

INQ/39A
7 December 2021

Network Rail (Huddersfield to Westtown (Dewsbury) Improvements Order (“the Order”)

Further Statement of Common Ground - Network Rail Infrastructure Limited and the Environment Agency

1. Introduction

- 1.1 The Environment Agency (EA) confirmed in the Statement of Common Ground between the EA and Network Rail (NR) (**INQ/39**) that the EA was satisfied that the questions of clarification raised by the EA regarding the Flood Risk Assessment (FRA) undertaken by NR for the Order scheme had been addressed by NR through the further information provided by NR to the EA in the form of an FRA clarification document. This FRA clarification document (Version 4) November 2021 was appended as Appendix 4 to **INQ/39** (see section 5.1.1 of **INQ/39**). In consideration of this further FRA clarification information provided by NR, the EA confirmed in **INQ/39** (see section 5.1.3) that the EA currently had no matters outstanding regarding the FRA undertaken by NR for the Order scheme subject to the resolution of the matters detailed in Sections 5.4 and 5.5 of **INQ/39**.
- 1.2 The matters concerning flood modelling (see section 5.4 of **INQ/39**) and compensatory flood storage (see section 5.5 of **INQ/39**) remained unresolved between NR and the EA at the conclusion of the EA's appearance at the public inquiry on Thursday 2 December.

2. Statement of Common Ground - Flood Modelling and Compensatory Flood Storage

- 2.1 NR supplied to the EA the NR flood modelling data files used by NR in undertaking the FRA in a format acceptable to the EA by close of Inquiry proceedings on Friday 3 December. Upon receipt of these flood modelling data files the EA completed its flood modelling validation checks of the three flood modelling scenarios (baseline, proposed scheme, flood migration) up to and including the 100 year plus 50% climate change allowance. On Tuesday 7 December, the EA confirmed no outstanding issues with the data or modelling undertaken by NR in completing the FRA for the Order scheme.
- 2.2 Following this completion of the EA's flood modelling validation the EA can now confirm by way of update to the EA statements in sections 5.4.1 and 5.5.3 of **INQ/39** as follows:-

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- 2.2.1 *Update to section 5.4* - The EA can now confirm that it agrees that it is appropriate to base the FRA for the Order scheme on the modelling undertaken by NR; and
- 2.2.2 *Update to section 5.5.3 and 5.5.4* – The EA can now confirm that the modelling undertaken by NR provides a suitable basis for determining the compensatory flood storage required for the Order scheme.
- 2.3 Accordingly, it is now confirmed by NR and the EA that all matters related to flood modelling and compensatory flood storage are now resolved between NR and the EA and so the EA can confirm that the EA can now remove its objection to these matters as previously set out by the EA in sections 5.4, 5.5.3 and 5.5.4 of **INQ/39**.
- 2.4 In consequence of agreement now being reached between NR and the EA on all matters related to flood modelling and compensatory flood storage the EA can also confirm that the FRA clarification document (Version 4) November 2021 appended as Appendix 4 to **INQ/39** satisfactorily assesses the flood risk associated with the Order scheme and satisfactorily identifies the compensatory flood storage to be provided as part of the Order scheme.
- 2.5 NR can confirm that the Order scheme will be delivered by NR in accordance with the FRA clarification document (Version 4) November 2021 appended as Appendix 4 to **INQ/39**.
- 2.6 Therefore the EA confirms the withdrawal of its objection in relation to flood risk as identified in the EA representation (**REP/03**).

Signed by (on behalf of Network Rail Infrastructure Limited):



Position: Head of Consents and Environment Planning

Date: 7 December 2021

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Signed by (on behalf of the Environment Agency):

A handwritten signature in black ink, appearing to read "Beniffon".

Position: Planning Specialist

Date: 7 December 2021