

Subject: CWWTPR – Gonville and Caius  
From: Bidwells  
Date: 18 December 2023  
To: Planning Inspectorate  
CC: Anglian Water



## CWWTPR – GONVILLE & CAIUS FURTHER REPRESENTATIONS (CORRECTED VERSION)

---

### December 2023 Update

As agent on behalf of Gonville & Caius, Cambridge ('the College') Bidwells continues to engage with Anglian Water's agent, Savills in respect of its interest as landowner of Poplar Hall Farm, Fen Ditton.

Revised draft heads of terms for an option agreement (confidential at AW's request) have been drawn up reflecting the various transactions for acquiring the College's freehold land and other permanent rights which the Project would give rise to.

Should the DCO be granted, the parties would be expected to follow these agreed terms, rather than following the larger and more onerous transfers of land and rights as set out in the DCO application.

The terms, which are subject to further review and approval from both the College and Anglian Water, cover the following transactions:

1. Easement for the Effluent and Storm Pipeline
2. Freehold sale of area for Outfall Structure
3. Subterranean freehold sale for the Sewerage Tunnel
4. Easement for the Sewerage Tunnel (i.e., restrictions on the College at surface level)
5. Easement for the Waterbeach Rising Main pipeline
6. Ecological Mitigation Works area

The heads of terms discussed intend to deal with acquisition of land and rights in respect of the Project only and do not preclude the College or its tenants from making additional claims in respect of disturbance, accommodation works, fees, other costs or other losses incurred as a result of the Project. The parties are expected to make separate arrangements regarding temporary working areas as and when more detail is known on timing for each element of the works.

The College made its initial representations in July and made an updated representation dated 20 November 2023. These representations are upheld.

### **This further representation reflects the College's additional comments specifically in response to the Deadline 2 submissions.**

#### **1. Error in Appendix 8.15: Habitats Regulations Assessment Screening Report (doc ref: 5.4.8.15)**

- 1.1. There is a plan shown on page 11 of document ref 5.4.8.15 which suggests that there will be air vents on the College's land at Poplar Hall Farm, which are up to 8 metres tall – all discussions with Anglian Water's agents to date have suggested that there will be no such structures left following construction and we do not believe these features are referenced elsewhere in the DCO application. The source of the plan is cited as 'Anglian Water CWWTPR PEI Introductory Paper, 2022', which we believe has been superseded. The presence of above ground features in the middle of the field will have significant implications on the ability to continue farming the area – we need confirmation that the inclusion of this information on the plan is an error and does not reflect the rights sought under the DCO application.

**2. New proposals regarding a reedbed and outfall management and monitoring plan included in ‘Responses to The Examining Authority’s written questions and requests for information (ExQ1)’ submitted by South Cambridgeshire District Council.**

- 2.1. We refer to pages 54-56 of the document above, starting at No.5.21 regarding the inclusion of a reed bed system being implemented at the exit of the outfall, which is due to be constructed on the College’s land within parcel 021b. This appears to be a new proposal and is not something which has been discussed by Anglian Water’s agents (Savills) with us prior to these D2 submissions.
- 2.2. The College continues to contest the inclusion of this parcel in its entirety to the scheme (see subsequent comments regarding BNG provision). The College will require further information regarding the proposed reedbed, including the reasons why it may be required for the scheme and the detail of the design, size, location, and on-going maintenance requirements so that we can provide informed comments on the proposal. The detail of this proposal will impact the separate heads of terms we are trying to agree alongside the DCO process – we are trying to cooperate with the acquiring authority but the plans around the College’s land, particularly with respect to plot 021b do not seem to have been fully considered making it difficult for the College to respond in full.

**3. Creation of ditches within plot 021b - Mitigation vs BNG additional work / excessive land included in freehold acquisition of plot 021b in DCO proposals (doc ref: 5.4.8.13)**

- 3.1. Paragraph 2.2.8 of doc ref: 5.4.8.13 confirms the following:

*The 345m indicative alignment of the ditch shown in Figure 1 would contribute towards a 20% net gain in river units and provide approximately:*

*84m of ditch creation for water vole mitigation, and*

*261m ditch creation for 20% BNG in river units, 62m of which is proposed to include 0.0245ha reedbed habitat creation (62m ditch up to 5m wide to include a 4m wide area of reedbed (as shown on Figure 2) to resolve the trading down in reedbed habitat units.*

- 3.2. The answers to Q No.5.14 and Q. No. 5.39 within ‘Responses to The Examining Authority’s written questions and requests for information (ExQ1)’ submitted by South Cambridgeshire District Council both confirm that off-site BNG river credits will need to be secured to address any shortfall. There is no requirement for the river credits BNG uplift to be delivered specifically on the College’s land at plot 021b and it therefore falls short of the requirements for acquiring land under compulsory purchase powers. For this reason, we strongly object to any acquisition of land within that plot other than as strictly required for the construction of the outflow structure and the construction of the ditches for ecological mitigation purposes only i.e., not BNG.
- 3.3. Even if the whole ditch length was required for the purpose of BNG, the amount of land submitted for freehold acquisition under the DCO application i.e. the whole of the College’s field north of the A14 (plot 021b) is excessive. There are no other proposals for the rest of the field labelled as ‘Works No. 39 Ecological Mitigation Area’ and therefore there is no argument for Anglian Water to acquire the freehold of this land, whether BNG is required or not.

**4. Inaccuracy in Compulsory Acquisition Schedule comments (doc ref: 3.5)**

- 4.1. Page 8 of the document above suggests that Anglian Water’s agent is awaiting a response from Bidwells regarding heads of terms as at December 2023. This is incorrect – a revised set of heads of terms (which had to be completely re-worked as the previous set were very unclear) was sent to Anglian Water’s agent, Savills on 20 November 2023. The reason for the delay in sending the revised terms to Savills was due to a delay in Savills / Anglian Water producing adequate plans for the College to review and comment on – these were finally received on 8 November 2023 after they were requested in July 2023. We continue to engage on the College’s behalf, however, as set out above, the issues around the BNG proposals continues to be a point of serious contention.

- 4.2. The College wishes to make a general comment regarding the DCO process and engagement with Anglian Water and their agents – communication has been inconsistent and unclear and the deadlines for which large volumes of information needs to be considered (i.e., the deadline 2 responses comments) are incredibly tight and unreasonable. Given the short amount of time given to make comment, the College reserves the right to make further comment and representations in respect of documentation released.