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Your ref: CA0212.07004

Date: 15 September 2021

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BY EMAIL

Place and Economy
Project Delivery

Secretary of State for Transport c/o Transport
Infrastructure Planning Unit
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Great Minster House
33 Horseferry Road
London SW1P 4DR

Box SH1310
Shire Hall
Cambridge
CB3 0AP

By email only to: transportinfrastructure@dft.gov.uk

15 September 2021

Dear Transport Infrastructure Planning Unit

**THE NETWORK RAIL (CAMBRIDGE SOUTH INFRASTRUCTURE
ENHANCEMENTS) ORDER**

This letter is sent by Cambridgeshire County Council (the Council) in relation to the Council's own interests and also on behalf of the interests of the Greater Cambridgeshire Partnership (GCP).

The Council and GCP would again like to state their in-principle support for the Order. The Council and GCP note the benefits of the proposed Order and its inclusion within the wider Cambridgeshire & Peterborough Combined Authority Local Transport Plan.

Since the objection letter dated 2 August 2021 was submitted, the Council, GCP and Network Rail Infrastructure Limited (Network Rail) have not been able to conclude an agreement settling the matters raised in the objection.

Therefore, please accept the objection submitted to the Transport Infrastructure Planning Unit on 2 August 2021, as the Council's and GCP's statement of case. A further copy can be supplied on request.

Negotiations and engagement are ongoing between the Council, GCP and Network Rail Infrastructure Limited and we are hopeful that agreement will be reached ahead of any public inquiry.

As discussed with the Department for Transport, a resolution pursuant to section 239 of the Local Government Act 1972 is required to be passed by the Council in respect of this objection.

Yours sincerely

G.J. Blackett

Gareth Blackett

DCO Team Leader

For and on behalf of

Cambridgeshire County Council

My ref: CSS TWA 020821
Your ref:

Date: 2nd August 2021

Contact: Chris Poultney

Telephone:

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Place and Economy
Transport, Strategy and Funding

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THE NETWORK RAIL (CAMBRIDGE SOUTH INFRASTRUCTURE ENHANCEMENTS) ORDER

Dear Transport Infrastructure Planning Unit,

This letter is sent by Cambridgeshire County Council (the Council) in relation to the Council's own interests and also on behalf of the interests of the Greater Cambridgeshire Partnership (GCP).

The Council and GCP would like to state their in-principle support for the Order. The Council and GCP note the benefits of the proposed Order and its inclusion within the wider Cambridgeshire & Peterborough Combined Authority Local Transport Plan.

However, please accept this letter as an objection to the Order by the Council and GCP. This objection is on the basis of ensuring that the Council and GCP's positions are protected. The Council and GCP hope that any concerns raised in this letter can be resolved with Network Rail Infrastructure Limited (Network Rail) allowing the objection to be withdrawn.

The Council's Objection

The Council is concerned that the proposed Order may impact the Council in its execution of functions as the owner and operator of the Cambridgeshire Guided Busway as approved through the Cambridgeshire Guided Busway Order 2005 (the Busway) and as highway authority. The Council raises these concerns without prejudice to any other matters the Council may need to raise in relation to this Order, and in any other capacity they may have.

Notably, the Council is concerned regarding the impact of the Order on its property in the following manner:

1. Compulsory acquisition powers over plot numbers 004a and 004c – these areas lie directly under the Busway track;

2. Temporary possession powers over plot 004 – this is a large area and covers a significant part of the Busway track; and
3. Compulsory acquisition of plot 031 - “to install soil nails and anchors together with associated ground stabilization works to support the proposed retaining wall of the Cambridge Guided Busway, situated to the west of Francis Crick Avenue”.

As is evident, the proposed powers to be exercised over these plots of land may have a significant impact on the infrastructure and operation of the Busway and the provision of bus services using the Busway. The Council therefore objects on this basis and reserves its position in this respect, pending conclusion of satisfactory agreements with Network Rail and the agreement of changes to the draft Order.

The Council also has concerns regarding the highway network for which it is the appropriate authority. The Council would like to reserve its position on the impact the Order may have on the highway network in this regard.

The Council therefore believes it necessary to seek protection over its assets and in relation to its duty as the operator of the Busway and highway authority. The Council is hopeful that satisfactory amendments to the draft Order (in particular Protective Provisions) and the completion of a related agreement will address the Council's concerns allowing it to withdraw its objection at the earliest possible opportunity.

GCP's Objection

GCP is a local delivery body consisting of four partners: Cambridge City Council; Cambridgeshire County Council; South Cambridgeshire District Council; and the University of Cambridge. The delivery body was formed to implement the City Deal, agreed in 2015 and 2020 respectively. Amongst other things, the City Deal is funding the Cambridge South East Transport project (CSET).

It is intended that an application will be made to the Department for Transport (**DfT**) for a TWAO to construct the CSET Scheme under the Transport and Works Act 1992 accompanied by a request for a Planning Direction under Section 90 (2A) of the Town and Country Planning Act 1990.

CSET will provide a new public transport route between the A11 and the Cambridge Biomedical Campus via Sawston, Stapleford and Great Shelford, a new travel hub near the A11/A1307 junction with connections to Babraham, the Babraham Research Campus and Granta Park and a new active travel path for walkers, cyclists and horse riders along the new public transport route. CSET forms part of the Cambridgeshire & Peterborough Combined Authority Local Transport Plan.

It is envisaged that there will be considerable overlap between the construction periods and land required for both the Order and CSET Scheme.

It is therefore of critical importance that Network Rail works collaboratively with the GCP to ensure that both schemes can be brought forward together, and sympathetically designed to accommodate one another to ensure that that can happen.

The GCP's support for the Scheme is conditional on an agreement with Network Rail in respect of the following points;

1. Land Requirements

a) GCP requires an agreement with Network Rail to ensure both schemes are in agreement in respect of the powers required to ensure that both schemes are co-ordinated in seeking to acquire the permanent or temporary land or rights, and alterations to streets provided for in schedules 2 to 9 of the Order.

b) A better understanding of Network Rail's intended use of the Genome Path is required. Network Rail has advised that works to the Genome Path are not required for the delivery of its scheme. An agreement between GCP and Network Rail is required as to the status and requirement of the Genome Path throughout the construction of the Network Rail scheme.

c) Clarification is required from Network Rail in respect of land required for site access, including access to Network Rail's works compound, and access to Francis Crick Way. Agreement is required with Network Rail in respect of which rights are required over Francis Crick Avenue.

d) Agreement is required in respect of ownership and management rights to clarify what rights are needed from each other for each respective schemes and who will obtain the benefit of those rights.

2. Design

a) It is critical to the CSET Scheme to understand and reach agreement with Network Rail in respect of how both schemes overlap on Francis Crick Avenue.

b) Agreement is needed with Network Rail in respect of the provision of:

- Biodiversity Net Gain across the two schemes.
- The location of attenuation ponds and landscape and drainage requirements for both schemes, and how these can work together and to ensure the correct land take is sought for each scheme.
- The construction programmes for each scheme to complement each other and avoid duplication of works and unnecessary disruption to neighbouring businesses and the public where scheme layout overlaps.

It is GCP's position that the Scheme may proceed based on the points listed above being reconciled with Network Rail, and agreement reached.

GCP hopes that work on a Statement of Common Ground (and associated agreements) will continue to progress in addition to satisfactory amendments to the draft Order (in particular Protective Provisions) being made in order to address the GCP's concerns and allowing it to withdraw its objection at the earliest possible opportunity.

The Council and GCP look forward to discussing these issues with Network Rail.

We look forward to hearing from you further in due course; please direct all correspondence to the above address.

Yours sincerely

Chris Poultney

Transport Strategy Manager

For and on behalf of

Cambridgeshire County Council

