

Our ref: RA/2021/142965

Your ref: TWA/21/APP/01

Date: 02 December 2021

ENVIRONMENT AGENCY STATEMENT ON FLOOD RISK FOR TRANSPORT AND WORKS ACT 1992 (“TWA”): APPLICATION FOR THE PROPOSED NETWORK RAIL (HUDDERSFIELD TO WESTTOWN (DEWSBURY) (IMPROVEMENTS) ORDER

This statement seeks to clarify the Environment Agency’s current position on the Transport and Works Act Order being sought by Network Rail, specifically with regards to flood risk.

The flood risk assessment supporting this development proposal is based on modelling work undertaken by Atkins, Network Rail’s consultants. They have used an existing EA model and have run the model again with the project scheme in place. This also includes model runs to represent appropriate climate change allowances, both with and without the scheme in place. To be satisfied whether the risks have been adequately identified and appropriate mitigation subsequently proposed, the Environment Agency must review the modelling that underpins the conclusions of the flood risk assessment. This is standard practice for all modelling that is proposed to be used as the basis for a flood risk assessment for planning purposes. Until we are able to conclude that the model is fit for purpose, we are unable to agree on the risks identified and mitigation measures proposed within the flood risk assessment.

We first raised the need for our review of the modelling within our representation in May of this year (**REP/03**). Following this, in June, we met with Network Rail and Atkins to discuss the specific issue of flood risk. The need for a review of Network Rail’s modelling was discussed again. Both parties had hoped that this review would be concluded prior to the Inquiry, to provide confidence in the assessment of flood risk and ensure suitable mitigation be proposed within the flood risk assessment.

Within two weeks of this meeting, Network Rail submitted model files for the review. Unfortunately, on receipt of the files, our modelling team confirmed that they were not supported by a modelling report. Without this report, the review could not commence. This is because a modelling report is essential to allow us to replicate the model runs that have been undertaken. Although we first requested this at the end of June, this report was not received until 8th September, so we were unable to begin our review until mid-September.

Within three weeks of receipt of the report we concluded our review and the modelling team were unable to confirm whether the modelling was considered fit for purpose. The feedback provided from the modelling team related predominantly to missing files and information that would enable them to understand the methodology used and to replicate the model runs undertaken. This had particular implications for understanding the risk resulting from the proposed development and for ensuring that appropriate flood storage compensation had been proposed.

On receipt of the model review feedback, Atkins highlighted that the model review had focused on the wrong model version. The EA modelling team established that this was because our local data team had provided the wrong model version to the modelling team. While we acknowledged the mistake made, we were able to confirm that the applicant could continue to address some of the issues raised in the review report, being comments that weren't dependent on the model version. We confirmed that on receipt of this additional information, we would undertake a second review, in which we would correct our feedback.

Network Rail's response to our model review report was submitted to us on 21st November, with the supporting model files provided to us last week. The modelling team undertook their second review and, on Tuesday of this week, highlighted that they were still unable to locate the information needed to replicate the model runs and as such have not been able to reach a position to confirm that the model is fit for purpose.

The implication of this, is that we cannot currently confirm that the modelling that has been undertaken correctly represents the impacts of the proposed development on flood risk. It is possible, in the worst case scenario, that once the outstanding modelling issues have been addressed, the outputs of the flood model could be significantly different to what they are now, potentially undermining the conclusions of the flood risk assessment.

In the meantime, we have been working with the applicant to agree the principles within their flood risk assessment – founded on the scenario in which we reach a position where the model is found to be fit for purpose. We have also agreed additional principles for managing flood risk within the compound areas, which are set out in the Statement of Common Ground.

Ultimately, at face value, we consider that the flood risk assessment represents an acceptable development proposal, considering the outputs of the modelling provided by Network Rail. However, given the uncertainties resulting from the model reviews, the outputs are subject to change, and subsequently the flood risk assessment and our views on the proposed development are also subject to change.

We are disappointed that we have been unable to reach agreement on the modelling prior to this Inquiry, but we consider we have done everything within our power to progress the review and reach agreement on the principles of the proposal within the flood risk assessment.

We will continue to facilitate a liaison between the EA model review team and Atkins' modellers, until the model can be confirmed fit for purpose, and to work with Network Rail on any required changes to the FRA and the development proposals.

Miss Lizzie Griffiths

Sustainable Places - Planning Specialist

Direct dial 020 302 58439

Direct e-mail lizzie.griffiths@environment-agency.gov.uk