

## East West Rail Company Consultations

- To: Highways and Transport Committee
- Meeting Date: 23 July 2024
- 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: This report provides an update on the East West Rail project. It provides background on the scheme and an outline position on several key topic areas. It also notes the Nationally Significant Infrastructure Projects (NSIP) process with highlighted risks and implications for the County Council. The committee is asked to delegate authority to the Executive Director of Place and Sustainability, where there is insufficient time to take reports to the Highways and Transport Committee, to ensure that the NSIP timescales can be met, thus allowing our submissions to be given full weight by the Planning Inspectorate (PINS) in the determination process and ahead of an expected Statutory Consultation.
- Recommendations: The Committee is recommended to:
- a) Endorse the position set out in this report and note the latest information and updates on the East West Rail project;
  - b) Delegate authority to the Executive Director of Place and Sustainability, in consultation with the Chair and Vice-Chair of the Highways and Transport Committee, to submit Nationally Significant Infrastructure Project related responses to both the Applicant and the Planning Inspectorate on behalf of the Council; and
  - c) Note that where delegated powers are used, draft responses will be sent to Local Members and the members of the Highways and Transport Committee ahead of submission to the Planning Inspectorate.
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# 1. Creating a greener, fairer, and more caring Cambridgeshire

- 1.1 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. The proposed railway will 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, and the line is currently not proposed to be electrified which would improve emissions during operation.
- 1.2 Ambition 2: Travel across the county is safer and more environmentally sustainable. The proposed development will provide a new railway line between Bedford and Cambridge Stations including associated works within Bedford. This also includes a train station at Tempsford and Cambourne. As rail is a sustainable mode of transport this project will deliver against this ambition.
- 1.3 Ambition 3: Health inequalities are reduced. EWR is expected to serve the new Cambridge South station and the Cambridge Bio-medical Campus, which will improve connectivity to health services. The overall impact of the scheme on public health will be assessed at a later stage of the project.
- 1.4 Ambition 5: People are helped out of poverty and income inequality. Improved connectivity along the EWR route will provide better access jobs, particularly to higher value employment opportunities.
- 1.5 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. The proposed development will provide short term construction job opportunities, improve transport links in the region in the long term, and support economic development in the area accordingly as well as deliver strategic connectivity.
- 1.6 Ambition 7: Children and young people have opportunities to thrive. Improved connectivity along the EWR route will 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. It would also provide connectivity and interchange with all of the north-south main lines in England without the need for a journey into London. Figure 1 provides information on the proposed line, with further details on [the EWR website](#).

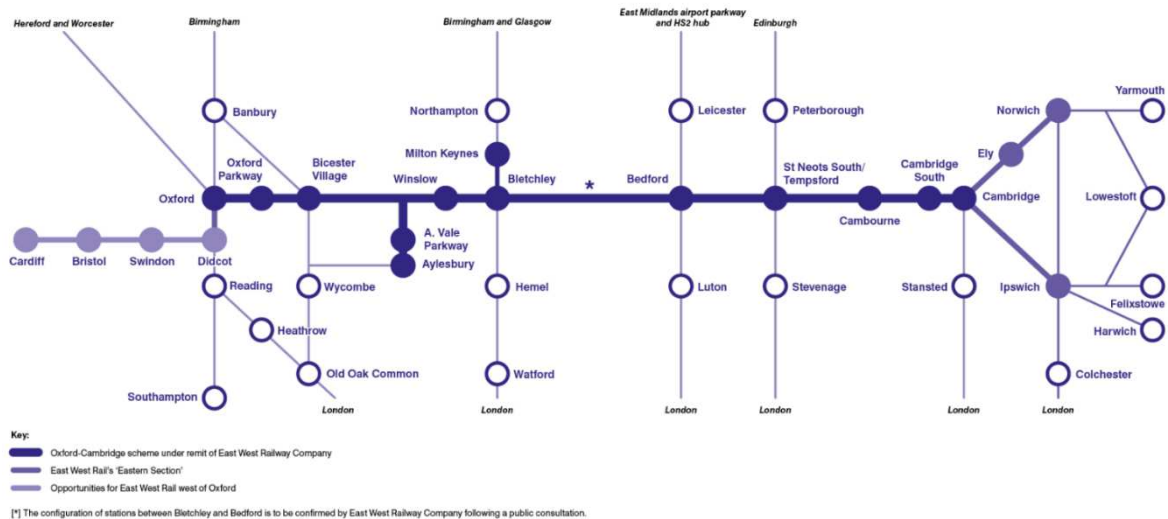


Figure 1: The East West Main Line

- 2.2 This report focuses on the section between Bedford and Cambridge. 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. This paper updates the Committee on the development of the scheme and the Council’s proposed outline position on several topic areas which will need to be addressed in the response to the statutory consultation and in the Council’s ongoing technical engagement with the EWR Company.
- 2.3 The EWR Company published its Route Update Report in May 2023, which set out section specific updates on plans for the railway infrastructure and how they have developed since the non-statutory public consultation in 2021. The report included the Company’s preferred route alignment between Bedford and Cambridge. It was anticipated that a formal statutory consultation would be held in two stages with the first phase expected to be in Summer 2024, with a further consultation containing more detail taking place in 2025. As a consequence of the general election, the EWR Company is reviewing its plans and hasn’t made any further proposals yet for consultation.
- 2.4 The preferred route between St Neots and Cambridge is shown in Figure 2 and would provide new railway stations at Tempsford (south of St Neots) and to the north of Cambourne, and it would enter Cambridge from the south, serving the new Cambridge South Station. The anticipated statutory consultation will cover the section between Bedford and Cambridge, which is the subject of this report.

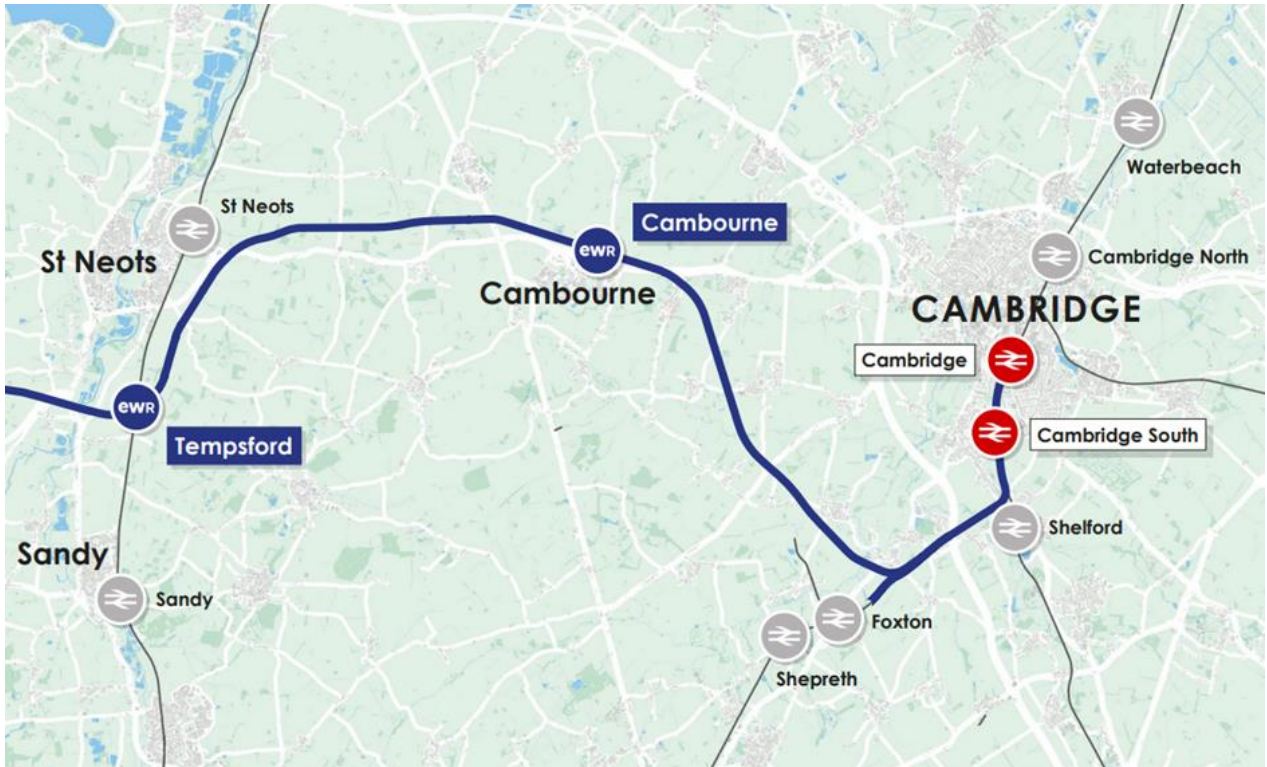


Figure 2: The Preferred Route Alignment of the central section of East-West Rail (source East West Rail website, 2023)

- 2.5 As a Nationally Significant Infrastructure Project (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.
- 2.6 Should the scheme receive a positive decision from the Secretary of State, this will grant planning consent, and permission to acquire land for the project, and then operate the new railway. This report sets out the latest information on the project and summarises the Council's proposed position on the key issues ahead of the formal consultation.

### 3. Main Issues and the Role of the Council

- 3.1 Local authorities are statutory consultees for any proposed NSIP within their area and in neighbouring areas. The Council, as a 'host authority', is a statutory consultee in the NSIP process and will therefore automatically be invited to take part in the process. The role of the authority is to scrutinise the application, offer technical advice on its requirements from the proposals in relation to its areas of responsibility, both through the statutory consultation(s) and on an ongoing basis through the NSIP process, and represent local views. The Council will set out and submit its views at formal consultations, and eventually at public examination. At this early stage in the consent process, no position on EWR is proposed to the Committee.

- 3.2 Host authorities are required to make a factual assessment of the consultation material and submit a response. It is expected that the host authorities will have a very constrained timescale in which to assess the consultation material, which is likely to be extensive given the scale of the scheme and the large volume of technical information which will be needed to support it.
- 3.3 EWR has already held several public consultations to inform its designs, including the assessment and selection of its preferred route in 2021, and the subsequent Route Update Report in 2023. A two stage Statutory Consultation is planned by EWR, which will be part of the formal process for gaining a planning consent, although as described above, the timing of this has been impacted by the general election. Regardless of the timing of any consultation, it is not anticipated that there will be sufficient time for officers to present a draft response to the Committee and this report therefore seeks delegated authority to submit a response ahead of the close of the consultation, in consultation with the Chair and Vice-Chair of the Committee.
- 3.4 Officers have had some meetings and pre-application discussions with EWR to inform its proposal to date. Officers have been engaging with the EWR Company on the proposals but there has to date been a lack of substantive information made available to the Council, as well as other host authorities, to enable a thorough review of the detail and the content. Although the Council supports the principle of better rail connections and sustainable transport, it is critical that the proposal which comes forward delivers real benefits for residents and businesses in Cambridgeshire. Given the size of the scheme and its nature, there are likely to be impacts as well as the expected strategic benefits, and these should be clearly identified and mitigated as far as possible.
- 3.5 Based on the information made available so far, it is expected that there are a number of key areas that the Council will represent on, but that most of the technical detail is likely to be provided as part of the second statutory consultation. In this case, officers recommend reserving the Council's position with a holding objection as part of any consultation response until more information about the proposed route and construction has been released and technical discussions between officers and EWR have taken place to understand key matters.
- 3.6 Key areas of importance to the Council which are suggested to form part of the Council's response are set out below, with delegation sought for the submission of a final, more detailed submission to meet any forthcoming consultation deadline.

### Impacts on local communities

- 3.7 Understanding and mitigating impacts, including noise, visual impact and affecting connections (described as 'severance'), along the proposed route, given its linear nature, will be key and particularly important for communities that are shown as close to the route, such as Cambourne and on the approaches to Cambridge.

### Interaction with local roads, highway infrastructure and public rights of way

- 3.8 Securing appropriate design standards for new highways that will be built and handed over to the Council, and understanding the impact on and proposals for the Rights of Way network will be important. The Council is concerned about potential impacts on existing

active travel routes and connections to Greenways. These will need to be reviewed and discussed further once detailed plans are available to identify any network changes or mitigations.

## Public health and wellbeing

- 3.9 The Public Health Team should be involved from the earliest stage, particularly in the environmental assessment and health impact scoping process. It will be essential to understand cumulative the scheme's impacts on people's health and wellbeing during development, while construction takes place and when it is in use. It also needs to be considered that EWR is likely to be constructed after the A428, which could cause a long period of disruption in the area. Other concerns could include community severance or impacts on access, or air quality.

## Active travel and connectivity

- 3.10 The Council wishes to see a high quality end-to-end active travel route in the corridor, and the most important section of this is around the Cambourne area. In addition, the Council expects high quality access by active travel between new railway stations, settlements and key services, as well as secure cycle parking, to be provided in line with LTN 1/20 and the Cambridgeshire Active Travel Strategy.

## Minerals and Waste

- 3.11 The Council requires further information on the impact of the preferred route on its Minerals and Waste sites. Safeguarding of all existing quarries, waste sites and minerals areas will be required.
- 3.12 Railway construction requires significant quantities of crushed rock that would probably need to be imported from the north or west, impacting on other mineral planning authorities. More information is needed regarding how much material is needed and how it would be transported to the site.

## Ecology

- 3.13 East West Rail should commit to doubling nature and delivering biodiversity net gain specifically within Cambridgeshire and for those impacted by the scheme as part of a Strategic Nature Agreement.
- 3.14 Key concerns are the rare species of Barbastelle Bat Colony at Wimpole and Eversden Wood Site, and the impacts on hedgerows and how they are linked.

## Climate change, carbon and energy

- 3.15 EWR has the potential to provide a transformational sustainable transport connection, but this would be maximised if the new line was electrified from the start. This would help to contribute to the national carbon budget. The proposals should include clear and measurable targets related to climate change and carbon reduction in line with the government's

commitment to net zero carbon by 2050. Whole life carbon analysis for the entire project will be essential including for buildings and landscape changes.

### Flood risk

- 3.16 The preferred route via Cambourne passes through areas with significant flood risk. ERW should recognise all risks from surface water runoff, watercourses, groundwater, and main rivers, and avoid or manage the risks appropriately. The scheme should consider mitigation methods for flood reduction, and these should all be sustainably designed.
- 3.17 Where possible, in line with the National Planning Policy Framework, the scheme should explore opportunities to provide a reduction in flood risk to existing communities as well as that the route itself is sustainability designed.

### Cambridge Station- Eastern Access for non-motorised users

- 3.18 The desire for improved access to the eastern side of the railway line at Cambridge station is a long-held aspiration for the Council. The current Local Plan for the area – the Cambridge Local Plan 2018 – contains a policy on an aspiration for improved access to the east of the station, via a new eastern entrance or improved pedestrian and cycle links to the current western station area, which has been redeveloped in more recent years as part of the CB1 and Station Square works. EWR may provide an opportunity to deliver this and significantly improve access to Cambridge Station, as well as relieve pressure on congested routes on the west side of the station.

### Property and projects

- 3.19 The EWR alignment appears to interface directly with the Greater Cambridge Partnership's Cambridge to Cambourne project. Suitable Protective Provisions should be agreed to ensure that the two projects can both be delivered in a timely manner, without disrupting the other.

### Construction Impacts

- 3.20 Building a new railway will have impacts on businesses and residents, and this is expected to be set out in terms of where site compounds will be located, how the highway network will be affected and other supporting information.
- 3.21 It is important to note that until the consultation material is available it isn't possible to take a full view on the impacts and benefits of EWR, so the above points are set out as principles. It is proposed to present a report to the Committee before the proposed second Statutory Consultation, to seek Members' views and consider adopting a formal position on EWR at that time, when there should be significantly more information available, and officers should have the benefit of more extensive discussions with the applicant.

## 4. Alternative Options Considered

- 4.1 This report seeks a delegation to the Executive Director for Place and Sustainability, in consultation with the Chair and Vice-Chair of the Committee, to submit responses to the

expected Statutory Consultation and other formal requests on East West Rail to both the Applicant and the Planning Inspectorate.

- 4.2 An alternative option considered was to present a report seeking the committee's agreement on a draft response to the first stage of the statutory consultation, with a delegation to make amendments to that response following the committee meeting. However, this hasn't been possible due to the impact of the general election on the consultation.
- 4.3 It was also considered to defer the report until there is more certainty on the timing of any consultation, but presenting a report at the meeting on 23 July 2024 would allow the appropriate delegations to be put in place and would establish some outline principles on the EWR project. This option has not been progressed because there will not be enough time for officers to consider the proposals, draft a response and progress through the committee process within the expected timeframe of the consultation. Uncertainty over the timing of the consultation also means that it is possible that there would not be an appropriate committee meeting scheduled within the consultation timeframe.
- 4.4 A further alternative would have been not to respond to the initial statutory consultation and reserve the Council's position until a later date. This option wasn't considered feasible for a scheme of this size and complexity, where the Council's views should usefully inform the development of the scheme in the period between the two consultations. It is also likely that the second stage of the statutory consultation will also need a delegation due to the same timing issues noted above.

## 5. Conclusion and reasons for recommendations

- 5.1 To avoid any undue delay to the NSIP process and to enable a formal response to the statutory consultation to be submitted in accordance with any deadline, it is requested that the Committee delegates authority to submit responses on behalf of the Council. Irrespective of any delegations to meet the necessary timescales, the following is proposed to be followed to ensure good practice and ensure an open and transparent decision-making process:
- Key documentation and updates will be provided to members of the Highways and Transport Committee and local Members by email at the earliest opportunity, to ensure that key deadlines are known in advance and any proposed comments on the documentation provided as early as possible;
  - Responses to PINS will be circulated to members of the Highways and Transport Committee and local Members by email for their records; and
  - Where deemed necessary, Member briefings or specific topic meetings will be set up to provide guidance on the NSIP process and technical responses provided.
- 5.2 If the recommendations within this paper are approved, the outcome will be that officers will have delegated authority to ensure that consultation and subsequent formal submissions to PINS or the EWR Company can be made, including where there is not sufficient time for a committee decision to be taken.



## 6. Significant Implications

### 6.1 Finance Implications

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

### 6.2 Legal Implications

There are no significant legal implications at this stage. Legal advice and representation including specialist advice on the application and DCO process, 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 to be scoped and secured to support the Council in the run up to, and specifically through the examination.

### 6.3 Risk Implications

There is the potential for multiple DCOs to be submitted on similar timescales, placing pressure across technical specialists in the Council, and the Consents team. The East West Rail DCO and the Fenland Reservoir DCO are currently working to similar timescales. The Council's recent successful DLUHC bid will help to mitigate this in terms of funding additional technical specialists, and the application's programme may be subject to slippage. If several DCO programmes continue to be in alignment, the issue will be raised directly with PINs ahead of the setting of any examination timetables, to make them aware of any resource implications. There is a real risk of substandard outcomes and an inability to adequately respond to examinations, due to a lack of input to the development of the schemes if too many DCO application programmes align.

### 6.4 Equality and Diversity Implications

The Council will assess the equality and diversity implications of the proposals informed by the statutory consultation material that will be presented by the East West Rail Company. The Company is required to satisfy the requirements of the Public Sector Equality Duty and will need to complete an EQIA for EWR including looking at:

- Differential impacts - where the impact on a particular group may be different from other sections of the population e.g. Where certain kinds of infrastructure may prevent people from using a space e.g. Only providing steps on an access route.
- Disproportionate impact - where the impacts might be disproportionately felt by some groups of people e.g. 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.

## 7. Source Documents

7.1 [Agenda Item No. 8 \(East West Rail Company non-statutory consultation\) - Highways and Transport Committee Meeting, 22 June 2021](#)

7.2 [East West Rail – The East West Main Line](#)

7.3 [East West Rail Route Update Report \(May 2023\)](#)

7.4 [Cambridge Local Plan 2018](#)