

## East West Rail Non-Statutory Consultation

- To: Highways and Transport Committee
- Meeting Date: 21 January 2025
- From: Executive Director of Place and Sustainability
- Electoral division(s): St Neots East & Gransden, Cambourne, Hardwick, Papworth & Swavesey, Sawston & Shelford, Trumpington, Queen Edith's, Petersfield, and Romsey.
- Key decision: No
- Executive Summary: Following the General Election, the East West Rail Company paused the East West Rail scheme and consultation. It has now launched a third non-statutory consultation, running from 14 November 2024 to 24 January 2025. This paper provides an update on the East West Rail scheme, and a draft technical response to the consultation, which is attached at Appendix 1.
- Recommendation: The Committee is recommended to:
- a) Endorse the draft response to the East West Rail non-statutory consultation attached at Appendix 1 for submission to East West Rail Company; and
  - b) Note that the existing delegated authority to the Executive Director of Place and Sustainability, in consultation with the Chair and Vice-Chair of the Highways and Transport Committee, would be used to make any changes to the proposed response following the Committee's discussion and ahead of the non-statutory consultation deadline, as set out in paragraph 2.7 of the report.

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# 1. Creating a greener, fairer and more caring Cambridgeshire

Ambition 1: Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes.

- 1.1 The proposed railway would provide connectivity across Cambridgeshire and has the potential to improve public transport, contributing to reducing transport emissions and providing a sustainable travel option. There are potentially negative carbon impacts from embodied carbon during construction, but the line is proposed to be partially electrified, with battery operation on non-electrified sections, which will significantly reduce emissions of carbon dioxide and other pollutants compared to both diesel traction and the emissions from equivalent passenger or freight journeys by road. Under the current proposals, it is not clear if freight trains could operate with electric traction. However, it should be noted that even with diesel power, rail freight would only generate a quarter or less of the carbon emissions of the equivalent road freight journeys, and has the additional benefit of reducing HGV traffic on the road network.

Ambition 2: Travel across the county is safer and more environmentally sustainable.

- 1.2 The proposed development would provide a new railway line between Bedford and Cambridge stations, including associated works within Bedford and Cambridge. This also includes train stations at Tempsford and Cambourne. As rail is a sustainable mode of transport, this project would deliver against this ambition. The Rail Safety and Standards Board also reports that [rail travel is significantly safer than road transport](#).

Ambition 6: Places and communities prosper because they have a resilient and inclusive economy, access to good quality public services and social justice is prioritised.

- 1.3 The proposed development would provide short term construction job opportunities, would improve transport links in the region in the long term, and would support economic development in the area accordingly, as well as delivering strategic connectivity.

Ambition 7: Children and young people have opportunities to thrive.

- 1.4 Improved connectivity along the route would provide better access to higher value employment opportunities, as well as post-16 education opportunities.

## 2. Background

- 2.1 East West Rail (EWR) is a proposed new rail route connecting Cambridge and East Anglia with Bedford, Milton Keynes and Oxford, through to the west of England. With onward links at each end, it would also provide connectivity and interchange with all the north-south main lines in England, without the need for a journey into London.
- 2.2 The project falls into the Nationally Significant Infrastructure Project (NSIP) process defined through the Planning Act 2008 (as amended), and will be considered under Part 3 Section 25 of the legislation, because the proposed railway would be constructed wholly in England, would be part of network approved operators route, is of a continuous route of more than 2 kilometres, and is not on operational land of a railway undertaker before construction work begins.
- 2.3 As an NSIP application, for which a Development Consent Order (DCO) is required, the planning application for the proposed railway will not be determined by the district councils or the county council. Responsibility for accepting and examining the NSIP applications rests with the Secretary of State for Transport, with the scheme assessed at a public examination by the Planning Inspectorate (PINS), which makes a recommendation to the Secretary of State, who will make the decision on whether to grant consent.
- 2.4 EWR has changed its programme plans, from holding a statutory consultation as its next round of public consultation to instead now undertaking a non-statutory consultation from 14 November 2024 to 24 January 2025. EWR has also submitted its Environmental Impact Assessment (EIA) report to PINS. PINS is currently consulting on the EIA to inform its EIA Scoping Opinion. Council officers will respond to this in line with the deadline set by PINS.
- 2.5 Appendix 1 of this paper sets out the Council's proposed technical response to EWR's non-statutory consultation. This consultation is the third non-statutory consultation on the proposals for the Central Section, and it provides an opportunity for comments to inform the further development of proposals as they are worked up in more detail.
- 2.6 A report on the Council's response to the previous non-statutory consultation was presented to the Highways and Transport Committee on 22 June 2021. A subsequent report on the development of the scheme and the Council's proposed outline position on several topic areas was presented to the Highways and Transport Committee on 23 July 2024, which included a delegated authority to officers to ensure that consultation and subsequent formal submissions to PINS or EWR could be made, including where there is insufficient time for a committee decision to be taken. Following the report in July 2024, the Council also has an ongoing holding objection to the scheme, which will remain in place until full detail is known about the proposals.
- 2.7 As this consultation closes on 24 January 2025, three days after the meeting of the Highways and Transport Committee, the existing delegated authority is not being used for the whole submission. However, any changes that need to be made following the committee meeting and ahead of its submission will be signed off by the Executive Director for Place and Sustainability, in consultation with the Chair and Vice-Chair, to ensure the submission deadline can be met.

### 3. Main Issues

- 3.1 A draft response to this non-statutory consultation is attached at Appendix 1 of this report. As the response remains a draft version, it may be subject to non-substantial changes by officers following comments from the committee. As set out in paragraph 2.7 above, the existing delegated authority will be used to sign off the finalised response ahead of the deadline.
- 3.2 Key considerations which officers have considered as part of the Council's draft non-statutory consultation response include:
- Electrification of the Route – EWR has announced that the route will use discontinuous electrification which will allow trains to run partially on onboard batteries and partially on overhead lines. This is a positive step, but the benefits of full electrification towards meeting net zero targets should be fully explored.
  - Impact on Public Rights of Way (PROW) and the road network – the proposed route would have an effect on roads, PROWs and communities across Cambridgeshire, before, during, and after construction. This could affect connectivity and severance.
  - Ecology and Biodiversity – potential impacts have been identified on sensitive ecological sites and key populations, including bats. These need to be fully understood and discussed in detail with EWR.
  - Door to Door Connectivity – EWR has not proposed any additional infrastructure or schemes to promote active travel in the area at this time. It is essential that opportunities to improve active travel and fully connect new stations to existing communities are taken.
  - The interface with other infrastructure-based projects being brought forward by the Council and the Greater Cambridge Partnership (GCP) taking place near the proposed route needs to be fully understood.
- 3.3 As usual with NSIPs, officers have also commented on:
- Flooding, drainage and water resources
  - Ecology and biodiversity
  - Archaeology and historic environment
  - Minerals and waste
  - Communities
  - Climate and carbon
  - Emergency planning
  - Transport strategy
  - Highways
  - Public Health
- 3.4 The Council defers issues regarding noise, vibration, and air quality to the relevant district councils (Huntingdonshire District Council, South Cambridgeshire District Council, and Cambridge City Council), although it reserves the right to comment on landscape and visual impacts in future consultations and technical working groups.

- 3.5 The report presented to the Highways and Transport Committee on 23 July 2024 further sets out the Council's position. Based on the information available in the EWR non-statutory consultation, it is proposed to continue reserving the Council's position with a holding objection until more detailed information about the proposed route and construction has been released and technical discussions between the Council and EWR have taken place to better understand key matters.
- 3.6 Following the non-statutory consultation, there will be a statutory consultation, as well as ongoing engagement and discussion with EWR, which will present future opportunities to further represent on the Council's position and requirements.
- 3.7 The following paragraphs set out key points on additional infrastructure currently outside of the scope of the East West Rail proposals raised in the draft response to the consultation. This is not a comprehensive summary of the content of the draft response, which is attached at Appendix 1.

### 'Cambridge East' Station to serve the east of the city and development of Cambridge airport

- 3.8 In considering the platform capacity and turnback capacity for EWR trains in the Cambridge area, the EWR Company has considered the option of providing additional track capacity on the Cambridge to Ipswich line to the east of Cambridge for train turnback. The feasibility of a station to serve the east of the city and the Cambridge Airport site has been looked at as part of that work.
- 3.9 The Council has discussed the potential for a station with local partners and is of the view that such provision would be highly desirable in providing transport capacity for planned development to complement already planned investment in the GCP's Eastern Access scheme and to improve connectivity into the east of the city. It is therefore recommended that the Council strongly advocates for the continued development of proposals for a station as part of the EWR scheme, while accepting that third party funding from development may be required to bring it forward.
- 3.10 It is also recommended that this work should include consideration of the track capacity needed over and above that required for turnback to allow an increase in the frequency of services between Cambridge, Newmarket, Bury St Edmunds and Ipswich.

### Eastern passenger entrance to Cambridge Station

- 3.11 The EWR Company has considered passenger access and circulation at Cambridge Station, and advises that a second footbridge would be required in any circumstance to allow for evacuation from the island platforms. The scheme is not currently proposing that this would provide for passenger access from the east of the railway, but the Council recommends that the option of an eastern access to Cambridge Station should be taken forward as part of the ongoing scheme development work. It is noted that around twenty years ago, as part of the planning of development between Rustat Road and the railway, space was left to allow for pedestrian and cycle access between Rustat Road and an eastern access to the station.

## Fen Road Cambridge level crossing

- 3.12 The proposals include works at Cambridge North Station and to the south of the A14 on the eastern side of the railway. The implications of these works on potential future access options into the North-East Cambridge site and on rail movements through the level crossing on Fen Road in Cambridge will need to be understood and addressed as part of the continued development of the proposals.

## 4. Conclusion and Reasons for Recommendations

- 4.1 It is essential that the Council submits its response to the EWR non-statutory consultation in line with the deadline on 24 January 2025.
- 4.2 It has been presented to the Committee to ensure Members have the opportunity to review and comment on the proposed draft response. Delegated authority is only being used in part for this submission, to approve any required final changes following the committee's discussion and ahead of its submission.
- 4.3 The Executive Director of Place and Sustainability will sign off the final response ahead of its submission to EWR, in consultation with the Chair and Vice-Chair of the committee.
- 4.4 The committee is asked to endorse the response attached at Appendix 1, and to indicate any additions or revisions it wishes to see included ahead of its submission to EWR, noting there will be future opportunity for engagement and feedback at EWR's statutory consultation.

## 5. Significant Implications

### Finance Implications

- 5.1 There are no current significant financial implications, as a PPA has been agreed with the Applicant and the Council has received funding from the Ministry for Housing, Local Government, and Communities (previously the Department of Levelling Up, Housing, and Communities (DLUHC)) to support its technical work on the EWR pre-application process.

### Legal Implications

- 5.2 There are no significant legal implications at this stage. Legal advice and representation, including specialist advice on the application and DCO process, as well as the legal elements of the Order and any agreements, will be utilised throughout the DCO process, and legal agreements may be entered into with the applicant during this process. It is expected that appropriate legal support and advice will need be scoped and secured to support the Council in the run up to, and specifically through the examination.
- 5.3 Additionally, as the proposed route passes through County-owned land, EWR may exercise its powers to acquire land from the Council through Compulsory Purchase Orders. Those

powers are granted as part of the Development Consent Order for the scheme, should it get consented. This would also have financial implications, as it would result in capital receipts.

## Risk Implications

- 5.4 There is the potential risk, if the committee does not endorse the proposed draft response or requests substantial changes, that the Council will be unable to meet the non-statutory consultation's deadline of 24 January 2025. The result could be that EWR does not take into account a late submission, which may reduce the Council's ability to provide feedback on the scheme and influence its development, leading to substandard outcomes.

## Equality and Diversity Implications

- 5.5 The Council will assess the equality and diversity implications of the proposals informed by the non-statutory consultation material that will be presented by the EWR Company.
- 5.6 EWR is required to satisfy the requirements of the Public Sector Equality Duty and will complete an Equality Impact Assessment (EqIA) for its proposals, which will consider:
- Differential impacts - where the impact on a particular group may be different from other sections of the population, such as where certain kinds of infrastructure may prevent people from using a space (for example only providing steps on an access route).
  - Disproportionate impact - where the impacts might be disproportionately felt by some groups of people, for example where the make-up of an area or the users of a resource include greater numbers of a particular groups, such as a school or church.
- 5.7 EWR will submit its EqIA as part of its DCO application. The Council will then review the EqIA and associated documentation.

## 6. Source Documents

- 6.1 [Rail still safer and greener than road \(Road Safety and Standards Board\)](#)
- 6.2 [Section 25\(1\) of the Planning Act 2008](#)
- 6.3 [Agenda Item 8 \(East West Rail Company Non-statutory Consultation\)](#), meeting of the Highways and Transport Committee on 22 June 2021
- 6.4 [Agenda Item 9 \(East West Rail Company Consultations\)](#), meeting of the Highways and Transport Committee on 23 July 2024
- 6.5 [East West Rail's Consultation website](#)
- 6.6 [PINS project page for East West Rail](#)