

This matter is being dealt with by  
Anna, Cartledge

No 1 Colmore Square  
Birmingham B4 6AA  
DX 721090 Birmingham 43  
T +44 (0)121 214 0000

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

BY EMAIL: [transportinfrastructure@dft.gov.uk](mailto:transportinfrastructure@dft.gov.uk)  
CC Address: [Michele.Vas@dentons.com](mailto:Michele.Vas@dentons.com)

Our ref: 1249803.22  
Your ref: TWA/21/APP/04/OBJ/16

15 September 2021

Dear Sirs

**Transport and Works Act Order**  
**The Network Rail (Cambridge South Infrastructure Enhancements) Order 202[x] ("Order")**  
**Our client: South Staffordshire Water PLC**

**Statement of case in relation to the above Order**

We write further to your letter of 4<sup>th</sup> August 2021 regarding the above Order.

We submitted an objection to the order on behalf of our client, South Staffordshire Water PLC, and confirm that our client is content to rely on the contents of that objection as our statement of case (taken alongside the updates given below).

We will take the substantive points raised in our objection in turn in order to give the inspector an update in relation to each point:

1. *The discussions between the promoter and our client have, to date, been very limited and our client has been provided with little detail in terms of the potential impact of the Scheme on its operation apparatus....*

*Any works required to be carried out on SSW's assets must be planned and implemented to avoid risk of supply of interruption or damage to the integrity of the water network*

This remains the case. Indeed, since the objection was submitted on 2<sup>nd</sup> August 2021, our client has received no update on the potential impact(s) on its operational apparatus and this remains a key

concern. It is critical that our client is able to understand the potential impact of the order both in terms of the methodology and also the timing of the works.

*2. The current drafting of the protective provisions of the Order impose requirements which are potentially onerous on SSW*

There remain issues in respect of the drafting of the protective provisions, albeit the promoter has now engaged with our client on this point.

For the avoidance of doubt, we remain of the view that the consultation to date has been limited and we reserve the right to make further representations in the event that it becomes apparent that the Scheme will have an adverse impact on our client's operational apparatus. This may only become clear once further detail has been provided and the Applicant has engaged meaningfully with our client.

We note that we have not yet received a response in respect of the query regarding the book of reference, and the numerous entries relating to both "Cambridge Water Company Limited" and "Cambridge Water PLC".

Yours Faithfully

**Shakespeare Martineau**

Cc Dentons (acting on behalf of Network Rail)

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SW1P 4DR

BY EMAIL: [transportinfrastructure@dft.gov.uk](mailto:transportinfrastructure@dft.gov.uk)  
CC ADDRESS: [Paul.Humphrey@networkrail.co.uk](mailto:Paul.Humphrey@networkrail.co.uk)

Our ref:1249803.22  
Your ref: TWA0/NRCS/076

2 August 2021

Dear Sirs

**Transport and Works Act Order**

**The Network Rail (Cambridge South Infrastructure Enhancements) Order 202[X]  
("Order")**

**Our client: South Staffordshire Water PLC**

**Objection in response to notice of application to acquire land/right in land  
compulsorily, to use land and to extinguish rights over land**

This letter is an objection to the Order as being promoted by Network Rail in order to facilitate the construction and delivery of a new station in South Cambridgeshire, adjacent to the Cambridgeshire biomedical campus (the **"Scheme"**). This is in response to the notice sent on behalf of Network Rail dated 17th June 2021.

Please note that Shakespeare Martineau are appointed to act on behalf of South Staffordshire Water PLC (**"SSW"**), which is the owner of Cambridge Water PLC. A number of interests have been identified as potentially containing operational apparatus owned by Cambridge Water PLC. In terms of responding to this objection then please address any correspondence to [Anna.cartledge@shma.co.uk](mailto:Anna.cartledge@shma.co.uk). Alternatively the postal address is as set out at the top right of this letter.

SSW is a water undertaker appointed under the Water Act 1989, with statutory duties to carry out water supply functions throughout its appointed area, including the area where the works are proposed to be carried out under the Order, if confirmed. SSW operates assets that are located in close proximity to the proposed works. SSW does not object in principle to the Scheme but reserves its position in relation to the specific impact that it will have on its operations and assets.

All of the SSW apparatus identified is strategic and operational, with no other options to serve the local areas if there is a loss of supply due to the Scheme. It is essential that these assets remain in continuous operation in order to ensure the provision of water supplies to household and non-household customers.

The discussions between the promoter and our client have, to date, been very limited and our client has been provided with little detail in terms of the potential impact of the Scheme on its operational apparatus.

Any works required to be carried out on SSW's assets must be planned and implemented to avoid risk of supply interruption or damage to the integrity of the water network. Further, the current drafting of the protective provisions of the Order impose requirements which are potentially onerous on SSW, such as the requirement to use "best endeavours" to reposition apparatus if required as a result of the Scheme. This would impose significant costs on SSW and is one of several issues that SSW have with the protective provisions. SSW therefore objects to the Order unless and until such time as an approved programme and methodology of works can be agreed.

Given that there has been limited consultation to date, we reserve the right to make further representations in the event that it becomes apparent that the Scheme will have an adverse impact on any such operational apparatus. We have noted the contents of the consultation statement submitted with the draft Order and would not concur that the consultation with our client has been meaningful. If it would be helpful then we can provide further detail to the inspector on this point.

We have attached the Notice received from the promoter at Appendix 1 which lists the plots relevant in respect of our client's operational apparatus. Please note that we have reviewed the book of reference as made available on the project's website and we have appended a composite list of those interests. There are numerous entries relating to both "Cambridge Water Company Limited" and "Cambridge Water PLC" and the relevant plot numbers are as

per the attached Appendix 2. We understand that the reference to “Cambridge Water Company Limited” may be an erroneous one as this is what Cambridge Water PLC may be referred to locally. Accordingly it would be useful to understand the land referencing position informing these entries within the book of reference. Clearly this point will need to be addressed by the promoter as a matter of urgency.

The discussions between the promoter and our client have, to date, been very limited and have been limited to asking our client for any details regarding the operational apparatus located within the land required for the Scheme. There have been limited discussions surrounding the detail of delivering the Scheme, nor the requirements around safeguarding the continued operation of the statutory apparatus.

It is critical that our client can understand the potential impact of the Scheme on any apparatus as our client has a statutory duty to maintain the supply of services to homes and clearly any interruption must be kept to an absolute minimum.

We note that Schedule 11 of the draft Order does not apply in relation to our client’s interests. This means that the provisions of Schedule 12 will be engaged which contain the Protective Provisions safeguarding the operational apparatus of statutory undertakers. We reserve the right to comment in detail on the Protective Provisions in due course. SSW’s objection will remain unless SSW’s concerns with the protective provisions are addressed to their satisfaction, whether by amends to them or a supplemental agreement is reached. The promoter should now engage quickly and meaningfully with our client in respect of protecting the statutory apparatus.

We have also sent this objection on to Network Rail as the promoter (sent care of the email address provided).

We would be grateful if you could acknowledge receipt of this objection.

Yours faithfully

**Shakespeare Martineau**

**Cc Network Rail c/o Dentons**

