applicant became aware of additional parties who fall within the categories identified under s44 of the PA 2008. As a result, a s44 notice was serviced on those parties on 25th November 2022. Details of those parties can be found in Section 44 Consultees (App Doc Ref 6.1.30).
- 1.1.9 In addition to the capture of data from the Land Registry, desktop activities were undertaken to confirm, verify and further investigate interests in land. For example, Companies House searches were undertaken to ensure registered companies' details were verified and the registered offices address were appropriate for the service of notices and other correspondence.
- 1.1.10 Online data sources were also used to identify potential occupiers and interests. TracIQ was used to locate, where possible, individuals who, as a result of the various land referencing processes, were identified as not being at the address on the registered title held by the Land Registry or, in the case of corporate entities, Companies House.
- 1.1.11 Entries of "the Owner" within Part Two of the Book of Reference (App Doc Ref 3.3) resulted from the Land Registry title for the property showing a different address for the owner compared with the address of the relevant property. The online data sources described above were used to try to find a new address for the relevant people, but this did not always find a result. The Applicant is aware that property owners do not always update their details held by the Land Registry, and so a precautionary approach was taken by also sending s44 and s56 notices to the relevant property addressed to "the Owner" as well as to the address held by the Land Registry. In doing so, the Applicant has satisfied the requirement of diligent inquiry.
- 1.1.12 Where occupiers were unconfirmed, "The Occupier" entry for that address was added to the database to ensure the relevant owner of the property was contacted.

Contact referencing

- 1.1.13 In addition to the desktop referencing detailed above, in February 2022 land ownership information verification letters were sent to all persons and entities contained within the land referencing database, asking the recipients to confirm if the information held was correct. The recipients included the Category 3 interests, who were identified as having a relevant interest in the properties identified as a result of the Identification of Category 3 Parties, as set out in Appendix 5 of this Statement.
- 1.1.14 If it was found necessary, further contact was made by Savills with all identified potentially affected parties to confirm and fully understand their interests as they became known to the land referencing team, including changes to the information.
- 1.1.15 Statutory utilities searches of the project's area were carried out at various times from 2020. The results of these were used to determine the likely land interests of the utilities providers. Information gathered by the Design Team was also used to cross check the utilities search information. Site visits and follow up enquiries were undertaken to capture any further information available, and to ensure its accuracy.
- 1.1.16 In the case of unregistered land, where information could not be obtained from the Land Registry and other referencing sources, site notices were placed on or adjacent to the land, inviting persons with an interest in the land to make contact with the Applicant. Site notices were checked and replaced if necessary.

Use of the results of the diligent inquiries

- 1.1.17 The combination of the above land referencing activities produced a list of interests for the Section 42 consultation under the 2008 Act, which commenced on 24th February 2022. As any new interests were identified they were included in the subsequent targeted Section 42 consultation in July 2022.
- 1.1.18 There are certain plots identified in the Book of Reference (App Doc Ref 4.3) where it has not been possible to identify ownership. The statement "Unknown" is given in the Book of Reference when diligent inquiry has been exhausted and it has still not been possible to provide details.
- 1.1.19 The most recent update of the Book of Reference in respect of the interests within the Order Land was undertaken in early November 2023 in preparation for the submission of the Book of Reference at Deadline 1²⁴.

²⁴ See the introduction of the Book of Reference included in the Applicant's submission at Deadline 1.

Appendix 2: Summary of current status of negotiations with landowners

Introduction

- 1.1.1 All land owners and occupiers (where identified) within the Order Limits have been contacted by Savills, the Applicant's land team. Many owners and occupiers of land within the Order Limits have been contacted on a regular basis to make access arrangements for surveys (see Appendix 1). As a result, the Applicant has maintained a regular dialogue with these landowners and occupiers since 2020.
- 1.1.2 The Applicant has also been in contact with various landowners and occupiers as a result of the Phases of consultation, including public events as part of Consultation Phase 3, as detailed in the Consultation Report (App Doc Ref 6.1). As a result, landowners and occupiers were given the opportunity to express their views about the CWWTPRP, and discuss those with the Applicant. Some of those discussions led, where possible, to changes to parts of the design. Further details can be found in the Consultation Report (App Doc Ref 6.1).

Offers to take options to acquire

- 1.1.3 During the first half of 2022, land owners were informed by the Applicant's land team that an offer to acquire the necessary land and rights from them, by agreement, would be sent to them for discussion. Those offers were sent to the land owners in August 2022. ~~Table A2-1~~²⁵ provides a summary of the latest progress on the discussions with landowners and, where appointed, their agents.

²⁵ This Table has been superseded by the Compulsory Acquisition Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

Table A2-1: Summary of negotiations with landowners²⁶

Parcel numbers	Landowner	Status of negotiations
056a; 056b; 056c; 056d; 057a; 061a	Alan Shipp	An offer letter dated 11 th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development. Revised Heads of terms were sent to the landowner's agent in early April 2023. The Applicant is awaiting feedback on the revised heads of terms.
062a; 063a	Andrew Michael Sikyta	As offer letter dated 11 th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.
009a; 011a; 012a; 012b; 012c; 012d; 012e; 012f; 012g; 012h; 012i; 012j; 012k; 012l; 012m	Cambridge City Council	An offer letter dated on 27 th July 2022 was sent to the landowner. Discussions with appointed agents are at an advanced stage in respect of heads of terms for an option to acquire the necessary land and rights for the Proposed Development.
039a; 039b; 039c; 041a	Cambridgeshire County Council	An offer letter dated 10 th October 2022 was sent to the landowner. Discussions have not progressed yet due to lack of engagement from the County Council.
014a	Eastern Power Networks PLC (UKPN)	An offer letter dated 11 th August 2022 was sent to the landowner. Discussions with UKPN (owner of Eastern Power Networks PLC) for the acquisition of a small parcel of land are being taken forward alongside agreeing protective provisions (see Appendix 4).
032a; 032b; 032c; 032d; 032e; 032f; 033a	Ellen Francis	An offer letter dated 5 th August 2022 was sent to the landowner. Discussions with the appointed agent are progressing.

²⁶ This Table has been superseded by the Compulsory Acquisition Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

Parcel numbers	Landowner	Status of negotiations
054a; 054b; 054c; 055a; 055b; 055c	Emma Louise Fuller	An offer letter dated 11 th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.
052a; 052b	Environment Agency	An offer letter dated 12 th August 2022 was sent to the landowner. Discussions for the acquisition of a number of small parcels of land are at an advanced stage, and are being taken forward in parallel with agreeing protective provisions (see Appendix 4).
R107 and G110	Roger James Nichols trading as EJ and R Nichols	An offer letter dated 12 th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.
046a; 046b; 046c; 046d; 047a; 047b; 047c; 047d; 047e; 049a	H Gingell Limited	An offer letter dated on 11 th August 2022 was sent to the landowner. Discussions with appointed agents are well advanced, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.
054a; 054b; 054c; 055a; 055b; 055c	Jane Victoria Smith	An offer letter dated 11 th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.
069a; 069b; 069c; 070a; 070b; 070c; 070d; 070e; 070f	Jonathan Sanders as Trustee of The Waterbeach Trust	An offer letter dated 11 th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.
035a; 035b; 037a; 037b; 037c; 038a; 038b; 038c; 038d; 042a; 042b; 042c; 042d; 042f	Julian Francis	Significant engagement has taken place with Mr Francis' agent since 2020, covering accessing Mr Francis' land to carry out surveys, discussing his responses to Phases of Consultation (see the

Parcel numbers	Landowner	Status of negotiations
		<p>Consultation Report (App Doc Ref 6.1)) and negotiations for the grant of an option to acquire the land and rights required from him for the Proposed Development.</p> <p>Those negotiations have been held with Mr Francis' agent since August 2022, when an offer to acquire the land and rights was made by the Applicant. Mr Francis owns approximately 75% of the site of the proposed WWTP, in addition to other land within the Order Limits.</p> <p>Heads of terms for the Applicant to be granted an option to acquire the necessary land and rights have been agreed, and solicitors have been instructed to draft and issue the relevant contract.</p>
064a	Julie Millard	<p>An offer letter dated 12th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.</p>
069a; 069b; 069c; 070a; 070b; 070c; 070d; 070e; 070f	Trustees of The Waterbeach Trust	<p>An offer letter dated 11th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.</p>
054a; 054b; 054c; 055a; 055b; 055c	Mark James Hance	<p>An offer letter dated 12th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.</p>
022a; 022b; 022c; 022d; 022e; 022f; 022g; 022h; 022i; 022j; 022k; 022l; 022m; 023a; 024a;	National Highways Limited	<p>An offer letter dated 13th October 2022 was sent to the landowner. Discussions for the acquisition of subsoil are being taken forward alongside discussions for protective provisions (see Appendix 4).</p>

Parcel numbers	Landowner	Status of negotiations
024b; 024c; 024d; 025a; 025b; 027a; 027b; 027c; 027d; 027e; 027f; 034a; 034b; 034c; 034d; 034e; 034f; 034g	Network Rail	An offer letter dated 11 th August 2022 was sent to the landowner. Discussions about the acquisition of the necessary land and rights for the Proposed Development are being taken forward alongside discussions for protective provisions (see Appendix 4).
008a; 008b; 008c; 008d; 008e; 008f; 008g; 074a; 074b; 074c	Pauline Ivy Fison	An offer letter dated 11 th August 2022 was sent to the landowner. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development. Those discussions have included maintaining access for business occupiers.
044a; 044b; 044c; 044d; 044e; 044f; 044g; 044h	Raymond Ernest Smith and Caroline Jane Stenner	Following extensive discussions during 2022 with the landowners regarding the location of Shaft 4 (see section 5.3. above) regarding the alignment of the Waste Water Transfer Tunnel, an offer letter dated 23 rd September 2022 was sent by the Applicant to the landowners for the grant of an option to acquire the necessary subsoil for the Waste Water Transfer Tunnel and grant of an easement for the Waterbeach Pipelines. Discussions are ongoing at the time of submission of the Application.
044a; 044b; 044c; 044d; 044e; 044f; 044g; 044h	Robert Matheson Fison	An offer letter dated 11 th August 2022 was sent to the landowners. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development. Those discussions have included maintaining access for business occupiers.

Parcel numbers	Landowner	Status of negotiations
060a; 060b; 060c; 060d; 066a	Roger James Nichols	An offer letter dated 11 th August 2022 was sent to the landowners. Discussions with appointed agents are ongoing, with the aim of agreeing heads of terms for an option to acquire the necessary land and rights for the Proposed Development.
018a; 018b; 018c; 018d; 018e; 018f	The Conservators of the river Cam	An offer letter dated 11 th August 2022 was sent to the landowners. Discussions for the necessary land and rights for the Proposed Development are being taken forward alongside discussions for protective provisions. The Applicant sent revised heads of terms to the Conservators in March 2023 and is awaiting comments.
021a; 021b; 021c; 021d; 021e; 021f; 021g; 021h; 021i; 021j;	The Master and Fellows of Gonville and Caius College in the University of Cambridge founded in honour of the annunciation of blessed Mary the Virgin	<p>The Applicant briefed the landowner at each Phase of Consultation. The Applicant's land team had regular contact with the landowner's agent regarding access for surveys between 2020 and 2022.</p> <p>An offer letter was sent to the landowner on 5th August 2022 for an option to acquire the subsoil for the Waste Water Transfer Tunnel, freehold, land for Shafts 4 and 5, the grant of an easement for the Waterbeach Pipelines, rights of access to a number to locations and the temporary occupation of some areas of the landowner's land.</p> <p>Discussions with the landowner's agent during September 2022 included the provision of further detail regarding the land and rights to be acquired. Further discussions were held in November and December 2022. As at the date of submission the Application, discussions are progressing with the landowner's agent.</p>
036a; 036b; 036c; 036d	The Master, Fellows and Scholars of the College of	Negotiations have taken place with landowner and its appointed agent, resulting in the agreement of heads of terms for an option to acquire the necessary land and rights and, as at the submission of

Parcel numbers	Landowner	Status of negotiations
	Saint John the Evangelist in the University of Cambridge	the Application, solicitors are instructed to prepare the necessary option agreement.
015a; 015b; 015c; 015d; 015e; 015f; 015g	U+I (Development and Trading) Limited	An offer letter dated 27th July 2022 was sent to the landowner. Discussions with appointed agents are well advanced for heads of terms for an option to acquire the necessary land and rights for the Proposed Development.

Source: The Applicant

Appendix 3: List of land parcel numbers, type of land acquisition, Work Number and descriptor

Table A3-1: List of land parcel numbers, type of acquisitions, Work Numbers and descriptor

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
001a	Permanent New Rights and/or Restrictive Covenants (Rising and Gravity Main Diversion Rights)	17 – RISING AND GRAVITY MAIN DIVERSIONS
001b	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
001c	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
002a	Permanent New Rights and/or Restrictive Covenants (Decommissioning Works Rights)	40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
002b	Permanent New Rights and/or Restrictive Covenants (Decommissioning Works Rights)	40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
002c	Permanent New Rights and/or Restrictive Covenants (Decommissioning Works Rights)	40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
003a	Freehold acquisition	25 – TEMPORARY WORKING AREA COMPOUND; 26 – DIVERSION OF RIVERSIDE TUNNEL; 36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
003b	Freehold acquisition	25 – TEMPORARY WORKING AREA COMPOUND; 26 – DIVERSION OF RIVERSIDE TUNNEL; 36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
003c	Freehold acquisition	25 – TEMPORARY WORKING AREA COMPOUND; 26 – DIVERSION OF RIVERSIDE TUNNEL; 36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
003d	Permanent New Rights and/or Restrictive Covenants (Decommissioning Works Rights)	40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
003e	Permanent New Rights and/or Restrictive Covenants (Decommissioning Works Rights)	40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
004a	Permanent New Rights and/or Restrictive Covenants (Rising and Gravity Main Diversion Rights; Decommissioning Works Rights)	17 – RISING AND GRAVITY MAIN DIVERSIONS 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
004b	Permanent New Rights and/or Restrictive Covenants (Rising and Gravity Main Diversion Rights; Decommissioning Works Rights)	17 – RISING AND GRAVITY MAIN DIVERSIONS 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
004c	Permanent New Rights and/or Restrictive Covenants (Rising and Gravity Main Diversion Rights; Decommissioning Works Rights)	17 – RISING AND GRAVITY MAIN DIVERSIONS 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
004d	Permanent New Rights and/or Restrictive Covenants (Rising and Gravity Main Diversion Rights; Decommissioning Works Rights)	17 – RISING AND GRAVITY MAIN DIVERSIONS 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
005a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant and Decommissioning Works Rights	27 – TRANSFER TUNNEL 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
005b	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant; Decommissioning Works Rights Waterbeach Pipeline Rights; and Waterbeach Pipeline Restrictive Covenant	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
005c	Interference with Private Rights only	17 – RISING AND GRAVITY MAIN DIVERSIONS; 18 – INTERCEPTION SHAFT; 25 – TEMPORARY WORKING AREA COMPOUND; 26 – DIVERSION OF RIVERSIDE TUNNEL; 27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
005d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Decommissioning Works Rights)	36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
005e	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Decommissioning Works Rights)	36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
005f	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Decommissioning Works Rights)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
005g	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Decommissioning Works Rights)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
005h	Temporary possession	30 – NETWORK RAIL MONITORING WORKS 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
005i	Temporary possession	30 – NETWORK RAIL MONITORING WORKS 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
005j	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Decommissioning Works Rights)	27 – TRANSFER TUNNEL; 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
006a	Freehold acquisition	17 – RISING AND GRAVITY MAIN DIVERSIONS; 18 – INTERCEPTION SHAFT; 25 – TEMPORARY WORKING AREA COMPOUND; 26 – DIVERSION OF RIVERSIDE TUNNEL 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
006b	Permanent New Rights and/or Restrictive Covenants (Decommissioning Works Rights)	40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
006c	Permanent New Rights and/or Restrictive Covenants (Rising and Gravity Main Diversion Rights; Decommissioning Works Rights)	17 – RISING AND GRAVITY MAIN DIVERSIONS 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
007a	Freehold acquisition	SCHEDULE 1 FURTHER WORKS
008a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights and Waterbeach Pipeline Restrictive Covenant	27 – TRANSFER TUNNEL; 30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH
008b	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	27 – TRANSFER TUNNEL; 30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH
008c	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH
008d	Temporary possession	30 – NETWORK RAIL MONITORING WORKS
008e	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	27 – TRANSFER TUNNEL; 30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
008f	Temporary possession	30 – NETWORK RAIL MONITORING WORKS
008g	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH
009a	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Decommissioning Works Rights)	27 – TRANSFER TUNNEL; 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
010a	Permanent New Rights and/or Restrictive Covenants Transfer (Tunnel Restrictive Covenant; Decommissioning Works Rights)	27 – TRANSFER TUNNEL; 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
011a	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Decommissioning Works Rights)	27 – TRANSFER TUNNEL; 40 – DECOMMISSIONING EXISTING CAMBRIDGE WASTE WATER TREATMENT WORKS
012a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; and Waterbeach Pipeline Permanent Access Rights	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
012b	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH
012c	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH; WASTE WATER TREATMENT PLANT ²⁷
012d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
012e	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH

²⁷ Note: the Applicant has not repeated all of the works numbers which comprise the WWTP here or in other parcels for which the Waste Water Treatment Plant Permanent Access Rights are required.

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
012f	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
012g	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
012h	Temporary possession	30 – NETWORK RAIL MONITORING WORKS
012i	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH; WASTE WATER TREATMENT PLANT ²⁸
012j	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights; Waterbeach Pipeline Permanent Access Rights)	30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH; WASTE WATER TREATMENT PLANT

²⁸ Note: the Applicant has not repeated all of the works numbers which comprise the proposed WWTP here or in other parcels for which the Waste Water Treatment Plant Permanent Access Rights are required.

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
012k	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waste Water Treatment Plant Permanent Access Rights)	27 – TRANSFER TUNNEL; 30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH; WASTE WATER TREATMENT PLANT
012l	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waste Water Treatment Plant Permanent Access Rights)	27 – TRANSFER TUNNEL; 30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH; WASTE WATER TREATMENT PLANT
012m	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waste Water Treatment Plant Permanent Access Rights	27 – TRANSFER TUNNEL; 30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH; WASTE WATER TREATMENT PLANT
013a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL
013b	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
013c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL;
013d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
013e	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
013f	Interference with Private Rights only	30 – NETWORK RAIL MONITORING WORKS
013g	Interference with Private Rights only	30 – NETWORK RAIL MONITORING WORKS
013h	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
013i	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL
013j	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH
013k	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
013l	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
014a	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights Waterbeach Pipeline Permanent Access Rights)	30 – NETWORK RAIL MONITORING WORKS; 36 – WATERBEACH PIPELINE SOUTH; WASTE WATER TREATMENT PLANT
015a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL
015b	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH
015c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
015d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
015e	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
015f	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
015g	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
016a	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
017a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL
017b	Permanent New Rights and/or Restrictive Covenants; (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
017c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
017d	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
017e	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
018a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
018b	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
018c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
018d	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
018e	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
018f	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
018g	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
018h	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
019a ²⁹	Freehold acquisition	31 – FINAL EFFLUENT AND STORM PIPELINE; 32 – OUTFALL
019b	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL
019c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL

²⁹ This parcel has been reduced in size, as shown on Sheet 2 of the Land Plans included in the Applicant’s submission at Deadline 1.

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
019d	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
019e	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
019f	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
019g	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
019h	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
019i	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
019j	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
019k	Permanent New Rights and/or Restrictive Covenants (River Cam Rights and River Cam Restrictive Covenant)	31 – FINAL EFFLUENT AND STORM PIPELINE; 32 – OUTFALL
019l	Permanent New Rights and/or Restrictive Covenants (River Cam Rights and River Cam Restrictive Covenant)	31 – FINAL EFFLUENT AND STORM PIPELINE; 32 – OUTFALL
019m	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
019n	Permanent New Rights and/or Restrictive Covenants (River Cam Rights and River Cam Restrictive Covenant)	31 – FINAL EFFLUENT AND STORM PIPELINE; 32 – OUTFALL

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
020a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL
020b	Permanent New Rights and/or Restrictive (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
020c	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
020d	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
021a	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights; Waterbeach Pipeline Permanent Access Rights)	29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD) 36 – WATERBEACH PIPELINE SOUTH; WASTE WATER TREATMENT PLANT
021b	Freehold acquisition	31 – FINAL EFFLUENT AND STORM PIPELINE; 32 – OUTFALL; 39 – ECOLOGICAL MITIGATION AREA
021c	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD)

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
021d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD); 36 – WATERBEACH PIPELINE SOUTH
021e	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD)
021f	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD)
021g	Temporary possession	28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD)
021h	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD)

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
021i	Temporary possession	28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD); 34 – WATERBEACH PIPELINE CONSTRUCTION AREA AND COMPOUNDS
021j	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS 36 – WATERBEACH PIPELINE SOUTH
021k	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL
021l	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS 36 WATERBEACH PIPELINE SOUTH
021m	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	27 – TRANSFER TUNNEL 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS 36 – WATERBEACH PIPELINE SOUTH
021n	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
021o	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waste Water Treatment Plant Permanent Access Rights; Waterbeach Pipeline Permanent Access Rights)	27 – TRANSFER TUNNEL 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD) WASTE WATER TREATMENT PLANT 36 – WATERBEACH PIPELINE SOUTH
021p	Freehold acquisition	31 – FINAL EFFLUENT AND STORM PIPELINE; 32 – OUTFALL
021q	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights)	WASTE WATER TREATMENT PLANT
021r	Freehold acquisition	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS
021s	Freehold acquisition	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS
021t	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS
021u	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD)

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
021v	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights)	28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD) WASTE WATER TREATMENT PLANT
021w	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waste Water Treatment Plant Permanent Access Rights)	27 – TRANSFER TUNNEL 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD) WASTE WATER TREATMENT PLANT
022a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	01 – HIGHWAYS WORKS; 27 – TRANSFER TUNNEL
022b	Freehold acquisition	31 – FINAL EFFLUENT AND STORM PIPELINE; 32 – OUTFALL; 39 – ECOLOGICAL MITIGATION AREA
022c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	01 – HIGHWAYS WORKS 27 – TRANSFER TUNNEL
022d	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	01 – HIGHWAYS WORKS 27 – TRANSFER TUNNEL

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
022e	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD); 36 – WATERBEACH PIPELINE SOUTH
022f	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
022g	Interference with Private Rights only	SCHEDULE 1 FURTHER WORKS
022h	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights)	WASTE WATER TREATMENT PLANT
022i	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights; Waterbeach Pipeline Permanent Access Rights)	WASTE WATER TREATMENT PLANT 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD)
022j	Interference with Private Rights only	01 – HIGHWAYS WORKS
022k	Interference with Private Rights only	01 – HIGHWAYS WORKS
022l	Temporary possession	01 – HIGHWAYS WORKS
022m	Temporary possession	01 – HIGHWAYS WORKS
022n	Temporary possession	01 – HIGHWAYS WORKS
022o	Temporary possession	01 – HIGHWAYS WORKS
023a	Interference with Private Rights only	01 – HIGHWAYS WORKS
024a	Temporary possession	01 – HIGHWAYS WORKS
024b	Temporary possession	01 – HIGHWAYS WORKS
024c	Number not used	-
024d	Interference with Private Rights only	01 – HIGHWAYS WORKS
025a	Interference with Private Rights only	01 – HIGHWAYS WORKS
025b	Interference with Private Rights only	01 – HIGHWAYS WORKS

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
026a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	36 – WATERBEACH PIPELINE SOUTH
027a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH
027b	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	27 – TRANSFER TUNNEL 36 – WATERBEACH PIPELINE SOUTH
027c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL
027d	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	27 – TRANSFER TUNNEL 36 – WATERBEACH PIPELINE SOUTH
027e	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
027f	Interference with Private Rights only	01 – HIGHWAYS WORKS

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
028a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD); 36 – WATERBEACH PIPELINE SOUTH
028b	Interference with Private Rights only	01 – HIGHWAYS WORKS
029a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	36 – WATERBEACH PIPELINE SOUTH
030a	Temporary possession	01 – HIGHWAYS WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS; 24 – LANDSCAPING AND ECOLOGICAL TEMPORARY WORK AREA; 37 – ACCESS WORKS FOR WORKS NO’S 33 & 34
031a	Temporary possession	23 – LANDSCAPING AND ECOLOGICAL WORKS
031b	Temporary possession	22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS; 37 – ACCESS WORKS FOR WORKS NO’S 33 & 34
031c	Temporary possession	01 – HIGHWAYS WORKS; 21 – TEMPORARY SITE ESTABLISHMENT; 22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS; 37 – ACCESS WORKS FOR WORKS NO’S 33 & 34

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
031d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS; 33 – WATERBEACH PIPELINE NORTH; 37 – ACCESS WORKS FOR WORKS NO’S 33 & 34
032a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH
032b	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH
032c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL;
032d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	36 – WATERBEACH PIPELINE SOUTH

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
032e	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant; Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	27 – TRANSFER TUNNEL; 36 – WATERBEACH PIPELINE SOUTH
032f	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH
033a	Freehold acquisition	38 – NEW BRIDLEWAY
034a	Freehold Acquisition of Subsoil Plus Transfer Tunnel Restrictive Covenant	27 – TRANSFER TUNNEL
034b	Temporary possession	01 – HIGHWAYS WORKS; 21 – TEMPORARY SITE ESTABLISHMENT; 22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS; 37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
034c	Permanent New Rights and/or Restrictive Covenants (Transfer Tunnel Restrictive Covenant)	27 – TRANSFER TUNNEL;
034d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	36 – WATERBEACH PIPELINE SOUTH

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
034e	Permanent New Rights and/or Restrictive Covenants (Final Effluent and Storm Pipeline Rights; Final Effluent and Storm Pipeline Restrictive Covenant)	01 – HIGHWAYS WORKS; 21 – TEMPORARY SITE ESTABLISHMENT; 22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS; 31 – FINAL EFFLUENT AND STORM PIPELINE
034f	Interference with Private Rights only	01 – HIGHWAYS WORKS
034g	Temporary possession	01 – HIGHWAYS WORKS; 21 – TEMPORARY SITE ESTABLISHMENT; 22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS
034h	Interference with Private Rights only	01 – HIGHWAYS WORKS
035a	Freehold acquisition	38 – NEW BRIDLEWAY
036a	Freehold acquisition	08 – SLUDGE TREATMENT CENTRE; 10 – SECONDARY TREATMENT MEMBRANE AERATED BIOFILM REACTOR (MABR); 14 – STORMWATER MANAGEMENT; 15 – PROPOSED WASTE WATER TREATMENT PLANT LANDSCAPE BUND AND PHOTOVOLTAIC (PV); 22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS
036b	Freehold acquisition	23 – LANDSCAPING AND ECOLOGICAL WORKS

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
036c	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH
036d	Temporary possession	34 – WATERBEACH PIPELINE CONSTRUCTION AREA AND COMPOUNDS
036e	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waste Water Treatment Plant Permanent Access Rights)	24 – LANDSCAPING AND ECOLOGICAL TEMPORARY WORK AREA; 33 – WATERBEACH PIPELINE NORTH; WASTE WATER TREATMENT PLANT
036f	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights)	24 – LANDSCAPING AND ECOLOGICAL TEMPORARY WORK AREA WASTE WATER TREATMENT PLANT
037a	Freehold acquisition	23 – LANDSCAPING AND ECOLOGICAL WORKS
037b	Freehold acquisition	23 – LANDSCAPING AND ECOLOGICAL WORKS
037c	Freehold acquisition	38 – NEW BRIDLEWAY
037d	Freehold acquisition	38 – NEW BRIDLEWAY
038a	Freehold acquisition	01 – HIGHWAYS WORKS; 02 – PROPOSED WASTE WATER TREATMENT PLANT ACCESS; 03 – PUBLIC/VISITOR PARKING; 04 – INLET WORKS AND PRELIMINARY TREATMENT; 05 – ELECTRICAL SUPPLY AND POWER GENERATION; 06 – PRIMARY TREATMENT AND CHEMICAL DOSING; 07 – WORKSHOP AND PARKING; 08 – SLUDGE TREATMENT CENTRE;

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
		09 – GAS TO GRID OR COMBINED HEAT & POWER (CHP); 10 – SECONDARY TREATMENT MEMBRANE AERATED BIOFILM REACTOR (MABR); 11 – SECONDARY TREATMENT (SETTLEMENT); 12– Final Effluent Chamber; 13 – TERTIARY TREATMENT; 14 – STORMWATER MANAGEMENT; 15 – PROPOSED WASTE WATER TREATMENT PLANT LANDSCAPE BUND AND PHOTOVOLTAIC (PV); 16 – TERMINAL PUMPING STATION; 17 – RISING AND GRAVITY MAIN DIVERSIONS; 18 – INTERCEPTION SHAFT; 19 – GATEWAY BUILDING; 20 – TEMPORARY COMPOUND AREA; 21 – TEMPORARY SITE ESTABLISHMENT; 22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS; 27 – TRANSFER TUNNEL; 28 – TRANSFER TUNNEL TEMPORARY CONSTRUCTION AREA COMPOUNDS; 29 – TEMPORARY ACCESS WORKS FOR NO’S 28, 34 & 36 (WEST OF HORNINGSEA ROAD); 31 – FINAL EFFLUENT AND STORM PIPELINE; 33 – WATERBEACH PIPELINE NORTH; 35 – WATERBEACH PIPELINE SPUR; 36 – WATERBEACH PIPELINE SOUTH;

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
		37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
038b	Freehold acquisition	23 – LANDSCAPING AND ECOLOGICAL WORKS
038c	Permanent New Rights and/or Restrictive Covenants (Final Effluent and Storm Pipeline Rights Final Effluent and Storm Pipeline Restrictive Covenant)	31 – FINAL EFFLUENT AND STORM PIPELINE
038d	Permanent New Rights and/or Restrictive Covenants (Waste Water Treatment Plant Permanent Access Rights)	24 – LANDSCAPING AND ECOLOGICAL TEMPORARY WORK AREA; WASTE WATER TREATMENT PLANT
038e	Temporary possession	01 – HIGHWAYS WORKS; 21 – TEMPORARY SITE ESTABLISHMENT; 22 – PROPOSED WASTE WATER TREATMENT PLANT CONSTRUCTION WORKS; 23 – LANDSCAPING AND ECOLOGICAL WORKS; 37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
039a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH
039b	Temporary possession	34 – WATERBEACH PIPELINE CONSTRUCTION AREA AND COMPOUNDS
039c	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH
040a	Interference with Private Rights only	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
041a	Interference with Private Rights only	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
042a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
042b	Temporary possession	34 – WATERBEACH PIPELINE CONSTRUCTION AREA AND COMPOUNDS
042c	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
042d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH
042e	Number not used	-
042f	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
043a	Number not used	-
044a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
044b	Temporary possession	34 – WATERBEACH PIPELINE CONSTRUCTION AREA AND COMPOUNDS
044c	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
044d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH 37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
045a	Interference with Private Rights only	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
046a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH
046b	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
046c	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
046d	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
047a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH
047b	Interference with Private Rights only	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
047c	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
047d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH
047e	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
048a	Interference with Private Rights only	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
049a	Interference with Private Rights only	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
050a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
051a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
052a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
053a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
054a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
055a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
056a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
056b	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
056c	Number not used	-

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
056d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH 37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
057a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
058a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
058b	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
058c	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
058d	Number not used	-
058e	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Permanent Drainage Rights)	33 – WATERBEACH PIPELINE NORTH 37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
059a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
060a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
060b	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	30 – NETWORK RAIL MONITORING WORKS; 33 – WATERBEACH PIPELINE NORTH
060c	Temporary possession	30 – NETWORK RAIL MONITORING WORKS; 34 – WATERBEACH PIPELINE CONSTRUCTION AREA AND COMPOUNDS
060d	Temporary possession	30 – NETWORK RAIL MONITORING WORKS
061a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
062a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
063a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
064a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
065a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
065b	Interference with Private Rights only	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
065c	Temporary possession	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
066a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	30 – NETWORK RAIL MONITORING WORKS; 33 – WATERBEACH PIPELINE NORTH
067a	Interference with Private Rights only	37 – ACCESS WORKS FOR WORKS NO'S 33 & 34
068a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	30 – NETWORK RAIL MONITORING WORKS; 33 – WATERBEACH PIPELINE NORTH
069a ³⁰	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant; Waterbeach Pipeline Permanent Access Rights)	33 – WATERBEACH PIPELINE NORTH

³⁰ This parcel reduced in size as a result of the Applicant's Waterbeach Scheme Order Limits Change Application.

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
070a ³¹	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	34 – WATERBEACH PIPELINE CONSTRUCTION AREA AND COMPOUNDS
070b	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
071a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	37 - TEMPORARY ACCESS WORKS FOR WORKS Nos. 33 & 34
071b	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
071c	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
071d	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH

³¹ Ditto

Parcel number	Type of Acquisition	Primary Part of the Proposed Development for which the Acquisition is Required (Work Number and descriptor)
072a	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
072b	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	33 – WATERBEACH PIPELINE NORTH
073a	Interference with Private Rights only	33 – WATERBEACH PIPELINE NORTH
074a	Temporary possession	30 – NETWORK RAIL MONITORING WORKS
074b	Temporary possession	30 – NETWORK RAIL MONITORING WORKS
074c	Permanent New Rights and/or Restrictive Covenants (Waterbeach Pipeline Rights; Waterbeach Pipeline Restrictive Covenant)	30 – NETWORK RAIL MONITORING WORKS; 33 – WATERBEACH PIPELINE NORTH

~~Appendix 4: Summary of the current status of negotiations with Statutory Undertakers for protective provisions and land acquisition (where relevant)³²~~

~~Table A4-1: Summary of the current status of negotiations with Statutory Undertakers for protective provisions and land acquisition (where relevant)~~

Statutory Undertaker	Land acquisition required?	Protective Provisions required?	Assets and/or land interests	Parcel numbers	Status of negotiations
Cadent Gas Limited	No	Yes	Easement for medium pressure gas mains.	001a; 033a; 035a; 037a; 037c; 037d	Draft document received from Cadent's solicitor. Draft Protective Provisions in Part 3 of Schedule 15 to the Order
Cambridge Water Plc	No	Yes	Various interests in land and rights relating to water mains.	001a; 001b; 008a; 008b; 008c; 008d; 008e; 008f; 008g; 013a; 013b; 013c; 013d; 013e; 013f; 017a; 017b; 017c; 017d; 017e; 019a; 019b; 019c; 019d; 019e; 019f; 019g; 019h; 020a; 020b; 020c; 020d; 021a;	Cambridge Water are instructing solicitors to act for them to agree Protective Provisions. Draft Protective Provisions in Part 9 of Schedule 15 to the Order

³² This Table has been superseded by the Statutory Undertakers Progress Schedule which has been requested by the Examination Authority and included in the Applicant's submission at Deadline 1.

Statutory Undertaker	Land acquisition required?	Protective Provisions required?	Assets and/or land interests	Parcel numbers	Status of negotiations
				021b; 021c; 021d; 021e; 021f; 021g; 021h; 021i; 021j; 022a; 022b; 022c; 022d; 022e; 022f; 022g; 022h; 022i; 022j; 022k; 022l; 022m; 028a; 028b; 030a; 032a; 032b; 032c; 032d; 032e; 032f; 034a; 034b; 034c; 034d; 034e; 034f; 034g; 038a; 038b; 038c; 038d; 041a; 042a; 042b; 042c; 042d; 042f; 058a; 058b; 058c; 058d; 058e; 058f; 065a; 065b; 065c; 071a; 071b; 071c; 074a; 074b; 074c	
				Environment Agency	Yes

Statutory Undertaker	Land acquisition required?	Protective Provisions required?	Assets and/or land interests	Parcel numbers	Status of negotiations
Lead Local flood authority (Cambridgeshire County Council)	No	Yes	their statutory obligations. Ditches and minor watercourses.	All parcels	Draft Protective Provisions document is being reviewed by the LLFA. Draft Protective Provisions in Part 10 of Schedule 15 to the Order
Local highways authority	No	Yes	Adopted Highways (to include verges) maintained at public expense	001a; 001b; 013a; 013b; 013c; 013d; 013e; 013f; 013g; 013h; 013j; 013k; 013l; 022a; 022c; 022d; 022e; 022j; 022m; 022n; 028a; 028b; 031a; 031b; 031c; 031d; 034a; 034b; 034c; 034e; 034f; 034g; 040a; 041a; 045a; 048a; 049a; 058a; 058b; 058c; 065a; 065b; 067a; 071a; 071b; 071c and 071d	Document drafted and being reviewed by the Applicant. Draft Protective Provisions in Part 6 of Schedule 15 to the Order.

Statutory Undertaker	Land acquisition required?	Protective Provisions required?	Assets and/or land interests	Parcel numbers	Status of negotiations
National Highways Limited	Yes	Yes	Freehold land at A14 and Horningsea Road	001c; 022a; 022b; 022c; 022d; 022e; 022f; 022g; 022h; 022i; 022j; 022k; 022l; 022m; 022n; 022o; 023a; 024a; 024b; 024d; 025a; 025b; 027a; 027b; 027c; 027d; 027e; 027f; 034a; 034b; 034c; 034d; 034e; 034f; 034g and 034h	Draft document issued and being discussed. Draft Protective Provisions in Part 5 of Schedule 15 to the Order.
Network Rail Infrastructure Limited	Yes	Yes	Freehold land held for operational railway purposes.	008a; 008b; 008c; 008d; 008e; 008f; 008g; 074a; 074b; 074c	Meeting held to discuss the progression of the protective provisions. Applicant's agents are in discussions with Network Rail's agent regarding rights to be acquired. Solicitors have been instructed by Network Rail. Draft Protective Provisions in Part 4 of Schedule 15 to the Order.

Statutory Undertaker	Land acquisition required?	Protective Provisions required?	Assets and/or land interests	Parcel numbers	Status of negotiations
UK Power Networks Limited	Yes	Yes	One freehold interest as well as various wayleaves and rights relating to substations, overhead or underground power lines.	001a; 001b; 003a; 003b; 006a; 006b; 006c; 008a; 008b; 008c; 008d; 008e; 008f; 008g; 012a; 012b; 012c; 012d; 012e; 012f; 012g; 012h; 012i; 012j; 012k; 012l; 012m; 013a; 013b; 013c; 013d; 013e; 013f; 015a; 015b; 015c; 015d; 015e; 015f; 015g; 017a; 017b; 017c; 017d; 017e; 018a; 018b; 018c; 018d; 018e; 018f; 019a; 019b; 019c; 019d; 019e; 019f; 019g; 019h; 021a; 021b; 021c; 021d; 021e; 021f; 021g; 021h; 021i; 021j; 022a; 022b; 022c; 022d; 022e; 022f; 022g; 022h; 022i;	Amended protective provisions document received from UKPN. Discussions are ongoing. Draft Protective Provisions in Part 2 of Schedule 15 to the Order.

Statutory Undertaker	Land acquisition required?	Protective Provisions required?	Assets and/or land interests	Parcel numbers	Status of negotiations
				022j; 022k; 022l; 022m; 023a; 024a; 024b; 024c; 024d; 025a; 025b; 028a; 028b; 034a; 034b; 034c; 034d; 034e; 034f; 034g; 037a; 037b; 037c; 038a; 038b; 038c; 038d; 046a; 046b; 046c; 046d; 058a; 058b; 058c; 058d; 058e; 058f; 065a; 065b; 065c; 066a; 067a; 069a; 071a; 071b; 071c; 072a; 074a; 074b; 074c	
Wireless Infrastructure Company Limited hosting: Telefonica UK Limited; EE Limited; Sky UK Limited; Cornerstone Telecommunications Infrastructure Limited; Vodafone Limited;	No	Under review.	Various rights for telecommunications equipment cabins, mast, cables and ancillary infrastructure.	003e	Discussions are ongoing regarding the need for protective provisions. Draft Protective Provisions in Part 8 of Schedule 15 to the Order.

Statutory Undertaker	Land acquisition required?	Protective Provisions required?	Assets and/or land interests	Parcel numbers	Status of negotiations
Mobile Broadband Network Limited; Three UK Limited; Interoute Communications Limited					

Other bodies	Land acquisition required?	Protective provisions required?	Assets and/or land interests	Parcel numbers	Status of negotiations
Conservators of the river Cam	Yes	—Yes	Elements of the River Cam	018a-018h inclusive; 019a-019m inclusive; 052a; 053a; 054a	Solicitor's fees undertaking given by the Applicant's solicitor, relating to both the protective provisions and the acquisition of the necessary land and rights in land. Discussions are ongoing. Draft Protective Provisions in Part 7 of Schedule 15 to the Order.
Internal Drainage Board	No	—No	Various drains	033a; 035a; 039a; 039b; 058a; 058c; 058e; 065a; 071a; 071b; 071c; 071d	Protective provisions not requested.

Appendix 5: Methodology for the identification of properties falling within Category 3 as set out in Section 57 of the Planning Act 2008

Background

- 1.1.1 Section 44 of the PA 2008 sets out the categories of persons to be consulted under Section 44 of the Act. This includes any owner, lessee, tenant or occupier, any person interested in the land or who has the power to sell and convey or release the land, and any person entitled to make a relevant claim (as defined by Section 44(6) of the PA 2008).
- 1.1.2 There are three potentially relevant types of claim.
- Section 10 of the CPA 1965 for those parties whose land may be injuriously affected by the execution of works (i.e. during construction).
 - Part 1 of the Land Compensation Act 1973 for those parties whose land may be affected by physical factors arising from the use of public works (in this case, the Proposed Development. Those factors are listed below.
 - Noise
 - Vibration
 - Smell
 - Fumes
 - Smoke
 - Artificial lighting
 - Discharge of any solid or liquid substance onto land
 - Section 152(3) of the PA 2008, which permits a section 10 claim (as above) by any person whose land is injuriously affected due to the carrying out of the authorised works under the Orders, and extends the obligations of Part 1 of the Land Compensation Act 1973 to pay compensation for the physical factors arising from the use of public works to include statutory authorities who are the operators of works authorised by a DCO.
- 1.1.3 Such claims may principally only be brought by persons whose land has been injuriously affected, i.e. its value diminished, as a result of the Proposed Development.
- 1.1.4 Category 3 properties were identified initially by the specialist environmental team, assessing the proximity of properties to the proposed construction activities and

and/or the result of physical impacts arising from the use of the Proposed Development.

- 1.1.5 The assessment was based on the scheme proposals, construction activities and environmental information available at the relevant point of statutory consultation, and has been kept under review and updated as the proposals evolved.
- 1.1.6 This information was contained in the Preliminary Environmental Information Report ('PEIR') (see the Consultation Report (Appendix 20, App Doc Ref 6.1.20)) and was considered when carrying out the EIA, developing the Code of Construction Practice (Appendix 2.1 & 2.2, App Doc Ref 5.4.2.1 to 5.4.2.2), the Lighting Design Strategy (Appendix 2.5, App Doc Ref 5.4.2.5), the Preliminary Odour Management Plan (Appendix 18.4, App Doc Ref 5.4.18.4) and the Construction Traffic Management Plan (Appendix 19.7, App Doc Ref 5.4.19.7).

Approach

- 1.1.7 A precautionary approach was taken to identifying the properties. The assessment started with the area defined as the Order Limits, within which the Proposed Development will be constructed. The extent of the Order Limits, as at February 2022, was used to identify Category 3 properties. The assessment of Category 3 properties for the Targeted Consultation in July 2022 used the same Order Limits. Those Order Limits are shown on the Works Plans (App Doc Ref 4.3).
- 1.1.8 Buffer areas from the Order Limits were identified, on a precautionary basis, to serve as the referencing limits to identify those persons who may submit a relevant claim. The following were used to define the buffer limits.
- All land within the Order Limits
 - All properties within a 300 metres distance beyond the Order Limits, excluding construction traffic routes (see next point)
 - All properties within 50 metres from the centreline of construction traffic routes
 - All land within 20 metres, either side of the river Cam, in the vicinity of the Outfall Structure.
- 1.1.9 These buffer areas were determined by an appropriately qualified and experienced technical team as the reasonable worst case area within which effects from the construction and operation of the Proposed Development might potentially be experienced.

s10 Claims

- 1.1.10 The construction activities for the Proposed Development are described in the Project Description (App Doc Ref 5.2.2). These details were used to define the construction activities which may potentially give rise to a claim being submitted, broken down into the main components of the Proposed Development (column 1 in Table A5-1 below). The main activities likely to result in a s10 claim were assessed (column 2), with the resulting relevant potential impacts identified (column 3).

Where the assessment did not result in the identification of a relevant potential impact, column 3 of the Table below identifies this as 'N/A'. The results of this assessment are shown in Table A5-1 below.

Table A5-1: Results of desktop assessment of activities for potential s10 claims

Area of activity (Column 1)	Main activities that may give rise to claims (Column 2)	Relevant potential impacts identified (Column 3)
All areas		
	Construction compounds	Light pollution, noise, dust
Waterbeach Pipelines		
	Construction traffic	Noise, dust
	HDD works	Noise, dust
	Rail crossing	Noise
	Installation	Noise
Waste Water Transfer Tunnel, Final Effluent and Storm Flow Pipelines and Outfall		
	Construction traffic to access work zone	Noise, dust
	Installation works	Noise
	Piling	Noise
Transfer Tunnel		
	HDD works	Noise
	Shaft	Noise
	Lighting	N/A
	Construction traffic movements	Noise / air quality
	Vibration – ground borne	N/A
Works at existing Cambridge WWTP		
	HDD works	Noise
	Odour	N/A
	Construction traffic movements	Noise / air quality
Earthworks and construction of the proposed WWTP		
	Construction traffic movements	Noise / air quality
	Lighting	Light pollution
Access road and works to Horningsea Road		
	Construction traffic movements	Noise / air quality

Source: The Applicant

Part 1 Claims

- 1.1.11 The operational activities described in the Project Description (App Doc Ref 5.2.2) were used to inform the assessment of activities that might cause parties with relevant interests to submit a claim under Part 1 of the Land and Compensation Act 1973.
- 1.1.12 The main activities likely to result in a Part 1 claim were assessed, with the relevant potential impacts identified. The results of this assessment are shown in in Table A5-2 below.

Table A5-2: Results of desktop assessment of activities for potential Part 1 claims

Area of activity	Main activities that may give rise to claims	Relevant potential impacts
Waterbeach installation		
	No activities identified	N/A
Final Effluent and Storm Flow Pipelines and Outfall		
	Discharge of water at the outfall	Odour
Transfer Tunnel		
	Air emanating from vent at Shaft 1/2 (intermittent)	Odour
Operation of the proposed WWTP		
	Waste water treatment processes	Odour
	Lighting at Gateway Building and carpark	Light pollution
Access road to Horningsea Road		
	Lighting along road	Light pollution
	Changes in traffic pattern	Noise

Source: The Applicant

Conclusion

- 1.1.13 The results of the assessments described above were given to Savills, the Applicant's appointed land team, to carry out diligent inquiry to identify the relevant parties for the service of s44 notices. Those parties are listed Part 2 of the Book of Reference (App Doc Ref 3.3). Some of the land identified as potentially affected is outside of the Order Land and so it does not have a land parcel number because there is no intention to acquire part of that land.
- 1.1.14 The majority of the properties identified as a result of the assessment were included in the results (and noted in Part 2 of the Book of Reference) App Doc Ref 3.3)) because of the potential effects of construction traffic, which may give rise to the submission of a claim under section 10.
- 1.1.15 Shafts 4 and 5 of the Waste Water Transfer Tunnel (see section 5.4 of this Statement) are in the vicinity of Poplar Hall, Poplar Hall Farmhouse and Red House Close. Shaft 4 will only have construction activities for approximately four months during the construction programme. Shaft 5 will be in operation for 12 to 18 months. The hours of operation at these locations will be controlled (see the Code of Construction Practice (Appendix 2.1, App Doc Ref 5.4.2.1)). These properties have been included in Part 2 of the Book of Reference (App Doc Ref 3.3), notwithstanding that the impacts of the Proposed Development on these properties are expected to be limited.
- 1.1.16 Construction lighting will result in temporary moderate adverse significant effects on night-time views from residential properties in High Ditch Road, Horningsea Road, Low Fen Drove Way, residents of Poplar Hall, Poplar Hall Farmhouse, Red House Close, Biggin Abbey and its associated cottages. These properties have been included in Part 2 of the Book of Reference (App Doc Ref 3.3), notwithstanding that the impacts of the Proposed Development on these properties are expected to be limited.

Appendix 6: Details of the Zone of Influence and the Waste Water Transfer Tunnel Restrictive Covenant

Introduction

- 1.1.1 There is a need to protect the structure of the Waste Water Transfer Tunnel from adverse structural impacts from construction activity in the future (see section 5.4 of this Statement). As a result, the Applicant will need to impose restrictions over the land above, and in the vicinity of, the Waste Water Transfer Tunnel. These restrictions will limit and control construction activity within the area they cover.
- 1.1.2 The Applicant's tunnel design engineers calculated that an area, centred on the alignment of the Waste Water Transfer Tunnel, will need to have the benefit of the restrictions. The area is known as the Zone of Influence, which has been calculated as being a dimension which is:
- twice the depth of the centre of the Waste Water Transfer Tunnel
- plus
- the width of the Waste Water Transfer Tunnel.
- 1.1.3 The calculations produced by the Applicant's tunnel design engineers shows the width of the Zone of Influence is between 36 and 55 metres, centred on the Waste Water Transfer Tunnel, depending on the location align the route of the Waste Water Transfer Tunnel.
- 1.1.4 These dimensions define the area over which the Transfer Tunnel Restrictive Covenant will be imposed. The parcels shown on the Land Plans (App Doc Ref 4.4) falling within that area are listed in Table 6-3 above.
- 1.1.5 The restrictions area will be divided into two areas, as follows.

Primary Restriction Zone

- 5 metre wide area (red shaded area on the Figure A6.1 (below)) around the Waste Water Transfer Tunnel structure
- No structures or loads from adjoining structures will be allowed in this area.

Secondary Restriction Zone

- 15 metre area (orange shaded area on the Figure A6.1 (below)) either side of the red area
- Some structures will be allowed following consultation with, and approval from, the Applicant in advance of the construction activity

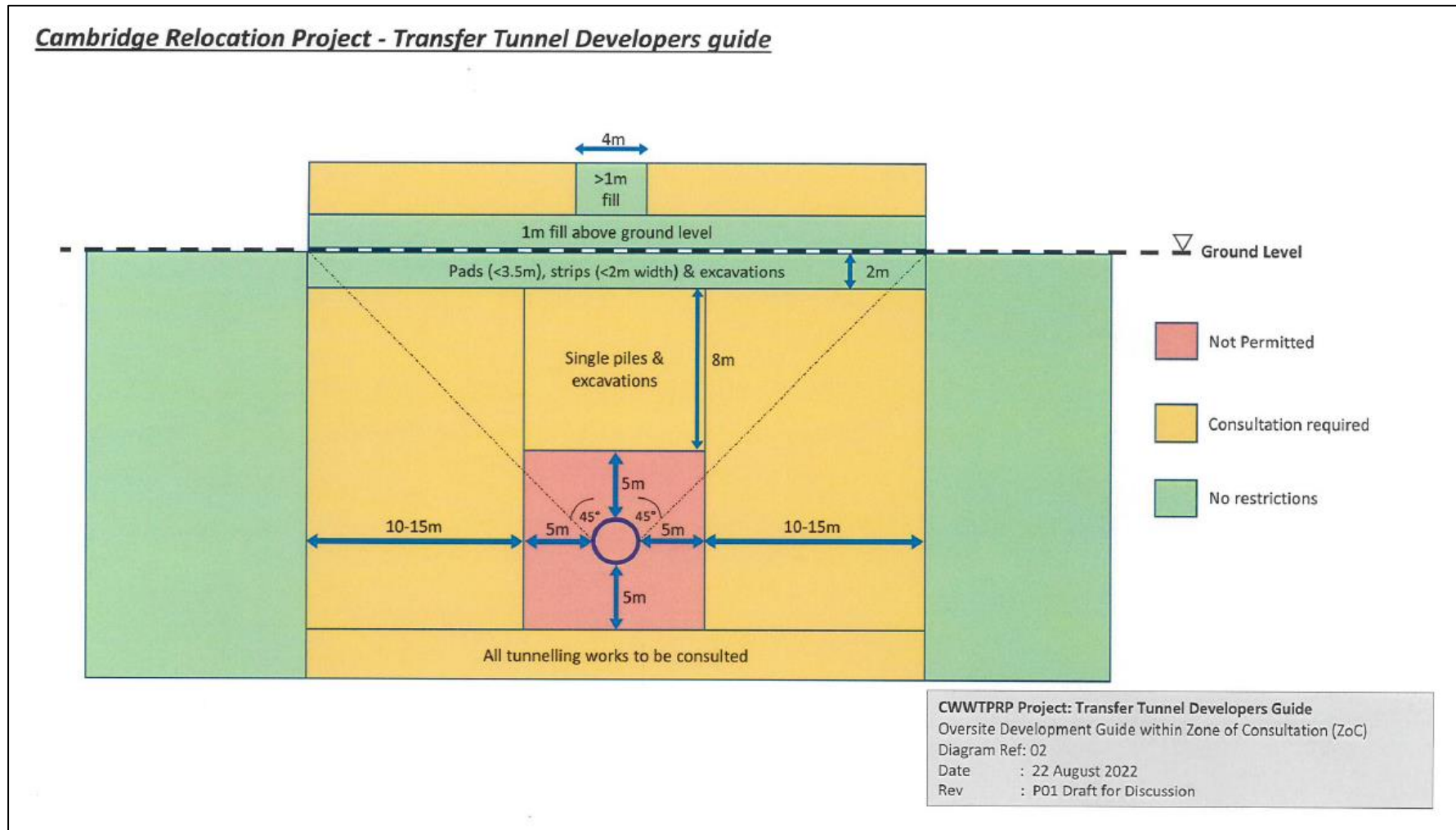


Figure A6-1: Diagram showing indicative details of the Primary Restriction Zone shown in red and the Secondary Restriction Zone is shown in yellow.

Source: The Applicant

1.1.6 The following is a list of ground works and foundations likely to be allowed within the Secondary Restriction Zone (orange area in Figure A6.1 above) following consultation with the Applicant. These are shown in green in Figure A6.2 below.

- Excavations up to 2 metres in depth
- The placement of embankments of earth greater than 1 metre in depth, but up to 4 metres in width
- The placement of embankments of earth up to 1 metre in depth across the Primary Restriction Zone (red area in Figure A6.1 above)
- Pad foundations less than 3.5 metres in width and up to 2 metres in depth
- Strip foundations less than 2 metres in width and up to 2 metres in depth
- Single pile foundation terminating (finishing) above the bottom edge of the red Waste Water Transfer Tunnel structure
- Groups of piled foundations terminating above the bottom edge of the Waste Water Transfer Tunnel structure
- Piled foundations outside the Primary Restriction Zone terminating below depth of the bottom edge of the Waste Water Transfer Tunnel structure

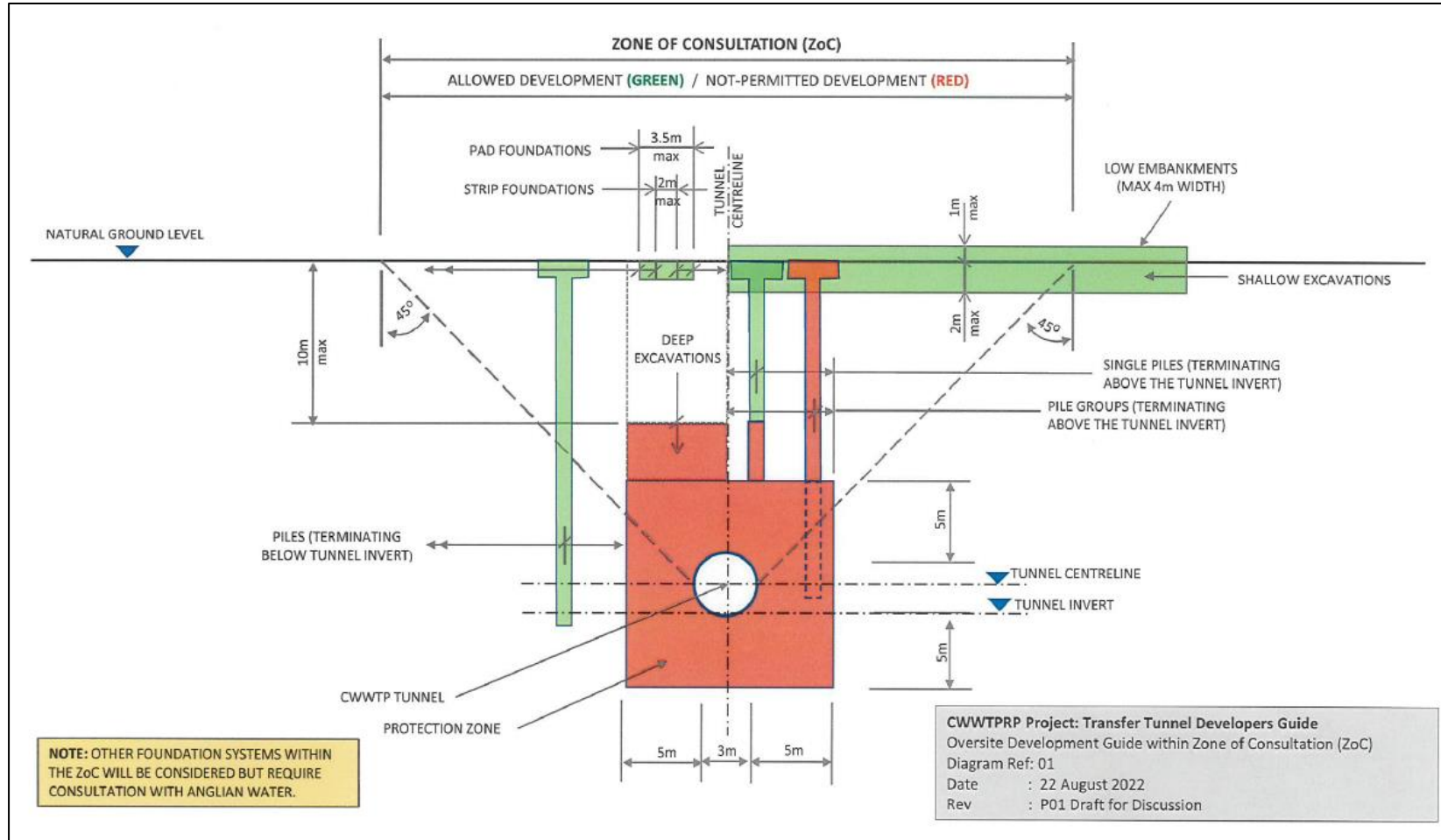


Figure A6-2: Diagram showing indicative details of the types of foundations which are likely to be allowed within the Waste Water Transfer Tunnel Restrictive Covenant area, together with the types of foundations which are likely not be allowed

Source: The Applicant

1.1.7 The following is a list of ground works and foundations likely not to be allowed within the Secondary Restriction Zone (orange area is Figure A6.1 above) . These are shown in red in Figure A6.2 above.

- Deep excavations
- Piled foundations originating within the Primary Restriction Zone but terminating below depth of the bottom edge of the Transfer Tunnel structure

Appendix 7: A diagrammatical representation of the indicative land requirements around Shafts 4 and 5 of the Waste Water Transfer Tunnel

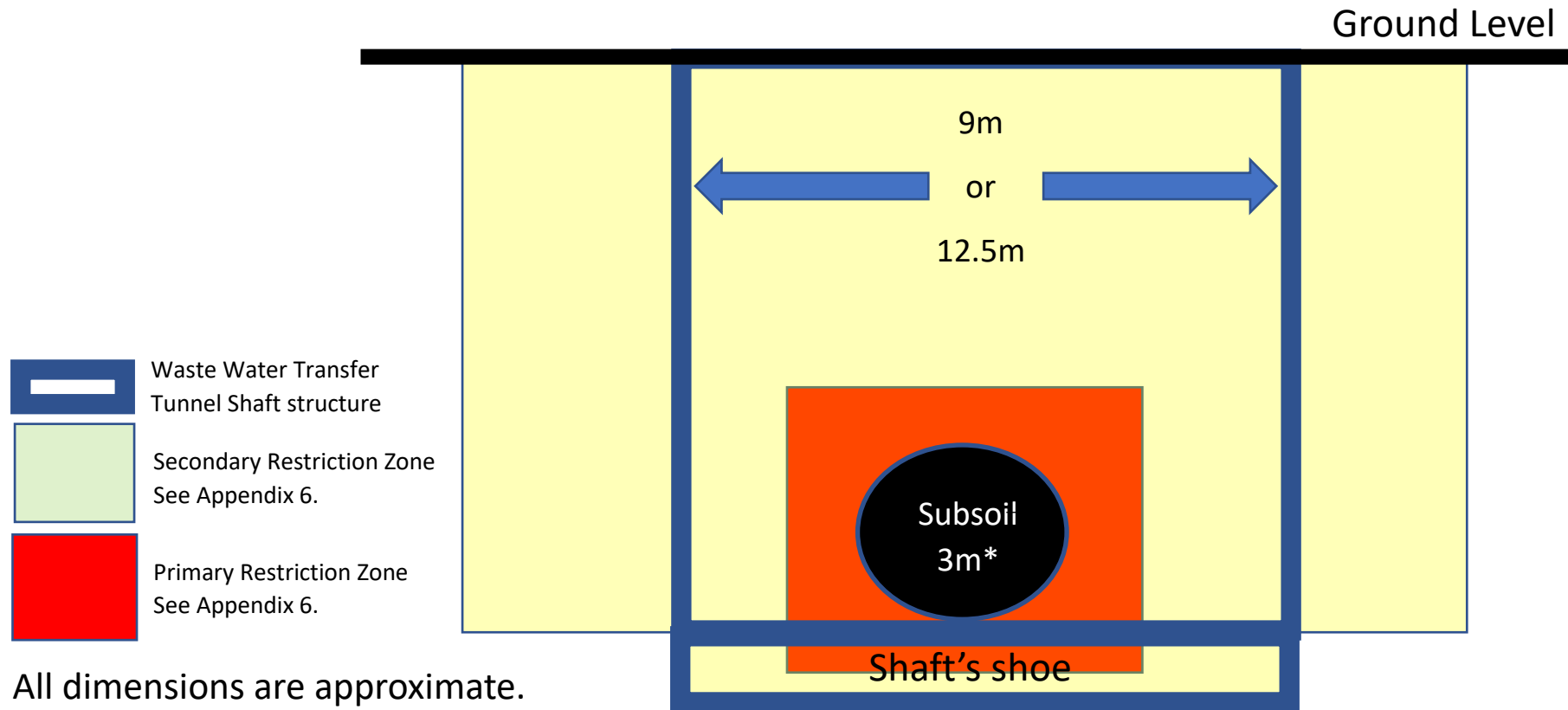


Figure A7.1: A diagrammatical representation of the indicative land requirements around Shafts 4 and 5 of the Waste Water Transfer Tunnel

Source: The Applicant

Appendix 8: Copies of letters dated 1 February 2023 sent to Crown bodies

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By special delivery

To Whom It May Concern

**Nationally Significant Infrastructure Projects: Development Consent Order Pursuant to the Planning Act 2008 (the "Act")
The Proposed Cambridge Waste Water Treatment Plant Relocation Order
Request for Consent under Section 135 of the Act**

We act for Anglian Water Services Limited ("Anglian Water") in connection with the application for development consent for the Cambridge Waste Water Treatment Plant Relocation Order (the "Application" and the "Order" respectively) pursuant to the Act. The Application was submitted to the Planning Inspectorate for acceptance on 31 January 2023.

You will have previously received correspondence from Anglian Water explaining the proposals and inviting responses to consultation about the project. The purpose of this letter is to seek the consent of the Secretary of State for Transport ("SoSFT"), as the "appropriate Crown authority" under Section 227(5) of the Act, for the making of the Order in accordance with sub-sections (1) and (2) of section 135 of the Act.

1. Land in which there are Crown Interests

The SoSFT has the benefit of rights and restrictive covenants contained in a Conveyance dated 14 May 1981 between The Master and Fellows of Gonville and Caius College in the University of Cambridge and the SoSFT (the "Conveyance" – **Enclosure A**).

Those rights and restrictions are over the following plots of land which are within the Order Limits for which development consent is sought pursuant to the Order:

➤ **Plots 019f, 019l, and 019m:**

- These land parcels comprise unregistered land forming part of the river bed and banks of the river Cam, which is assumed to be owned by the landowners fronting the river (Gonville and Caius College, Cambridge, and the Conservators of the river Cam).
- The land is required for the purposes of the installation, operation and maintenance of the outfall and the final effluent and storm pipelines (Work numbers 31 and 32).
- All interests in the land comprising Plot 019l are proposed to be compulsorily acquired pursuant to the Order, except those interests belong to the Crown.
- Plots 19f and 019m are not proposed to be compulsorily acquired, but are

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subject only to the powers in the Order (Articles 31 and 32) which permit interference with private rights, including private navigation rights. These powers do not permit interference with Crown interests.

➤ **Plot 021p:**

- This land comprises grassland, public footpath and ditch to the north of the A14 bridge at Poplar Hall Farm, which is owned by Gonville and Caius College.
- The land is required for the purposes of the installation, operation and maintenance of the outfall, the final effluent and storm pipelines, and an ecological mitigation area (Work numbers 31, 32 and 39).
- All interests in the land are proposed to be compulsorily acquired pursuant to the Order, except those interests belonging to the Crown.

➤ **Plot 021q:**

- This land comprises a private access track at Poplar Hall Farm, which is owned by Gonville and Caius College.
- The compulsory acquisition of permanent new rights of access are required over this land for the purposes of the construction and future maintenance of the works.
- These rights of access can be exercised in common with other persons, including the Crown, that have existing rights of access over this track.

➤ **Plots 022b, 022f and 022h:**

- These land parcels comprise land adjacent to and underneath the elevated A14 carriageway which is owned by National Highways Limited.
- The land is required for the purposes of the installation, operation and maintenance of the final effluent and storm pipelines (Work number 31), an ecological mitigation area (Work number 39), and for permanent access rights for construction and future maintenance.
- All interests in the land comprising Plot 022b are proposed to be compulsorily acquired pursuant to the Order, except those interests belonging to the Crown.
- Plot 022f is not proposed to be compulsorily acquired, but is subject only to the powers in the Order (Articles 31 and 32) which permit interference with private rights. These powers do not permit interference with Crown interests.
- Plot 022h is proposed to be subject to the compulsory acquisition of permanent new rights of access. These rights of access can be exercised in common with other persons, including the Crown, that have existing rights over that land.

The aforementioned plots are shown on the enclosed Crown Land Plan (**Enclosure B**) and detailed in the enclosed extracts of the Book of Reference (**Enclosure C**).

2. **The works affecting the land in which there are Crown interests**

The proposed works (identified above) for which development consent is sought on or in relation to the land are described below, and in Part 1 of Schedule 1 of the enclosed draft Order (**Enclosure D**), as follows:

"Work No. 31 – FINAL EFFLUENT & STORM PIPELINE

Two outfall pipes to be laid below ground for final effluent and storm water connecting

Work No. 12 to Work No. 32 together with associated access and venting manholes and access works from Horningsea Road.

Work No. 32 – OUTFALL

Outfall works in connection with the discharge of final effluent and storm water to the river Cam comprising—

- (a) two outfall pipes to be laid below ground for final effluent and storm water connecting to Work No. 31;*
- (b) ditch crossing, diversion and associated protection works;*
- (c) temporary access track;*
- (d) temporary working area compound;*
- (e) temporary cofferdam;*
- (f) outfall structure and associated fittings;*
- (g) river bed and embankment reinforcement works including dredging and scour protection measures; and*
- (h) temporary public right of way diversion and restoration works.*

Work No. 39 – ECOLOGICAL MITIGATION AREA

Ecological mitigation works, including—

- (a) earthworks and ground re-profiling;*
- (b) creation of natural drainage ditches, wetland habitat and ponds;*
- (c) creation of connections to or culverts/bridges over existing drainage ditches;*
- (d) creation of maintenance access routes; and*
- (e) temporary welfare and laydown areas and haul roads.”*

3. Section 135 of the Act

Section 135(1) of the Act states that an order granting development consent may include provisions authorising the compulsory acquisition of an interest in Crown Land if it is an interest held otherwise than by or on behalf of the Crown and the appropriate Crown authority (as defined in section 227(5) of the Act) consents to the acquisition.

In addition, section 135(2) states that an order may include any other provision applying in relation to Crown Land, or rights benefitting the Crown, if the appropriate Crown authority consents to the inclusion of the provision in the order.

The SoSfT is the “appropriate Crown authority” as defined in section 227(5) of the Act.

The consent of the SoSfT is therefore sought to the making of the Order, for the purposes of sub-sections (1) and (2) of section 135 of the Act, as set out below.

Consent under section 135(1)

There are no proposals to acquire any Crown interest and the Order does not contain any Crown Land. Nor does the Order seek the compulsory acquisition of an interest in Crown Land which is held otherwise than by or on behalf of the Crown.

The provisions of sub-section (1) of section 135 of the Act are not therefore engaged but the Applicant seeks the consent of the SoSfT pursuant to this section as a precautionary measure.

The rights reserved to and the restrictions imposed for the benefit of the SoSfT in the Conveyance appear to have been for the purposes of the construction and maintenance of the A14 carriageway. The A14 has since been in operation for many years and the ownership of

the land has transferred to National Highways Limited, who is also the relevant highways authority responsible for the operation and maintenance of the road.

As can be seen in the correspondence from Anglian Water's Land Agents, Savills (**Enclosure E**), the Applicant has been seeking to ascertain from National Highways whether the SoSFT's interests have now transferred to them. Those discussions with National Highways have not been conclusive but the correspondence exchange does suggest that the temporary rights to construct works granted to the SoSFT over land such as Plot 021p are now spent.

In any event, there are no proposals to acquire or interfere with any Crown interest in the land pursuant to the Order, and, to the extent that the rights and restrictions still subsist for the benefit of the SoSFT, they will continue to exist and be exercisable by the SoSFT after the land and rights sought by the Applicant in the Order have been acquired.

Furthermore, the SoSFT has protection against interference with the Crown interests by virtue of Article 50 (Crown rights) of the draft Order which operates in respect of any land which has been compulsorily acquired pursuant to the Order. It exempts any works which would prejudicially affect any estate, right, power, privilege, authority or exemption of the Crown.

As noted in Table 8.1 of the Statement of Reasons (**Enclosure F**) the rights proposed to be acquired over the aforementioned plots will not extinguish the SoSFT's rights, nor interfere with such rights in practice. Indeed, there are no powers in the Order to do so.

For completeness, Article 50 is set out below.

"(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular, nothing in this Order authorises the undertaker or any licensee to use, enter on or in any manner interfere with any land or rights of any description (including any portion of the river)—

- (a) belonging to His Majesty in right of the Crown and forming part of the Crown Estate without the consent in writing of the Crown Estate Commissioners;*
- (b) belonging to His Majesty in right of the Crown and not forming part of the Crown Estate without the consent in writing of the government department having the management of that land; or*
- (c) belonging to a government department or held in trust for His Majesty for the purposes of a government department without the consent in writing of that government department.*

(2) Paragraph (1) does not apply to the exercise of any right under this Order for the compulsory acquisition of an interest in any Crown land (as defined in the 2008 Act) which is for the time being held otherwise than by or on behalf of the Crown.

(3) A consent under paragraph (1)—

- (a) may be given unconditionally or subject to terms and conditions; or*
- (b) is deemed to have been given in writing where it is sent electronically."*

Consent under section 135(2)

Whilst the Order does not contain any Crown Land, it does contain rights benefitting the Crown for the purposes of section 135(2) of the Act.

In respect of 'other provisions' in the draft Order (i.e. non-compulsory acquisition-related provisions) which will affect the aforementioned plots, these include Articles 3 (Development Consent etc. granted by the Order), 4 (Authorisation of use), 5 (Maintenance of authorised development) and 21 (Authority to survey and investigate the land) (please see the draft Order at **Enclosure D**).

The purpose of these provisions (as explained in the attached Explanatory Memorandum

(Enclosure G) may be summarised as follows:

Article 3 (Development Consent etc. granted by the Order): This article provides the development consent for the 'authorised development' to be carried out within the Order limits.

Article 4 (Authorisation of use): This article makes provision for the use of the authorised development. Article 4 reflects the terms of the model provisions. The article includes the reference to "use" because, although section 157 of the Planning Act 2008 authorises the use of buildings in respect of which development consent is granted, there is no similar provision related to land.

Article 5 (Maintenance of the authorised development): This article provides for the maintenance of the authorised development by the undertaker at any time. This is subject to any limitations in the Order. Its inclusion is permitted by section 120(3) of the 2008 Act which states:

An order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted.

Maintenance of the authorised development is directly related to the development to be consented.

The Article confirms that the maintenance of highway works and protective provisions are not covered by Article 5.

Article 21 (Authority to survey and investigate the land): This article allows the undertaker to enter land for the purposes of surveying or investigating, including bringing equipment onto the land and making trial pits. The power is subject to a number of conditions including a requirement for 14 days' notice to be given and is subject to the payment of appropriate compensation.

It may be necessary at times to survey land outside of the Order limits in order to assess its effects and therefore the power allows the undertaker to enter onto land within the Order limits and on any land which may be affected by the authorised development. This is common place and can be seen in the A428 Black Cat to Caxton Gibbet DCO¹ and the A57 Link Roads DCO², by way of example.

This Article provides for surveys to be carried out by drone which could reduce the need to enter onto land.

Sub paragraph (4) provides that no trial holes may be made in land forming part of a railway or land held by or in right of the Crown without the consent of Network Rail or the Crown respectively, and trial holes may not be made in a highway or private street without the consent of the highway or street works authority.

Section 13 (*refusal to give possession to acquiring authority*) of the Compulsory Purchase Act 1965 will apply in respect of entry onto, or possession of land under the Article.

This Article is permitted by section 120(3), section 120(4) and paragraph 12 of Part 1 to Schedule 5 of the Act ("*Carrying out surveys or taking soil samples*").

¹ The A428 Black Cat to Caxton Gibbet Development Consent Order 2022 (SI 2022 No. 934) (article 22)
² The A57 Link Roads Development Consent Order 2022 (SI 2022 No. 1206) (article 21)

4. **Conclusion**

In respect of section 135(1) of the Act, there are no proposals to acquire any Crown interest and the Order does not contain any Crown Land. Nor does the Order seek the compulsory acquisition of an interest in Crown Land which is held otherwise than by or on behalf of the Crown. The provisions of sub-section (1) of section 135 of the Act are not therefore engaged but the Applicant seeks the consent of the SoSfT pursuant to this section as a precautionary measure.

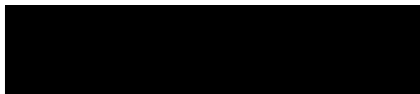
In respect of section 135(2) of the Act, the Order includes provisions that will apply to land in respect of which there are rights benefitting the Crown. The consent of the SoSfT, as the "appropriate Crown authority" for the purposes of section 227(5) of the Act, is therefore sought to the making of the Order, including proposed Articles 3, 4, 5 and 21 above.

Please can you confirm by return that the SoSfT consents to the making of the Order, for the purposes of sub-sections (1) and (2) of section 135 of the Act.

We should be grateful if you could please acknowledge receipt of this letter and confirm the details of the appropriate contact for further communications on this matter. We would also be pleased to provide electronic copies of this application and enclosures if that would assist.

Should you have any questions, please contact Michelle Moss of this office on 0161 831 8523 or at michellemoss@eversheds-sutherland.com.

Yours faithfully



Eversheds Sutherland (International) LLP

Encs.

- Enclosure A: the Conveyance
- Enclosure B: Crown Land Plans
- Enclosure C: extracts from the Book of Reference
- Enclosure D: the draft Order
- Enclosure E: correspondence between Savills and National Highways
- Enclosure F: the Statement of Reasons
- Enclosure G: the Explanatory Memorandum

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Date: 1 February 2023
Our Ref: MOSSMJ\341656-000002
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By special delivery

To Whom It May Concern

**Nationally Significant Infrastructure Projects: Development Consent Order Pursuant to the Planning Act 2008 (the "Act")
The Proposed Cambridge Waste Water Treatment Plant Relocation Order
Request for Consent under Section 135 of the Act**

We act for Anglian Water Services Limited ("Anglian Water") in connection with the application for development consent for the Cambridge Waste Water Treatment Plant Relocation Order (the "Application" and the "Order" respectively). The Application was submitted to the Planning Inspectorate for acceptance on 31 January 2023.

You will have previously received correspondence from Anglian Water explaining the proposals and inviting responses to consultation about the project. The purpose of this letter is to seek the consent of the Secretary of State for Defence ("SoSfD"), as the "appropriate Crown authority" under Section 227(5) of the Act, for the making of the Order in accordance with sub-sections (1) and (2) of section 135 of the Act.

1. Land in which there are Crown Interests

The SoSfD has the benefit of rights and restrictive covenants in the form of:

- rights and restrictive covenants contained in a Conveyance dated 28 November 1966 between the SoSfD and Chesterton Rural District Council (the "Conveyance" – **Enclosure A**); and
- restrictive covenants contained in a Transfer of land dated 6 February 2001 between Kelsey Housing Association Limited and the SoSfD (the "Transfer"). A copy of the Transfer is awaited from the Land Registry.

Those rights and restrictions are over the following plots of land which are within the Order Limits for which development consent is sought pursuant to the Order:

- **Plots 071c and Plot 072b:**
 - These land parcels comprise part of the existing Water Recycling Centre, Waterbeach, together with adjacent adopted highway, drainage ditch, overhead power lines and verge.

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- o Plot 071c is assumed to be owned by Trustees of The Waterbeach Trust and Metropolitan Housing Trust Limited. Plot 072b is owned by the Applicant.
- o The land is required for the purposes of the installation, operation and maintenance of the Waterbeach Pipeline North (Work number 33). The compulsory acquisition of permanent new rights and a restrictive covenant are required over this land for that purpose.
- o Plot 072b is subject to rights and restrictive covenants which benefit the SoSfD and which were granted pursuant to the Conveyance. These rights and restrictions are in connection with the SoSfD's rights to drain through a pipe which runs across the land and discharges into the ditch. The discharge location is in Plot 071c so an assumption has been made that the SoSfD's rights extend into that parcel. The SoSfD's rights of drainage will be unaffected by the proposed works or the powers in the Order.

▼ **Plot 073a:**

- o This land parcel comprises grassed area, shrubs and trees, which is owned by Metropolitan Housing Trust Limited.
- o Plot 073a is not proposed to be compulsorily acquired, but is subject only to the powers in the Order (Articles 31 and 32) which permit interference with private rights. These powers do not permit interference with Crown interests.

The aforementioned plots are shown on the enclosed Crown Land Plan (**Enclosure B**) and detailed in the enclosed extracts of the Book of Reference (**Enclosure C**).

2. **The works affecting the land in which there are Crown interests**

The proposed works (identified above) for which development consent is sought on or in relation to the land are described below, and in Part 1 of Schedule 1 of the enclosed draft Order (**Enclosure D**), as follows:

"Work No. 33 – WATERBEACH PIPELINE NORTH

Up to two waste water pipelines laid underground between a point of connection with waste water infrastructure to be provided as part of the Waterbeach New Town development and Work No. 35 and Work No. 36, including—

- (a) crossings of the river Cam, the railway line and Low Fen Drove Way using horizontal directional drilling technique in accordance with the code of construction practice, but otherwise laid using either open cut trenching or horizontal directional drilling technique;*
- (b) new accesses and access improvements;*
- (c) temporary shafts;*
- (d) horizontal directional drilling launch and exit pits;*
- (e) welfare, storage and laydown areas;*
- (f) temporary haul roads;*
- (g) dewatering, drainage works and restoration of existing land drainage;*
- (h) ditch crossing, diversion and associated protection works;*
- (i) mud and soil handling;*
- (j) associated infrastructure including air valves and other pipework fittings and fixtures;*
- (k) permanent accesses for future maintenance and replacement of the pipelines; and*
- (l) connections to Work No. 35 and Work No. 36."*

3. **Section 135 of the Act**

Section 135(1) of the Act states that an order granting development consent may include provisions authorising the compulsory acquisition of an interest in Crown Land if it is an interest held otherwise than by or on behalf of the Crown and the appropriate Crown authority (as defined in section 227(5) of the Act) consents to the acquisition.

In addition, section 135(2) states that an order may include any other provision applying in relation to Crown Land, or rights benefitting the Crown, if the appropriate Crown authority consents to the inclusion of the provision in the order.

The SoSfD is the "appropriate Crown authority" as defined in section 227(5) of the Act.

The consent of the SoSfD is therefore sought to the making of the Order, for the purposes of sub-sections (1) and (2) of section 135 of the Act, as set out below.

Consent under section 135(1)

There are no proposals to acquire any Crown interest and the Order does not contain any Crown Land. Nor does the Order seek the compulsory acquisition of an interest in Crown Land which is held otherwise than by or on behalf of the Crown.

The provisions of sub-section (1) of section 135 of the Act are not therefore engaged but the Applicant seeks the consent of the SoSfD pursuant to this section as a precautionary measure.

As set out above, there are no proposals to acquire or interfere with any Crown interest in the land pursuant to the Order, and the rights and restrictions will continue to exist and be exercisable by the SoSfD after the land and rights sought by the Applicant in the Order have been acquired.

Furthermore, the SoSfD has protection against interference with the Crown interests by virtue of Article 50 (Crown rights) of the draft Order which operates in respect of any land which has been compulsorily acquired pursuant to the Order. It exempts any works which would prejudicially affect any estate, right, power, privilege, authority or exemption of the Crown.

As noted in Table 8.1 of the Statement of Reasons (**Enclosure E**) the rights proposed to be acquired over the aforementioned plots will not extinguish the SoSfD's rights, nor interfere with such rights in practice. Indeed, there are no powers in the Order to do so.

For completeness, Article 50 is set out below.

"(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular, nothing in this Order authorises the undertaker or any licensee to use, enter on or in any manner interfere with any land or rights of any description (including any portion of the river)—

- (a) belonging to His Majesty in right of the Crown and forming part of the Crown Estate without the consent in writing of the Crown Estate Commissioners;*
- (b) belonging to His Majesty in right of the Crown and not forming part of the Crown Estate without the consent in writing of the government department having the management of that land; or*
- (c) belonging to a government department or held in trust for His Majesty for the purposes of a government department without the consent in writing of that government department.*

(2) Paragraph (1) does not apply to the exercise of any right under this Order for the compulsory acquisition of an interest in any Crown land (as defined in the 2008 Act) which is for the time being held otherwise than by or on behalf of the Crown.

(3) A consent under paragraph (1)—

(a) may be given unconditionally or subject to terms and conditions; or

(b) is deemed to have been given in writing where it is sent electronically.”

Consent under section 135(2)

Whilst the Order does not contain any Crown Land, it does contain rights benefitting the Crown for the purposes of section 135(2) of the Act.

In respect of ‘other provisions’ in the draft Order (i.e. non-compulsory acquisition-related provisions) which will affect the aforementioned plots, these include Articles 3 (Development Consent etc. granted by the Order), 4 (Authorisation of use), 5 (Maintenance of authorised development) and 21 (Authority to survey and investigate the land) (please see the draft Order at **Enclosure D**).

The purpose of these provisions (as explained in the attached Explanatory Memorandum (**Enclosure F**)) may be summarised as follows:

Article 3 (Development Consent etc. granted by the Order): This article provides the development consent for the ‘authorised development’ to be carried out within the Order limits.

Article 4 (Authorisation of use): This article makes provision for the use of the authorised development. Article 4 reflects the terms of the model provisions. The article includes the reference to “use” because, although section 157 of the Planning Act 2008 authorises the use of buildings in respect of which development consent is granted, there is no similar provision related to land.

Article 5 (Maintenance of the authorised development): This article provides for the maintenance of the authorised development by the undertaker at any time. This is subject to any limitations in the Order. Its inclusion is permitted by section 120(3) of the 2008 Act which states:

An order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted.

Maintenance of the authorised development is directly related to the development to be consented.

The Article confirms that the maintenance of highway works and protective provisions are not covered by Article 5.

Article 21 (Authority to survey and investigate the land): This article allows the undertaker to enter land for the purposes of surveying or investigating, including bringing equipment onto the land and making trial pits. The power is subject to a number of conditions including a requirement for 14 days’ notice to be given and is subject to the payment of appropriate compensation.

It may be necessary at times to survey land outside of the Order limits in order to assess its effects and therefore the power allows the undertaker to enter onto land within the Order limits and on any land which may be affected by the authorised development. This is common place and can be seen in the A428 Black Cat to Caxton Gibbet DCO¹ and the A57 Link Roads DCO², by way of example.

¹ The A428 Black Cat to Caxton Gibbet Development Consent Order 2022 (SI 2022 No. 934) (article 22)

² The A57 Link Roads Development Consent Order 2022 (SI 2022 No. 1206) (article 21)

This Article provides for surveys to be carried out by drone which could reduce the need to enter onto land.

Sub paragraph (4) provides that no trial holes may be made in land forming part of a railway or land held by or in right of the Crown without the consent of Network Rail or the Crown respectively, and trial holes may not be made in a highway or private street without the consent of the highway or street works authority.

Section 13 (*refusal to give possession to acquiring authority*) of the Compulsory Purchase Act 1965 will apply in respect of entry onto, or possession of land under the Article.

This Article is permitted by section 120(3), section 120(4) and paragraph 12 of Part 1 to Schedule 5 of the Act ("*Carrying out surveys or taking soil samples*").

4. Conclusion

In respect of section 135(1) of the Act, there are no proposals to acquire any Crown interest and the Order does not contain any Crown Land. Nor does the Order seek the compulsory acquisition of an interest in Crown Land which is held otherwise than by or on behalf of the Crown. The provisions of sub-section (1) of section 135 of the Act are not therefore engaged but the Applicant seeks the consent of the SoSfD pursuant to this section as a precautionary measure.

In respect of section 135(2) of the Act, the Order includes provisions that will apply to land in respect of which there are rights benefitting the Crown. The consent of the SoSfD, as the "appropriate Crown authority" for the purposes of section 227(5) of the Act, is therefore sought to the making of the Order, including proposed Articles 3, 4, 5 and 21 above.

Please can you confirm by return that the SoSfD consents to the making of the Order, for the purposes of sub-sections (1) and (2) of section 135 of the Act.

We should be grateful if you could please acknowledge receipt of this letter and confirm the details of the appropriate contact for further communications on this matter. We would also be pleased to provide electronic copies of this application and enclosures if that would assist.

Should you have any questions, please contact Michelle Moss of this office on 0161 831 8523 or at michellemoss@eversheds-sutherland.com.

Yours faithfully



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Encs.

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SUTHERLAND

Date: 1 February 2023
Our Ref: MOSSMJ\341656-000002
Page: 6

cc Secretary of State for Defence, Legal Team, Ministry of Defence, Defence Infrastructure Organisation, Mailpoint 2216, Poplar 2 Abbey Wood, Bristol, BS34 8JH

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dge-waste-water-treatment-plant-relocation/)