

**ENVIRONMENT AGENCY
(OXFORD FLOOD ALLEVIATION SCHEME)
COMPULSORY PURCHASE ORDER 2023**

STATEMENT OF CASE

19 JULY 2023

1	INTRODUCTION	3
2	NEED FOR THE PROJECT	4
3	DELIVERING THE CPO SCHEME	6
4	THE COMPULSORY PURCHASE ORDER	19
5	BENEFITS OF THE PROJECT	20
6	IMPLEMENTATION OF THE PROJECT	22
8	THE PLANNING POSITION	23
9	THE CASE FOR ACQUISITION OF INDIVIDUALS' INTERESTS AND RIGHTS	27
10	HUMAN RIGHTS CONSIDERATIONS AND ANY OTHER CONSIDERATIONS	28
11	EQUALITY	29
12	SPECIAL CONSIDERATIONS	29
13	STATUTORY UNDERTAKERS	35
14	VIEWS OF GOVERNMENT DEPARTMENT	38
15	OBJECTIONS	41
16	COMPENSATION ISSUES	42
	Appendix 1 – Document List	44
	Appendix 2 - Objections	47
	Appendix 3 - CPO plots applicable to each Local Authority	195
	Appendix 4 - Plots applicable to Network Rail	198
	Appendix 5 - CPO plots applicable to each section of land relating to utility companies.....	199

1 INTRODUCTION

Purpose of this Statement

- 1.1 This is the Statement of Case of the Environment Agency ("the Agency") and is provided pursuant to the Compulsory Purchase (Inquiries Procedure) Rules 2007 in relation to the Environment Agency (Oxford Flood Alleviation Scheme) Compulsory Purchase Order 2023 ("the Order" or "CPO", **Documents 1 and 2**).
- 1.2 This Statement outlines the case which the Agency will present at the public inquiry in support of the Order.
- 1.3 The Agency reserves the right to supplement this statement and produce further documents and evidence in response to the statements of case and evidence provided by other parties to the public inquiry.

The Acquiring Authority and the Planning Authorities

- 1.4 On 16 February 2023 the Agency proceeded with the making of the Order. The Order was submitted to the Department for Environment, Food & Rural Affairs ("DEFRA") for confirmation on 03 May 2023.
- 1.5 The construction and maintenance of the Oxford Flood Alleviation Scheme ("the CPO Scheme") falls within the jurisdiction of Oxford City Council and Vale of White Horse District Council as District Planning Authorities and Oxfordshire County Council as County Planning Authority.
- 1.6 Due to the excavation of minerals involved in constructing the CPO Scheme (as a byproduct of the excavation of the channel), the planning application for the CPO Scheme is a 'county matter' under the Town and Country Planning Act 1990 and consequently has been made to Oxfordshire County Council. The County Council will consult Oxford City Council and Vale of White Horse District Council as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Confirmation of Order

- 1.7 The Agency made a previous compulsory purchase order on 21 September 2018, entitled the Environment Agency (Oxford Flood Alleviation Scheme) Compulsory Purchase Order 2018. This was submitted to DEFRA for confirmation and subsequently withdrawn in March 2020. During the CPO process, Oxfordshire County Council identified that the A423 Kennington Railway Bridge needed to be replaced, and in response to this the Agency needed to revise the CPO Scheme in order to accommodate a new solution for the channel at this location.
- 1.8 To enable the Agency to acquire the land and rights necessary for the construction and maintenance of the project, the Order seeks to acquire all interests in the Order Land including rights except where otherwise expressly stated in the Schedule to the Order.
- 1.9 The Agency recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraph 2 of the Department for Levelling Up, Housing & Communities "Guidance on Compulsory purchase process and The Criche Down Rules" ("the Guidance", **Document 25**), which justifies overriding private rights on the Order Land. For the reasons summarised below, it is considered that a compelling case exists here.
- 1.10 The Order has been made and submitted to the Secretary of State for the Environment, Food and Rural Affairs for confirmation pursuant to the provisions of the Water Resources Act 1991 in conjunction with the Environment Act 1995 and the Acquisition of Land Act 1981.
- 1.11 On confirmation of the Order the Agency intends to either serve Notice(s) to Treat and/or execute a General Vesting Declaration(s) in order to secure the necessary rights and interests in the Order Land.

2 NEED FOR THE PROJECT

- 2.1 The flood defence and land drainage functions of the National Rivers Authority were transferred to the Agency by section 2(1)(a)(iii) of the Environment Act 1995. The Agency has a general supervision over all matters relating to flood management in accordance with Part 1 of the Flood and Water Management Act 2010.¹ Section 154 of the Water Resources Act 1991 gives the Agency the power, subject to appropriate authorisation, to purchase compulsorily any land and rights over land in England which it requires to carry out, or in connection with carrying out, of any of its functions. Section 154 of the Water Resources Act 1991 therefore enables the Agency to acquire land and rights over land required for the construction and operation of flood alleviation works including areas for associated landscaping and amenity features, temporary working areas and site compounds.
- 2.2 The Agency is also under a statutory duty² to generally promote (amongst other things):
- (a) the conservation and enhancement of the natural beauty and amenity of inland and coastal waters and of land associated with such waters;
 - (b) the conservation of flora and fauna which are dependent on an aquatic environment; and
 - (c) the use of such waters and land for recreational purposes.
- 2.3 The Oxford Flood Risk Management Strategy (“OFRMS”) developed in response to the July 2007 flooding and approved in September 2010 reviewed a long list of over 100 options or combinations of options. The OFRMS recommended a 3-phase approach to reducing flood risk in Oxford. The Agency has completed phase one of the OFRMS, consisting of an investment of £2.5 million to increase the capacity of local river channels and structures which included the Willow Walk Culverts and Network Rail Culverts immediately upstream of Old Abingdon Road and to provide temporary defences at Osney Island, Lake Street and South Hinksey. This work helped to reduce flooding in the most recent floods.
- 2.4 Phase two of the OFRMS involves increasing the capacity of the river and floodplain system in the wider western floodplain. Phase three of OFRMS is upstream flood storage, taking into account the need to improve further the effectiveness over time of the river channel improvements proposed as phase two of OFRMS and to address the predicted effects of climate change.
- 2.5 A five-year review of the OFRMS in 2014 (Oxford FAS – Initial Assessment, **Document 20**) and the input of more recent data into the flood modelling has shown that floods are becoming more frequent and that phase two of the OFRMS should now be implemented. The latest guidance on climate change has also been incorporated. Consequently, phase two of the OFRMS is economically justified and should be promoted. The CPO Scheme is phase two of the OFRMS.
- 2.6 Oxford sits at the confluence of seven rivers, draining a catchment area of approximately 3000km². The floodplain narrows significantly immediately downstream of Oxford to only 300m wide which constrains flow and effectively acts as a throttle, holding back water within Oxford during times of high flows. This flooding within Oxford has been exacerbated by historic development within the floodplain, which includes road and railway embankments that further restrict flow. Oxford also has an extensive network of braided watercourses that leave and re-join the River Thames. All these constraints result in flood water flowing out of the river channels and causing damage to property and infrastructure during periods of high flow.
- 2.7 Flooding causes property damage to homes and businesses, damages infrastructure including mains sewers, and cuts off road and rail links. Flooding in Oxford is long lasting, typically seven to nine days. This duration of flooding to key roads brings Oxford to a

¹ Under section 6(4) of the Environment Act 1995

² Under section 6(1)(a)-(c) of the Environment Act 1995

standstill, disrupts Oxford's residents, businesses and visitors, reducing investor confidence and limiting Oxford's future growth opportunities. Flooding has a much wider impact on Oxford than just the area in the floodplain.

- 2.8 Oxford has experienced flooding a number of times in the last 20 years. The numbers of properties reported to the Environment Agency as flooded internally are as follows:
- (A) 2000 – 56 properties;
 - (B) 2003 – 123 properties;
 - (C) 2007 – 169 properties;
 - (D) 2012 – 14 properties; and
 - (E) 2013/14 – 55 properties.
- 2.9 Additionally, properties were also reported to have flooded internally in 2009 and 2011, but the Environment Agency has been unable to verify figures.
- 2.10 Flooding occurred in winter 2020. This flooding came close to flooding property, but deployment of temporary barriers was able to prevent this.
- 2.11 The floods experienced in recent years have been relatively small, with only the properties at highest risk of flooding being affected. However, the impact on properties with a lesser flooding risk also needs to be considered, as they will be affected in a larger flood. Government policy concerns properties at medium risk – those which have a 1% chance or greater of being flooded in any one year. If nothing was done to manage flood risk in the city, approximately 2,000 such medium risk properties within Oxford would be at risk. Through regular channel maintenance and the deployment of temporary defences, the Environment Agency is able to reduce this number, but around 1,600 properties remain at medium risk.
- 2.12 The case for investment is further reinforced when considering that, if the estimated impacts of climate change are experienced, as is expected, an even greater number of properties would be at risk. Even conservative climate change scenarios suggest the number at risk in floods of this size would double in around 50 years' time. This threat of climate change would not only increase the extent of flooding, but also its frequency and disruption to Oxford.
- 2.13 Flooding within Oxford also causes transport disruption, with frequent closure of the railway line and main roads to the west (Botley Road) and the south (Abingdon Road) of the City. These roads are important for access to the City by cars, buses (including Park and Ride) and bicycles. Flooding in Oxford also adversely affects important utilities such as the sewer network, electricity substations and broadband communications.
- 2.14 Oxford has a number of economic growth ambitions and it has been identified that flooding is a constraint to this. In reducing the risk of flooding causing damage and disruption, Oxford becomes a better prospect for investors and can improve its economic output.
- 2.15 The overall aim of the CPO Scheme, phase two of the OFRMS, is to reduce the flood risk to homes, businesses and infrastructure to the west and south of the city of Oxford, Oxfordshire. The CPO Scheme will provide flood risk reduction to all properties at risk of flooding from the River Thames in Oxford, with over 1,000 being protected against the 1% (1 in 100) flood event on opening in any given year.
- 2.16 The CPO Scheme will also provide greater flood protection for key local infrastructure, principally the Botley Road, Abingdon Road and main railway line which runs through Oxford. It will also improve the resilience of key utility services in the city including the sewer network and electricity supply and make them less vulnerable to disruption in future floods.
- 2.17 The Oxford Flood Alleviation Scheme Sponsoring Group was set up by Oxfordshire County Council, Oxford City Council, Vale of White Horse District Council, Oxfordshire

Local Enterprise Partnership, Thames Water, the University of Oxford, the Oxford Flood Alliance, the Thames Regional Flood and Coastal Committee and the Agency in response to flooding experienced in the Oxford area in 2013/2014. This culminated in the formation on 2 April 2014 of a formal partnership Sponsoring Group and a commitment from all to deliver phase two of the OFRMS. National Highways subsequently joined the Sponsoring Group.

3 DELIVERING THE CPO SCHEME

Description of the CPO Scheme

- 3.1 The CPO Scheme involves the construction of a new river channel, between the A34 to the west and the railway to the east, through the floodplain to the west of Oxford city centre. The channel will extend for a length of approximately 5km, south easterly from the confluence of the Botley and Seacourt Streams lying approximately 0.6km north of Botley Road, to just south of Kennington (approximately 0.3km south of the A423 ring road). The new channel will carry excess flow from the Seacourt Stream, Bulstake Stream and Hinksey Stream channels during a flood event, thereby reducing the water level in the main River Thames and so reducing the likelihood of flooding in built-up areas.
- 3.2 The river channel will comprise two stages:
- (a) First stage channel – a natural new stream that will look natural and connect with the existing braided network of streams at different points. The new stream will be permanently wet and carry water all of the time; and
 - (b) Second stage channel – this will be created by lowering the ground between 0.6 and 1.2 metres (typically) to one or both sides of the first stage channel. The second stage channel will be dry for most of the time but when river levels are sufficiently high, water will flow along it. This may occur regularly during wetter periods, especially during the winter months. During large flood events, the fields in the existing floodplain around the new channel will also continue to be flooded to the same or a less extent as now. In some local areas, a second stage channel will be constructed without a first stage channel. New wetland habitat will be created within the footprint of the second stage channel and will include scrapes, ponds and backwaters. A spillway off-take (fixed crest weir with shallow side slopes) will be installed in Seacourt Nature Park.
- 3.3 In addition to the river channel, the CPO Scheme will involve the construction of the following features:
- (a) Seven bridges over the channel at Westway cycle bridge (south of Botley Road), Willow Walk, North Hinksey Causeway, pedestrian bridge at North Hinksey, Devils Backbone, Old Abingdon Road and Kennington Road;
 - (b) A flow control structure at Eastwyke Ditch. Seven low profile in-stream riffle structures to maintain water levels during periods of low flows in the river system. These are located at strategic locations through the river system and are wholly within the river channel and submerged during normal flows in the channels.
 - (c) Removal of Towles Mill Weir to lower upstream water levels and improve the movement of fish within the river network;
 - (d) New earth embankments and flood walls just north of Botley Road, to the east of Abingdon Road at New Hinksey, at the Oatlands Recreation Ground and south of Osney Mead Industrial Estate and at South Hinksey;
 - (e) Flood gates at Helen Road, Henry Road, Bulstake Close, Seacourt Park and Ride, Willow Walk and on Network Rail land near Old Abingdon Road;
 - (f) A new track along much of the CPO Scheme to allow access for maintenance. A proportion of the track will be made into a permissive path that the public are allowed to use;

- (g) 3 telemetry cabinets located at different points across the CPO Scheme;
 - (h) Creation of over 16ha of species-rich floodplain meadow as mitigation for the disturbance of the nationally scarce floodplain grassland at Hinksey Meadow; and
 - (i) Areas of mitigation woodland planting (total 11.34ha) north of Botley Road, north of Hinksey Meadow, west of Seacourt Stream, north of Hogacre Eco-park, Kendall Copse and Kennington Pools.
- 3.4 Major earthworks will be required to construct the CPO Scheme. These will involve the excavation of approximately 450,000 cubic metres of topsoil, alluvium and gravels and the disposal of approximately 360,000 cubic metres of topsoil, alluvium and gravels. The CPO Scheme has been designed to re-use as much of this material as possible on-site but a large proportion of it will require removal from the floodplain and will be transported off site for re-use in restoration schemes within Oxfordshire.

The Order Land

- 3.5 The CPO will acquire the freehold of all land where the CPO Scheme is making a material change in the current land use. This will include the flood channel, flood bunds, flood walls and environmental mitigation areas. This approach has been adopted following consultation with the larger landowners and recognising the flood channel is to be kept clear of current land ownership boundary fences. Additionally, where flood bunds are to be built, restrictions on livestock grazing are required.
- 3.6 Exchange Land has to be provided as freehold to the owners of public access land being acquired for the CPO Scheme. Section 12 details the exchange land to be provided.
- 3.7 The CPO provides for the acquisition of areas of land and also for the acquisition of rights over land in other areas. The maps referred to in the CPO show the areas of land to be acquired shaded pink. The areas over which rights over land are to be acquired are shown shaded blue and green on the maps. Land that is to be acquired to exchange for existing open space is shaded green. Both the land and rights over land to be acquired are described in the schedule to the CPO.
- 3.8 The CPO provides for the acquisition of the land and rights over land required to construct, operate and maintain the new river channel, flood alleviation structures and associated landscaping and amenity features. The CPO also provides for the acquisition of rights of access for construction and operation of the channel and structures including working areas and site compounds.
- 3.9 The CPO acquisition of land will include all minerals lying beneath the land.
- 3.10 The CPO provides for the following acquisitions:
- (a) To the North of West Way, Botley, Oxford and east of A420 Road and west of Seacourt Stream, land is being acquired for the flood channel, flood walls and associated flood defence elements. Land is being acquired for environmental mitigation. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights over land are being acquired for construction purposes;
 - (b) To the North of Botley Road, Botley, Oxford and east of Seacourt Stream land is being acquired for flood walls, flood banks, flood gates and associated flood defence elements. Land is being acquired for environmental mitigation, replacement allotment land and for utility diversion.
 - (c) Rights over land are being acquired for installation of drain outfall flap valves and works to floodproof existing property walls. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights over land are being acquired for construction purposes. River gauging will be installed under Botley Bridge and Bulstake Bridge, and equipment kiosks will be established to the north of Botley Bridge and Bulstake Bridge.

- (d) To the east of North Hinksey and between Botley Road and Willow Walk, land is being acquired for the flood channel, flood walls, spillways and associated flood defence elements. Land is being acquired for environmental mitigation, exchange land for existing open space and for utility diversion. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights over land are being acquired for construction purposes;
- (e) To the west of Ferry Hinksey Road, Oxford and south of Osney Mead, land is being acquired for flood walls, flood banks, and associated flood defence elements. Land is being acquired for public rights of way diversions. Land is being acquired for exchange land for existing open space. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights over land are being acquired for construction purposes;
- (f) To the east of North Hinksey and the A34 Road, and between Willow Walk at North Hinksey and Devils Backbone at South Hinksey, land is being acquired for the flood channel, flow control structures, public rights of way bridges and associated flood defence elements. Land is being acquired for environmental mitigation, as exchange land for existing open space and for utility diversion. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights over land are being acquired for third parties to replace rights being extinguished. Rights over land are being acquired for construction purposes;
- (g) To the east of South Hinksey and the A34 Road, between Devils Backbone and Old Abingdon Road, Redbridge, land is being acquired for the flood channel, flood walls, flood banks, and associated flood defence elements. Land is being acquired for environmental mitigation. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Land is being acquired for public rights of way diversions. Rights over land are being acquired for third parties to replace rights being extinguished. Rights over land are being acquired for construction purposes;
- (h) To the north of Kennington, south of Old Abingdon Road land is being acquired for the flood channel, flood walls, flood banks and associated flood defence elements. Land is being acquired for exchange land for existing open space and for utility diversions. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights over land are being acquired for third parties to replace rights being extinguished. Rights over land are being acquired for construction purposes;
- (i) At Redbridge east of the rail line, land is being acquired for improvements to the existng channel around the A423 railbridge and associated flood defence elements. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights over land are being acquired for construction purposes;
- (j) To the east of New Hinksey between Eastwyke Lane and Weirs Lane, including the "spur" land to the south of Weirs Lane, land is being acquired to form flood walls, flood banks, associated flood defence elements and for utility diversion. Rights over land are being acquired for installation of drain outfall flap valves. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights over land are being acquired for third parties to replace rights being extinguished. Rights over land are being acquired for construction purposes;
- (k) At Grandpont, Oxford and west of Whitehouse Road, land is being acquired to install flow control structures and associated flood defence elements. Rights over land are being acquired for permanent access to maintain the flood alleviation works. Rights are also being acquired to provide utility services for the new infrastructure in this location. Rights over land are being acquired for construction purposes;

- (l) At the River Thames between Friar's Wharf and Baltic Wharf, west of Marlborough Road, land and rights are being acquired for river gauging apparatus.
 - (m) At New Hinksey Park, rights over land are being acquired for works to floodproof existing property walls. Rights over land are being acquired for construction purposes.
- 3.11 The areas included in the CPO Scheme are mainly used as agricultural grazing land. Small areas included in the CPO Scheme are currently used for public recreation, nature reserves, commercial premises, public highways and access, watercourses, residential garden land and woodland.

Consultation on the project

- 3.12 Full detail of community involvement in the CPO Scheme is set out in the Statement of Community Involvement (**Document 9**), submitted with the current planning application.

Initial non-statutory consultation – 2014-2015

- 3.13 Two initial meetings were held in 2014 with landowners who would be affected by the potential CPO Scheme. In summer 2015, four initial public events were held to share outline proposals, which were attended by over 300 people.
- 3.14 Following this consultation, the route of the new channel was subdivided into areas, and alternative alignment options were identified for the route of the new channel, to enable respondents to focus on the areas of interest or importance to them.

Second and third non-statutory consultation – 2016-17

- 3.15 The public were consulted on the seven sub-section alignments for the proposed flood channel between January and March 2016. 7,000 postcards were sent to people living in Oxford inviting them to attend the consultation events, and over 850 people attended those drop-in events.
- 3.16 The Agency carried out an online consultation of the options in 2016, and over 300 consultation responses were received. The Agency attended four Parish Council meetings in 2016, arranged a landowners-specific workshop, and arranged 31 meetings with persons who would be affected by the proposed CPO Scheme.
- 3.17 The public consultation responses were taken into account as part of the multi-criteria analysis used to assess scheme options along with the results of a detailed review of the hydraulic modelling. This work resulted in the final scheme design and recommended a 5km long medium channel to the west of Oxford plus three local defences at Botley Road, New Hinksey, Osney Mead and South Hinksey. A public exhibition was held detailing the results of the 2016 process of consultation.
- 3.18 The Agency specifically noted from the 2016 process of consultation that:
- (a) There was widespread support for the CPO Scheme as proposed, as a solution to Oxford's flooding problem.
 - (b) There was some anxiety from people living on the River Thames downstream of Oxford that the CPO Scheme would "pass" flooding to their communities, based on a misunderstanding that water would transfer to lower reaches of the river.
 - (c) There was an interest in a wider catchment approach to flood management, and respondents were concerned about solutions focusing too much on Oxford.
 - (d) Respondents considered that one of the potential benefits of the CPO Scheme would be an opportunity to protect or enhance wildlife spaces and natural habitats.
 - (e) Sensitive consideration of the landscape and natural habitats were a recurring feature in the responses, and there was a strong preference for avoiding and minimising disturbance to specific species.

- (f) Respondents had a number of queries about channel maintenance, including future maintenance and dredging.
- 3.19 Comprehensive consultation continued into 2017. In 2017, four drop-in events were held, 20,000 postcards were sent to people living in Oxford inviting them to attend, and a further online consultation on the detailed design was held, resulting in 90 responses. The Agency attended four Parish Council meetings, arranged a landowner-specific workshop, and arranged 37 meetings with persons who would be affected by the proposed CPO Scheme.
- 3.20 The Agency submitted a pre-planning advice request to Oxfordshire County Council in May 2017 and received a response in August 2017. The advice has been taken into consideration and informed the detailed design of the CPO Scheme.

Statutory planning consultation – 2018-present

- 3.21 The Agency applied for planning permission for the CPO Scheme in 2018, and that application was consulted on by Oxfordshire County Council in line with statutory requirements. 850 neighbour notifications were sent. Also in 2018, 46 further meetings were held with persons who would be affected by the proposed CPO Scheme.
- 3.22 The 2018 planning application was ultimately withdrawn due to a change outside the Agency's control; the condition of the A423 railway road bridge required the Agency to change design elements and amend the planning application boundary.
- 3.23 Non-statutory online public engagement was held in spring 2021 to update the public, and explain the changes to the CPO Scheme. 267 responses were received to a questionnaire circulated online in spring 2021.
- 3.24 In 2022, consultation on the planning application occurred following the validation of the application in April. This included 13 site notices, 900 neighbour notifications, and consultation above the statutory requirement including posters at local lock sites and 150 postcards distributed by Environment Agency waterways and operations teams. A total of 231 representations from the public were received. The Agency sent an update to all persons who would be affected by the CPO Scheme in December 2022 to update them on the CPO Scheme and advise them of the forthcoming CPO.
- 3.25 Consultation has continued into 2023. To date, 19 meetings with persons who would be affected by the proposed CPO Scheme have been arranged in 2023, including two coffee mornings with residents at Tumbling Bay Court.
- 3.26 The local planning authority submitted a Regulation 25 request in relation to the planning application, resulting in a further period of consultation and 183 representations from the public. In July, the Agency wrote to all stakeholders with an update on the CPO process and anticipated timetable.

Consideration of alternatives

- 3.27 The OFRMS provides the approved strategic approach to flood risk management in Oxford. This takes an adaptive approach to climate change over three phases. This allows for flexibility in future investments as interventions can be adjusted in scale and timing depending on the actual climate impacts observed over time. The CPO Scheme will deliver phase two of the OFRMS.
- 3.28 Extensive and prolonged flooding in Oxford during winter 2013/14 led to a flood summit in Oxford hosted by Oxfordshire County Council. This flooding coincided with the first planned review of the OFRMS known as the 'Oxford FAS Initial Assessment' approved in October 2014.
- 3.29 Initial assessments are high level reviews used to inform whether there is a viable scheme and whether undertaking a detailed appraisal is justified. Given the potential value of phase two of the OFRMS (>£100m), the Oxford FAS Initial Assessment included updating the hydrology and hydraulic models and also included an updated economic analysis undertaken in accordance with the Flood and Coastal Erosion Appraisal Guidance

(FCERM-AG) dated March 2010. Six options (do nothing; do minimum; interim measures such as further localised desilting and small, medium and large channels) were reviewed. Interim measures were introduced to the assessment to check whether there were further measures that could be implemented now at minimal cost if phase two of the OFRMS was not viable. The Oxford FAS Initial Assessment concludes that Phase 2 of the OFRMS is economically viable, primarily due to more frequent flooding, the introduction of partnership funding and the latest predicted effects of climate change being used as the baseline.

- 3.30 With a viable scheme identified, a detailed appraisal was commissioned and is summarised in the Oxford FAS Strategic Outline Case (SOC) approved by HM Treasury in June 2015 (**Document 22**). The detailed appraisal was conducted in accordance with HM Treasury guidance on the basis of a Five Case Model. The Five Case Model approach envisages a project being progressively developed and approved over three iterative stages, each building on and adding to the previous stage. The three stages are known as the Strategic Outline Case (SOC), Outline Business Case (OBC) and Full Business Case (FBC). It is accepted therefore that decisions are proportionate to the stage and information known at that time. At each stage (SOC, OBC and FBC) the appraisal looks at five cases. The Strategic Case outlines the case for change, the Economic Case reviews whether the preferred option represents value for money, the Commercial Case assess whether the solution is deliverable in the marketplace, the Financial Case determines if the project is affordable and the Management Case describes how the project will be managed and delivered.
- 3.31 The Five Case model guidance recommends the use of both long lists and short lists of options. The purpose of the long list is to identify as wide a range of options as possible that meet the objectives, scope and benefits criteria and avoid assuming a solution. HM Treasury guidance recommends at least a dozen long list options. As such the Oxford FAS SOC long list re-introduced a number of options that had been reviewed and discounted in the OFRMS. The Oxford FAS SOC long list options are presented in Table 1.

Table 1 - Oxford FAS SOC long list options

	Option Name	Description
1	Do Nothing	All existing work ceases. No operation or maintenance of assets or watercourses would take place. Blockages would not be removed. Included as baseline option as per FCRM Appraisal Guidance
2	Do Minimum (sustain)	Existing assets and watercourse would be maintained and replaced. The standard of service will be maintained over the appraisal period.
3	Channel Widening	Standalone channel widening discounted on technical grounds but localised widening to smaller streams retained as part of overall solution.
4	Removal of Control Structures	Removal of existing weirs discounted on technical grounds; impact on navigation and wider environmental issues.
5	Enhancement of Control Structures	Increasing weir capacity shown to have no or negligible impact as constraints are elsewhere in the system so discounted.
6	New Flood Channel – Small (18m ³ /s)	Excavation in the undeveloped floodplain to the west of Oxford to provide increased flood flow capacity of 18m ³ /s.
7	New Flood Channel – Medium (38m ³ /s)	Excavation in the undeveloped floodplain to the west of Oxford to provide increased flood flow capacity of 38m ³ /s.

8	New Flood Channel – Large (57m ³ /s)	Excavation in the undeveloped floodplain to the west of Oxford to provide increased flood flow capacity of 57m ³ /s.
9	Reduce Channel Friction	Hard engineering existing channels would reduce flood risk but discounted on environmental and cost grounds.
10	Culverting	Localised culverts may be appropriate in restricted locations but otherwise discounted on environmental and cost grounds.
11	Enhancing Maintenance	Regular maintenance already undertaken on River Thames. Localised works elsewhere would reduce flooding in frequent events but wider extensive maintenance discounted on environmental grounds.
12	Reduce Downstream Flood Levels	Lowering downstream levels has little benefit so discounted.
13	Reduce Localised Constrictions	Insignificant reduction in flood risk so discounted.
14	Interim Measures	Localised further desilting and works. Those with benefit retained.

3.32 Only options 6, 7, 8 and 14 met the investment objectives and critical success factors agreed by the project partners. These were taken forward as the short list 'do something' options for detailed economic analysis in accordance with the Flood and Coastal Erosion Risk Management Appraisal Guidance ("FCERM-AG"). Option 1 (do nothing) and option 2 (do minimum – sustain) were also retained as they form the baseline against which options are assessed. This analysis involves the application of both benefit/costs ratios ("BCR") and incremental benefit/cost ratios ("iBCR").

3.33 Options are ranked by either their average benefit:cost ratio or by benefits. In Table 2 below the options are ranked by BCR. An iBCR is then applied between each sequential option whereby the additional benefits are compared against the additional costs of moving to the next option. The sequential process is repeated until the iBCR falls below 1. Table 2 shows that it is not possible to move from a "medium" to a "large" channel as the additional costs are greater than the additional benefits. The preferred way forward is therefore option 7 (new flood channel – medium).

Table 2 - The preferred way forward at SOC (options ranked by BCR)

	Option	PVd (£M) present value damages	PVb (£M) present value benefits	PVc (£M) present value costs	BCR benefit:cost ration	iBCR incremental benefit:cost ratio
1	Do Nothing	1180.7	-	-	-	-
2	Do Minimum (sustain)	333.4	847.4	19.8	42.9	-
14	Interim Measures	324.7	856.1	23.4	36.6	2.41

6	New Flood Channel (Small)	189.8	991.0	109.7	9.1	1.58
7	New Flood Channel (Medium)	149.9	1030.9	141.4	7.3	1.22
8	New Flood Channel (Large)	139.9	1040.9	161.8	6.4	0.49

- 3.34 With a preferred way forward identified, detailed appraisal and design work was undertaken on the medium channel. Whilst the proposed scheme needed to meet both the partner objectives and be economically viable, the overall alignment itself was defined by local topography and physical structures such as the A34, main railway line and major utility infrastructure. The optimised route was analysed using a multi-criteria analysis approach. Multi-criteria analysis allows non-economic criteria to be included within an assessment and whilst there are a number of guidance documents, the process is designed to be flexible. For Oxford FAS, the proposed channel alignment was broken in to seven sub-sections (mainly due to physical constraints such as bridges) where detailed local alignments were reviewed against five principal factors (economic; social; technical; environmental; and institutional). Each factor was given equal weighting.
- 3.35 The detailed economic analysis was finalised in March 2017. This reviewed 14 options (see Table 3 below). During the course of the analysis, several further options and sub options were introduced to check the emerging conclusions. Option 2a was introduced to check whether it was economically preferable to continue to use existing assets and watercourses without undertaking any asset replacement or watercourse maintenance. Option 15 was introduced to check whether it was economically preferable just to construct the local defences at Botley Road, New Hinksey and South Hinksey derived from the channel alignment analysis.
- 3.36 Upstream flood storage (phase 3 of the OFRMS) was introduced to check whether it would become economically viable to provide this enhancement within the assessment period due to the impacts of climate change. This introduced new options 6c to 6e and 7a to 7c. The latest climate change guidance introduced three epoch changes in peak river flows at year 0, year 20 and year 50 with increases of 10%, 15% and 25% in peak flows respectively. The large channel (and sub-options therein) had been removed by this stage as it was found not to be economically viable. An option of constructing just the channel and upstream storage was not reviewed as the earlier work had confirmed the three local defences were integral to the preferred solution.

Table 3: Summary of OBC options

	Option Name	Description
1	Do Nothing	All existing work ceases. No operation or maintenance of assets or watercourses would take place. Blockages would not be removed.
2	Do Minimum (sustain)	Existing assets and watercourses would be maintained and replaced. The standard of service will be maintained over the appraisal period.
2a	Do Minimum (no maintenance)	Existing assets and watercourses would be retained without undertaking any asset replacements or watercourse maintenance. The standard of service will decrease over the appraisal period.

6	New Channel	Excavation in the undeveloped floodplain to the west of the city centre to provide increased flood flow capacity of 18 cubic metres per second.
6a	Small Channel + Defences	Small channel with the addition of raised defences to provide increased protection to properties and the Abingdon Road.
6b	Medium Channel + Defences	Medium channel with the addition of raised defences to provide increased protection to properties and the Abingdon Road.
6c	Small Channel + Defences + Flood Storage (in year 0)	Small channel plus defences with the implementation of a 9.8m ³ upstream flood storage area at the same time as the flood channel and defences.
6d	Small Channel + Defences + Flood Storage (in year 20)	Small channel plus defences with the implementation of a 9.8m ³ upstream flood storage area 20 years after the flood channel and defences.
6e	Small Channel + Defences + Flood Storage (in year 50)	Small channel plus defences with the implementation of a 9.8m ³ upstream flood storage area 50 years after as the flood channel and defences.
7	Medium Channel	Excavation in the undeveloped floodplain to the west of the city centre to provide increased flood flow capacity of 38 cubic metres per second.
7a	Medium Channel + Defences + Flood Storage (in year 0)	Medium channel plus defences with the implementation of a 9.8m ³ upstream flood storage area at the same time as the flood channel and defences.
7b	Medium Channel + Defences + Flood Storage (in year 20)	Medium channel plus defences with the implementation of a 9.8m ³ upstream flood storage area 20 years after the flood channel and defences.
7c	Medium Channel + Defences + Flood Storage (in year 50)	Medium channel plus defences with the implementation of a 9.8m ³ upstream flood storage area 50 years after the flood channel and defences.
15	Raised Defences only	Construct the local defences at Botley Road, New Hinksey and South Hinksey derived from the channel alignment analysis

3.37 All 14 options were subject to a detailed economic appraisal in accordance with the FCERM-AG.

3.38 From this analysis, options involving a small or medium channel plus defences and flood storage were all rejected as each such option achieved an iBCR of less than 1. Even though it had an iBCR of greater than 1, Option 15 involving just local defences was rejected because it did not achieve the objectives of the project partners. It provided only localised benefits reducing risk only for floods having a 5% chance or greater of happening in any one year. There would also have been a need to provide substantial compensatory storage for removal of the floodplain (not costed within economics). Option 2a involving the retention of existing flood defence and watercourses without any maintenance was also rejected because it would see an immediate increase in flood risk, did not meet the objectives of the project partners and the decision matrix allows us to move to the next option.

3.39 The results of the appraisal are summarised in Table 4 below as detailed in the Oxford FAS OBC. Of the options with an iBCR of greater than 1, the medium channel plus defences (option 6b) is the preferred option because whether the decision route is taken via the small channel or small channel plus defences, the iBCR for the next option is below

1. This is therefore the Agency's preferred option for phase 2 of OFRMS as well as being the project partners' preferred option.

Table 4: OBC Economic appraisal summary (all costs and benefits in £ millions)

Option Number	1	2	2a	6	6a	6b	6c
PV Costs	0.0	14.9	11.2	94.7	98.5	111.2	175.8
PV Benefits	0.0	931.5	915.6	1,041.1	1,077.4	1,112.4	1,117.6
Residual damages	1,221.8	290.3	306.2	180.7	144.4	109.4	104.1
Net Present Value	n/a	917	904	946	979	1,001	942
BCR	n/a	62.6	81.8	11.0	10.9	10.0	6.4
iBCR		4.32		1.37	1.74	2.75	0.52
Option used for iBCR		2a to 2b		2b to 4a	2b to 5a	5a to 5b	5a to 6a

Option Number	6d	6e	7	7a	7b	7c	15
PV Costs	138.7	113.7	107.8	188.6	151.5	126.4	64.1
PV Benefits	1,105.7	1,091.3	1,084.8	1,135.3	1,128.7	1,120.9	1,001.7
Residual damages	116.1	130.5	137.0	86.4	93.0	100.9	220.1
Net Present Value	967	978	977	947	977	994	938
BCR	8.0	9.6	10.1	6.0	7.5	8.9	15.6
iBCR	0.70	0.91	3.34	0.3	0.41	0.56	1.43
Option used for iBCR	5a to 6a	5a to 6a	4a to 4b	5b to 6b	5b to 6b	5b to 6b	2b to 3

- 3.40 Option 6b (medium channel plus defences) also achieves the highest net present value (“NPV”) of all 14 options. Whilst the Agency uses benefit:cost ratio to determine scheme selection, NPV is HM Treasury’s preferred measure of economic viability as it offers the greatest return to the country from the money invested. NPV is present value benefits minus present value cost. Following approval of the OBC by HM Treasury in September 2017, we began developing the Full Business Case (FBC). The economic analysis was updated to ascertain whether the decision made in the OBC is still valid.
- 3.41 As part of the updated economic analysis, refinements were made to the medium channel plus defences option (option 6b now renamed option 6bi) to add the continuation of the current deployment of the Osney Island temporary barriers until 25 years from first operation of the OFRMS when they would need replacing (requiring a new business case for this element) (option 6bii). The Agency already erects temporary barriers on Osney Island and Lake Street in New Hinksey during flood events. It purchased these barriers following the 2007 floods. The minimal cost of deploying and maintaining these has been tested to understand whether this should continue after the Oxford FAS is constructed.
- 3.42 A further option was also added consisting of the Osney Island temporary barriers plus the construction of an additional defence along Ferry Hinksey Road at the Osney Mead Industrial Estate (option 6biii). This defence will further reduce flooding to the existing commercial buildings but as government funding and decision making is prioritised towards reducing flood risk to residential properties, it needed to be assessed economically as a separate option.
- 3.43 Options involving upstream flood storage (options 6c, 6d, 6e, 7a, 7b and 7c) tested at OBC were not included in the FBC update as they had already been proved non-viable.
- 3.44 Option 15 (raised defences) was removed from the updated FBC analysis, as it is considered to make the situation worse for other properties in certain flow conditions due to the displacement of water.
- 3.45 A new ‘do minimum’ option 2b involving the continued deployment of the existing temporary barriers in a number of locations across Oxford, again until year 25, was introduced to reflect the current practice of mobilising these during flood events and to provide a realistic simulation for the ‘do minimum’ based on current practices.
- 3.46 In addition to the above-described changes in approach to economic decision making, a number of factors also needed to be changed before the updated FBC economic appraisal could be undertaken.
- 3.47 In early 2019 Oxfordshire County Council advised that they had found serious structural issues with the A423 Kennington Railway Bridge and that it would need to be replaced. The new joint solution in this location was a factor in the updated FBC economic appraisal process.
- 3.48 In addition, updated climate change allowances were issued in July 2021. The increased peak flow for the 2020s now forms the baseline of the updated hydraulic modelling completed in December 2021.
- 3.49 The FBC economic analysis uses up to date appraisal analysis and revised costs set in July 2022. The results of this analysis are included at Table 4A below.

Table 4A: FBC Economic appraisal summary (costs and benefits in £ millions)

Option Number	1	2	2b	6	6a	7
PV Costs	0.0	19.6	19.7	106.1	119.0	132.0
PV Benefits	0.0	1,288.4	1,303.9	1,428.8	1,475.0	1,494.4

Residual damages	1,710.1	421.7	406.2	281.3	235.41	215.7
Net Present Value	n/a	1,268.7	1,284.2	1,322.7	1,355.9	1,362.4
BCR	n/a	65.7	66.3	13.5	12.4	11.3
iBCR			545.6	1.4	3.6	1.5

Option Number	6bi	6bii	6biii
PV Costs	144.5	144.6	148.6
PV Benefits	1,533.8	1,536.4	1,536.7
Residual damages	176.3	173.7	173.4
Net Present Value	1,389.3	1,391.8	1,388
BCR	10.6	10.6	10.3
iBCR	3.2	53.0	0.06

- 3.50 The project completed its appraisal of the ‘do something’ options in line with the Treasury Green Book and the Flood and Coastal Erosion Risk Management Appraisal Guidance (FCERM-AG) in December 2021. This has demonstrated that the “nationally preferred economic option” is Option 6bii. Whilst Option 6biii is cost beneficial in its own right, the increase in costs over Option 6bii are greater than the increase in benefits. This means that there is not incremental justification to move to this option.
- 3.51 The Agency recognises that local benefits may not be captured or quantified in the FCERM-AG assessment process. The DEFRA Partnership Funding Policy allows local choice selections where an option delivers benefits over and above the “nationally preferred economic option”, provided that they are funded in full by local funding.
- 3.52 The University of Oxford, as part of their masterplan process for redeveloping the Osney Mead site, has offered to fund a local choice enhancement to the CPO Scheme in full to deliver this local flood risk reduction. This offer and the change to the project scope was formally accepted by the Oxford Flood Alleviation Scheme’s Sponsoring Group, and this was formalised through a legally binding contribution agreement drafted and signed by the relevant parties.
- 3.53 The inclusion of these additional local choice works delivers greater outcomes for the CPO Scheme, contributing to the objectives of reducing flood damage to homes and businesses in Oxford as well as to the objective of safeguarding Oxford’s reputation as a thriving centre of commerce that is open for business. This is achieved without additional expenditure of public money. Accordingly this is justified as a part of the CPO Scheme, and is consistent with the CPO Scheme’s stated objectives

Assessment of specific alternatives

- 3.54 The Agency are not pursuing “do nothing” as an option. “Do nothing” is included in the options appraisal process as a baseline against which potential options are assessed. Doing nothing would deliver no flood defences whatsoever, and would not result in any flood-related benefits.
- 3.55 The Agency do not consider that a “no channel” option (removing part or all of the lowered floodplain from the CPO Scheme) would deliver an effective flood defence scheme, or be successful in delivering the benefits set out in paragraph 5 of this Statement. This is for the following summary reasons:
- (a) Certainty. The use of channels allows basic hydraulic principles to apply, meaning that any additional water will find the lowest points in the floodplain, located in the new channel. Without a channel, additional water would redistribute unpredictably, which may cause unexpected issues elsewhere due to the complexity of the braided watercourse system around Oxford. There is therefore no certainty that a “no channel” model would deliver the required benefits. Conversely, the use of a channel provides certainty and resilience against future changes and unforeseen events.
 - (b) Reliability. The CPO Scheme as proposed is passive, meaning that it requires minimal operational intervention during a flood event; whereas a “no channel” model would result in deep water across the floodplain, making intervention difficult. The Agency considers that a 2-stage channel approach is entirely standard, and will provide evidence which demonstrates that channels have been used on a variety of flood relief schemes worldwide.
 - (c) Further impediments. The Agency would need to seek a wider CPO with additional land and rights in order to deliver a “no channel” model, as the wider floodplain is outside the current extent of the Order. That land is also not within the scope of the planning application. More land would ultimately be sought for a less certain, less reliable result. The Agency have sought to minimise land take where possible in line with the requirements of the Guidance.
 - (d) Accordingly, having explored the proposal in detail, the Agency has opted to proceed on the basis of a medium channel plus defences model.
- 3.56 Natural methods of flood management (including the creation of wetlands, floodplain meadows, improving soil and crop management and planting trees) have also been raised during the process of consultation. Practically, this can be a cost-effective method for managing flood risk alongside traditional engineering in appropriate locations. Research into nature based solutions to date indicates they are best suited to upper catchment areas and there is no evidence currently available which would indicate that implementing natural flood management would have a significant effect on the longer duration type flood events seen in Oxford either in recent years, or anticipated in the future.
- 3.57 Dredging has been raised during the process of consultation. Dredging can increase a river’s ability to convey water by a modest amount, and in practice the Agency often uses its discretionary powers to dredge or remove blockages from watercourses in Oxford. There is no evidence available which would indicate that dredging would have a significant effect in a flood event. The Agency considers that the water which would enter the channel would likely far exceed the small additional capacity that dredging would provide.
- 3.58 The possibility of a “twin pipe” option (involving, in summary, the construction of an underground pump house and installation of two 2m diameter pipes 4m deep in the floodplain to discharge water into the Redbridge area) has been raised during the process of consultation. This is similar to the “Culverting” option described at Table 1 above, and is considered not to be feasible due to costs, practical risks, the Agency’s policy to avoid culverting where possible, and the Agency’s preference for passive solutions which do not require intervention in a flood event. The promoter of the twin pipe option has provided no details of how the downstream end would work or how the floodwater would re-enter the existing river system. They estimate all works could be undertaken within an 8m working corridor for £22.5m. Our own contractor suggests a 40m wide working corridor would be

required with a cost range of £86m to £106m, with over 400,000m³ of material needing to be excavated to install the pipes.

- 3.59 Throughout the consultation process, a number of parties have raised concerns about value for money. The Agency assess options in accordance with the FCERM-AG guidance, as detailed above. The CPO Scheme has a benefit:cost ratio of 10.6 to 1. What this means in practice is that for every £1 which is spent on delivery of the CPO Scheme, over £10 of costs will be avoided. This is considered to be a very robust ratio, which reflects high return value for money when considered against other infrastructure projects.

Phase Three

- 3.60 The CPO Scheme will allow for the later implementation of phase three of the OFRMS if this becomes justified subsequently. Phase three of OFRMS is upstream flood storage, taking into account the need to improve further the effectiveness over time of the river channel improvements proposed as phase two of OFRMS and to address the predicted effects of climate change.
- 3.61 However, construction of the CPO Scheme does not mean that phase three of the OFRMS will necessarily be implemented at any time. Any phase three project would need to be considered and justified as an investment decision in its own right at a future time. At present, implementation of any phase three scheme is not projected to take place before 2070, although this will be reviewed on a five year basis. The CPO Scheme provides highly beneficial flood risk reduction in its own right, without phase three of OFRMS.

4 THE COMPULSORY PURCHASE ORDER

- 4.1 The Order has been made by the Agency pursuant to powers under section 154 of the Water Resources Act 1991. The Acquisition of Land Act 1981 applies to any compulsory purchase and Schedule 3, in particular, to the acquisition of rights.

- 4.2 Section 154 of the 1991 Act, so far as relevant, provides:

“154 – Compulsory purchase etc.

(1) The Agency...may be authorised by the relevant Minister to purchase compulsorily any land anywhere in England and Wales which is required by the Agency...for the purpose of, or in connection with, the carrying out of its functions.

(2) The power of the relevant Minister under subsection (1) above shall include power—

(a) to authorise the acquisition of interests in, and rights over, land by the creation of new interests and rights; and

(b) by authorising the acquisition by the Agency..... any rights over land which is to be or has been acquired by the Agency....to provide for the extinguishment of those rights.

(3) Without prejudice to the generality of subsection (1) above, the land which the Agency may be authorised under that subsection to purchase compulsorily shall include land which is or will be required for the purpose of being given in exchange for, or for any right over, any other land which for the purposes of the Acquisition of Land Act 1981 is or forms part of a common, open space or a fuel or field garden allotment.”

- 4.3 Section 154(2) specifies that the power of the Minister under subsection (1) includes the power to authorise (i) the acquisition of interests in and rights over land by the creation of new rights and interests and (ii) the acquisition of any rights over land which is being acquired to provide for extinguishment.

- 4.4 Section 37 of the Environment Act 1995 also gives the Agency a power to do anything which, in its opinion, is calculated to facilitate, or is conducive or incidental to, the carrying

out of its functions and without prejudice to the generality of that power it may acquire and dispose of land in connection with its functions.

- 4.5 The Agency has the power to acquire rights in relation to the carrying out of its functions. The purpose of the flood alleviation work falls within the Agency's function for the carrying out of flood defence and drainage functions (as transferred by s.2(1)(a)(iii) and (iv) of the Environment Act 1995) and to conserve and enhance the natural beauty and amenity of inland waters and associated land, to conserve flora and fauna which are dependent on an aquatic environment, and the use of such waters and land for recreational purposes (the duty under s.6 of the Environment Act 1995). It is also within the Agency's general environmental and recreational duties (s.7(1)(a) and (c) of the Environment Act 1995). Therefore, the compulsory acquisition of rights is authorised in these circumstances.
- 4.6 The Guidance provides direction to acquiring authorities on the use of compulsory purchase powers and the Agency has taken full account of this guidance in making the Order.
- 4.7 The Agency is using its powers of compulsory purchase contained in section 154 of the Water Resources Act 1991, the Acquisition of Land Act 1981, and under section 2, section 6, section 7 and 37 of the Environment Act 1995 in order to acquire land, and rights over land in making the Order.
- 4.8 The purpose in seeking to acquire the land and utilising the powers in the above legislation is set out in detail in section 5 below.

Justification for Compulsory Purchase

- 4.9 Having regard to the criteria for justifying compulsory purchase orders in paragraphs 12 to 15 of the Guidance, the Agency considers that the making of the CPO is justified and expedient.
- 4.10 The Agency considers that there is a compelling case in the public interest for the compulsory purchase of land and rights in land as set out in the CPO and that use of compulsory purchase powers is necessary in the public interest in order to implement the CPO Scheme. The Agency considers that the CPO contains only the land and rights over land that are needed to implement the CPO Scheme. Reasonable steps have been taken to acquire the required land and rights over land through constructive engagement with landowners and offers of reasonable compensation. Compulsory purchase powers are needed as a last resort in order to deliver the CPO Scheme which cannot be delivered by other means.
- 4.11 The CPO Scheme is fully funded, and the Agency considers that all necessary resources for implementation of the CPO Scheme will be available and that there is more than a reasonable prospect of the CPO Scheme going ahead. The Agency expects the associated Non-Vehicular Permanent Highway Closure Orders to be confirmed and considers that there is no reason to think that they would not be confirmed. The Agency does not consider that there are any impediments to implementation of the CPO Scheme.

5 BENEFITS OF THE PROJECT

Flood related benefits

- 5.1 The CPO Scheme will bring significant long-term benefits to Oxford by reducing the risk of flooding to large areas of the city containing homes, businesses, schools, health & community centres, places of worship, major roads, railways and public services.
- 5.2 Economic analysis of the whole life benefits of the CPO Scheme shows that the CPO Scheme will prevent just over £1,574 million of economic damages from flooding over the next 100 years.
- 5.3 There are around 1,600 properties currently at risk of flooding in a flood that has a 1% (1 in 100) annual risk of occurring (at medium risk). The CPO Scheme will reduce the likelihood of flooding for all of these properties, with 1,085 benefiting from a standard of protection greater than a 1% (1 in 100) annual risk of flooding. This means that flood

events of the size seen in recent years (2007, 2012, 2013, and 2014) will not cause flooding to these properties.

- 5.4 If the estimated impacts of climate change are experienced, a greater number of properties would then be at risk of flooding. The threat of climate change increases the potential extent, frequency and level of disruption that flood events would cause to Oxford.
- 5.5 In addition to reducing flood damages to the structure and contents of residential and non-residential properties, the CPO Scheme has a number of other benefits which will positively impact local communities by avoiding stress and the mental impact flooding can cause. These include:
- (a) reduced flooding to Botley Road, Abingdon Road and the railway, maintaining access into the city for work, leisure and tourism by preventing delays or disruption to travel journeys;
 - (b) lowering the risk of flooding to key infrastructure including sewers, electricity and communication networks, which have the potential to disrupt everyday life for a larger number of properties than just those in the immediately at risk areas;
 - (c) avoiding flood related disruption to schools and maintaining access to local services such as health and community centres;
 - (d) Reduced insurance premiums for properties in at risk locations.
- 5.6 Working closely with Thames Water Utilities, it has also been identified that the CPO Scheme will result in 88 properties at a lower risk of sewer flooding. This will mean less likelihood of sewer flooding occurring during river flooding and reduce the stress that these property owners experience following periods of heavy rain.
- 5.7 Reduced flood damage to utilities also avoids financial impacts on infrastructure providers through less frequent repair costs and compensation payments.
- 5.8 The specific financial value which the CPO Scheme will bring to the local economy is harder to quantify. By reducing the likelihood of flood-related disruption to transport and utility infrastructure, and promoting opportunities for more sustainable redevelopment of existing sites, the CPO Scheme will provide economic benefits to the wider business community of Oxford and not just businesses in the immediate locality.
- 5.9 Economic analysis of the whole life benefits of the CPO Scheme shows that the CPO Scheme will prevent just over £1,574 million of economic damages due to flooding over the next 100 years. The CPO Scheme will provide economic benefits to the wider business community of Oxford not just businesses in the immediate locality.

Non flood benefits

- 5.10 The design of the CPO Scheme will promote the realisation of benefits wider than just reduced flood risk by creating important habitats, improving the function of the watercourse and ensuring that the area remains accessible to local communities.
- 5.11 Integrated into the CPO Scheme design are locations for new and / or improved habitat for flora, fauna and fisheries. Landscape management plans will support the establishment and maintenance of high-quality habitats. This in turn provides opportunity for academic research and the Agency will actively encourage opportunities to work in research partnerships with others.
- 5.12 The CPO Scheme will help to improve and upgrade a number of the existing sustainable transport links for walkers and cyclists through the floodplain. A proportion of the Agency's maintenance track will be made into a new permissive path that the public are allowed to use, except when maintenance or other activities would conflict with this. On land that the Agency will retain ownership of, the Agency will maintain current informal footpath routes commonly used by the public and ensure that crossings over the new stream retain the connectivity of existing access. These links are important transport and commuter routes

and provide easy access to the city centre for walkers and cyclists from the Botley, North Hinksey and South Hinksey villages.

- 5.13 Improving active travel routes to Oxford from the west and south will help to reduce the number of vehicles on Botley Road and Abingdon Road which will not only improve safety but improve local air quality which has positive health implications.
- 5.14 Access to good quality green space has significant health and well-being benefits. The Agency has an ambition to ensure that surrounding communities stay actively connected to the CPO Scheme and see the location as a valuable natural asset in the local environment. The proposal to work in partnership with an environmental partner will ensure a continued focus on connecting people with the CPO Scheme.
- 5.15 In addition, the CPO Scheme will also have benefits for Oxford's Green Belt on the basis that it will preserve the use of the land, restrict sprawl and prevent development from encroaching into the area. It will bring new purpose to the floodplain as it becomes part of Oxford's active flood management for significant flood events into the future, providing even greater permanence to the Green Belt.
- 5.16 The CPO Scheme will therefore bring wide-ranging benefits to Oxford, which demonstrates a clear compelling case in the public interest for the project. The benefits are not restricted to homeowners and businesses located in high-risk flood zones but by maintaining a high quality, accessible natural environment, all in the wider local community will experience the benefits.

6 IMPLEMENTATION OF THE PROJECT

Project Costs

- 6.1 The total estimated cash cost of the CPO Scheme, including pre-planning costs in preliminary investigations, construction costs, fees, land acquisition and project management amount is £169,980,000. This figure takes into account estimated project risks including allowances for the current rate of inflation.
- 6.2 In addition to the design and build costs, HM Treasury have asked that there is financial provision towards the first 10 years of maintenance costs. This gives an even greater degree of certainty that maintenance works can be undertaken as needed in the initial period after the CPO Scheme is built. The estimated cost of this work is £6,100,000. This sum will cover operational and landscaping maintenance work.
- 6.3 The maintenance of the scheme beyond the first 10 years will be provided separately from the Agency's budget. There are no anticipated impediments to this source of funding.
- 6.4 The updated complete cost of the CPO Scheme, including the cost of maintenance over the first 10 years of its life, is therefore £176,080,000.

Funding

- 6.5 Of the current estimated £176,080,000 cost, £134,881,638 will come from central government grant in aid, and the remaining £41,198,362 from third party contributors. The table below shows the updated breakdown funding sources.

Table 5

Contributor	Amount	Status
Central Government Grant in Aid	£134,881,638	Project confirmed in Environment Agency annual investment programmes since November 2014. Current estimated value of GiA funding

Thames Regional Flood and Coastal Committee	£14,000,000	Confirmed - minutes November 2017 meeting
Oxfordshire County Council	£1,500,000	Legal Agreement signed - March 2015
	£5,250,000	Legal Agreement signed - February 2018
Oxford City Council	£1,500,000	Legal Agreement signed - March 2015
Thames Water	£3,400,000	Legal Agreement signed – July 2018
National Highways	£10,000,000	Legal Agreement signed March 2020
Department for Education	£1,000,000	Legal Agreement signed nationally in relation to whole EA/DfE programme – December 2021 and associated variation March 2023
University of Oxford	£4,548,362	Legal Agreement signed August 2018
	£176,080,000	

7 FCERM Grant in Aid is allocated through a process known as Partnership Funding for FCERM schemes. Schemes are assessed under this policy and allocated Grant in Aid (GiA) funding based on certain outcomes the scheme delivers. This value is combined with third party contributions and where the combined value is 100% of the overall scheme cost then it is eligible for GiA funding. The CPO Scheme scores 104% and so meets the required criteria to secure GiA funding. This provides some headroom should costs increase but the Agency is continuing to seek further contributions and strengthen the affordability position. Some early payments have been made by the Thames Regional Flood and Coastal Committee, Oxfordshire County Council and Oxford City Council to help deliver design work. The remaining contributions will be made prior to and during the construction phases. They will be drawn upon in accordance with IFRS financial accounting regulations and overseen by DEFRA Finance.

7.1 The central government Grant in Aid and the contribution from the Thames Regional Flood and Coastal Committee are secured within the 6 year programmes published annually by the Agency.

7.2 The contributions from Oxfordshire County Council, Thames Water, National Highways, have been secured in line with the Agency's standard terms when contracting for contributions to flood risk management schemes.

7.3 The contribution from University of Oxford is restricted for solely use on the defence along Ferry Hinksey Road. The contribution from Oxford City Council comprises a £1.5m cash contribution (paid over four financial years from 2015/16 to 2018/19).

Delivery Programme

7.4 The construction start date is scheduled for late 2024. We expect construction to take up to five years.

8 THE PLANNING POSITION

8.1 Due to the excavation of minerals involved in constructing the CPO Scheme, the planning application for the CPO Scheme is a 'county matter' under the Town and Country Planning

Act 1990 and consequently has been made to Oxfordshire County Council. The County Council will consult Oxford City Council and Vale of White Horse District Council as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 8.2 The Agency submitted a pre-planning advice request to Oxfordshire County Council in May 2017 and received a response in August 2017. The advice has been taken into consideration and informed the detailed design of the CPO Scheme.
- 8.3 The Agency submitted a planning application in March 2018 ref: MW.0028/18 which encompassed all elements of the CPO Scheme. That application was ultimately withdrawn in March 2020, to accommodate for changes to the A423 railway road bridge.
- 8.4 The Agency submitted a planning application in February 2022 ref. MW.0027/22. The application was for a flood alleviation scheme to reduce flood risk in Oxford, comprising the construction of a new two stage channel from the confluence of the Botley and Seacourt Streams, extending south easterly to north Kennington. The Scheme also includes floodwalls, floodgates and flood defences across the area and a number of control structures, bridges and culverts to cross highways and footpaths are to be built to maintain access routes. The Scheme includes the creation of new and improved habitat for flora, fauna and fisheries, and change of use of land to provide exchange for existing open space. Works will include extraction of some sand and gravel for reuse on the site and exportation from the site.
- 8.5 At the date of this statement, the Agency's planning application for the CPO Scheme has not been determined. A further information request under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was received on 17 August 2022, and full information has been provided in reply. We anticipate that planning permission will be forthcoming in due course.
- 8.6 The Agency will also submit a second planning application to allow for a proportion of excavated material to also be taken away from the site by rail. We anticipate that planning permission will be forthcoming for this second application, but if it is not then all material will be removed by road instead. The second application will provide additional flexibility, but is not essential to the delivery of the CPO Scheme.

Environmental Assessment

- 8.7 An Environmental Impact Assessment ("EIA") of the preferred option, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 resulted in the production of an Environmental Statement ("ES", **Document 7**) which was prepared to support the planning application to Oxfordshire County Council for the CPO Scheme. The ES assessed all options appraised as part of identifying the preferred option for the CPO Scheme. It also assessed the potential impacts resulting from the preferred option including from the construction and operation.
- 8.8 The EIA considered impacts upon local community, recreation and public access, landscape and visual amenity, flora and fauna, water and hydromorphology, cultural heritage, traffic and transport, sustainable use of land, air quality, carbon, sustainability and cumulative effects. The ES concluded that there would be a number of positive impacts on the health of persons living, working in and visiting the area. The ES also identified that following mitigation, there would be some potentially moderate adverse impacts on the local community (due to temporary noise from piling), minor adverse impacts on recreation and public access (due to the temporary and permanent diversion of paths and the loss of some open space and allotment plots). The ES also identified a temporary reduction in visual amenity and adverse impacts on landscape character during the construction process, permanent moderate adverse effects on the landscape at Kendall Copse and the permanent loss of woodland due to the introduction of new bridges and the creation of a channel.
- 8.9 Overall, the ES concludes that in the longer term, the landscape and ecological design of the new proposed channel will enhance the experience of walking, cycling, riding or boating in the CPO Scheme area.

- 8.10 In terms of flora and fauna, the ES identified that there will be a significant adverse impact on the rare floodplain meadow at Hinksey Meadow. This consists of an area of MG4 grassland within Osney Mead (Botley Meadows) Local Wildlife Site which includes a wide variety of grass species and wildflowers.
- 8.11 The CPO Scheme will result in 1.33ha of MG4 habitat being directly affected at Hinksey Meadow. The part of Hinksey Meadow that is on the route of the second stage channel will require excavation to a depth approximately 500mm lower than the current ground level. A thin strip approximately 1m wide around the edge of the CPO Scheme red line boundary may also be damaged by fences and construction vehicles which are needed to construct the CPO Scheme.
- 8.12 The Agency appointed Floodplain Meadows Partnership (“FMP”) of the Open University to provide independent expert advice on the likely impacts of the CPO Scheme on Hinksey Meadow and to provide options for mitigation for loss of MG4 habitat. This advice has led to the Agency adopting the following approach to MG4 habitats:
- (a) As a starting point the Agency are committed to minimising the disturbance of MG4 grassland by using the existing Seacourt Stream rather than dig a new stream through Hinksey Meadow. The lowered ground adjacent to Seacourt Stream will be routed to avoid rare MG4 grassland as much as possible.
 - (b) Approximately 1.33ha of MG4 grassland turf will need to be carefully lifted and replanted in another, suitable location, where it will be managed in accordance with the advice provided by FMP.
 - (c) Three new areas of species-rich floodplain meadow will be established using appropriate meadow establishments techniques. These areas will contain the translocated turf from Hinksey Meadow and a suitable mix of grasses and wildflowers to create MG4 grassland.
 - (d) The Agency will also manage water levels in the Seacourt Stream and Bulstake Stream under low flow and average year conditions. This will maintain corresponding groundwater levels in Hinksey Meadow at or above existing levels.
- 8.13 The local planning authority, in considering the current planning application, has confirmed that it is satisfied with the proposed mitigation measures for loss of MG4 habitats. The Agency will manage the mitigation areas in accordance with recommended methods set out in the FMP report and will monitor the mitigation measures and management regimes to optimise their effectiveness. 6.47ha of woodland will also need to be felled to build the CPO Scheme and 11.34ha of new woodland will be planted within the scheme area as mitigation.
- 8.14 The CPO Scheme will create new and improved areas for wildlife. These areas will help replace habitat losses arising from the CPO as follows:
- (a) The second stage channel will be available for livestock grazing to supplement the creation of floodplain grazing marsh and include many wetland features, creating a new wetland wildlife corridor.
 - (b) The wetland features in the second stage channel will incorporate a variety of depths, dimensions and gradients, to maximise the diversity of wetland wildlife.
 - (c) The habitat in the existing streams will be improved and the new channel has been designed to maximise biodiversity.
 - (d) Over 11ha of woodland will be planted to help mitigate the loss of just under 6.5ha of woodland.
 - (e) The removal of Towles Mill, in conjunction with a separate scheme at the upstream end of the Seacourt Stream, will enable unimpeded fish movement around Oxford for the first time in over a century.

- 8.15 The Agency expects that biodiversity net gain will be legally secured through the grant of planning permission, by the imposition of an appropriately worded condition and/or a requirement for a legal agreement.
- 8.16 As with most projects of this nature, there will be some traffic disruption during construction, from new access routes to construction sites, temporary road closures and from construction-related traffic. Transport disruption and increased traffic flows will be managed through measures set out in a Construction Traffic Management Plan in consultation with the Highway Authorities.
- 8.17 The Agency is aware that the CPO Scheme area is well-used for walking and have assessed the likely impacts of the CPO Scheme on both formal and informal routes. This assessment is included in full in section 6 of the ES.
- 8.18 While inevitably there will be some temporary closures of highway including bridleway, footpaths and cycleways during the construction of the CPO Scheme, the Agency will signpost alternative routes and make temporary routes available where possible. Key public access routes, including Willow Walk (between North Hinksey and Osney Mead) and the National Grid “electric road” access track (between Osney Mead and South Hinksey) will always remain open.
- 8.19 Following completion of the CPO Scheme, there will be a permanent change in wetness of the agricultural land in the footprint of the two stage channel due to the increased frequency of flooding but it will still be possible for most of the land to be grazed during drier months. The CPO Scheme will provide an improved standard of protection against flooding for existing land uses outside the two-stage channel, including agricultural land and soils, and some small areas of potential contamination within the floodplain.
- 8.20 The ES includes an Environmental Action Plan which will be used and updated throughout construction of the CPO Scheme to ensure that the contractor implements the measures required to minimise and manage any adverse environmental impacts.
- 8.21 The Agency considers that the proposed CPO Scheme is the most sustainable approach to flood risk management within the catchment.

Local Planning and other Policy

- 8.22 The proposals are considered to be acceptable in planning policy terms and in accordance with the relevant planning policies and guidance listed below.
- 8.23 The relevant policy documents comprise:
- (a) Oxfordshire County Council
 - (i) Oxfordshire Minerals and Waste Core Strategy (2017) – Oxfordshire County Council
 - (b) Oxford City Council
 - (c) Oxford Local Plan 2016 – 2036 (2020)
 - (d) Vale of White Horse (VoWH)
 - (i) Local Plan 2031 Part 1: Strategic Sites and Policies (2016);
 - (ii) Local Plan 2031 Part 2: Detailed Policies and Additional Sites - (2019)
 - (iii) North Hinksey Neighbourhood Plan (May 2021)
- 8.24 Material Considerations
- (a) Oxfordshire County Council

- (i) Oxfordshire Local Transport plan 4 - Connecting Oxfordshire (2016) – Oxfordshire County Council;
 - (ii) Revised Oxfordshire Statement of Community Involvement (March 2020) – Oxfordshire County Council.
- (b) Oxford City Council
- (i) Oxford Statement of Community Involvement in Planning (2015) – Oxford City Council;
 - (ii) Oxford Informal Assessment of the Green Belt (2014) – Oxford City Council;
- (c) Vale of White Horse
- (d) VoWH Statement of Community Involvement (October 2020)
- (e) National and Local Flood Policies
- (i) Oxfordshire Local Flood Risk Management Strategy (2015) – Oxfordshire County Council;
 - (ii) Oxfordshire County Council Minerals and Waste Level 1 Strategic Flood Risk Assessment (2015);
 - (iii) Oxford Strategic Flood Risk Assessment Level 1 (2017) – Oxford City Council;
 - (iv) Oxford Strategic Flood Risk Assessment Level 2 (2018) - Oxford City Council
 - (v) VoWH SFRA Level 1 update (October 2017);
 - (vi) UK Government 25 Year Environment Plan (2018 updated 2023)
- (f) The Agency's Flood Policies
- (i) The Thames Catchment Flood Management Plan (2009);
 - (ii) The National Flood and Coastal Erosion Management Strategy for England (2020);
 - (iii) EA2025 creating a better place (2020)
 - (iv) Flood and coastal risk projects, schemes and strategies: climate change allowances (updated 2022)
- Other:
- (v) National Planning Policy Framework (2021)

9 THE CASE FOR ACQUISITION OF INDIVIDUALS' INTERESTS AND RIGHTS

- 9.1 The Agency has given careful consideration as to why it is necessary to acquire and create rights over the Order Land. An outline position of the basis for what land is required is set out in paragraph 3.10 above.
- 9.2 Furthermore, without acquiring all the interests set out in the Order, the Agency cannot guarantee being able to comply with all the conditions expected to be imposed on the planning permission, which include various environmental mitigation conditions.
- 9.3 The Agency has been working to establish dialogue with the owners of all potentially affected interests from an early stage in the development of the CPO Scheme. The

Agency has contacted all landowners, tenants, lessees and occupiers that it believes are affected by the CPO Scheme and public information events have also been held. The Agency is attempting to negotiate with owners, lessees and tenants and known occupiers, for the purchase of the land and/or rights in land that are required for the CPO Scheme. This approach has been promoted through a series of meetings and related correspondence since 2016.

- 9.4 The Agency has encouraged the affected parties to obtain professional advice to help steer them through the process where appropriate. Each affected party was advised that they could engage a qualified surveyor to act on their behalf and that the Agency would meet their appropriate and reasonable fees incurred, through a process of constructive dialogue and negotiation. Where affected parties have requested the payment of interim agents' fees, the Agency has agreed to settle these fees.
- 9.5 The process of negotiation to acquire interests by agreement has been ongoing since 2016, throughout the period of the original, withdrawn CPO. The Agency recognises the importance of reaching financial settlements to acquire interests by agreement and has offered flexible terms to landowners, both in 2018 and 2022. The Agency remains committed to continuing to acquire interests by agreement, The CPO is necessary as a measure of last resort, if all of the interests required to deliver the CPO Scheme cannot be acquired by agreement or within a timely manner to allow delivery.
- 9.6 The Agency made open offers to all landowners on 27 March 2023. One of the landowners has accepted an open offer at the time of this Statement. Agreement of financial terms has been reached with 28 interests at the time of this Statement. The Agency has also agreed Heads of Terms with 6 parties to enter into an Option Agreement, subject to completion of the legal agreement. Further updates on negotiations will be provided in evidence and at the inquiry.
- 9.7 The Agency has also made proposals to landowners, lessees, tenants and occupiers where only minor works or temporary works occupation only is required. This has been in the form of a Works Licence Agreement.
- 9.8 The Agency has been cognisant of business interruption throughout the development of the CPO Scheme. Through the design process, since the "preferred design" option was first shared with landowners in 2016, the Agency has looked to mitigate impacts on businesses. In all scenarios, including where the design cannot be adapted or overcome the concerns of affected parties, the Agency has engaged with all relevant parties in respect of the mitigation that can be offered to overcome concerns.
- 9.9 Heads of Terms for negotiation (both in 2018 and in relation to the CPO Scheme in 2022) have included a "mitigation" section, formally recording the agreed mitigation to be included in any finalised agreement. Mitigation of impacts on businesses remains an active and central part of the Agency's attempts to reach agreement to acquire interests.
- 9.10 At the date of this statement, the Agency has 21 Works Licence agreements in place and eight Heads of Terms for agreement in place, in respect of all of the land and rights over land required for the CPO Scheme.

10 HUMAN RIGHTS CONSIDERATIONS AND ANY OTHER CONSIDERATIONS

- 10.1 The Human Rights Act 1998 ("the 1998 Act") incorporated into domestic law the European Convention on Human Rights ("the Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.
- 10.2 Section 6 of the 1998 Act prohibits public authorities from acting in a way which is incompatible with the Convention. In exercising its powers of compulsory acquisition, the Agency is acting as a public authority for the purpose of the 1998 Act so must be conscious of the need to strike a balance between the rights of the individual and the interests of the public.
- 10.3 Various Convention rights may be engaged in the process of making and considering a compulsory purchase order, notably Article 1 which protects the right of everyone to the

peaceful enjoyment of possessions- no-one can be deprived of possessions except in the public interest and subject to relevant national and international laws.

- 10.4 The making of the CPO engages rights protected under Article 1 of the First Protocol to and Article 8 of the European Convention on Human Rights (“ECHR”). The Agency considers that making the CPO is in the public interest, in accordance with law and that its consequences are proportionate to the purpose for which the CPO is sought. It also considers that the CPO Scheme represents a fair balance between the competing interests of the individual and the community as a whole and that it could not be achieved without the CPO. Accordingly, the making of the CPO does not violate Article 1 to the First Protocol or Article 8 of the ECHR, nor would these provisions be violated by subsequent confirmation of the CPO by the Secretary of State for Environment, Food and Rural Affairs.
- 10.5 It is also a right to have a public hearing. Appropriate consultation took place during the planning application process with an opportunity given for interested parties to make representations. Representations can also be made in the context of the compulsory purchase process which allows objections to be made which may be considered by the Secretary of State if not resolved. Furthermore, those directly affected by the Order (i.e. the landowner(s) of the land required for the Project) will be entitled to statutory compensation.

11 EQUALITY

- 11.1 The Equality Act 2010 requires the promotion of understanding of the importance of equality and diversity, and the encouragement of good practice in relation thereto. Section 149 of the Equality Act 2010 gives public authorities a duty, when exercising their functions, to have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2 In the promotion of the CPO, the Agency has been mindful of the need to properly discharge its duties under the provisions of the Equality Act 2010, including with regard to the locations and accessibility of the places selected for the deposit of documents relevant to the CPO Scheme. The Agency will comply with its duties under the Equality Act 2010 in respect of its on-going work in relation to the CPO Scheme.
- 11.3 An Equality Impact Assessment was undertaken for the CPO Scheme (**Document 24**). This details how the Agency has had regard to its public sector equality duty in relation to the CPO. The Agency will continue to engage with affected parties sensitively and will put in place appropriate measures to ensure that no demographics are excluded (for example, the Agency will make CPO documentation available in large print or other languages where this is required).

12 SPECIAL CONSIDERATIONS

Listed Buildings, Conservation Areas, Ancient Monuments, Consecrated Land, Nature Conservation Designations and other Special Considerations Affecting the Order Land

- 12.1 The CPO Scheme will affect the Old Abingdon Road culverts; a Scheduled Monument and non-scheduled medieval historic causeway considered by Historic England to be of national importance. Through expert advice and continued liaison with heritage stakeholders, the CPO Scheme has been designed to avoid physical impacts on the culverts themselves and to minimise archaeological impact on this Scheduled Monument, although part of the non-scheduled causeway will be excavated.
- 12.2 Oxford Meadows Special Area of Conservation (“SAC”) is an internationally designated wildlife site which lies 0.8km to the north of the CPO Scheme and comprises several Sites

of Special Scientific Interest (“SSSIs”): Port Meadow with Wolvercote Common and Green, Pixey and Yarnton Meads, Wolvercote Meadows, and Cassington Meadows. A Habitats Regulations Assessment (“HRA”) was undertaken, which considered possible impacts on the SAC, including groundwater levels and air quality. The assessment concluded that there will be no impact on the integrity of these sites.

- 12.3 Iffley Meadows SSSI lies 130m to the east of the CPO Scheme area and is connected via the watercourses and groundwater. The CPO Scheme will have no significant impacts on Iffley Meadows.

Special Category Land – National Trust Land, Common Land, Open Space, Fuel or Field Garden Allotments, Local Authority Land and Statutory Undertakers Land

- 12.4 The CPO includes special category land within the following categories: Open Space, Local Authority Land and Statutory Undertakers Land.
- 12.5 The CPO does not affect any National Trust land, Common land or Fuel and Field Garden Allotment land.

Open Space Land

- 12.6 Open space land is required for permanent flood alleviation works and structures, and also for working areas during construction which will be returned to open space use on completion of the works. The CPO also includes several areas where additional rights are being acquired for access on a permanent basis following construction, for example to maintain structures.
- 12.7 The land understood to be open space is included in the CPO as shown in Table 6.

Table 6 – Open Space included in the CPO

Open Space Land Location	Area required for permanent acquisition – m²	Area required for temporary working – m²	Area required for additional rights - m²
Seacourt Nature Park, Botley Road, Oxford	11,634.5	4,890.1	1857.5
Oatlands Recreation Ground, Ferry Hinksey Lane, Oxford	1,795.8	7,041.5	0
Kendall Copse, Kennington Road, Kennington, Oxford	8,495.3	13,103.5	498.5
Kennington Pools, Kennington, Oxford	4,430.5	5,121.9	139.9
Grandpont Nature Park & Dean's Ham Meadow, New Hinksey, Oxford	484.4	731.48	0
Hinksey Park, New Hinksey, Oxford (<i>de minimis</i>)	0	0	0

Botley Park, Botley Road, Oxford (<i>de minimis</i>)	0	0	0
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- 12.8 The inclusion of open space land in the CPO invokes the requirements of Section 19 and Schedule 3 Paragraph 6 of the Acquisition of Land Act 1981. Subject to certain exceptions, this requires a compulsory purchase order acquiring open space land or rights over open space land to provide land in exchange ('Exchange Land') for the affected open space land and for the Secretary of State for Environment, Food and Rural Affairs to provide a certificate confirming that this requirement is satisfied.
- 12.9 The Exchange Land must be of the equivalent or greater area to that being acquired and must be equally advantageous to the owners of the affected open space land and to the public who use it. Where rights only over open space land are being acquired, the exchange land area must be adequate to compensate for the disadvantage that will result from the acquisition of the right.
- 12.10 If the Secretary of State for Environment, Food and Rural Affairs does not provide a certificate to that effect, the CPO would be subject to Special Parliamentary Procedure.
- 12.11 An exception to the requirement of provision of Exchange Land is where the Secretary of State for Environment, Food and Rural Affairs is satisfied that the land with the right being acquired will be no less advantageous to its users and the public.
- 12.12 The Exchange Land acquired under the CPO will be vested to the owners of the existing open space and be made subject to the rights for the users and the public in place over the existing open space land.
- 12.13 To satisfy the above requirements, where the CPO provides for permanent acquisition of open space or loss of amenity due to CPO Scheme Works on temporary working areas, an area of Exchange Land is included in the CPO. The appropriate area of Exchange Land to provide for temporary working areas during construction and for additional rights required on a permanent basis has been calculated using a formula which expresses the degree to which the existing use of the open space will be affected. Where a lesser interest is acquired for permanent rights or temporary use, additional Exchange Land is provided to ensure equivalence of the loss of benefit taken from the open space land. Similarly, where there is a loss of amenity to a temporary working area post-works, while the amenity is re-established, additional Exchange Land is provided for equivalence. The total Exchange Land to be provided for each area of existing open space land is shown in Table 7 below.
- 12.14 A search has been made of non-open space land in proximity to the open space land being acquired for the CPO Scheme. An assessment of this land has been made looking at the criteria: location and access to existing users, proximity to acquired land, suitability as open space and adequate replacement size. The most favourable options are included in the CPO and are set out in Table 7 below.

Table 7 – Exchange Land Locations and Areas

	Open Space	Exchange Land Location	Exchange Land Areas provided in CPO (m²)
Seacourt Nature Park	Plots 03/018, 03/019, 03/022, 03/023, 03/024, 03/045, 03/046, 03/047, 03/048, 03/049, 03/050, 03/051,	Land south west of Lamarsh Road, Oxford Plots 03/067, 03/068, 03/069, 03/070, 03/071, 03/072, 03/073.	11,766

	03/052, 03/053, 03/054, 03/055, 03/056, 03/057, 03/058, 03/059, 03/060, 03/061, 03/062, 03/063, 03/064, 03/065, 03/066		
	Plots 03/018, 03/019 , 03/022, 03/023, 03/024, 03/045, 03/046, 03/047, 03/048, 03/049, 03/050, 03/051, 03/052, 03/053, 03/054, 03/055, 03/056, 03/057, 03/058, 03/059, 03/060, 03/061, 03/062, 03/063, 03/064, 03/065, 03/066	Land south west of Lamarsh Road, Oxford Plots 03/067, 03/068, 03/069, 03/070, 03/071, 03/072, 03/073 . (Where Plot 03/019 is successfully challenged and not Open Space.)	11,749
Oatlands Recreation Ground	Plots 05/001, 05/002, 05/003, 05/004, 05/005, 05/006, 05/007, 05/008, 05/009, 05/013, 05/014	Land south west of Osney Mead industrial estate, Oxford Plots 05/072 and 05/073	01,880
Kendall Copse	Plots 11/051, 11/052, 11/059, 11/060, 11/063, 11/064 11/067, 11,068, 11/076, 11/077, 11/078, 11/079, 11/080, 11/083, 11/086, 11/087, 11/088, 11/090, 11/092, 11/093, 11/095, 11/097	Land south of the A423 southern bypass road and being part of Egrove Park, Oxford Plots 13/002, 13/003, 13/004, 13/005, 13/006, 13/007, 13/009, 13/010, 13/014, 13/015 , 13/016, 13/017 , 13/018 , 13/019, 13/020, 13/021, 13/022 (If the Digital Highway extent over Egrove Park is not challenged and Plots 13/015, 13/017, 13/018 and 13/022 cannot be used as Exchange Land.) (If Plot 11/067 is not successfully challenged as being highway land, Exchange Land Plot 13/020 will not be exercised under the CPO and is to be removed from the plots listed above.)	9,283 (or 9,245 if plot 13/020 is not needed)
		Land south of the A423 southern bypass road and	

		<p>being part of Egrove Park, Oxford</p> <p>Plots 13/002, 13/003, 13/004, 13/005, 13/006, 13/007, 13/009, 13/010, 13/014, 13/015, 13/016, 13/017, 13/018, 13/019, 13/020, 13/021, 13/022</p> <p>(If the Digital Highway extent over Egrove Park is successfully challenged and Plots 13/015, 13/017, 13/018 and 13/022 are needed to be used as Exchange Land, plot 13/009 will not be needed for Exchange Land.)</p> <p>(If Plot 11/067 is not successfully challenged as being highway land, Exchange Land Plot 13/020 will not be exercised under the CPO and is to be removed from the plots listed above.)</p>	
Kennington Pools	Plots 13/021x, 13/022x, 13/023, 13/030, 13/033, 13/034, 13/035.	<p>Land south of the A423 southern bypass road and being part of Egrove Park, Oxford</p> <p>Plots 13/001, 13/008</p> <p>(If Exchange Land Option Site 7 is required as Exchange Land for Kendall Copse open space)</p>	4,538
		<p>Land south of the A423 southern bypass road and being part of Egrove Park, Oxford</p> <p>Plots 13/003, 13/004, 13/005, 13/006, 13/010, 13/014, 13/015, 13/016, 13/017, 13/018, 13/019, 13/020, 13/021</p> <p>(If the Digital Highway extent over Egrove Park is not challenged and Plots 13/015, 13/017 and 13/018 cannot be used as Exchange Land and 13/021 is required as Exchange Land for Plot 11/064 (Kendall Copse))</p> <p>(If Plot 13/019 is required as Exchange Land to Oxfordshire County Council's open space at</p>	4,538

		Kendall Copse then Plot 13/019 will be removed from the above list of plots and substituted with Plot 03/003.)	
		Land south of the A423 southern bypass road and being part of Egrove Park, Oxford Plots 13/003 , 13/004, 13/005, 13/006 , 13/010, 13/014, 13/015, 13/016, 13/017, 13/018, 13/019, 13/020, 13/021 (If the Digital Highway extent over Egrove Park is successfully challenged and Plots 13/015, 13/017 and 13/018 are needed to be used as Exchange Land, then 13/006 will not be needed as Exchange Land.) (If Plot 13/018 is required as Exchange Land to Oxfordshire County Council's open space at Kendall Copse then Plot 13/018 will be removed from the above list of plots and substituted with Plot 03/003.)	4,538
Grandpont Recreation Ground & Dean's Ham Meadow	Plots 14/034, 14/035, 14/036, 14/037, 14/038, 14/047, 14/048.	Land north west of the Oxford Spires Hotel, Abingdon Road, Oxford Plots 15/014, 15/015, 15/016, 15/019	490

Open Space Position

- 12.15 The process of consultation and making of the CPO have led to some objectors raising queries and issues about Open Space matters. For ease of reference, the Agency will clarify its position on Open Space issues in this section.
- 12.16 The Agency considers that it has properly followed the guidance laid down in the case of LB Greenwich & ors v Secretary of State for the Environment and Secretary of State for Transport [1994] JPL 607 and all other relevant case law in the Agency's assessment of what constitutes "equally advantageous" alternative Exchange Land.
- 12.17 The operation of the CPO to purchase Open Space land places a duty on the Agency to provide Exchange Land; this is not something which the Agency can opt not to provide, in accordance with the requirements of Section 19 of the Acquisition of Land Act 1981.
- 12.18 Where the Agency reaches agreement with owners of Open Space land to acquire that land by agreement, the Agency would not then need to exercise the CPO over the relevant Exchange Land plots.
- 12.19 The Agency does not agree with the assertion that any of the areas identified in Table 6 are not Open Space land.

12.20 The Agency does not agree with any assertion that any of the identified Exchange Land already constitutes Open Space, and to date no substantive evidence has been provided to support this contention.

Local Authority Land

12.21 Land owned by a local authority is subject to Section 17 and Schedule 3 Paragraph 4 of the Acquisition of Land Act 1981. A compulsory purchase order which provides for the acquisition of such land or the acquisition of rights over such land will be subject to Special Parliamentary Procedure if the local authority objects to the order and does not withdraw that objection. Table 8 details the Local Authority Land impacted by the CPO and **Appendix 3** outlines the CPO plots applicable to each Local Authority.

Table 8 – Local Authority Land impacted by CPO

Local Authority Land	Description
Oxford City Council	North of West Way and Botley Road and at Botley Park; to the east of North Hinksey and between Botley Road and Willow Walk; to the west of Ferry Hinksey Road; to the east of North Hinksey Village and over Willow Walk at North Hinksey; around South Hinksey between the A34 Road and the railway line; to North of Old Abingdon Road, Redbridge; at Redbridge Camping Ground; at Redbridge Park & Ride; South of Old Abingdon Road and north of the Southern By-pass Road, Kennington Road; the watercourse running upstream from Mundays (rail) Bridge and Gordon Woodward Lane; at Grandpont, Dean's Ham and Hinksey Parks, Abingdon Road, Oxford, and land at the River Thames between Friar's Wharf and Baltic Wharf, west of Marlborough Road.
Oxford County Council	Oatlands Recreation Ground to the west of Ferry Hinksey Road, Osney Mead; at Redbridge Hollow, Old Abingdon Road; at Kennington Road; and at Grandpont Park, Abingdon Road, Oxford
Vale of the White Horse	East of Kennington Road situated to the north and South of the Southern By-pass Road
Highway Land	Highways land in which Oxfordshire County Council has an interest is at A42 Road; Botley Bridge, Botley Road; Bulstake Bridge, Botley Road; Helen Road; Henry Road; Ferry Hinksey Road, South Hinksey flyover at Manor Farm entrance; Manor Road, South Hinksey A423 Southern Bypass at Kennington Road; and Abingdon Road, Oxford.

13 STATUTORY UNDERTAKERS

13.1 Land owned by a statutory undertaker and acquired for the purpose of their undertaking is subject to Section 17 and Schedule 3 paragraph 4 of the Acquisition of Land Act 1981. A compulsory purchase order which provides for the acquisition of such land or the

acquisition of rights over such land will be subject to Special Parliamentary Procedure if the statutory undertaker objects to the order and does not withdraw that objection.

13.2 Land acquired by a statutory undertaker for the purposes of their undertaking and used for the purposes of that undertaking or where an interest in that land is used for the undertaking is subject to Section 16 and Schedule 3 paragraph 3 of the Acquisition of Land Act 1981. If the statutory undertaker makes a representation under these provisions, the compulsory purchase order can only be confirmed to the extent that the Secretary of State for Environment, Food and Rural Affairs is satisfied that the land or right over land can be purchased without serious detriment to the carrying on of the undertaking or where any detriment can be made good by the undertaker by using other land owned by the undertakers or available for acquisition by them.

13.3 The locations of land owned by utility companies in the CPO are detailed in Table 9 and **Appendix 5** outlines CPO plots applicable to each section of land.

Table 9 – Utility Companies impacted by the CPO

Utility Company	Location
Southern and Southern Electricity Networks	<ul style="list-style-type: none"> • An underground 11kV HV cable runs parallel to the existing Seacourt stream by West Way Bridge. • An underground 11kV HV cable at Hinksey Meadow field. • An 11kV HV cable runs underground at Willow walk. • A 11kV HV overhead cable at North Hinksey. • An underground 11kV HV line that runs to the north of Devil's Backbone. • 33kV overhead and buried cables at South Hinksey. • An 11kV cable from South Hinksey to the National Grid compound near South Hinksey • Unknown underground LV cable at Old Abingdon Road. • An underground 11kV HV cable runs to the north of Old Abingdon Road (OS coordinates 451577, 203636). • Two oil-filled cables to the south of Old Abingdon Road (OS coordinates 451596, 203641). • Two oil-filled cables run parallel to the existing channel near the railway at Kennington village (OS coordinates 451966, 203250). • An 11kV overhead cable in New Hinksey • A 415V power connection to Eastwyke ditch control structure • 3 x 415V power connections to the gauging stations adjacent to Botley bridge, Bulstake bridge and Malborough Rd adjacent to the River Thames.
National Grid	<ul style="list-style-type: none"> • Two 400kV overhead lines running north to south from east of Seacourt Park & Ride to a substation at Osney Mead industrial estate. • 400kV underground cables from Osney Mead industrial estate to South Hinksey substation beneath a stone track known locally as the electric road. • Overhead lines running southwards towards Kennington where the lines cross the railway south of the A423 southern bypass road.
Southern Networks Gas	<ul style="list-style-type: none"> • A 500mm medium pressure gas pipe runs perpendicular to the proposed new channel, approximately 600m to the north of Devil's Backbone footpath • A low pressure pipe runs across the Old Abingdon Road • A medium pressure pipe is within the carriageway at Old Abingdon Road • A low pressure pipe is within the Kennington road carriageway • A low pressure pipe crosses the proposed floodwall at the access track to the boathouse at New Hinksey

	<ul style="list-style-type: none"> • A medium pressure pipe is located at the fields to the north of Donnington Bridge Road in New Hinksey • A governor station is located close to the proposed temporary carriageway at Kendall Copse
British Telecom PLC	<ul style="list-style-type: none"> • A BT asset at Seacourt Park & Ride • A BT cable at Osney industrial state • A 12-way duct runs along the northern side of Old Abingdon Road • A 2-way duct runs along the western side of Kennington Road • A 4-way duct to the eastern side of Kennington Road • 3 BT cables at the Eastwyke Lane access track to the boathouse at New Hinksey • A BT cable runs from a joint box on the north side of the access track to the boathouse heading south to an unknown location (OS coordinates 451921, 204856).
Virgin Media	<ul style="list-style-type: none"> • A Virgin Media cable is within close proximity to a proposed access track adjacent to a proposed flood wall nearby Cowmead Allotments • A Virgin Media asset is located at the edge of Kennington Road • A Virgin Media cable runs within the Kennington Road carriageway • Virgin Media records shows an asset running parallel to Old Abingdon Road, approximately 10m away.
Thames Water Utilities	<ul style="list-style-type: none"> • A 27" Strategic main on the northern side of Botley Bridge • An 8" Distribution main on the southern side of Botley Bridge • A 24" Strategic main located in South Hinksey, approximately 250m to the north of Devil's Backbone footpath • A 24" Strategic main at Oatlands ground located on the northern side of the proposed embankment • A 24" Strategic main runs within close proximity to Eastwyke ditch • A 450mm foul water pipe runs north to south through South Hinksey village. This pipe would be located beneath the proposed earth embankment • A 6" clean water main running parallel to Old Abingdon Road • A 6" clean water main running parallel to Kennington Road • A 24" strategic main at A423 West of Bypass Railway Bridge at Kennington • 1200mm foul water pipe runs through Kennington village from west to east by Munday's bridge • An abandoned pipe nearby Munday's Bridge • A 900mm surface water pipe which flows into existing channel by Munday's Bridge • A 3" distribution main is located at the centre of the access track to the Boathouse at New Hinksey • A 600mm (assumed diameter) foul water pipe located to the north of the access track to the Boathouse at New Hinksey • A 24" strategic main to the east of the allotments at New Hinksey • A 3" distribution main to the north of Donnington Bridge road
Centrica PLC	<ul style="list-style-type: none"> • Interests in the land only (no impact)
Instalcom PLC	<ul style="list-style-type: none"> • Interests in the land only (no impact)
Lumen Technologies UK Limited	<ul style="list-style-type: none"> • Interests in the land only (no impact)
National Highways Limited	<ul style="list-style-type: none"> • Interests in the land only (no impact)

Vodafone Limited	<ul style="list-style-type: none"> • Interests in the land only (no impact) •
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Network Rail Land

13.4 Network Rail own land as detailed in Table 10 below and **Appendix 4** outlines the Plots applicable to Network Rail.

Table 10 – Network Rail Land impacted by CPO

Network Rail	<ul style="list-style-type: none"> • Land north of Old Abingdon Road towards South Hinksey adjacent to the operational railway • Ditch between mainline and commercial rail lines, north of Old Abingdon Road, Oxford • Land just north of Old Abingdon Road forming access track to the railway sidings • Rail land intersecting to the north of the A423 Southern Bypass down to Munday's Bridge in Kennington, along the eastern and western side of the operational Railway. • Rail land intersecting to the north of the A423 Southern Bypass down to Munday's Bridge in Kennington, along the eastern and western side of the operational Railway. • Rail land to the west of Eastwyke Ditch at Grandpont, Oxford
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14 VIEWS OF GOVERNMENT DEPARTMENT

14.1 The CPO Scheme has been brought to the attention of the Secretary of State for Environment, Food and Rural Affairs, who is the confirming authority for the CPO.

14.2 When the Oxford Flood Alleviation Scheme was initially launched DEFRA were involved and kept up to date with progress by having representatives on the project's Sponsoring Group and Programme Board. From 23 December 2015 it was decided that bi-monthly briefings would be held with DEFRA to provide key updates about the CPO Scheme, instead of having representatives on the Sponsoring Group or Programme Board.

14.3 Once the project had established the preferred option through the Outline Business Case DEFRA representation stepped back from these detailed project governance decision making groups to focus on their role of assuring the project through the Full Business Case as part of the business case approval process.

14.4 In addition to the involvement of DEFRA, other government departments have been involved in decisions regarding wider bids for funding. The Growth Deal bid in 2014 was scrutinised by the Department for Communities and Local Government, Department for Business, Innovation & Skills and the Cabinet Office. The Housing Infrastructure Fund bid in 2017/18 is administered by the Ministry of Housing Communities and Local Government and facilitated by Homes England. Successful funding bids in both of these case, demonstrates support for the CPO Scheme's outcomes and reinforces the wider benefits the reduced flood risk delivers to the local economy.

14.5 Throughout the development of the CPO Scheme, there has been ongoing dialogue with the network of local Councillors and Members of Parliament. This group has provided both challenge and support to ensure the CPO Scheme delivers the right solution for Oxford.

Other Orders, Consents or Authorisations Required for the CPO Scheme

14.6 The following non-vehicular highways will require permanent closure orders being promoted by the Agency under Section 13 of the Acquisition of Land Act 1981 ("Non-Vehicular Permanent Highways Closure Orders"). These orders will be made by the Agency in conjunction with or shortly after making the CPO. The Agency does not anticipate there being any reasons why these orders cannot be confirmed. Additional

permanent routes are also being provided as part of the CPO Scheme. An appropriate alternative non-vehicular highway route will be provided in conjunction with each closure:

- (a) Footpath 320/16 - Hinksey Causeway. The footpath will be closed from Ferry Hinksey Road southwards for 57m to where the path crosses the electric road. The footpath will also be closed from the west of the bank of Bulstake Stream southwards for 101m;
- (b) Footpath 352/3 - South Hinksey to Old Abingdon Road. The footpath will be closed from Old Abingdon Road north westward for 132m. The path will also be closed for 69m from Pin Farm Cottage running south to A34 southern bypass;
- (c) Footpath 352/1 Devils Backbone. The footpath will be closed from John Peers Lane north westward for approximately 51m;
- (d) Footpath 320/18 will be closed from Weirs Mill Lane for 13m south eastwards.

14.7 The following vehicular highways will be permanently affected by the installation of flood gates. The arrangements for the closure and operation of the flood gates will form part of the Section 278 and highway agreement with Oxfordshire County Council;

- (a) Northern end of Helen Road, an approximately 6m arc will be affected when the flood gate is moved into position;
- (b) Northern end of Henry Road, an approximately 6m arc will be affected when the flood gate is moved into position; and
- (c) Manor Road, South Hinksey, an approximately 6m arc will be affected when the flood gate is moved into position.

14.8 The following vehicular and non-vehicular highways will require temporary closure orders to be promoted by Oxfordshire County Council under Section 14 of the Road Traffic Regulation Act 1984:

- (a) A420 north of West Way traffic lights, approximately 35m of verge will be temporarily closed.
- (b) North of West Way Road opposite Minns Business Park and over Botley Bridge, approximately 91m of footway and part roadway will be temporarily closed.
- (c) South of West Way Road opposite Minns Business Park and over Botley Bridge, approximately 60m of footway will be temporarily closed.
- (d) Footway and cycleway along Botley Road. The footway and cycleway either side of Botley Road will be closed for approximately 35m in both directions;
- (e) Footway alongside Johnsons Garage at Seacourt P&R. Within Seacourt Park and Ride, approximately 83m of footway will be temporarily closed around the north and western curtilage of the property occupied by Johnson's Garage;
- (f) Botley Road and east of New Barclay House, approximately 13m of footway and verge will be temporarily closed.
- (g) Botley Road by Waitrose service entrance, approximately 30m of verge and service entrance will be temporarily closed.
- (h) Cycleway along north of Oatlands Recreation Ground will be Temporarily narrowed by 74m along the length of cycleway during the construction of a new flood embankment, which will be blended in with the existing high ground of the cycleway.
- (i) Hinksey Ferry Road opposite and north of Willow Walk, approximately 31m will be temporarily closed.

- (j) Hinksey Ferry Road southern end and north of Terry's Stone Cottage, approximately 24m will be temporarily closed.
- (k) Bridleway 320/14 Willow Walk and Sustrans national cycleway across Willow Walk. The Bridleway and national cycleway will be temporarily closed starting approximately 175m east of North Hinksey Lane for around 100m. Further east along the path will also be temporarily closed for around 100m to the north of Ferry Hinksey Road;
- (l) Accessway to Manor Farm at Parker Road, South Hinksey slip road to A34, approximately 190 13m of roadway, footway and verge will be temporarily closed.
- (m) Manor Road, South Hinksey, approximately 7 metres by the Village Hall and approximately 35m of roadway and footway will be temporarily closed and a flood gate across the footway installed.
- (n) Footpath 352/01/10 north of Manor Road, South Hinksey, approximately 176m will be temporarily closed.
- (o) Footpath 352/01/20 south of Manor Road, South Hinksey, approximately 100m will be temporarily closed.
- (p) Old Abingdon Road between A34 and Junction with Kennington Road, approximately 190m of roadway, pathway and verge will be temporarily closed. An alternative diversion will be provided via a temporary carriageway whilst this road is closed;
- (q) Kennington Road south of Old Abingdon Road, approximately 85m of roadway, footway and verge will be temporarily closed and a further 95m of verge will be closed. An alternative diversion will be provided via a temporary carriageway whilst this road is closed;
- (r) Footway alongside Johnsons Garage at Seacourt P&R. Within Seacourt Park and Ride, 100m of footway will be temporarily closed around the north and western curtilage of the property occupied by Johnson's Garage;
- (s) Footway and cycleway along Botley road. The footway and cycleway either side of Botley Road will be closed for approximately 35m in both directions;
- (t) Oxford Southern By-pass A423 between Old Abingdon Road and the railway, approximately 114m of verge on the north side west of the railway and on the south side 170m of cycleway and footway on the south side will be temporarily closed;
- (u) Kennington Road and A423 slip road north of Kennington village, approximately 154m of verge will be temporarily closed;
- (v) East of Abingdon Road opposite Redbridge Park and Ride and leading onto A423, approximately 550m of cycleway and verge will be temporarily closed;
- (w) North of Weirs Lane, west of Weirs Mill Stream, approximately 20m of verge will be temporarily closed; and
- (x) East side of Abingdon Road by Eastwyke Lane, approximately 29m of footway will be temporarily closed.
- (y) Friars Wharf and footbridge over the Thames river, approximately 54m of footway and footbridge will be temporarily closed
- (z) Footpath 352/2 South Hinksey Village to A34 will be temporarily closed by approximately 22m.

14.9 A Temporary Traffic Regulation Order will be required for a reduction in speed limit of 40mph on the A34 for a stretch of the strategic road network, as yet the length is

unconfirmed, between the Botley Road junction and the Hinksey Hill Interchange. This will include any miscellaneous matters required through the consent process. The Environment Agency does not anticipate any impediment to obtaining this order from National Highways.

- 14.10 The Agency does not anticipate any issues with obtaining orders for the diversions noted above from Oxfordshire County Council.
- 14.11 A number of Environmental Permits and consents will be required as detailed below. The Agency does not anticipate any impediment to obtaining these:
- (a) Environmental Permits required from the Agency include, Permit for Flood Risk Activities, Waste Transfer Licences, Waste Storage and Treatment Permit or Exemptions, Variation to existing Landfill Waste Permits, Water Abstraction Licences, Impoundment Licences, Water Transfer Licence and Water Discharge Licences.
 - (b) Thames Conservancy Act Consent may be required.
 - (c) Ordinary Watercourse Consent required from Lead Local Flood Authority under Water Resources Act 1991 for works within an ordinary watercourse (anything not classified as Main River).
 - (d) Protected Species Licences.
- 14.12 Part of the CPO Scheme requires the Agency to construct within Network Rail land and alongside some of their assets. Network Rail have a policy of making a holding objection to a CPO until a suitable agreement is made between both parties to protect their property and infrastructure. Regular meetings are being held between the Agency and Network Rail to seek to ensure agreement is reached.
- 14.13 The Agency has been advised by National Grid that the Agency will need to install protection measures across the "electric road" where the Agency will be entering and exiting to protect their cable assets as part of the CPO Scheme. National Grid made a holding objection to the CPO pending the Agency entering into an Asset Protection Agreement.
- 14.14 If consent to the planning application is not given by Oxfordshire County Council and the Agency appeals against refusal or non-determination of the planning application and/or if objections are received and not withdrawn for any of the Non-Vehicular Permanent Highway Closure Orders, the Secretary of State for Housing, Communities and Local Government may need to consider whether to grant consent on the planning application and the Secretary of State for Environment, Food and Rural Affairs may need to consider whether to confirm the relevant Non-Vehicular Permanent Highway Closure Order(s), at the same time as the Secretary of State for Environment, Food and Rural Affairs considers whether to confirm the CPO. Should a public inquiry be necessary for one or more of the Secretaries of State to make any such determinations, the Agency would expect the public inquiry to cover any outstanding matters relating to all such determinations.

15 OBJECTIONS

- 15.1 The table at Appendix 2 to this Statement of Case contains details of objections (both statutory and non-statutory) made in relation to the Order, and the Agency's position in respect of each of these objections. The Agency will amplify these responses, as appropriate, in the evidence given at public inquiry.
- 15.2 Where an objection made to any of the Order has since been withdrawn, that is also recorded within the table at **Appendix 2**.
- 15.3 The Agency has engaged with all persons objecting to the Order since the date on which the Order was made, in order to address the issues being raised by those persons.
- 15.4 The Agency does not consider that the issues raised in the objections materially affect or undermine the compelling case in the public interest for confirmation of the Order.

16 COMPENSATION ISSUES

- 16.1 The Agency will endeavour to discuss compensation issues and to purchase interests and necessary rights by agreement, wherever possible.
- 16.2 Provision is made by statute with regard to compensation for the compulsory purchase of land and rights and the depreciation in the value of affected properties. More information is given in the series of booklets published by the DCLG listed below:
- (a) Compulsory purchase and compensation booklet 1: procedure;
 - (b) Compulsory purchase and compensation booklet 2: compensation to business owners and occupiers;
 - (c) Compulsory purchase and compensation booklet 3: compensation to agricultural owners and occupiers;
 - (d) Compulsory purchase and compensation booklet 4: compensation to residential owners and occupiers;
 - (e) Compulsory purchase and compensation booklet 5: reducing the adverse effects of public development.
- 16.3 Copies of these booklets can be obtained from DCLG or can be viewed online at <https://www.gov.uk/government/collections/compulsory-purchase-system-guidance>

17 ADDITIONAL INFORMATION

Economic Growth

- 17.1 The Deregulation Act 2015 and The Economic Growth (Regulatory Functions) Order 2017 require the Agency, when carrying out its regulatory functions, to have regard to the desirability of promoting economic growth. In particular, the Agency is required to consider the importance of exercising its regulatory functions in a way which ensures that regulatory action is only taken when it is needed and that any action is proportionate. In the promotion of the CPO, the Agency has taken account of these duties on it and considers that its promotion of the CPO complies with these duties.

Miscellaneous

- 17.2 This Statement of Case has been served on the objectors to the Order referred to in the table at **Appendix 2** of this Statement of Case.
- 17.3 A copy of the Statement of Case and the supporting documents listed at **Appendix 1** (including the Environmental Statement and all appendices) can be inspected during normal office hours at Oxfordshire County Library, Queen Street, Westgate, Oxford OX1 1DJ, and can be viewed online at:
- <https://consult.environment-agency.gov.uk/thames/oxfordscheme/>
- 17.4 A copy of the Statement of Case and all the supporting documents listed at **Appendix 1** (with the exception of the appendices to the Environmental Statement) can also be inspected during normal office hours at:
- (a) Environment Agency, Kings Meadow House, Kings Meadow Road, Reading RG1 8DG; and
 - (b) Vale of White Horse District Council, Abbey House, Abbey Close, Abingdon OX14 3JE
- 17.5 Anyone affected by the CPO and who wishes to discuss the position regarding technical matters should contact the Agency's Strategic Engagement Team Leader – Zoe Houlihan by post at Kings Meadow House, Kings Meadow Road, Reading, RG1 8DQ, or via email to the Oxford Flood Alleviation Mailbox, OxfordScheme@environment-agency.gov.uk.

Appendix 1

Document List

Number	Description
CPO Documents	
1	The Order
2	Order Maps
3	The Statement of Reasons
Planning application documents	
4	Planning Statement
5	Planning Statement Addendum
6	General Arrangement Drawings: General Scheme Overview & Redline Boundary
7	The Environmental Statement, including:
7/1	Chapter 1: Background
7/2	Chapter 2: Project development
7/3	Chapter 3: Scheme description
7/4	Chapter 4: EIA methodology
7/5	Chapter 5: Local community
7/6	Chapter 6: Recreation and public access
7/7	Chapter 7: Landscape and visual amenity
7/8	Chapter 8: Flora and fauna
7/9	Chapter 9: Water and hydromorphology
7/10	Chapter 10: Cultural heritage
7/11	Chapter 11: Traffic and transport
7/12	Chapter 12: Sustainable use of land
7/13	Chapter 13: Air quality
7/14	Chapter 14: Carbon, sustainability and climatic factors
7/15	Chapter 15: Cumulative effects and inter-relationships
7/16	Chapter 16: Potential changes to impacts if the rail sidings are used
7/17	Chapter 17: Management and Monitoring
7/18	Chapter 18: Summary
7/19	Appendix A: Engineering Design Drawings
7/20	Appendix B: Scoping Opinion, Pre-Planning Application advice and Environmental Update Note
7/21	Appendix C: Ecological Appraisal and Survey
7/22	Appendix D: Protected Species Survey Reports
7/23	Appendix E: Invasive Species Survey Reports
7/24	Appendix F: Arboricultural Assessment, Tree Survey and Vegetation Management
7/25	Appendix G: Environmental Action Plan
7/26	Appendix H: Air Quality
7/27	Appendix I: Landscape
7/28	Appendix J: Archaeological and heritage information
7/29	Appendix K: Habitat Regulations Assessment (HRA) Screening Report
7/30	Appendix L: Water Environment Regulations (WER) Compliance Assessment)
7/31	Appendix M: Transport Assessment

7/32	Appendix N: Planning Policy Statement
7/33	Appendix O: Materials Management Plan
7/34	Appendix P: Soil Resource Survey Report
7/35	Appendix Q: Modelling Review of Removing Channel
7/36	Appendix R: Flora and Fauna Legal Compliance
7/37	Appendix S: Biodiversity Net Gain Calculator
8	Environmental Statement Addendum, including:
8/1	Chapter 1: Introduction (and Overview of ES Addendum)
8/2	Chapter 2: Project development
8/3	Chapter 3: Scheme description
8/4	Chapter 4: EIA methodology
8/5	Chapter 5: Local community
8/6	Chapter 6: Recreation and public access
8/7	Chapter 7: Landscape and visual amenity
8/8	Chapter 8: Flora and fauna
8/9	Chapter 9: Water and hydromorphology
8/10	Chapter 10: Cultural heritage
8/11	Chapter 11: Traffic and transport
8/12	Chapter 12: Sustainable use of land
8/13	Chapter 13: Air quality
8/14	Chapter 14: Carbon, sustainability and climatic factors
8/15	Chapter 15: Cumulative effects and inter-relationships
8/16	Chapter 16: Potential changes to impacts if the rail sidings are used
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8/19	Appendix A: Engineering Drawings
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8/35	Appendix Q: Modelling Review of Removing Channel
8/36	Appendix R: Flora and Fauna Legal Compliance
8/37	Appendix S: Biodiversity Net Gain Calculator

8/38	Appendix T: Carbon calculator calculations
8/39	Appendix U: Multi Criteria Analysis (MCA) Report 2017
8/40	Appendix V: Landscape and Habitat Management Plan
8/41	New & updated Figures
9	Statement of Community Involvement
10	Flood Risk Assessment
11	Contamination Report
12	Technical Note in response to Regulation 25 request
Planning policy documents	
13	National Planning Policy Framework
14	Oxfordshire Minerals and Waste Core Strategy (2017) – Oxfordshire County Council
15	Oxford Local Plan 2016 – 2036 (2020)
16	Vale of White Horse Local Plan 2031 Part 1 (2016) and Part 2 (2019)
Strategic Documents	
17	Oxford Flood Risk Management Strategy dated 2010
18	Thames Catchment Flood Management Plan dated 1 December 2009
19	Oxfordshire County Council pre-planning response dated August 2017
20	Oxford Flood Risk Assessment Initial Assessment dated October 2014
21	Strategic Outline Case and Appendices dated June 2015
22	Outline Business Case and Appendices dated June 2017
23	Economic Review of Osney Mead Defences dated June 2017
Miscellaneous	
24	Equality Impact Assessment dated March 2023
Government Guidance	
25	Department for Levelling Up, Housing and Communities “Guidance on Compulsory purchase process and the Crichel Down Rules”

Appendix 2

Objections

<p>Name: Oxfordshire County Council</p> <p>Status: Statutory Objector</p> <p>Plot Interests (meaning the interests which have been identified by the Agency in their responses to objections): [01/001; 01/002; 01/003; 01/004; 01/024; 01/025; 01/026; 01/027; 01/029; 01/030; 01/040; 01/062; 02/001; 02/002; 02/003; 02/004; 02/008; 02/009; 02/012; 02/013; 02/014; 02/015; 02/018; 02/019; 02/037; 02/038; 02/041; 02/042; 02/043; 02/044; 02/045; 02/046; 02/047; 02/048; 02/080; 02/081; 02/082; 03/002; 03/003; 03/004; 03/005; 03/015; 03/016; 03/020; 03/021; 04/018; 04/026; 04/043; 04/044; 04/054; 04/057; 04/058; 05/005; 05/006; 05/007; 05/008; 05/009; 05/010; 05/011; 05/012; 05/013; 05/014; 05/020; 05/021; 05/022; 05/023; 05/024; 05/041; 05/042; 05/043; 05/044; 05/045; 05/058; 09/007; 09/008; 09/009; 09/010; 09/011; 09/012; 09/022; 09/023; 09/024; 09/031; 09/033; 09/035; 10/019; 10/020; 10/021; 10/022; 10/023; 10/024; 10/025; 10/026; 10/027; 10/029; 10/056; 10/062; 10/066; 10/067; 10/072; 10/073; 10/081; 10/083; 10/096; 10/098; 10/100; 11/012; 11/016; 11/017; 11/019; 11/020; 11/021; 11/026; 11/027; 11/035; 11/037; 11/038; 11/039; 11/040; 11/041; 11/042; 11/043; 11/044; 11/045; 11/046; 11/047; 11/048; 11/049; 11/050; 11/053; 11/054; 11/055; 11/056; 11/057; 11/062; 11/063; 11/065; 11/066; 11/067; 11/068; 11/069; 11/070; 11/072; 11/073; 11/124; 11/125; 11/126; 12/010; 12/011; 12/020; 12/021; 12/022; 12/023; 12/024; 12/027; 12/028; 12/029; 12/030; 12/031; 12/037; 12/038; 12/039; 12/040; 12/041; 12/042; 12/043; 12/044; 12/045; 12/046; 12/049; 12/050; 12/051; 12/052; 12/053; 12/054; 12/055; 12/056; 12/057; 12/058; 12/059; 12/060; 12/061; 12/062; 12/063; 12/064; 12/065; 12/067; 12/068; 12/071; 12/072; 12/073; 12/074; 12/075; 12/076; 12/077; 12/078; 13/013; 13/015; 13/015a; 13/017; 13/017a; 13/018; 13/018a; 13/022; 13/022a; 13/025; 13/026; 13/027; 13/028; 13/029; 13/031; 13/032; 13/039; 13/097; 13/098; 13/099; 13/100; 13/101; 13/102; 14/001; 14/002; 14/003; 14/004; 14/005; 14/006; 14/007; 14/013; 14/019; 14/020; 14/021; 14/022; 14/023; 14/030; 14/031; 14/032; 14/033; 14/035; 15/011; 15/012; 15/013; 16/017; 16/018; 16/019; 16/020; 16/021; 16/023; 16/024; 16/025; 16/026; 16/027</p>		
<p>Summary of Position:</p> <p>A series of agreements to deal with the matters raised by the Council is being progressed by the Agency and the Council. The Council is one of the Agency's project partners for the scheme and they are in regular correspondence to resolve outstanding matters.</p>		
No.	Ground of objection	Agency response
1	In principle the Council supports the CPO Scheme, but objects on the basis that the Order as made presents a number of matters which are inconsistent with the Council's own statutory powers, duties and interests. The objection has been made to highlight these matters and to protect the Council's position as discussions with the Agency proceed.	The Agency is working through the specific plots with the Council to explain how the CPO Scheme will interface with their statutory powers.
2	A large number of plots in the Order comprise highway, public footpath, public bridleway, cycleway etc. The taking of rights in respect of such highway infrastructure will conflict with the Council's statutory duties to maintain the highways and to protect the public's right of use.	The Agency does not intend to interrupt or compromise the Council's rights and duties as highway authority under the Highways Act 1980. The Agency will continue to work with the Council on the relevant agreements on highways and property matters.

3	Although it is possible to purchase the interest in the subsoil it is not legally possible to acquire an interest in public highway. Careful consideration will need to be given as to whether the interest will be in the subsoil or in the structure of the highway itself. The Act authorising the Order does not give power to acquire the public highway.	The Agency acknowledges that the consent of the highway authority will be required to undertake works on the highway and authority for any change in highway status. The Agency will continue to work with the highway authority to ensure that the necessary agreements are in place to authorise works on the highway.
4	Implementation of the Order will pose significant challenges to traffic management during construction.	Traffic modelling and mitigation is being undertaken for the planning application which will address these concerns.
5	The Council has not previously had notice of the requirement to close vehicular highways which will form part of the section 278 and highway lands agreement with the Council and analysis of this requirement has not taken place.	The Agency has confirmed to the Council that this information is incorrect and through discussions with your officers the Agency has confirmed that permanent closures are not required.
6	The loss of parts of the Oatlands Road Recreation Ground (which are used as playing fields for West Oxford Primary School) will be lost and any disposal will require the consent of the Secretary of State for Education. The replacement provided by plots 05/072 and 05/073 has not been considered by the Council yet.	The Agency is working with Council's property team regarding the proposals. The earth bund the Agency are proposing will be low level and usable within the recreation ground once constructed, as it will remain open, with the Agency only maintaining a right to maintain the integrity and the defence long term.
7	There is a concern regarding proposed acquisition of rights for temporary purposes and legal powers for this.	As 1.

Name: Ayse Aylin Ergeneli (leasehold tenant)		
Status: Statutory Objector		
Plot Interests: 06/006, 06/007, 06/009, 06/012, 06/014, 06/015 (occupier)		
Summary of Position:		
<p>The Agency has met and corresponded with Ms Ergeneli numerous times since 2017 in order to explain the CPO Scheme, address her concerns and negotiate the acquisition of the necessary land rights. The Agency has previously engaged with her on many of her objection points, proposed solutions where necessary, and committed to continue communicating with her to resolve issues in respect of her equestrian operations. The Agency have put forwards several mitigation proposals to deal with Ms Ergeneli's concerns and continue to engage with her agent to resolve her issues by adopting a flexible approach. This includes a recent in-person meeting with the agent on 5 July 2023.</p>		
No.	Ground of objection	Agency response

1	Ms Ergeneli is concerned about the impact of the construction of the CPO Scheme and its impact on the property and the impact on her livestock, livelihood and business.	<p>The main issues which have arisen through discussions with Ms Ergeneli are (1) the scheme's impact on the business' current hacking route; (2) the temporary works area surrounding the stable block; and (3) practical issues relating to the presence of horses during the works.</p> <p>The Agency has attempted to address each of these concerns through measures such as offering an alternative temporary hacking route, seeking approval to modify the temporary works area and discussing the practical use of the land for the CPO Scheme in conjunction with horses continuing to occupy the remaining adjoining land. The Agency will continue to engage with Ms Ergeneli on these points and awaits a formal response on the suggested measures.</p>
2	The area of land included within the Order is excessive and a smaller area of land should be considered.	The Agency is seeking clarification on whether this position relates to the whole Order Land or solely to Ms Ergeneli's land. The Agency reiterated that it must demonstrate that it is only acquiring land necessary for the CPO Scheme.
3	The use of compulsory purchase powers is premature; the Agency has not made a meaningful attempt to acquire the interest by agreement. Ms Ergeneli is concerned that she has not had any meaningful discussions with the Agency and they have not fully considered the implications of the CPO Scheme on the property and her business. The Agency has not taken reasonable steps to acquire the property by agreement nor is compulsory purchase being used as a last resort.	<p>The use of compulsory purchase powers is not premature, and the Agency has made meaningful attempts to negotiate with Ms Ergeneli. Government guidance recognises that if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time would be lost. The Guidance also states that undertaking negotiations in parallel with the compulsory purchase order process has a number of practical benefits. There is no bar or restriction in the Guidance which prevents an acquiring authority from undertaking negotiations in parallel with the CPO process.</p> <p>The Agency has regularly met and corresponded with Ms Ergeneli since 2017 and meaningful attempts to progress an agreement have been made.</p>

Name: Dr Sally Prime
Status: Statutory Objector
Plot Interests: 06/011

Summary of Position:

OFAS requires to share the use, on a temporary basis, of the private road that Dr Prime uses to access her property. OFAS's use will be for emergency access and for SSE, who are needed to make a permanent diversion to their overhead electricity cables.

Dr Prime was an objector to the 2018 CPO. The EA held a meeting with her to discuss her concerns on 12 December 2018, and we believe all matters in respect of impacts on her property interests were dealt with satisfactory. However, Dr Prime expressed that she wished to maintain her position as a scheme objector.

We have not had further discussions with Dr Prime on scheme impacts to her property interests.

No.	Ground of objection	Agency response
1	<p>The CPO Scheme will impinge on the local environment and will cause irreparable damage to sensitive MG4a grassland in Hinksey Meadow. The construction of the CPO Scheme is complex and overwhelming and will lead to loss of wildlife and cause distress and disturbance to all the inhabitants adjacent to it for at least 3 years. The CPO Scheme overall will deprive local wildlife of its peaceful habitat, and many trees, birds, animals, insects and rare plants will die. The CPO Scheme will degrade the flood plain in ways that nobody can predict.</p>	<p>The Agency has identified a range of measures necessary to protect the environment and local communities before and during construction and once the CPO Scheme is in place.</p> <p>The Agency recognise the importance of Hinksey Meadow and the MG4 grassland, and has worked hard to firstly avoid, and then minimise, any potential impacts. The Agency also appointed the Floodplain Meadows Partnership (FMP) of the Open University, as national experts in MG4 grassland, to provide independent expert advice on how best to preserve the meadow and provide replacement meadow where some loss is unavoidable.</p> <p>The Agency has conducted wildlife surveys and know that badgers, otters and water voles live in various locations across the scheme area. The Agency aim to minimise disturbance to these species as much as possible, by establishing exclusion zones to prevent disturbance until breeding is complete and creating new habitat where disruption is unavoidable.</p> <p>The Agency identified potential bat roost trees by conducted tree inspection surveys. Additional tree surveys will be carried out before construction starts. The Agency will provide alternative bat roost locations under licence before removing any existing bat roosts and leave as many trees and dead trees standing as possible to maintain bat roosting opportunities and to provide structure for bat foraging and commuting routes. Alternative artificial roosts will also be provided. There will be a short-term loss in woodland and it is important to compensate for this as quickly as</p>

		<p>possible. The Agency will plant biodiverse native woodland, which will provide increased future provision of bat roosts. New wetland habitat will provide more foraging opportunities for bats.</p> <p>To preserve fish passage the Agency are avoiding obstructive works between March and July in Bulstake Stream, Seacourt Stream, Hinksey Stream, and areas which directly affect fish spawning. The CPO Scheme will include the removal of Towles Mill Weir, which will help facilitate unimpeded fish passage around Oxford in the long-term.</p>
2	<p>Restriction of access on vital local routes. This includes the loss of the through route via the electric road from Ferry Hinksey Road to South Hinksey, but in addition the loss of a permissive path running from a stile in North Hinksey Village over another stile to the bridge crossing Hinksey Stream and then over a defunct scaffolding bridge now converted into a wooden version crossing Hogacre Ditch, then onward along the path adjacent to Bulstake Stream, over the Electric Road and eventually joining the Thames towpath via another stile.</p>	<p>The Agency are aware that the area between South Hinksey and North Hinksey is well-used for walking, running and cycling, so the Agency has been very careful to assess the likely impacts that the CPO Scheme will have on all of the formal and informal access routes across the Order Land, and to avoid or minimise temporary and permanent impacts on those routes wherever possible.</p> <p>The Electric Road, which is an informal path, will stay open while the CPO Scheme is being constructed and will remain open once it is in operation.</p> <p>A new permissive cycle way and footpath will run along the proposed maintenance track from Ferry Hinksey Lane to South Hinksey, providing a new recreational access route in the area. Gates will be positioned along the fence line of the track to maintain access to all of the main informal paths.</p> <p>The Agency has developed a construction methodology which is designed to minimise any uncertainty or disturbance for recreational users.</p>
3	<p>The change in water levels may affect plants and trees.</p>	<p>Whilst the CPO Scheme has been designed to reduce flood water levels the Agency has also designed in features to ensure that during dry periods and low flow situations that the ground waters are maintained across the area and in particular in the North Hinksey area to avoid drying out areas and creating environmental impacts. It is the ground water levels in the extensive porous underling gravels which determine the wetness of the area outside of flood events. The Agency's groundwater modelling shows that whilst there is</p>

		some localised reduction in groundwater levels the extent is limited and during low flow periods the ground water in the North Hinksey area is maintained as in the current situation.
4	The CPO Scheme will lead to more Invasive Himalayan Balsam.	<p>An Invasive Species Management Plan was submitted with the planning application as ES Appendix E-2. The plan sets out how the Agency will manage Harmful Weeds and Invasive Non-Native Species (INNS) on the OFAS site in a timely and appropriate way in order to prevent the spread of such species within and beyond the site.</p> <p>A programme of Himalayan Balsam treatment started in 2017 and will continue up until the point at which the areas are cleared for construction. Himalayan Balsam is an Invasive Non-Native Species and as such, there are plans to deal with it pre-construction, during construction and post-construction are set out in Section 5 of the management plan.</p>
5	The CPO Scheme will cause stress on local people and people who pass through the area. The effect is not temporary since general access rights to the area will be restricted by the channel and the general environment will take many years to recover (if it ever does).	<p>Access to the area will only be restricted during construction which, by definition, makes this a temporary impact. In terms of the time that it will take for the general environment to recover, all areas of bare soil will be sown with the specified grass/wildflower seed mix at the earliest opportunity (under suitable growing conditions) and managed to ensure that a sward is quickly established and the environment recovers as quickly as possible.</p> <p>The newly created stream will look and behave like a natural stream, with a gently sloping floodplain of new wetland habitat, grazing meadow and wildflowers. The CPO Scheme will visually blend into the surrounding fields. It will work with the natural floodplain and fit in with the existing farmland environment.</p> <p>The Agency also recognises that the temporary closure of Willow Walk could cause significant disruption, which is why we are going to temporarily divert a short section of the path on a raised walkway immediately adjacent and parallel to the existing path.</p>
6	The channel component of the CPO Scheme will not have sufficient extra impact to justify all the above problems. If the CPO Scheme is modified to only build the other	The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance.

	<p>defences, bunds etc. then most of the projected flooding will be alleviated.</p>	<p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of the CPO Scheme's Environmental Statement submitted as part of the planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme.</p>
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<p>Name: National Grid Electricity Transmission (NGET)</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 01/001; 01/005; 01/006; 01/007; 01/008; 01/011; 01/012; 01/013; 01/014; 01/015; 01/016; 01/020; 01/021; 01/022; 01/023; 01/028; 01/031; 01/032; 03/016; 03/018; 03/019; 03/020; 03/021; 03/022; 03/023; 03/024; 03/045; 03/046; 03/047; 03/048; 03/049; 03/050; 03/051; 03/052; 03/053; 03/054; 03/055; 03/056; 03/057; 03/058; 03/059; 03/060; 03/061; 03/062; 03/063; 03/064; 03/065; 03/066; 03/070; 03/070a; 03/074; 03/075; 03/076; 03/078; 04/013; 04/042; 04/044; 04/045; 04/048; 04/053; 05/019; 05/024; 05/030; 05/031; 05/032; 05/033; 05/034; 05/035; 05/036; 05/037; 05/038; 05/039; 05/040; 05/041; 05/042; 05/043; 05/046; 05/047; 05/048; 05/049; 05/057; 05/058; 05/059; 05/060; 05/061; 05/061a; 05/062; 05/062a; 05/064; 05/065; 05/069; 05/080; 05/084; 05/087; 05/088; 05/091; 05/092; 05/093; 05/094; 05/095; 05/096; 05/099; 05/100; 05/101; 06/003; 06/006; 06/007; 06/009; 06/021; 06/022; 06/023; 06/024; 06/025; 06/026; 06/027; 06/028; 06/029; 06/030; 06/031; 06/032; 06/033; 06/034; 06/037; 06/038; 06/040; 06/041; 06/043; 06/045; 06/046; 07/002; 07/003; 07/004; 07/005; 07/006; 07/007; 07/008; 07/009; 07/010; 08/001; 08/002; 08/003; 08/004; 08/005; 08/006; 08/007; 09/001; 09/002; 09/006; 09/023; 09/024; 09/025; 09/026; 09/028; 09/029; 09/032; 09/033; 09/034; 09/035; 11/002; 11/003; 11/010; 11/030; 11/031; 11/035; 11/036; 11/037; 11/074; 11/075; 11/076; 11/077; 11/087; 11/096; 11/098; 12/008; 12/009; 12/011; 12/012; 12/013; 12/015; 12/016; 12/017; 12/020; 12/026; 12/032; 12/033; 12/034; 12/035; 12/054; 12/055; 12/056; 12/057; 12/058; 12/059; 12/060; 12/061; 12/062; 12/063; 12/064; 12/066; 12/067; 12/069; 12/070; 12/075; 12/076; 12/077; 12/082; 12/083; 13/086; 13/087; 13/089; 13/095</p>
<p>Summary of Position:</p>

The Agency and NGET are in active discussions to agree a Asset Protection Agreement which will satisfy NGET that the works required to undertake the CPO scheme will not adversely impact their assets or operational requirements. We are also continuing to work with NGET where the CPO scheme impacts their land and/or rights over land and have conveyed to them how we propose to maintain their ability to operate and maintain their apparatus once the CPO scheme is in place.

No.	Ground of objection	Environment Agency response
1	National Grid has overground and underground operational assets affected by the CPO Scheme. The location of these assets are located at North and South Hinksey sealing end compounds together with the high voltage underground cables running between these sites. Access rights to the overhead towers north and south of these sealing end compounds are being affected. All of these assets are in operational use and whilst there has been good engagement from the Agency with regard to their plans, further work detailed work needs to be undertaken to agree an asset protection plan through the life of the CPO Scheme. This needs to take into consideration future upgrade works planned on the distribution network.	The Agency acknowledge and understand the need for an Asset Protection Agreement and continue to work with National Grid on this to ensure that an agreement is put in place to protect current and future NGET assets.

Name: Network Rail
Status: Statutory Objector
Plot Interests: 11/001; 11/004; 11/005; 11/006; 11/007; 11/008; 11/009; 11/011; 11/025; 11/026; 11/027; 11/028; 11/029; 11/030; 11/032; 11/033; 11/034; 11/036; 11/101; 11/103; 11/106; 12/034; 12/035; 12/036; 12/039; 12/044; 12/046; 12/047; 12/048; 15/050, 12/051; 12/052; 12/053; 12/054, 12/055; 12/065; 12/066; 12/069; 12/070; 12/077; 12/078, 12/080; 13/024; 13/070; 13/073; 13/074; 13/079; 13/080; 13/081; 13/104; 13/105; 13/106; 14/039; 14/040

No.	Ground of objection	Agency response
1	Network Rail must have full control over the land on which the railway sits (and related assets) and the ability to access such railway and assets for the purposes of ongoing safety and maintenance requirements. The Order currently prejudices the ability of Network Rail to do so if confirmed in its current form.	The Agency requires ownership of the first stage channel as the primary operator of the flood defence in order to inspect, maintain and operate the asset. The CPO Scheme will operate in perpetuity and the Agency requires certainty that it can fulfil its operational duties. The Agency will continue to work with Network Rail to ensure both organisations can fulfil their respective duties.

<p>Name: Oxford Preservation Trust</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 03/072, 03/072a, 03/073, 03/073a, 03/74, 03/075, 03/076, 03/077, 03/078, 04/001,04/002, 04/003, 04/007, 04/008, 04/009, 04/010, 04/011, 04/012, 04/013, 04/031, 04/032, 04/033, 04/047, 04/048, 04/049, 04/050, 04/051, 04/052, 04/053, 04/054, 04/055, 04/056, 04/057, 04/058, 04/059, 04/060, 04/061, 04/062, 04/063, 04/064, 04/065, 04/066, 04/067, 04/068, 04/069, 04/070</p>		
<p>Summary of Position:</p> <p>The Agency has been in contact and has held numerous meetings with the Oxford Preservation Trust since 2014. These meetings helped to minimise the impacts of the Scheme on Hinksey Meadow. The Agency has provided links to relevant government compulsory purchase guidance and has told the Trust that the Agency would seek to acquire interests/land by agreement.</p>		
No.	Ground of objection	Agency response
1	<p>Hinksey Meadow is classified as MG4a grassland (the dactylis (cocksfoot) subcommunity) under the National Vegetation Classification. This meadow has been managed in the same way for hundreds of years and has been owned by the Trust since 1997. With 25.6 species per square metre on average, this is the richest, most revered subcommunity of MG4. Such meadows have become increasingly rare and there are just 192 hectares remaining nationally. The CPO Scheme will destroy two hectares of the seven hectare meadow and the remaining land will be at significant risk due to changes in the hydrology caused by the creation of the channel. The CPO Scheme</p>	<p>The Agency recognise the importance of the MG4 grassland, and have worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>The Agency has looked at a range of routes to move water reliably through and around the area of Hinksey Meadow. The Agency subsequently undertook detailed botanical surveys to understand the full extent of the MG4 and moved the lowered floodplain to the western edge of Hinksey Meadow bordering the Seacourt Stream to avoid as much of the MG4 as possible. Initially, the design for the proposed lowered area was very wide and shallow, with the aim of blending it into the landscape, but when the potential impacts on the MG4 became clear, the Agency</p>

	<p>should be remodelled to allow Hinksey Meadow to remain untouched.</p>	<p>looked at different width and depth options.</p> <p>To further minimise impacts on the MG4, the Agency removed the need for a 20m wide haul route on the eastern side of the lowered floodplain. Instead, this temporary working access track will be located within the footprint of the permanent works. Access outside the lowered area will be strictly limited to a 1m wide strip so that fencing can be erected. Maintenance will also be undertaken from within the lowered area to avoid impacts on the MG4 area.</p> <p>The CPO Scheme will lead to the translocation of approximately 1.33ha of MG4 grassland and, since the 'boundary' between the different types of grassland communities in the meadow is not clear cut, we will be taking the precaution of including 0.67ha of the adjacent plant community (MG15) in the proposed translocation so that we do not miss any of the MG4. None of the grassland will be destroyed.</p> <p>The Agency appointed the Floodplain Meadows Partnership (FMP) of the Open University, as national experts in MG4 grassland, to provide independent expert advice on how best to preserve the meadow and provide replacement meadow where some loss is unavoidable. This enabled the Agency to produce a comprehensive MG4 Mitigation Strategy which has been submitted with the planning application as Appendix D-23 of the Environmental Statement. The Agency has followed the Floodplain Meadows Partnership's independent expert advice and guidance in the production of an MG4 Grassland Mitigation Strategy, which was submitted with the planning application.</p> <p>The monitoring plan in Chapter 17 of the Environmental Statement (ES) includes taking groundwater dipwell readings for all of the MG4 areas. This is to determine whether groundwater levels are behaving as predicted. In ES Appendix D-23 MG4 Grassland Mitigation, it is explained that if evidence emerges that the meadow is suffering from low groundwater during the summer, further raising of low-flow water levels in Bulstake Stream may be needed. This could be done by adding an additional riffle, at relatively low cost. The monitoring strategy will ensure that it identifies thresholds and trigger points for pre-determined groundwater levels that when exceeded, will prompt action.</p>
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2	<p>The Agency's proposal is to translocate two hectares of the MG4 grassland to an area just north of South Hinksey, between Hinksey stream and the new second stage channel. The Trust does not believe that there is evidence that the translocation of this grassland will succeed. In the opinion of the Floodplain Meadows Partnership, the country's experts in floodplain meadows, the quality of the Hinksey Meadow is better than the Sites of Special Scientific Interest that make up Oxford Meadows Special Area Conservation (Pixey and Yarnton Meads) and the new Marston SSSI fields on the River Cherwell. Hinksey Meadow and one of the Trust's fields on the eastern side of Willow Walk are designated Local Wildlife Sites.</p>	<p>The Agency will be following Floodplain Meadows Partnership (FMP) advice on the translocation of the MG4 grassland, as set out in section 4.2 of our MG4 Grassland Mitigation Strategy. FMP have provided guidance on how to maximise the likelihood of success for the translocation, but, as explained in section 4.2, they do not suggest confidence that it will be successful and, therefore, the mitigation plan is based primarily on the other three approaches, which are designed to be adequate mitigation even if none of the translocated turf survives as MG4.</p> <p>Although there is a chance that the translocation may not succeed, the Agency aims to ensure that it does, and a specialist contractor will undertake this piece of work. In 2020, the Agency visited a site in Buckinghamshire where MG4 was being translocated and are reviewing the annual botanical monitoring reports from that site so that the Agency can learn from the results and recommendations, and from the landowner's experience of managing the translocated turf in its new home.</p>
3	<p>The Trust has rights of access over Willow Walk which will be interfered with by the Order.</p>	<p>The Agency are aware that the Trust enjoys rights over Willow Walk to reach this Hinksey Meadow at 3 access points along its boundary with Willow Walk. The Order does not interfere with the western pedestrian access point, beyond that Willow Walk is identified as temporary working area, which in this location is to give emergency access (if required) to the CPO Scheme works from North Hinksey Lane. The Order does interfere with the vehicular access point and part of Willow Walk over which access rights are enjoyed from North Hinksey Lane, as it seeks to acquire freehold interests for scheme works comprising the flood channel.</p> <p>The Order does interfere with the eastern pedestrian access point and part of Willow Walk over which access rights are enjoyed from North Hinksey Lane, as it seeks to acquire the freehold of part of Willow Walk for the scheme works. Further, the access point is required as temporary working area, which is to provide for the temporary diversion of the public bridleway rights over parts of Willow Walk, during the construction period of the scheme. In respect of the temporary requirements, pedestrian</p>

		<p>access between the Meadow and Willow Walk will be maintained.</p> <p>The CPO Scheme will construct permanent accesses from Willow Walk to Hinksey Meadow for operational purposes. In mitigation of the interference to the Trust's accesses and rights to reach them, the Order provides for the owner of Hinksey Meadow with access rights over the Order land to reach its retained land. In respect of the pasture fields south of Willow Walk, the Agency are aware that the Trust enjoys rights over Willow Walk to reach these fields via a single vehicular access point located towards the western end of Willow Walk.</p> <p>The Order does interfere with the access point, to the extent that it seeks permanent rights over the access and across the land that it serves, to reach the CPO Scheme channel for operational purposes. Further, Willow Walk is identified as temporary working area, which in this location is to give emergency services access (if required) to the CPO Scheme works from North Hinksey Lane.</p> <p>The Trust will have the use of the access during the CPO Scheme works allowing it to reach the retained land south of the flood channel.</p> <p>The CPO Scheme will construct a permanent access from Willow Walk (to its south) to reach the north side of the flood channel, for operational purposes. In mitigation of the interference to the Trust's access the retained land north of the scheme works, the Order provides for the owner of the fields with access rights over the Order land to reach this retained land.</p>
4	<p>The Trust does not accept that a Biodiversity Net Gain can be demonstrated in this case, it considers that the CPO Scheme will deliver a real terms net loss in biodiversity.</p>	<p>Habitat creation and enhancement, both within the Order Land and in the surrounding Oxfordshire environment will ensure that we deliver biodiversity net gain, which means that over time the scheme will increase the range of wildlife and the quality of the habitats in the area.</p> <p>Biodiversity enhancements will be secured by the planning process, and required by planning conditions and/or legally binding agreement(s).</p>
5	<p>The CPO Scheme will result in the loss of a very considerable number of trees both on the Trust's land and throughout the land proposed to be acquired. Whilst it is acknowledged that significant numbers of new trees</p>	<p>Throughout the design process, engineers and ecologists have worked together to minimise tree loss. The Agency will continue to do this when constructing the CPO Scheme, by working around trees that have been</p>

	<p>will be planted, the Trust objects to the number of trees being lost, and that the replacements are proposed predominantly as new woodland areas, which will operate as both a different habitat and ecological resource (the effects of which are unknown) and will also introduce a very different landscape perception. As many trees on Willow Walk as possible must be retained, if the CPO Scheme is to be acceptable in any way in terms of visual impact.</p>	<p>identified for felling, if at all possible. An Environmental Clerk of Works will be on site to ensure that these further opportunities are identified.</p> <p>The Agency has retained as many trees on Willow Walk as possible. The Agency will plant new trees to replace those removed and the Agency has been working with Oxford City Direct Services to develop a long-term management plan for all of the willows, including a programme of replacement because the majority of them are actually in poor condition.</p>
6	<p>The landscape and visual impact assessment fails to fully appreciate the effect of the scheme on the historic landscape setting of Oxford. The effects will be particularly felt when observing how the field pattern - which is currently typified by larger open meadows - is fragmented (including in ownership) by the CPO Scheme and changed to a 'patchwork' that is not necessarily in character with the setting of Oxford. The Trust currently manages land in its ownership to maintain the historic and green setting of Oxford and the CPO Scheme threatens its future.</p>	<p>The appearance of the CPO Scheme is a matter for the planning application for the scheme, not the Order. The landscape and visual impact assessment, which forms Chapter 7 of the Environmental Statement, includes consideration of the potential impacts on the Oxford View Cones.</p>
7	<p>There is likely to be an adverse impact on the archaeological significance of the Trust land. The Agency's archaeological evaluation did discover a substantial medieval stone causeway between the Causeway and Willow Walk and recovered important new evidence for the early history of the river systems across the whole area. Any archaeology which would provide evidence for the North Hinksey Causeway and the original fords at each of its ends, being the original western approach to Oxford which may well be uncovered on the Trust's land, would be compromised by the existence of the CPO Scheme. Further investigation should be undertaken including the length of the North Hinksey Causeway and the newly discovered stone causeway.</p>	<p>The archaeological evaluation that the Agency has carried out has found evidence of a medieval causeway in the field between the 19th Century Willow Walk and North Hinksey Causeway. The purported medieval routeway known as North Hinksey Causeway was also investigated. The archaeological investigations that the Agency has carried out on this path currently date it as Post Medieval-Modern with the ditches on either side of it containing finds dating from the 18th or 19th centuries. A complete record of the archaeological work that the Agency has carried out to date and the work that the Agency propose to carry out if the CPO Scheme gains planning permission, can be found at Appendix J of the Environmental Statement. An assessment of any potential impacts on the historic landscape can also be found in the Heritage Statement at Appendix J and Chapter 7 of the Environmental Statement 'Landscape and Visual Amenity'. The latter explains how the Agency sought to avoid and minimise impacts through careful design.</p>
8	<p>In respect of both areas of land to the north west and south east of Willow Walk, there will be severance of the</p>	<p>The Agency confirms that the flood channel will sever two areas of land estimated at a size of approximately</p>

	<p>fields caused by temporary and permanent works. One area of land was used for grazing for cattle but has not been lettable since the original scheme for flood alleviation came forward. Another area of land is likely to remain incapable of beneficial use by reason of its size and position, unlettable and unmanageable.</p>	<p>0.9Ha and comprise grazing land, trees and ungrazed riverbank.</p> <p>The Agency accepts that these severed areas are unlikely to be available for beneficial grazing purposes. However, the upper slope of the flood channel will be seeded with MG4 grass mix and the lower section with wetland meadow grass mix, which once a mature sward is established, may support summer grazing and thus give access to the severed areas.</p> <p>The Agency and the Trust are in discussions on the principle of the Trust retaining ownership of part of the flood channel, comprising second stage channel areas which will not hold water all of the time. The Agency confirms that the northern side of the flood channel will be severed. The Trust will be provided with access rights to reach this land. The severed area used for grazing land is approximately 0.79Ha. The Agency believes that this area can continue to be used for grazing. The Agency are willing to provide environmental enhancements to this area, as an alternative to grazing, or the Agency would accept a request to acquire this area in addition to the Order Land.</p>
9	<p>Inadequate and unsatisfactory arrangements have been made for future maintenance of the CPO Scheme. The Agency states that it has a life of 100 years but there is only a capital sum set aside to cover the initial 10 years of operational and landscape/ habitat maintenance. Thereafter, maintenance costs will become part of annualised Environment Agency budgets. The Order should not be confirmed until such time as an appropriate maintenance scheme for the life span of the works is put in place.</p>	<p>Ongoing maintenance will be important to ensure the CPO Scheme operates as designed. The Agency outlines the proposals for maintenance in section 3.5 of the planning statement, and provide details in the Landscape and Habitat Creation Delivery and Management Plan, submitted with the planning application. No project has all funding in place for 100 years, but HM Treasury asked the Agency to confirm funding is available from upfront budgets for the first 10 years. The full cost of delivering the maintenance outlined in the plan will be available from the Agency budgets.</p>
10	<p>The Trust grants permissive public access to Hinksey Meadow. The CPO Scheme does not deal adequately with the potential for an increased level of public access to the Trust's land. Furthermore, the Trust retains significant reservations about the design of the bridges specifically at Willow Walk and Hinksey Causeway which do not pay sufficient regard to their heritage, and Green Belt setting. The Trust highlights the importance of the character of North Hinksey and an important approach to the</p>	<p>The Agency has asked for clarification of why the Trust considers that there is potential for an increased level of public access to OPT land, over which the Trust already grant permissive access.</p> <p>The design of the bridges at Willow Walk and Hinksey Causeway are a matter for the planning application for the scheme, not the Order.</p>

	Conservation Area, along Willow Walk.	
11	The Trust does not consider that the Agency has properly considered alternative routes for the CPO Scheme which omit any of the Trust's land being acquired compulsorily.	<p>As previously advised in discussions between the Agency and the Trust, the Flood and Coastal Erosion Risk Management (FCERM) Appraisal Guidance applies a proportionate approach to option development.</p> <p>One of the important tasks of the Agency project team is "deciding when enough information has been collected to make a robust and defensible decision". Effectively this requires the Agency to review and identify non-viable options efficiently, based on experience and knowledge.</p> <p>The Oxford Flood Risk Management Strategy (FRMS), completed in 2010, confirmed that increasing capacity in the western floodplain was the preferred option to reduce flooding in Oxford. The Botley Road area is heavily constrained by existing housing, offices and commercial property and options for widening existing, or constructing a new channel, involving the demolition of or significant impact on either residential or commercial properties were not considered reasonable or viable options. The design since has always focused on working with the natural floodplain in this area.</p> <p>The Agency has considered alternative approaches to the CPO Scheme in detail in accordance with the requirements of the FCERM Appraisal Guidance.</p>
12	The Trust objects to the inclusion of the exchange land at Minns Business Park, Seacourt Nature Reserve and Hinksey Meadow, Oxford in relation to that part of the land in the Trust's ownership at Hinksey Meadow as being compensation for loss of open space elsewhere in the Order Land. The Trust disputes that this land is reasonable or necessary to be taken from it compulsorily.	<p>Exchange Land included in the Order does not include land at Minns Business Park or Seacourt Nature Reserve but does include land at Hinksey Meadow owned by the Trust and adjoining land, not owned by the Trust.</p> <p>This Exchange Land is provided to replace the open space land at Seacourt Nature Park. The operation of the CPO over Seacourt Nature Park will place a duty on the Environment Agency to provide Exchange Land. This duty is found in Section 19 of the Acquisition of Land Act 1981. Provision of Exchange Land is therefore necessary.</p> <p>In respect of the inclusion of the Trust's land at Hinksey Meadow as being reasonable, the Secretary of State will consider whether the Exchange Land is no less in area and equally advantageous (to persons entitled to rights of common or other rights, and to the public). The</p>

		Agency has assessed that the Exchange Land for Seacourt Nature Park in the Order best meets these criteria, and therefore assert that its inclusion in the Order is reasonable and necessary.
13	The Trust objects to the Agency acquiring the freehold ownership of the Order Land. Given the life span of the scheme is 100 years, it is reasonable for the Agency to enter into a long lease so that at the expiry of the scheme the land will revert to the Trust. Any lease should contain provisions for appropriate reinstatement of the land taken and the removal of all structures and works associated with it.	<p>The Trust's land has been included in the CPO for freehold acquisition and maintains a consistency along the length of the flood alleviation channel.</p> <p>The CPO Scheme will result in a significant permanent physical change to the land over which the channel will be built and the current use of this land will no longer continue. It is correct in principle therefore that the CPO should provide for the freehold acquisition of this land.</p>

Name: The Trustees of the Ferry Hinksey Meadow Trust

Status: Statutory Objector

Plot Interests: 06/011, 06/012, 06/017, 06/018, 06/019

Summary of Position

The Agency has been in contact with the Trustees of the Ferry Hinksey Meadow Trust since 2016. The Trust continue to object to the scheme in-principle and have stated in writing that they do not believe their land is required for the scheme. The Agency continue to try and progress an agreement with the Trust but have not been able to do so as a result of the Trust's position in respect of the scheme. The agent formally rejected both financial open offers made by the Agency on 11 May 2022 and 27 March 2023 respectively. Howeverbut, to date, the agent has not responded to a request for counter evidence in respect of the agent's reputed land values.

No.	Ground of objection	Agency response
1	The Order that has been served is premature. Planning permission has not been granted and there are still outstanding questions asked by Oxfordshire County Council which have yet to be answered. As such the CPO Scheme could change dramatically when and if planning permission is granted. As such the CPO should only be issued after planning permission has been granted.	The Agency is not required to wait until planning permission is granted before making or seeking confirmation of the CPO. Government guidance is clear that the acquiring authority should demonstrate in the absence of planning permission that there are no obvious reasons why it might be withheld. In the planning context, it is accepted that it is not always feasible to wait until planning permission is obtained before proceeding with a CPO. The Agency's approach in this respect falls entirely within the requirements of the law and Guidance.
2	There is no evidence that a second channel is needed and has that much benefit on preventing the flooding of homes. The second channel is entirely to benefit the changing of the flood risk status at Osney Industrial Estate to allow the redevelopment of the brown field site of Osney Mead Industrial estate into housing, student accommodation and Oxford University's Engineering Department buildings.	The 'no channel' options have been discussed with the Trustees on several occasions, including virtual meetings on 3 July 2020 and 16 February 2021. The 'no channel' report summarises the Environment Agency review of the 'no channel' options and forms Appendix Q of our Environmental Statement. The new channel reduces flood risk across Oxford including Osney Mead. The channel is the fundamental element of the CPO Scheme, ensuring certainty and reliability and providing a clear flow path for the additional water. In a number of locations, secondary defences further reduce flooding. One such location is on Ferry Hinksey Road. Compulsory purchase of land and rights for the defences at Osney Mead is considered justified on the basis of the protection to existing properties
3	There is no plan attached to the CPO showing the exact location of the houses that the CPO Scheme will protect. The Trustees would like to see evidence together with a plan to show	There is no requirement to provide detailed flood maps as part of any CPO application. Areas benefitting from the scheme are shown in the modelling report, Appendix B of the Flood Risk Assessment

	<p>how many houses will be protected if the second channel is not required. According to specialist hydrologist the second channel is not needed and is a waste of public funds.</p>	<p>submitted with the Agency's planning application.</p>
4	<p>This over-engineered CPO Scheme unlocks the redevelopment of Osney Mead Industrial Estate by the owners of this site, Oxford University. This is an industrial estate which is already built within the flood plain. There is no detail in the Compulsory Purchase Notice which clearly identifies what extra land is needed, and whether the second channel would be needed if this third party land owned by Oxford University was not part of the scheme.</p>	<p>Please see response to 2.</p>
5	<p>Oxford University has agreed to pay in full £4.548,632 million to fund the Osney Defences. Under CPO legislation third party landowners cannot use CPO to benefit their land. Therefore the Order is invalid as it goes beyond the Compulsory Purchase Powers as written by UK legislation.</p>	<p>Please see response to 2.</p>
6	<p>There is no evidence supporting that phase 1 of the OFRMS costing £2.5 million has been carried out. There is also no recent study of what the impact of the phase 1 works is on flood alleviation.</p>	<p>Phase 1 of the Oxford FRMS was a standalone project reducing localised flood risk in more frequent flood events. The work undertaken at that time now forms part of the baseline hydraulic model. The modelling report forms Appendix B of the Flood Risk Assessment submitted with the Agency's planning application and the CPO plans are based on this output.</p>
7	<p>The CPO Scheme is not value for money and the taxpayer should not pay when the provision of flood gates to the houses affected would be considerably cheaper.</p>	<p>It is incorrect to compare the cost of the CPO Scheme against only those properties that flooded in 2007. The CPO Scheme will reduce flooding, not only to the properties affected in 2007, but to all properties at risk of flooding from the River Thames and for a much more severe flood than that experienced in 2007</p>
8	<p>There is no evidence to support the number of properties which the CPO Scheme will protect.</p>	<p>Property numbers are taken from the hydraulic model, Appendix B of the Flood Risk Assessment submitted with the planning application. All properties that flooded in 2007 would have been protected had the CPO Scheme been in place, and these form part of the property numbers quoted.</p>

9	Further evidence is needed as to whether the CPO Scheme purchases too much land.	The Agency's economic analysis is based on flood risk to existing properties only and does not consider future development. By reducing flood risk, development opportunities may become available, subject to the usual consents and permissions.
10	No plan is provided to show what land is involved in phase 2 and phase 3.	The Order has been prepared to deliver phase 2 of the Oxford FRMS only. The Oxford FCRM recognised that upstream flood storage (phase 3) might be required in the future to counter the effects of climate change. At this time this is not viable as detailed in paragraph 3.15 of the Statement of Reasons and would need justifying as a standalone scheme in the future
11	Table 2 of the Statement of Reasons is not correct and there are errors within it.	The Agency has requested details of what is incorrect.
12	Table 4 of the Statement of Reasons is not correct and there are errors within it.	The Agency has requested details of what is incorrect.
13	There is no evidence provided to confirm that there are 2,195 dwellings at a severe risk of flooding in the future.	Flood extents are included within the Flood Risk Assessment which supports the planning application and summarised on Figure 1.4 'existing flood extents' which supports the Environmental Statement.
14	It is claimed that the CPO Scheme will enable economic growth of Oxford. This is evidenced by the contribution to the CPO Scheme by Oxford University. This is not a reason which allows land to be Compulsory Purchased under any acts quoted in the CPO.	The economics which support the CPO Scheme are based on the reduction of existing flood risk only. The partners who support and help finance the CPO Scheme have additional objectives to the Agency. The CPO Scheme will help them plan and manage Oxford's economic growth, but any development will still be subject to the appropriate approvals and consents.
15	The commuted sum is for 10 years of maintenance costs although the planning application appears to show maintenance being required for a much longer period. It is unclear whether the Agency will pay for the maintenance beyond this 10 year period, or whether the individual landowners are required to do this.	The Agency's economic analysis includes the estimated whole life (100yr standard) maintenance cost in accordance with Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance – FCERM-AG 2022. No project has all maintenance funding available on day one, but HM Treasury asked us to confirm funding is available from upfront budgets for the first 10 years. Maintenance is planned for the whole life of the CPO Scheme and funding beyond this period will come from our revenue budgets, as it does for all our other flood

		defence schemes. Any maintenance requirements which fall with individual landowners will be clearly set out in relevant land agreements.
16	There is no evidence that the second channel is needed. The Agency also needs to look at how much less the scheme would cost without the second channel.	The 'no channel' report is part of the evidence used to support the planning application. This report is publicly available and clearly shows the Agency have investigated the 'no channel' solution, including costs.
17	The Agency has no legal powers to sell minerals for their benefit or the CPO Scheme benefit or to use the minerals for restoration schemes elsewhere in Oxfordshire.	The Statement of Reasons makes no reference to selling minerals. Only the minerals which must be inevitably extracted to construct the CPO Scheme will be excavated. Sands and gravels will be re-used in the CPO Scheme.
18	It is unclear whether there will be a Section 106 Agreement put in place to manage the species rich flood meadows restoration post the works.	As part of the mitigation for the loss of 1.33ha of the species rich MG4 grassland in Hinksey Meadow, around 16ha of species rich floodplain meadow will be created. Fields between Osney Mead and South Hinksey, which are currently under an Environmental Stewardship Scheme, have been identified as a suitable location for sward enhancement in order to create areas of good quality floodplain-meadow habitat. The existing sward will be enhanced by means of supplementation with green hay harvested from Hinksey Meadow. Sward supplementation is a method that was successfully used at Swill Brook Meadow, Lower Farm, Wiltshire and is presented as a case study of floodplain meadow restoration by the Floodplain Meadows Partnership. The meadow will be cut for hay in mid-late July each year, followed by aftermath grazing by cattle. This management regime is very similar to that which is currently carried out under the Environmental Stewardship Scheme. A Landscape and Habitat Creation – Delivery and Management Plan has been submitted as part of the planning application
19	There are major concerns about the impact of the proposed flood alleviation scheme on the Sites of Scientific Interest (SSSI) that neighbour the land. The Agency need to provide evidence of how the SSSI will not be negatively impacted by the CPO Scheme.	The potential impacts on nearby SSSI's have been assessed as detailed in section 8 of the Environmental Statement
20	There is no evidence given as to what will be the alternative suitable route for horses and bicycles to replace	Alternative arrangements for users of Willow Walk are included in section 6 of the Environmental Statement and in particular figure 6.2b. The appropriate

	bridleway 320/14 Willow Walk whilst it is closed.	land for these diversions is included within the Order. Footpath diversions are being processed under a separate procedure supplementary to the CPO.
21	The planning application has no photomontages of what the scheme will look like during construction. The photomontages show the scheme today and then in 15 years' time.	Photomontages during construction were not required for planning purposes.
22	<p>Oxfordshire County Council, Oxford City Council, the Environment Agency and Oxford University have a clear conflict of interest as they are all the Oxford Flood Alleviation Partners.</p> <p>This conflict of interest clearly causes concern as the planning authority is Oxfordshire County Council. In addition there is a further conflict of interest in that Oxford City Council and Oxfordshire County Council have received Housing Infrastructure Funding of £215 million, of which £6,090,000 has been allocated to the Osney Industrial Mead Estate redevelopment.</p> <p>Oxford University is another government department with an interest in the redevelopment of this old industrial estate which is currently located in a flood plain. Oxford University has stated publicly that they want to move the Engineering Department and new student accommodation to Osney Industrial Estate. Without the CPO Scheme the Osney Industrial Estate redevelopment would not gain planning due to being in a high risk flood zone.</p>	<p>Oxfordshire County Council have ensured the planning application is dealt with entirely independently of their involvement as a scheme partner. This is quite usual as it is the same as if they were determining one of their own planning applications. Partnership delivery of the scheme helps achieve the greatest outcomes for the city from the CPO Scheme. £4,350,000 allocated to Oxford City Council from the Housing Infrastructure Fund is in support of the CPO Scheme which will reduce flood risk to existing commercial premises at Osney Mead. The University of Oxford is not a government department, and their proposal for redevelopment of the Osney Mead site is independent of the Order.</p> <p>The Agency has been clear that any future re-development would be subject to the usual consents and approvals at a later time. The area will remain as Flood Zone 3 on the Agency's Flood Maps for Planning and depending on the standard of protection the area achieves it may be designated as an area benefiting from flood defences.</p>
23	The planning documents have evidence that the Agency has consulted with the landowners and the general public. The Agency has completely ignored the comments that have been made and the comments do not appear to have been documented.	Correspondence between the Environment Agency and landowners is treated as confidential, unless agreed otherwise in advance. The Agency listened and taken on board comments where appropriate. For example, the alignment at Hinksey Meadow was altered following consultation and the Agency narrowed the width of the second stage channel on Ferry Hinksey Trust land following an early meeting with the Trustees.
24	Within the public comments of the planning application, many parties pointed out that the existing river, brooks and streams have not been	Maintenance of existing waterways is a riparian responsibility, but the Agency uses its permissive powers to undertake regular maintenance on the river system

	dredged for many years by the Environment Agency, and suggested whether this simple, inexpensive method of dredging and clearing debris from the water courses would actually solve the problem. The Agency do not appear to have submitted any evidence as to why a dredging solution which will cost the taxpayer significantly less, is not being considered instead of an over-engineered scheme which will decimate the flora/fauna/wildlife/landscape around Oxford's flood meadows for many years.	around Oxford, including localised dredging where this can be shown to have a benefit. Phase 1 of the Oxford FRMS included localised dredging on the Seacourt and Hinksey Streams, but the Oxford FRMS considered but rejected dredging as a standalone solution. This was confirmed in writing to the Trustees. Dredging would not provide benefits in severe flood events and if we simply lower the bed of the existing watercourses, they will fill with groundwater providing no additional capacity during fluvial floods.
25	The evidence base supporting the planning application does not include the minutes of the various landowner meetings which were held, and the sensible comments made by the landowners concerning the lack of dredging of the existing streams. The Landowners pointed out that the stream / rivers have not been dredged since the 1990s.	Section 4 of the Statement of Community Involvement submitted with the planning application refers to discussions with landowners and their confidentiality. Localised dredging was undertaken as part of phase 1 of the Oxford FRMS and the Agency continues to carry out regular maintenance across Oxford under the Agency's permissive powers.
26	The CPO Scheme is over-designed and very expensive. The question has been raised as to why the CPO Scheme is so complicated. The Trustees have consulted with several qualified hydrologists who all agree the CPO Scheme could be much simpler and less expensive. Much of Oxford's flooding problems could be sorted by dredging.	The Agency has seen no evidence that dredging would reduce flooding in the types of flood events Oxford has experienced in recent years.
27	The CPO Scheme is designed for more than preventing current housing from flooding. It is clear that it is designed to remove the flood plain from Osney Industrial Estate. This is beyond the flood prevention powers granted to the Environment Agency / Defra under Compulsory Purchase Legislation. This is not a good use of tax payers' money when the main beneficiary will be Oxford University and their developers.	The Agency's scheme selection follows the FCERM appraisal guidance, and only existing properties were considered.
28	The works could instead be located on the eastern side of the Hinksey Brook.	It is not possible to locate the new channel on the east side of the Hinksey stream due to the 132kV SSE overhead cable pylon towers and the 6no National Grid 400kV buried electric cables alongside the 'electric road'. These would need diverting and a rough estimate provided by National Grid in February 2017 was that this would

		cost between £45m and £50m. This has been confirmed to the Trustees.
29	The CPO Scheme is located in the Oxford Green Belt yet the planning application and CPO have not in any place taken this into account. There is no planning policy in the current VWHDC Local Plan which allows a Flood Alleviation Scheme to be granted planning permission.	The Agency are aware of the Green Belt designation but consider that the CPO Scheme meets the 'very special circumstances' required as detailed in section 6 of our Planning Statement submitted with the planning application.
30	Within the VWHDC Local Plan Core Policy 2 section 2.14 it clearly states under protecting the environment responding to climate change, that there are designations which need protecting such as the Green Belt. In such areas it is important that development protects, maintains and enhances the special characteristics of the built and natural environment of the Vale. Core Policy 2 section 2.15 covers the River Thames frontage and tributaries. The CPO Scheme is completely at odds with this planning policy.	Core Policy 2 of the Vale of White Horse District Council (VoWH DC) Local Plan Part 1 is titled 'Cooperation on Unmet Housing Need for Oxfordshire' and is unrelated to the Order. The Agency believes the Trustees' comments relate to supporting text of the Local Plan paragraph 2.14 relating to designations including Green Belt and 2.15 which mentions the River Thames, River Ock and its tributaries. The Agency believe the CPO Scheme is in accordance with the principles as set out in these paragraphs and if approved the CPO Scheme will help safeguard the Green Belt, as it will need to remain as a functioning floodplain for the lifetime of the CPO Scheme.
31	Under Core Planning Policy 2 of the VWHDC Local Plan protecting biodiversity it clearly states that wildlife sites are to be protected. Unfortunately, the CPO Scheme will remove habitats for wildlife.	Core Policy 2 of the VoWH DC Local Plan Part 1 is titled 'Cooperation on Unmet Housing Need for Oxfordshire' and is unrelated to the Order. The Agency believes the Trustees' comments relate to paragraph 2.15 bullet point 7 of the supporting text within the Local Plan which relates to biodiversity. The Agency consider the CPO Scheme is in accordance with the principles of this paragraph and details on biodiversity are given in Section 8 of the Environmental Statement submitted with the planning application.
32	VWHDC Local Plan Core Planning Policy 3 SO10 and SO11 which protect the natural environment will also be breached if this planning permission is granted.	Core Policy 3 of the VoWH DC Local Plan Part 1 relates to Settlement Hierarchy. Chapter 3 of the Plan includes a series of strategic objectives. Strategic objectives 10 and 11 relate to the protection of the environment. The Agency believes that the CPO Scheme is in accordance with these objectives to protect and maintain the natural environment. The Agency has designed the scheme to be as natural as possible and incorporate extensive planting and wetland features.
33	It looks like the CPO Scheme is over-engineered to open up development of	Core Policy 6 of the VoWH DC Local Plan Part 1 is about Meeting Business and

	<p>Osney Mead Industrial Estate. This would be against current planning policy as building in a flood plain is not allowed and the site is not allocated in the Local Plan for either employment or residential development. These are identified in Core Policy 6 of the VWHDC Local Plan.</p>	<p>Employment Needs. The Osney Mead Industrial Estate lies within the administrative boundary of Oxford City Council; therefore, the City Council's Local Plan policies apply within this area. The CPO Scheme is designed to protect existing properties and infrastructure and has not been designed to open up land for development. The Agency need the floodplain to carry on operating as it does now, but where the Agency can prove a benefit in providing local defences to further reduce flood risk to existing property and infrastructure, these have been included. Future development or re-development will be subject to the usual approvals and consents.</p>
34	<p>VWHDC Local Plan Core Policy 15 covers the protection of the Oxford Green Belt where this planning application is located. Again, this planning application is contrary to this planning policy. This policy on page 59 of the VWHDC Local Plan clearly states "Countryside and villages will have maintained their distinctive character and will be much enjoyed by residents". We do question how the works on the CPO Scheme will meet this policy.</p>	<p>Core Policy 15 of the VoWH DC Local Plan Part 1 relates to the Spatial Strategy for the Southeast Vale Sub Area. The CPO scheme does not fall within this area. Page 59 of the Plan provides a summary of the strategy for the Abingdon and Oxford Fringe sub area. The Agency do not believe that the CPO Scheme is contrary to this summary of their strategy.</p>
35	<p>On page 72 / 73 Core Strategy 13 of the VWHDC Local Plan a section on the Oxford Green Belt states that only development in very special circumstances as defined in NPPF paragraph 88 will be allowed in the Oxford Green Belt. It also clearly states that mineral extraction and engineering operations will not be allowed. Again, this planning application clearly breaches this planning policy.</p>	<p>Core Policy 13 of the VoWH DC Local Plan Part 1: The Oxford Green Belt outlines the settlements where developments will be permitted within settlement boundaries, indicates inappropriate development will not be approved except in very special circumstances and indicates mineral extraction and engineering operations are not inappropriate in the Green Belt, all in line with national planning policy. The Agency are aware of the Green Belt designation within the CPO Scheme area and the need to demonstrate very special circumstances. The Agency considers that it has demonstrated this in section 6 of the Planning Statement submitted with our planning application.</p>
36	<p>VWHDC Core Policy 35 covers cycling and walking. We note that as part of the planning policy new development such as this is to encourage walking and enables cycling. We note that the bridge at Willow Walk in North Hinksey is to be shut off and be replaced by a new bridge. It is essential that an alternative bridge solution suitable for the module shift of walkers, horses and</p>	<p>Section 5.4.3 of our Planning Statement provides policy analysis of the VoWH DC Local Plan Part 1 including Core Policy 35. Alternative access for all existing users will be provided at Willow Walk before we close a section of it to construct the new bridge. This has been included as a constraint within our contract with our contractor.</p>

	cyclists is open by an alternative route throughout the project's build. We are not satisfied with the supporting evidence that this will be the case.	
37	Any bridge design should be suitable for horses, pedestrians and cyclists. The current design does not cater for the use of the bridge by horses and does not follow the following guidance: <ul style="list-style-type: none"> • Specification for Bridges, Ford, Gradients and Step set out by the British Horse Society and / or; • The Design Manual for Roads and Bridges TA90/05 The Geometric Design of Pedestrian, Cycle and Equestrian Routes. 	Where new bridges carry public bridleways the design of the bridge is suitable for use by horses, pedestrians and cyclists. This includes the Devil's Backbone which is currently not a bridleway but allowance has been made for any future upgrade. Other footbridges on public and permissive footpaths are designed for use by pedestrians.
38	There are horse stables on our land and the adjoining fields. The horses from these stables graze our land throughout the year. There is no provision for accommodation works to cater for the fact that the land where the stables are located will be compulsorily purchased.	The Agency are unaware of functioning stables on the Trust's land and additional detail has been sought. The Agency's contractor is aware of the need to maintain access for equestrians throughout the construction phase.
39	The horse riders use Willow Walk or the Ford to take the horses to exercise on the meadows and the bridleway on the eastern side of Hinksey Brook. It is essential that these horses are able to continue to use the bridging points throughout the scheme in a safe way. Unfortunately there is little available exercising land to the west of the Hinksey Brook, due to its urban nature and the A34 cutting off the access to bridlepaths. Any bridge design should cater for horse users.	The Agency will maintain access for equestrians during the construction phase.
40	Core Policy 37 of the VWHDC Local Plan covers in subsection iv) and v) that the connectivity of cyclepaths / footpaths / bridlepaths need to be maintained and the need for high quality landscaping to ensure biodiversity and recreational needs.	Section 5.4.3 of the Planning Statement provides policy analysis of the VoWH DC Local Plan Part 1 including Core Policy 37. Alternative temporary access for all users of public rights of ways will be provided during the construction phase. Where necessary new bridges are being installed to provide connectivity once the new channel is in place. Details on landscape, biodiversity and recreation are set out in sections 7, 8 and 6 of the Environmental Statement (ES), respectively.
41	Core Policy 38 of the VWHDC Local Plan covers flood risk on new developments only and not retrospective ones like this scheme.	Core Policy 38 relates to Design Strategies for Strategic and Major Development Sites.

42	<p>On page 137 subsection 6.107 of the VWHDC Local Plan it clearly states that under the Oxfordshire County Council Minerals and Waste Plan there is a safeguarding policy of mineral resources. This is further backed up in Core Policy 43. The minerals from this scheme are being extracted. This is against the VWHDC Local Plan and is also outside of the Oxfordshire Minerals and Waste Designated Sites.</p>	<p>Paragraph 6.107 on page 137 of the VoWH DC Local Plan Part 1 relates to the consultation process between the District and County Councils for proposed developments in areas indicated on the policies map. Section 5.4.3 of our Planning Statement provides policy analysis of the VoWH DC Local Plan Part 1 including Core Policy 43. Mineral extraction is a by-product of our scheme, and we are removing only a small percentage of the gravels in this location. As summarised in Section 7.7 of the Planning Statement submitted with the planning application, the excavated gravels will be used on site as part of the CPO Scheme for the new channel bed, to create riffles and for other environmental features.</p>
43	<p>Core Policy 43 of the VWHDC Local Plan states under subsection viii) that the best and most versatile agricultural land should be avoided for development. It also states in the NPPF that conservation of intrinsic character and beauty of the countryside should be protected, and enhanced.</p>	<p>In order to assess the potential impacts of the CPO Scheme on agricultural land, the Agency has commissioned a detailed soil resource and agricultural quality survey by Land Research Associates (LRA 2018) which is provided in Appendix P of the Environmental Statement. A summary of the findings is incorporated into Chapter 12 of the Environmental Statement 'Sustainable Use of Land'. Provisional Agricultural Land Classification (ALC) mapping by the former Ministry of Fisheries and Food (MAFF 1988) shows the main body of the Order Land to be lying within Grade 4 agricultural land, i.e., land of poor quality for crop production. However, the agricultural land quality survey showed that all of the agricultural land within the Order Land (with the exception of the unsurveyed areas, which is unknown) falls within Grade 3b, i.e., land of moderate quality. This land is dominated by heavy, poorly draining soils, which stand wet for long periods in winter and spring. Arable use would be limited, by wetness, to autumn-sown cereal-based rotation. At present the agricultural land is all under long-term pasture and silage meadow. The land lies mainly on a floodplain and flooding is therefore a limiting factor for agricultural use within most of the Order Land. The soil resource is considered to be of medium value.</p>
44	<p>Core Policy 44 of the VWHDC Local Plan covers landscape and states that hedges, trees, field boundaries, water courses and water features should be protected from harmful development, such as this over-engineered Flood</p>	<p>Section 5.4.3 of the Planning Statement provides policy analysis of the VoWH DC Local Plan Part 1 including Core Policy 44. The landscape and visual impacts of the CPO Scheme are set out in section 7</p>

	Alleviation Scheme which will remove them.	of the Environmental Statement which supports the planning application.
45	Core Policy 44 of the VWHDC Local Plan also covers the protection of topographical features. This cutting away of the ancient river meadows is far from meeting this planning policy.	Section 5.4.3 of our Planning Statement provides policy analysis of the VoWH DC Local Plan Part 1 including Core Policies 44 and 45. The Agency has addressed the location of the new channel in response to point 27 and the channel on Ferry Hinksey Trust land has been narrowed, as noted in point 23.
46	Core Policy 45 mentions waterway and river corridors and the need for developments such as these to provide Green Infrastructure which the CPO Scheme does not appear to do.	The Agency undertook a Green Infrastructure Study in order to inform the design of the CPO Scheme and this can be found in Appendix I of the Environmental Statement.
47	Core Policy 25 of the VWHDC Local Plan clearly states that any developments will conserve, restore and enhance biodiversity. It then states that development which results in loss, deterioration or harm or loss of habitats or species important to biodiversity or geological conservation interests either directly or indirectly will not be allowed. The field has a number of protected animals such as badgers, great crested newts, bats and otters living there.	Core Policy 25 of the VoWH DC Local Plan Part 1 is a Rural Exception Sites Policy relating to affordable housing in rural areas. This is not relevant to the CPO Scheme or to the Compulsory Purchase Order. Core Policy 46 relates to Conservation and Improvement of Biodiversity. Section 5.4.3 of our Planning Statement provides policy analysis of the VoWH DC Local Plan Part 1 including Core Policy 46
48	The land owned is fertile, productive grazing land, which is probably ancient flood meadow, with some MG8 Cynosurus Cristatus – Caltha Palustris grassland and much MG6c Lolio-Cynosuretum. Due to this the CPO Scheme should be amended to avoid our field. The loss of any MG6c – MG8 grassland, such as ours, should be reconsidered bearing in mind 97% of this type of grassland has been lost since the Second World War. The land on the Eastern side of the Hinksey Brook is much weedier / with common / non-descript grasses than our land and as such an extra area on the eastern side of the Hinksey Brook could be taken rather than taking our land.	Please see response to 28.
49	The ecology report submitted with the planning permission does not appear to be comprehensive.	The Ecological Appraisal and Survey Report that was submitted with the planning application was comprehensive. Some of the survey data included in the report was updated in 2022 and this was submitted as additional information in February 2023.

50	Policy 46 of the VWHDC Local Plan clearly states that if alternative sites can be found so as not to damage the animal habitats, flora and fauna then these will be seen as more suitable. There is evidence that dredging and removal of debris in the watercourses and river will reduce the flooding of Oxford without damaging these habitats and animals. The planning authority should take this into account, especially as some of the species affected are rare.	Section 5.4.3 of the Planning Statement provides policy analysis of the VoWH DC Local Plan Part 1 including Core Policy 46. Please also refer to response 24.
51	Flooding water could be held further upstream above Oxford rather than in these delicate meadows.	The Agency has previously confirmed that standalone storage upstream of Oxford is not viable as the volume of water needed to be stored would be approximately 50million ³ . This has been confirmed to the Trustees and it is also noted in section 2.3.1 of the Environmental Statement submitted as part of our planning application.
52	There is nothing in the CPO about the impact on the local Sites of Special Scientific Interest such as Wolvercote Meadows SSSI and Port Meadow SSSI from increased access. The Order Land is within Natural England's SSSI Impact Risk Zone. There is no evidence of the impact on the SSSI designated land further down the rivers and watercourses such as Iffley Meadow SSSI and Hobley Meadow SSSI.	Potential impacts on nearby SSSIs have been assessed as detailed in section 8 of our Environmental Statement. In addition to being designated as a SSSI, Port Meadow is a Special Area of Conservation (SAC), so the Agency has also undertaken an assessment of potential impacts under the Conservation of Habitats and Species Regulations (the Habitats Regulations) 2010. This forms Appendix K of the Environmental Statement.
53	A substantial amount of minerals will be removed from the land including in the form of topsoil, sand and gravel. The minerals will be stockpiled on land belonging to one of the other landowners. This is at odds with the Oxfordshire Minerals and Waste Plan. The Order Land is not identified for minerals extraction even though there are significant reserves under the ground, because the land is located in the Green Belt.	The CPO Scheme involves the lowering of the existing floodplain and the removal of approximately 400,000m ³ of material, predominately alluvium across the whole site, not just the Trust's land. The Agency are removing only the minerals which must be taken out to construct the CPO Scheme. The Agency has identified a field near South Hinksey for handling and temporary storage, only before being removed from site to old quarries which have planning permission for restoration. The Agency has submitted a Materials Management Plan with the planning application which addresses this issue.
54	The Order Land should also be subject to the same rules regarding heavy goods traffic, noise, dust and also inert waste transfer (with the payment of Landfill Tax for inert material). The Order appears not to have taken this on board and goes beyond what can be	These appear to be issues relating to the planning application.

	compulsory purchased under legislation.	
55	<p>Section 182 and Schedule 23 of the Water Resources Act 1991 does not give Compulsory Purchase Powers to the Environment Agency to acquire the minerals on the land.</p> <p>As such the Agency have no powers to Compulsorily Purchase the minerals from the land as the minerals are to be stored and not used for the purpose of constructing, making, erecting or laying any part of the undertaking.</p>	<p>The Agency has previously confirmed that the powers to make a CPO are contained within the Water Resources Act, section 154. Minerals, if present and need to be removed to construct the CPO Scheme, will be included in the compulsory purchase. These points have been confirmed to the Trustees. Schedule 23 paragraph 1(3) of the Water Resources Act 1991 confirms that: "The [Environment Agency] shall be entitled to such parts of any mines or minerals that lie under the land as it may be necessary for it to dig, carry away or use in carrying out any works for the purpose of constructing, making, erecting or laying any part of its undertaking.".</p>
56	<p>The Oxfordshire County Council Mineral and Waste Plan Policy SD10 conserves minerals for use by future generations and any development which sterilises or makes it more difficult to remove the minerals should be turned down. Under policy SD11 sites can obtain planning permission contrary to SD10 if the minerals are removed prior to development. There appears to be no plan to do this with the CPO Scheme.</p>	<p>Section 5.4.1 of the Planning Statement provides policy analysis of the Oxfordshire Minerals and Waste Core Strategy adopted September 2017. The policies referenced were included in the previous Oxfordshire County Council Minerals and Waste Plan which is no longer extant. In relation to the issues raised, this is covered in Section 5.2 of the Planning Statement under the analysis of the National Planning Policy Framework (NPPF), specifically the section on 'Facilitating the sustainable use of minerals'. Mineral extraction is a by-product of the CPO Scheme, and only a small percentage of the gravels in this location is being removed. The excavated gravels will be used on the Order Land as part of the CPO Scheme for the new channel bed, to create riffles and for other environmental features.</p>
57	<p>The Oxfordshire County Council Minerals and Waste Plan Policy PE1 also appears not to have been taken into account with this Order.</p>	<p>There is no Policy PE1 Oxfordshire Minerals and Waste Core Strategy. A comprehensive Environmental Impact Assessment has been undertaken which supports the planning application and addresses the points raised.</p>
58	<p>The Oxfordshire County Council Minerals and Waste Plan Policy PE2 states that planning will not be granted for mineral works under policy SD2 unless it satisfies the VWHDC Local Plan which this site is clearly outside.</p>	<p>The current Oxfordshire Minerals and Waste Core Strategy was adopted in September 2017. There is no Policy PE2 in this plan.</p>
59	<p>The Oxfordshire County Council Mineral and Waste Plan Policy PE4 is also breached as this scheme will</p>	<p>There is no Policy PE4 in the adopted Minerals and Waste Core Strategy. The Agency has addressed this issue in the</p>

	<p>impact groundwater levels and harm water abstraction, river flows and important natural habitats.</p>	<p>policy analysis relating to Policy C4 of the adopted plan in Section 5.4.1 of the Planning Statement. The Agency has prepared a detailed groundwater model to understand any potential impacts on existing groundwater levels and the habitat this supports. This shows minimal local changes and is included as Appendix E of the Flood Risk Assessment submitted as part of the planning application.</p>
60	<p>The Oxfordshire County Council Mineral and Waste Plan Policy PE5 is also breached as the CPO Scheme will affect the immediate setting and nature conservation of the River Thames and other watercourses of significant visual or nature conservation value.</p>	<p>There is no Policy PE5 in the adopted Minerals and Waste Core Strategy. The Agency believes that Policy C4 is the equivalent policy in the adopted plan and has provided policy analysis within the Planning Statement. The Agency designed the CPO Scheme to be as natural as possible to reduce any impact on the setting of the existing watercourses. The Agency has assessed the potential landscape and visual impacts of the CPO Scheme as set out in Chapter 7 of the Environmental Statement. The Agency has also assessed potential impacts on flora and fauna associated with the watercourses as detailed in Chapter 8 and in the Water Environment Regulations (WER) Compliance Assessment at Appendix L.</p>
61	<p>The Oxfordshire County Council Mineral and Waste Plan Policy PE14 covers not damaging sites of nature conservation.</p>	<p>There is no Policy PE14 in the adopted Minerals and Waste Core Strategy. Policy C7 of the current plan covers Biodiversity and Geodiversity. The Agency provides analysis of this policy in Section 5.4.1 of the Planning Statement.</p>
62	<p>The planning application for the CPO Scheme as submitted, breaches the following legislation:</p> <ul style="list-style-type: none"> a) Habitats Directive 92/43/EC. b) The Birds Directive 2009/147/EC. c) The European Landscape Convention 2000 d) Conservation of Habitats and Species Regulations 2010 (as amended 2012). e) Wildlife and Countryside Act 1981. f) CRoW Act 2000. g) National Planning Framework Policy 2012 especially paragraph 109 of Sections 11 and 12. h) UK Biodiversity Action Plan 1994. i) Biodiversity 2020 A Strategy for England's Wildlife and Ecosystems. j) Environmental Agency River Basin Management Plan (Thames) 2009. k) Oxfordshire Minerals and Waste Local Plan Part 1 Core Strategy adopted September 2017. 	<p>The Trustees have been asked to confirm why the CPO Scheme is in breach of each of the items of legislation listed. Other flood alleviation schemes have been permitted within the Green Belt and four other schemes are referenced within Section 6 of the Planning Statement. Within this section of the Planning Statement, the Agency explain the significant benefits of the CPO Scheme and demonstrate the 'very special circumstances' required for development in the Green Belt.</p>

	<p>l) Oxford Informal Assessment of the Green Belt 2014. m) Oxford Natural Resources Impact Assessment SPD. n) The VWHDC Local Plan Part 2 o) Development Policy 30 relating to Watercourses which states that development will only be allowed next to watercourses if it will not have a detrimental impact on the setting of the watercourse and its biodiversity. p) Development Policy 31 of the VWHDC Local Plan Part 2. q) Development Policy 33 of the VWHDC Local Plan Part 2. r) The North Hinksey Neighbourhood Plan.</p> <p>There is no case law of a Flood Alleviation Scheme in a Green Belt being granted planning permission to date.</p>	
63	<p>The ford crossings will need to have substantially improved stone/cement bottom than is shown in the drawings to ensure they are useable by horses. The ford that has recently been put in is not suitable for crossing with horses due to lack of a hard bottom in the stream as recommended in:</p> <ul style="list-style-type: none"> • the Specification for Bridges, Ford, Gradients and Step set out by the British Horse Society; and • The Design Manual for Roads and Bridges TA90/05 The Geometric Design of Pedestrian, Cycle and Equestrian Routes. <p>All ford crossings should follow these guide standards.</p>	<p>Reinstatement of the existing ford crossing on the Hinksey Stream was undertaken by the agricultural tenant and was limited to the left bank only. No disturbance occurred to the stones on the riverbed. Ferry Hinksey Trust have no legal interest at this location. Two new ford crossings are designed in line with the recommendations of both the British Horse Society guidance referred to and TA90/05.</p>
64	<p>The compulsory purchase powers granted to the Agency do not allow the Compulsory Purchase of land for Open Space / Exchange Land.</p>	<p>The Agency's compulsory purchase powers do allow the Agency to purchase existing open space and rights over existing open space but where they do so, subject to some exceptions, the Agency need to provide land in exchange for the open space being purchased (Section 19 and Schedule 3 of the Acquisition of Land Act 1981). The Agency's compulsory purchase powers also enable the Agency to acquire land for such exchange. The Agency has applied to the Department of Levelling Up, Housing and Communities for an appropriate certificate under those provisions.</p>

65	The Environment Agency has no power to control the landowners' use of the land post the works.	Creation of habitats forms part of the integrated design of the CPO Scheme, and will be controlled (and delivered) by operation of the planning regime.
66	The damage to the historic causeway which is much documented in history records is concerning. This causeway has also been painted in many famous paintings of the City of Oxford. As such the causeway should be left untouched.	This appears to be referring to the purported medieval routeway known as North Hinksey Causeway or Monks Causeway. The archaeological investigations that the Agency has carried out on this path currently date it as Post Medieval-Modern with the ditches on either side of it containing finds dating from the 18th or 19th centuries. The Agency found some evidence of a medieval causeway in the field between Willow Walk and North Hinksey Causeway. A complete record of the archaeological work that the Agency has carried out to date and the work that the Agency propose to carry out if the CPO Scheme gains planning permission, can be found at Appendix J of the Environmental Statement. An assessment of any potential impacts on the historic landscape can also be found in the Heritage Statement at Appendix J and Chapter 7 of the Environmental Statement 'Landscape and Visual Amenity'. The latter explains how the Agency sought to avoid and minimise impacts through careful design.
67	The Order assumes surplus minerals / inert material will be removed from the site. The Agency has no legal powers to compulsorily purchase minerals from the landowners, and will need the landowners' approval.	Please see response to 55.
68	Clause 3.3 of the Material Management Plan states the Agency will give away the minerals. The Agency need the landowners' legal consent before doing this.	Please see response to 55.
69	The Landscape Maintenance Schedule is non-deliverable unless the landowners enter into a Section 106.	Maintenance of the CPO Scheme is covered in Section 3.5 of the Planning Statement. The Agency consider that the maintenance proposed is implementable. The land and rights over land included in the CPO include necessary and appropriate provision so that future maintenance can be carried out by the Agency or another appropriate body or bodies. The Agency does not consider that this needs to be covered by a S106 Agreement.

70	<p>There is no evidence to support why the CPO Scheme has been chosen over and above cheaper solutions. Evidence should be given as the Agency are spending taxpayers' money.</p>	<p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the FCERM appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy has been provided to the Trustees where the three-phase approach to reducing flood risk in Oxford was proposed. Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted but HM Treasury can only approve it once the Agency has the statutory approvals. The appraisal process is summarised in section 4 of the Statement of Reasons.</p>
71	<p>There is no evidence of why the bridges / culverts under the railway line and the A34 cannot be widened to allow the water to pass down towards Kennington and Radley and water stored in this location. There is also no evidence of why storing water up stream rather than this location has not been looked at. Thames Water is looking for a water reservoir locally so why not do both a flood alleviation scheme and a potable water storage facility further upstream to prevent Oxford from flooding as an alternative option.</p>	<p>It is unclear why the A34 has been cited as needing additional capacity and the Agency has already contributed towards the new culvert that Network Rail installed in 2016. The Agency does however need to increase capacity on the A423 and Old Abingdon Road/Kennington Road and provide capacity for the water to get to and from these new structures. The Agency is aware of Thames Water's proposal for a new reservoir near Abingdon which is downstream of Oxford and therefore not applicable. Additionally, Thames Water would want to retain as much water as possible in any reservoir, the Agency would want it empty to maximise flood capacity.</p>
72	<p>There are no compulsory purchase powers available for the Agency to create a habitat for flora, fauna and fisheries, as the Agency only have the powers to put in a flood alleviation scheme. As such their promise of creating such habitat is beyond what the Agency can deliver. The same is the case with providing additional open space in exchange.</p>	<p>Section 154 of the Water Resources Act 1991 gives the Environment Agency the power to compulsory purchase and land and rights which it requires to carry out, or in connection with carrying out, any of its functions, including land required for the creation of new or improved habitat.</p>
73	<p>The meadows are currently grass meadows and they are not providing anything in addition so the theory they are planting more trees than they are felling and creating more habitats is false as in fact there will be less grassland after the CPO Scheme rather than more.</p>	<p>Table 8.11 of the Environmental Statement (ES) Addendum provides a summary of habitat gains and losses. This shows that there will be a net gain in lowland meadow of 16.65ha and a net gain in woodland of 4.81ha. There will be less semi-improved and amenity grassland once the scheme is built.</p>

<p>Name: University College</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 15/011, 15/012, 15/013, 15/014, 15/014a, 15/014b, 15/015, 15/015a, 15/015b, 15/016, 15/016a, 15/016b, 15/017, 15/018, 15/019, 15/019a, 15/020, 15/021, 15/022, 15/023, 15/024, 15/025, 15/026, 15/026z, 15/027, 15/028, 15/029, 15/030, 15/031, 15/032, 15/033, 15/034, 15/035, 15/036, 15/037, 15/038, 15/039, 15/045, 15/046, 15/047, 15/048, 15/052, 15/055, 15/056, 15/057, 05/061, 15/062, 15/070, 15/072, 15/073, 15/074, 15/075, 16/001, 16/013, 16/023</p>		
<p>Summary of Position:</p> <p>The Agency has met with the University College on a number of occasions since 2018 and negotiations to agree the Heads of Terms are ongoing. The College has particular concern over the use of their land as Exchange Land. We have responded to these concerns and have offered to deal with the Exchange Land and land required for the scheme's construction as separate agreements, so that the Exchange Land concerns do not impede reaching agreement on the remaining areas. The Agency is continuing to seek an agreement.</p>		
No.	Ground of objection	Agency response
1	<p>No reason has been given for rejecting a do minimum scheme (Option 2) which for a cost of approximately £19.8 million produces a benefit cost ratio of 42.9. The College denies that the Agency has justified the expenditure of 6 times as much (£119 million) as Option 6 to produce a benefit to cost ratio of 9.1, about five times less.</p>	<p>'Do nothing' and 'do minimum' are always retained in project appraisals undertaken in accordance with government guidance (Flood and Coastal Erosion Risk Management - Appraisal Guidance (FCERM-AG)). Do nothing means just that. All work stops and natural processes occur unchecked. Do minimum sustain (option 2) means maintenance continues and assets are replaced at point of failure. Effectively this is 'business as usual' and the option against which all 'do something' options are compared.</p> <p>Whilst the 'do minimum' option highlights the important work the Agency and its partners do now, it would mean accepting that flooding continues and only gets worse as the effects of climate change are realised.</p> <p>As such, options are then assessed in accordance with the FCERM-AG decision making rules, as detailed in section 4 of the Statement of Reasons. The CPO Scheme has a benefit cost ratio of 10.6 to 1, which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit:cost ratio.</p>
2	<p>The College denies that the Agency it is unconditionally obliged to acquire land for the Oxford City Council of approximately 490 m² at Eastwyke Farm for use as public open space (namely the land referred to as parcels 15/014, 15/015, 15/016 and 15/019 in Schedule 2 of the CPO) to compensate the Oxford City Council for the loss of</p>	<p>The acquiring authority is obliged to provide "Exchange Land" to replace open space land that is acquired by compulsory purchase, as per the Acquisition of Land Act 1981, at section 19 where open space land is being acquired and in Schedule 3, where rights are being acquired.</p> <p>In relation to land at Eastwyke Farm being</p>

	land at Grandpont Ground and Ham's Recreation Ground (see Table 6 in section 13) adjacent to the railway line.	identified for the provision of Exchange Land, for the loss of open space land at Grandpont Nature Park and Dean's Ham Meadow, the Agency been through an assessment process of identifying potential sites for Exchange Land. The Agency looked at six potential sites and the assessment process has demonstrated that the land included in the Order is the most appropriate, as this is the highest ranked option. Eastwyke Farm provides an area that is no less in area than the open space land, and the Agency considers that Eastwyke Farm best meets the statutory requirement for Exchange Land to be equally as advantageous to the public.
3	The College denies that the Agency has attempted to negotiate with it in relation to the acquisition of rights and interests. Contrary to the Guidance issued by the Ministry of Housing Communities & Local Government (Compulsory Purchase Process and the Criche! Down rules) in February 2018 ("the Guidance") the Agency has not taken reasonable steps to acquire the interest and rights in the College's land at Eastwyke Farm by agreement nor is compulsory purchase being used as a last resort. The use of compulsory purchase powers by the Agency is therefore premature.	<p>The Agency engaged extensively with University College to reach an agreement for the 2018 CPO. Following the withdrawal of the 2018 CPO and in anticipation of the 2023 CPO, the Agency issued the College with new Heads of Terms for agreement in January 2022.</p> <p>The Agency assert that University College has been afforded significant opportunity to negotiate an agreement to acquire the land and interests in land needed for the CPO Scheme, and that the Agency has pre-funded this. The Agency has been aware that the provision of Exchange Land comprising part of the College's land has been a concern to the College, and for that reason the Agency has offered to proceed on a twin track agreement approach, whereby the Exchange Land could split into a separate set of agreement terms, so that agreement could proceed on the flood works while leaving the College the opportunity, should they seek to do so, of maintaining an objection to the Exchange Land. This offer remains available and the Environment Agency remains committed to acquiring the University College's interest by negotiation, if possible.</p>
4	The proposed works in so far as they affect Eastwyke Farm represent a secondary scheme independent of the primary scheme. The primary scheme makes provision for a new flood channel from Botley Road (Seacourt) to Abingdon Road (Redbridge Park-And-Ride) to which the College makes no objection other than on cost/benefit grounds. No demonstrable need has	What the College describes as a "secondary" flood defence lying to the east of Abingdon Road, including the bund in Eastwyke Farm is in fact integral to the successful functioning of the CPO Scheme. The Agency provided the College with a copy of Jacobs Technical Memorandum entitled 'Oxford FAS – North Hinksey Defences Review rev 1 dated 6 November 2018' on 14 November

	<p>been shown for the secondary scheme; the College asserts that the primary scheme will sufficiently reduce the flood risk to Abingdon Road and the properties in its immediate area so as to either obviate the need for the secondary scheme or to substantially reduce any public benefit that might arise from it. Accordingly:-</p> <ul style="list-style-type: none"> - the CPO insofar as it relates to the secondary scheme does not meet the statutory purpose for which it is made; - there is no need for the secondary scheme for which the land and rights at Eastwyke Farm are being acquired; and - the land and rights at Eastwyke Farm being acquired are not needed because there is an alternative means of bringing about the objective of the CPO by virtue of the primary scheme or by adopting a do minimum scheme. 	<p>2018. This review clearly demonstrates that the bund provides benefits across all flood return periods and significantly reduces flooding in New Hinksey and to the Abingdon Road from the River Thames.</p> <p>The 'do minimum' option is a baseline against which other options are assessed, but would in reality mean flooding continues as it does now and will only worsen as the impacts of climate change are realised.</p>
5	<p>Whilst there is an accepted need for some form of flood mitigation, the onus is on the Agency to demonstrate there is a compelling case in the public interest not only for any intervention but for the solution proposed. By failing to demonstrate a compelling case in the public interest for the Agency's favoured scheme (option 6) it has failed to achieve the threshold necessary to justify compulsory purchase powers.</p>	<p>The CPO Scheme significantly reduces flooding to all properties at risk from the River Thames, the majority to a standard greater than any flood event seen in Oxford since 1947. The CPO Scheme would have prevented the flooding seen in all recent flood events and the associated misery, stress, and financial costs. The evidence summarised in the Statement of Reasons clearly supports option 6bii and is a compelling case.</p>
6	<p>The financial benefits flowing from the cost of the CPO Scheme are unjustified as compared with the benefits flowing from the cost of far less costly alternatives. The Statement of Reasons sets out in Table 1 a list of options. They include the option of doing the minimum (Option 2), as well as the option of channel widening (Option 3). The latter is dismissed on technical grounds without specifying what they are (the same applies to Option 4). Options 3 and 4 are dismissed because they do not meet "the investment objectives and critical success factors agreed by the project partners". No further reasons are given and no further costings of these two options are available.</p>	<p>Option 3 (channel widening) and option 4 (removal of existing structures) were included in the long list of options considered in the Strategic Outline Case. Both options were dismissed on technical grounds.</p> <p>In relation to option 3, widening of the River Thames in the Botley Road area alone would involve doubling the width of the main channel and the purchase and demolition of a significant number of properties.</p> <p>In relation to option 4, removal of existing structures would mean the loss of navigation and adversely impacting water dependent habitats, including SSSI's due to permanent changes in water level.</p> <p>The FCERM Appraisal Guidance applies a proportionate approach to option development. It notes one of the important tasks of the project team is 'deciding when enough information has been collected to make a robust and defensible decision'.</p>

		Effectively this requires us to review and identify non-viable options efficiently, based on experience and knowledge. Options 3 and 4 were demonstrably non-viable and no further work was undertaken on either.
7	A cost benefit analysis is given for the other options, including Option 2 which is set out in Table 4 of the Statement of Reasons. The present value cost of Option 2 is £14.9 million and produces a present value benefit of £931.5 million. By comparison, the Agency's preferred option (Option 6B) gives a present value cost of £111.2 million compared with a present value benefit of £1,112.4 million. Carrying out relatively minor improvements at a cost of only £14.9 million has a benefit of 62.5 times greater, whereas Option 6 produces a cost benefit of only 10 times greater.	Please see response 1.
8	The Agency prefer Option 6 because it caters for what is described as a 'medium risk flood', namely one that has a chance of occurring in every 100 years. However, catering for such a rare event is irrational, especially as forecasting ahead over such a long period will carry a high degree of uncertainty.	<p>It is not correct to state that the Agency "prefer Option 6 because it caters for what is described as a 'medium risk flood'"; this is only one of the benefits which arise from the CPO Scheme, as described at paragraph 5 of the Statement of Reasons.</p> <p>The Agency has followed the FCERM-AG decision making rules as detailed in section 4 of the Statement of Reasons in arriving at the preferred option. The Agency do not pre-judge the outcome of an appraisal but follow the guidance accordingly.</p> <p>The nature of flooding in Oxford and the CPO Scheme means that the Agency does not provide a single level of service, but upon opening the CPO Scheme over 1000 of the 1600 properties at risk of flooding from the River Thames will benefit to at least a 1% AEP.</p> <p>Whilst the future is uncertain, the effects of climate change can be seen on our weather, which if future predictions are true this will only make flooding worse. In this context it is not irrational for the Environment Agency to address "medium risk flood" events through the design and operation of the CPO Scheme.</p>
9	Another of the options (Option 15) is to construct only raised defences (i.e. bunds) both at Botley Road, and at New Hinksey (i.e. Eastwyke Farm) as	In developing the CPO Scheme, the Agency follows the requirements of the National Planning Policy Framework and Planning Practice Guidance, by looking to

	<p>well as at South Hinksey. That will also be cost-effective (more so than Option 6, which includes bunds but would be considerably less cost effective than Option 2). However, according to section 4.21 of the Statement of Reasons, this option would actually make the situation worse for some properties in certain flow conditions due to the displacement of water from protected areas.</p>	<p>minimise the loss of existing floodplain. Option 15 (raised defences only), whilst providing localised benefits in the more frequent flood events, removes a large area of existing floodplain.</p> <p>If the Agency moves away from this fundamental principle and accept loss of floodplain, it would run counter to advice given on other developments</p>
10	<p>The construction work envisaged by Option 6 will cause substantial disruption for some considerable time. The Botley Road and Abingdon Road are in particular likely to be seriously affected. There is no evidence that the economic impact of that disruption has been considered and, if not, the benefit ratio of Option 2 will be even more favourable as compared with Option 6 than shown in Table 5.</p>	<p>Traffic impacts are a planning matter and a detailed traffic assessment was included as Appendix M of the Environmental Statement.</p> <p>The Agency do not put economic figures against traffic congestion due to construction as the Traffic Assessment assessed the impacts on traffic as low/negligible so the corresponding financial impacts will be similar. Likewise, the Agency has not calculated traffic disruption costs as a result of flooding as a quick review estimated it was less than 0.1% of the other financial impacts.</p>
11	<p>The environmental impact of the CPO Scheme has been discounted in the Statement of Reasons. Eastwyke Farm itself would be seriously damaged, as well as the extensive environmentally valuable meadows between Botley and Hinksey in order to cater for a 1 in 100 year event. Such an impact would be disproportional.</p>	<p>The environmental impact of the Scheme has been assessed in full, as set out in Section 10 of the Statement of Reasons.</p> <p>The ES concludes that 'the Scheme will result in significant socio-environmental benefits by reducing flood risk to people, property and infrastructure, delivering a net gain in biodiversity, providing and maintaining access to wildlife and securing a more sustainable environment for the future.' It is not correct to say that the environmental impact of the CPO Scheme has been "discounted" in any way.</p>
12	<p>The land at Eastwyke Farm referred to in paragraph 3.2 above is land owned by the College ("Exchange Land"). It is to be acquired by the Agency to compensate for the loss of alleged open space land through the acquisition of land adjacent to the railway line at Grandpont ("the Grandpont Land"). The Grandpont Land is of no meaningful consequence to the amenity or enjoyment of the public - it is an unmanaged area populated with stinging nettles, shrubs and weeds and used for discarding unwanted litter. Signage indicates it is infested with Japanese Knotweed. Section 19(4) of the Acquisition of Land</p>	<p>In identifying if land is open space land, within the meaning of the definition in section 19 of the Acquisition of Land Act 1981 ("the Act"), the Agency taken a stepped approach to this assessment.</p> <p>The Oxford City Local Plan 2016-2036 Policies Map identifies Grandpont Nature Park for 'Outdoor Sports' and Dean's Ham Meadow as part of the 'Green and Blue Infrastructure network'.</p> <p>A search has been carried out on Oxford City Council's website home page 'Parks and Open Spaces' with links to further webpages where Grandpont is identified in a list of 'Countryside and Nature</p>

	<p>Act 1981 defines "open space" as any land laid out as a public garden, or used for the purpose of public recreation, or land being a disused burial ground. Accordingly, the College avers that the Grandpont Land is not open space within the meaning of section 19(4) because it is wasteland close to the railway track and is neither used for public recreation or as a public garden and therefore there is no power to acquire the exchange land or any part of it.</p>	<p>Reserves'. Also, Grandpont Nature Park and Dean's Ham Meadow are identified on the 'Parks and waterways Map'.</p> <p>The Agency has consulted with Oxford City Council, as owners of the majority of the land at this location, and they have stated that they consider the area to be open space land.</p> <p>The Agency has assessed the characteristics of the land and it is noted that Grandpont Nature Park plots 14/037, 14/038 and 14/048, which sit adjacent to the railway lane, are within an area of dense woodland and scrub and that whilst not actively managed, are available to be used by the public if they wish. This area on inspection had bare earth pathways and evidence of an improvised cycle track and horse trekking.</p> <p>The nearby Dean's Ham Meadow land, ranges from scrubby ditch and bank margin of wooded land, which provide part of the landscape setting of the open ground area of the meadow, which is used for walking and other recreation uses.</p> <p>The Agency has carried out visitor surveys at the location, where respondents said that they used the open space for leisure walking, dog walking and cycling.</p> <p>The Agency's conclusion is that the areas of Grandpont Nature Park and Dean's Ham Meadow are open space land, and that this applies to the publicly accessible parts of the land needed for the CPO Scheme, that the Agency identified in the Order to be open space land within the definition of the Act.</p>
13	<p>If which is denied the Grandpont Land is open space, then Section 19(1) of the Acquisition of Land Act 1981 provides that an order authorising the purchase of (inter alia) open space land shall be subject to special parliamentary procedure unless the Secretary of State is satisfied that certain conditions apply. The relevant condition to be satisfied in this case is set out in Section 19(1)(a).</p> <p>The Statement of Reasons does not attempt to justify the inclusion of the Exchange Land in the Order on the grounds of being equally advantageous to the Grandpont Land nor does it explain the use to which the Exchange Land would be put and to its merits.</p>	<p>The Agency are currently seeking a Certificate from the Secretary of State, confirming that they are satisfied that the Exchange Land in the Order meets the criteria in section 19 of the Acquisition of Land Act 1981. The Order will not be subject to special parliamentary procedure if the Secretary of State provides a certificate in the relevant terms.</p> <p>The Agency has looked at six potential sites for the provision of exchange land. The site provides a sufficient area to meet the Exchange Land requirement, is suitable for public use for recreational activities in the same way as the open space land, and has similar characteristics of a mixture of wooded and grassland</p>

		area. Circular walks can be strim mown through the grassed area.
14	The Exchange Land is not equally advantageous to the Grandpont Land because it is unsuitable by reason of its location approximately 750m from the Grandpont Land to be acquired, it is incapable of conferring any demonstrable public benefit and is separated from Hinksey Park itself by being on the opposite side of Abingdon Road.	Grandpont Nature Park, Dean's Ham Meadow and Hinksey Park are all interconnected open space areas of land. The Exchange Land for Grandpont Nature Park and Dean's Ham Meadow is 65m east of Hinksey Park's main access. The Exchange Land is accessible from Eastwyke Lane owned by University College and over which Oxford City Council, who will be the beneficiary of the Exchange Land, have an existing access easement by which the public can walk to the River Thames. The Secretary of State will consider if the Exchange Land satisfies the statutory requirements.
15	The Guidance paragraphs 224-234 has not been applied and the decision in LB Greenwich and others v Secretary of State for the Environment and the Secretary of State for Transport (East London River Crossing: Oxleas Woods) 1994 JPL 607 has not been followed.	The Guidance at paragraphs 224– 234 covers a wide range of points and no specific points in relation to the judgment has been provided. The Agency is seeking confirmation from the College on what this relates to.
16	The Order, insofar as it relates to the acquisition of the Exchange Land, should therefore be subject to special Parliamentary procedure because it cannot be confirmed by the Secretary of State under section 19 or Schedule 3 of the 1981 Act.	Please see response 2.
17	A two meter high bund several meters wide would result in Eastwyke Farm being effectively sliced in two. A large area of land between the bund and the River Thames would become virtually inaccessible. Moreover, absent any drainage proposals, it is likely to become unusable swamp. Other areas of land immediately to the west of the bund would become effectively sterile. The bund would impact at its northern end of the footpath across Eastwyke Farm from Abingdon Road. A flood defence wall is also proposed along the northern boundary of the footpath.	<p>The CPO Scheme increases flood capacity in the western floodplain, thereby reducing the volume of water in the River Thames that would otherwise flood properties in the Botley Road and New Hinksey area. As such, flooding from the River Thames in the vicinity of the boathouse and on the adjacent land is marginally reduced, not increased.</p> <p>Permanent crossing points over the new bund are being provided so land to the east will remain available for grazing.</p> <p>The "other areas of land" referred to in the objection are not specified. The Agency assumes this is referring to the two small narrow sections of retained land between the bund and the ditch, at the hotel and at CowMead allotments. Access is being provided over the embankment to reach all areas of the remaining land.</p>

18	<p>The bund is likely to have an adverse effect on the College's tenants, particularly the Oxford Spires Hotel. Any financial impact would be of great concern not only to the hotel but also to the College which receives a rent linked to the hotel's turnover. One of the hotel's unique attractions is its rural setting which bund would seriously compromise.</p>	<p>It is unclear how the grass covered earth bund, which will be located behind the existing tree and hedgeline screen at this location will have any impact on the setting of the hotel.</p>
20	<p>Apart from the effect of the bund on the College's tenants, the College's boathouse may well be put at risk of flooding if the effect of the bund would result in water collection being concentrated in the area to the east of the bund. And in dry or relatively dry periods (i.e. most of the time), the land to the east of the bund, which will cease to be available for grazing and may therefore become an unmanaged wilderness, may also (especially in view of its proximity to the centre of the city) become an attraction for vagrants and support antisocial behaviour. There are other areas in Oxford where such issues frequently arise and the cost to landowners of addressing them is considerable. The proposed wall alongside the footpath, apart from being unsightly and therefore detrimental to the rural nature of the footpath, is also likely to restrict access, or at least render it more difficult, for vehicles servicing the boathouse, such as vehicles with long trailers transporting boats.</p>	<p>Please see response 17.</p> <p>In addition, the wall will be clad to match the surrounding buildings and is only provided where space does not permit an earth bund.</p> <p>Access to the boathouse will be retained at all times throughout the works.</p>
21	<p>Although the bund has been slightly realigned since the Agency's original proposal in 2018, the new alignment will create areas of land that, when the bund is created, will be positioned between the bund and the existing watercourse and will be severed from the College and their tenants, making access and maintenance impractical.</p>	<p>The bund has been located as close to the existing field boundaries as possible without damaging tree roots. This will result in narrow sections of retained land between the bund and the ditch. The Agency and the College are in discussions regarding the management of the bund.</p>
22	<p>Use of Eastwyke Lane by heavy vehicles during the works and during maintenance is likely to prejudice access to the College's boathouse, especially during the three University terms each of eight weeks. Instead of using Eastwyke Lane, a new temporary access and hardstanding area should be created over the working area to the north of Eastwyke Lane, which in any</p>	<p>Pedestrian and vehicular access to the boathouse will be maintained at all times during our works, either via the existing or a temporary track.</p>

	event is required as a working compound.	
23	Rights to use and maintain the bund can equally well be achieved without purchasing a freehold strip of land through the middle of Eastwyke Farm, thereby obviating the risk of long-term harm to the College's interest to a strategically important parcel of land close to the central Oxford and which has been in the College's ownership for 500 years. The College would be willing to grant a lesser interest such as an easement or licence, determinable only if the bund no longer serves the purpose for which it was constructed.	<p>The Agency requires this interest in order to construct, operate and maintain the CPO Scheme. No legal power is available to temporarily acquire the freehold interest.</p> <p>The Agency are also prepared to consider other proposed models or negotiated routes to resolution where these would enable the Agency to construct, operate and maintain the CPO Scheme.</p>

<p>Name: Anthony Aldwinkle & Theresa Aldwinkle</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 06/011, 06/012, 06/013, 06/014, 06/015, 06/016, 10/089, 10/090, 10/091</p>		
<p>Summary of Position:</p> <p>Prior to the recent instruction of an agent, the Agency made several communication attempts to progress an agreement with the owners but to no avail. Mr Aldwinkle does not feel strongly either way about the scheme and it was expressed by the agent in a recent meeting (5 July 2023) that an agreement is likely contingent on an increased option fee. However, in the absence of greater financial incentive, the owner is more focused on ensuring his tenant's issues are resolved by the Agency.</p>		
No.	Ground of objection	Agency response
1	The Objector is concerned about the impact of the construction of the CPO Scheme and its impact on the Property.	Please see response to 2.
2	The Objector is concerned that the impact of the construction of the CPO Scheme will have on the use of the Property and its desirability for the tenant and any future tenants (the property is currently tenanted)	<p>In respect of Theresa Aldwinkle's interest the Order seeks land as temporary working area and for the realignment of an SSE overhead electricity line to existing H-poles, situated north of stables on the property. The Order will create no long-term impacts to this land.</p> <p>In respect of Anthony Aldwinkle's interest, the Order seeks permanent land acquisition of 1139 m2 of land to the north-eastern corner of the title, the length of the adjoining Hinksey Stream; and temporary working area.</p> <p>Concern is expressed about the impact of the CPO Scheme on the owners, the current tenant, and future tenants. Once the CPO Scheme is built the impact will be the loss of grazing land which is limited to</p>

		<p>Anthony Aldwincle's land, where the Order will reduce the current grazing parcel of 1.29 acres (5222 m²) by 0.28 acres (1139 m²). Theresa Aldwincle's holding remains unchanged at 0.83 acres (3354 m²).</p> <p>In respect of the impacts during the construction period, the Agency are aware that the Aldwincles' tenant grazes their land. This use by the tenant is in addition to a much larger parcel which is situated immediately to the north and belongs to Corpus Christi College, together providing a combined area for rotational grazing. This part of Corpus Christi's land is only impacted by the scheme to the extent that a new SSE electricity H-pole and stays are required to be erected for the realignment of the overhead electricity line. The Agency believes that this wider area of occupation, provides the tenant with flexibility to manage grazing during the electricity realignment works.</p> <p>Theresa Aldwincle's paddock contains a small stable and tack room block and the Agency are aware, through discussions with the tenant, that this is important to her equestrian operation. The Order seeks a temporary working area of the paddock excluding the stable block. This land is needed temporarily in connection with the SSE electricity re-alignment and for emergency services access (if required) to the flood channel works.</p> <p>The Agency are unable to determine at this stage the area which is needed by SSE, or the access route emergency services may take under certain ground and weather conditions. However, the Agency are happy to discuss with the tenant, once SSE's requirements are known, the tenant's preferred temporary works area around the stable block. This would limit the extent of impacts to the minimum time possible. Additionally, the use of the land immediately around the stables is needed otherwise, for emergency services only.</p>
3	<p>The use of compulsory purchase powers is premature; the Acquiring Authority has not made a meaningful attempt to acquire the interest by agreement.</p> <p>The Objector has not had any meaningful discussions with the Acquiring Authority or their representatives and are unaware of any substantive efforts to make contact.</p>	<p>The use of compulsory purchase powers is not premature, and the Agency has made meaningful attempts to negotiate with the Owners. The Government's Guidance "Compulsory purchase process and the Crichel Down Rules" recognises that if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time would be lost. The Guidance also states that undertaking negotiations in parallel with the compulsory purchase order process has a number of practical</p>

	<p>We conclude that the Acquiring Authority has not taken reasonable steps to acquire the Property by agreement nor is compulsory purchase being used as a last resort. Accordingly, the Order should not be confirmed.</p>	<p>benefits. There is no bar or restriction in the Guidance which prevents an acquiring authority from undertaking negotiations in parallel with the CPO process.</p>
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Name: Philip James Baker & Richard David Baker
Status: Statutory Objector
Plot Interests: 07/001

Summary of Position:
The Agency put forwards heads of terms for a land's agreement in January 2022. The Agency has made several attempts to progress an agreement with the owners, however, option fees have not been agreed. The Agency has been flexible on its option fee offer and continues to correspond with the agent to progress an agreement.

No.	Ground of objection	Agency response
1	<p>The Objector is concerned about the impact of the construction of the CPO Scheme and its impact on the Objector's interests and the loss of the entirety of their holding in this location.</p>	<p>The Agency are aware of concerns regarding the impact of the construction of the CPO Scheme following ongoing correspondence and negotiations.</p>
2	<p>The use of compulsory purchase powers is premature; the Agency has not made a meaningful attempt to acquire the interest by agreement.</p> <p>The Objector has not had any meaningful discussions with the Agency or their representatives and there is a lack of provision of an offer on commercially appropriate terms.</p>	<p>The use of compulsory purchase powers is not premature, and the Agency has made meaningful attempts to acquire the interest by agreement. The Government's Guidance "Compulsory purchase process and the Crichel Down Rules" recognises that if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time would be lost. The Guidance also states that undertaking negotiations in parallel with the compulsory purchase order process has a number of practical benefits. There is no bar or restriction in the Guidance which prevents an acquiring authority from undertaking negotiations to acquire by private treaty in parallel with the CPO process.</p> <p>Proposed terms to reach an agreement for the land interests required for the CPO Scheme were issued in January 2022 and negotiations are continuing.</p>
3	<p>The Agency has not taken reasonable steps to acquire the Property by agreement nor is compulsory purchase being used as a last resort.</p>	<p>The Agency asserts that it has made reasonable attempts to engage with the Owners to reach an agreement for the land interests required for the CPO</p>

		Scheme, in order that there is no need to rely on the CPO.
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Name: Ian Beesley
Status: Statutory Objector
Plot Interests: 06/011, 09/013, 09/014, 09/016, 10/004, 10/005, 10/006, 10/007,10/008

Summary of Position:
The Agency issued Ian Beesley a consent letter in February 2023 for his interests over Manor Farm and offered to meet Mr Beesley at South Hinksey village hall. The Agency have only recently become aware of Mr Beesley’s freehold interest over land at North Hinksey which he purchased in February 2022. This change will be included in the Schedule of Changes.

No.	Ground of objection	Agency response
1	The Objector is concerned about the impact of the construction of the CPO Scheme and its impact on the Property.	The Agency understands that equipment is kept at Manor Farm as a licensee. The Agency are also aware that equipment is also stored on Ferry Hinksey Trust land, but it is not clear what the legal status of this is. Access to both sites will be maintained during construction of the CPO Scheme.
2	<p>The use of compulsory purchase powers is premature; the Agency has not made a meaningful attempt to acquire the interest by agreement.</p> <p>The Objector has not had any meaningful discussions with the Acquiring Authority or their representatives and are unaware of any substantive efforts to make contact.</p>	<p>The use of compulsory purchase powers is not premature, and the acquiring authority has made meaningful attempts to negotiate with Mr Beesley. The Government’s Guidance “Compulsory purchase process and the Crichel Down Rules” recognises that if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time would be lost. The Guidance also states that undertaking negotiations in parallel with the compulsory purchase order process has a number of practical benefits. There is no bar or restriction in the Guidance which prevents an acquiring authority from undertaking negotiations in parallel with the CPO process.</p> <p>Mr Beesley is a licensee of the land affected by the CPO; Mr Beesley’s freehold interest is not affected. The licensee’s interest in storing machinery at Manor Farm Buildings is not impacted by the CPO Scheme, but the access used to reach the buildings will in part be shared by the Environment Agency during the construction works.</p>

		In practice, Mr Beesley's interest will be impacted by the CPO Scheme, but he will not be deprived of the use of the land in which he has an interest. The acquisition of the licensee's interest is not necessary to deliver the CPO Scheme; this can be achieved instead by agreeing a Works Licence. A Works Licence has been offered to Mr Beesley.
3	The Agency wish to acquire rights over the Property, the detail of which are not clearly defined within the Order – the Objector's land appears to have been included within a larger land interest belonging to the neighbouring owner and have not identified separately.	The Order Map defines the land required for the CPO Scheme. The main access track to reach Manor Farm Buildings is impacted by CPO Plots 09/013, 09/014 and 09/016. Within the Schedule of Interests that accompanies the CPO, in Schedule 1, Table 1, Mr Beesley is recorded as a tenant or reputed tenant and occupier to these plots.
4	The Agency has not taken reasonable steps to acquire the Property by agreement nor is compulsory purchase being used as a last resort.	The Agency believes that it has made reasonable attempts to engage with Mr Beesley to reach an agreement for the land interests required for the CPO Scheme, in order that the Agency does not need to rely on the CPO.

<p>Name: DB Cargo</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 11/001, 11/004, 11/005, 11/025, 11/026, 11/027, 11/028, 11/029, 11/030, 11/032, 11/033, 11/034</p>		
<p>Summary of Position:</p> <p>The Agency has been engaging with DB Cargo since 2021 including site meetings to agree retention of access throughout the works. The Agency are seeking to negotiate a tripartite agreement with Network Rail (the Freeholder) and DB Cargo (the Leaseholder) in respect to all land required by the CPO Scheme as owned by the Freeholder and occupied by the Leaseholder. The terms of this agreement are yet to be finalised. The Agency will continue to engage with DB Cargo to resolve outstanding matters.</p>		
No.	Ground of objection	Agency response
1	<p>DB Cargo's only access to the Railway Land (plot 11/028) is a track accessed off Old Abingdon Road. Article 2 of the Order provides as follows:</p> <p>Plot 11/028 is proposed to be permanently acquired pursuant to the</p>	<p>The Agency understands DB Cargo's (DBC) concerns with regards to access to the Railway Land via plot 11/028. A proposed diversion track was shared with DBC in June 2022 which would enable access to the Railway Land whilst construction works take place in plot 11/028. The diversion track will be</p>

	<p>Order. The Order therefore provides that access rights over plot 11/028 will be granted to DB Cargo, but only post completion of the CPO Scheme. There is no reference to rights being granted during construction. There is no indication that the rights granted will mirror the unrestricted rights that DB Cargo enjoy over the access at present.</p>	<p>constructed before works take place in plot 11/028. On reinstatement of the access via plot 11/028 access will be regranted to DBC.</p> <p>The Agency is seeking freehold rights in line with the plot description included within the CPO.</p> <p>It should be noted that the intention upon completion of the works will be a 'grant of all rights necessary....for the Lessees tenants and occupiers.....with title number ON205106'. This is the leasehold title registered to DB Cargo.</p> <p>The Agency are seeking to negotiate a tripartite agreement with Network Rail (the Freeholder) and DB Cargo (the Leaseholder) in respect to all land required by the CPO Scheme as owned by the Freeholder and occupied by the Leaseholder. The terms of this agreement are yet to be finalised.</p> <p>The permanent rights referred to above refer to the flood wall that passes below plot 11/028 and extend into plot 11/033. Consequently, they do not interfere with the access which is being raised to pass over the new flood wall.</p>
2	<p>Access to the Railway Land will be unavailable during the construction of the CPO Scheme. The restriction of any access is unacceptable and irrational where it is not replaced with an alternative and viable means of access, and the grant of rights over such alternative access. In light of this, the Order should include provision for replacement land and rights to provide access to the Railway Land during the construction period of the CPO Scheme.</p>	<p>Please see response to 1. The Agency are in the process of negotiating with DBC to ensure a future right of access (save for a temporary diversion as detailed above).</p>
3	<p>Operational and utility services may be located on the Railway Land, and it is unclear if the construction and operation of the CPO Scheme will cause interference with the incoming statutory services to the Railway Land. Prior to carrying out the CPO Scheme, the Environment Agency must carry out a detailed services survey to locate the position of both operational and utility services. Should the survey identify services that service the Railway Land, then the Agency should refer the issue to the surveyor appointed by DB Cargo in order to relocate and / or protect the</p>	<p>The Agency has been provided with copies of the Railways services in this area by Network Rail (NR). None of the proposed work affects any Railway services based on these plans and previous discussions with NR. The Agency will seek updated copies of the Railway services plans ahead of construction to ensure no changes have occurred.</p> <p>Notwithstanding the above, the Agency's contractor has already employed the services of specialist consultant who are checking all statutory services affected by</p>

	<p>incoming statutory services to ensure security of supply. If necessary, rights should be acquired to ensure that any revised location of statutory services can be lawfully located there.</p>	<p>the CPO Scheme and will negotiate and plan any necessary protection or diversions. The consultant will also investigate any private services and agree any diversions/protection with owners/NR/DBC as necessary. In addition, prior to any works commencing on site, the Agency's contractor will carry out a compressive ground penetrating radar (GPR) survey of all working areas, then carry out localised 'Cat & Genny' checks, prior to issuing permits to work.</p>
4	<p>The restriction on DB Cargo's access to the Railway Land during the construction of the CPO Scheme will cause interference with DB Cargo's operations as a rail freight operator. If the existing access is unavailable DB Cargo will be unable to facilitate the vital train movements utilising the Railway Land.</p>	<p>With regards to concerns that construction of the CPO Scheme will interfere with DBC's rail freight operations, create uncertainty and instability, undermine its business operations or affect their contribution to the UK's carbon reduction targets – the Agency would reassure DBC that access disruption to the Railway Land will be kept to minimum. The diversion track will ensure that DBC can facilitate train movements, fulfil customer contracts and meet customer expectations utilising the Railway Land. The Agency has previously discussed and agreed with DBC that due to the limited working area at the entrance off Old Abingdon Road the contractor will require, temporarily, more or less exclusive access for specific construction activities such as realigning the DBC entrance and installation of new access gates and some of the piling works. The Agency's contractor would either undertake these works over 3-4 weekends or negotiate a quiet working window with DBC in which to undertake the works.</p>
5	<p>DB Cargo's operations at the Railway Land contribute to the significant role of rail freight in the UK economy and the UK's strategic transport objectives to remove freight from roads. There is a compelling economic case for supporting growth in rail freight volumes. Rail freight companies operate in the private sector and restricting access to the Railway Land during construction of the CPO Scheme would create uncertainty and instability for DB Cargo, and risks undermining the £2bn of rail freight operator investments made since privatisation of the industry. Disruption on the Railway Land could mean DB Cargo is unable to fulfil customer contracts or meet customer expectations, which risks damaging</p>	<p>The Agency recognises the economic/strategic/sustainability benefits of rail transport. This is why the Agency hopes to negotiate a mutually beneficial arrangement with DBC for the removal of spoil from the site.</p> <p>The Agency will also minimise the extent of any disruption of access, as described above.</p>

	<p>confidence in the sector. In addition, DB Cargo will not be able to utilise its capital assets, which will undermine its business operations. Disruption of access to the Railway Land should be kept to an absolute minimum and where access is required the Order should be amended to require the Environment Agency to provide land for a replacement access to be agreed with DB Cargo.</p>	
6	<p>DB Cargo's operations at the Railway Land also make a significant contribution to the UK's carbon reduction targets. A restriction on DB Cargo's access to the Railway Land during construction of the CPO Scheme would be contrary to the Government's commitment to ensuring that transport plays a full part in delivering the economy-wide emissions reductions needed to meet this target. It is therefore of principal importance that a replacement access is available during the construction of the CPO Scheme.</p>	<p>Please see response to 4.</p>
7	<p>The construction works pursuant to the CPO Scheme involve the existing road leading to the entrance to the Railway Land being raised in level. There is a concern that following the construction of the CPO Scheme, that there will be a level difference between the entrance to the Railway Land and the road leading to the Railway Land. This could have the effect of DB Cargo being unable to access the Railway Land, or there being a steep incline unsuitable for the heavy commercial vehicles that access the Railway Land. DB Cargo is conscious that despite the temporary possession of part of the Railway Land sought by the Order, that the access to the Railway Land will be permanently acquired, and could be permanently compromised, and unsuitable for use unless the level difference is resolved. It is imperative that post construction, that the surfacing of both the road leading to the Railway Land and the access on plot 11/028 is of a highway standard to ensure that it is of a suitable specification for heavy commercial vehicles. The issues of level difference and surfacing must be addressed, and the Railway Land the subject of temporary possession must be returned in no lesser a</p>	<p>The Agency and DBC are in discussion on these points and with regards to concerns associated with the level difference between the entrance off Old Abingdon Road and the Railway Land, the creation of steep incline, and the surfacing of the road leading to the Railway Land, a response was provided by the Agency via email in June 2023.</p>

	condition following the completion of construction works pursuant to the CPO Scheme.	
8	<p>As a rail freight operator, DB Cargo has legal duties under the Regulation 3 of the Railway Safety (Miscellaneous Provisions) Regulations 1997 to prevent unauthorised access to the railway infrastructure. It also has a general duty under Health and Safety at Work etc Act 1974 to reduce risks 'so far as is reasonably practicable'. As part of this duty, it is required to take all reasonably practicable steps to prevent unauthorised access to the infrastructure and to ensure that public safety is not endangered. DB Cargo diligently complies with these duties, and is concerned that the construction of the works pursuant to the CPO Scheme at the Railway Land may present health and safety issues, such as the maintenance of a secure perimeter and avoiding trespassers. Trespassers are specifically identified as one of the factors that must be considered to achieve the outcome expected by the principle. The works by the Environment Agency pursuant to the CPO Scheme must ensure compliance with health and safety legislation in line with DB Cargo's existing practice. It is unclear if these risks have been considered and procedures identified to seek to eliminate such risks.</p>	<p>The Agency's contractor will be adhering to health and safety policies and procedures. All construction working areas will be securely and appropriately fenced to prevent unauthorised access into their construction site. With regards to vehicular access off Old Abingdon Road, the Agency's contractor will ensure the security gates are only opened to let works traffic in and out and will be manned during working hours.</p> <p>Any construction works taking place within 5 metres of the Railway will require a line possession which the Agency are discussing with NR and the Agency are liaising with NR regarding site supervision requirements.</p> <p>Construction methodologies can be shared with DBC ahead of construction.</p> <p>In order to ensure that DBC can maintain their legal duties under the Railway Safety Regulation post works the Agency has requested that DBC confirm the need for the new palisade access gate which would ensure the Agency's Operatives who will have access to the Railway Land access track off Old Abingdon Road (to inspect and maintain the CPO Scheme) would not be able to access further into the sidings or access the rail tracks.</p>
9	<p>DB Cargo will remain the facility owner of the Railway Land even when not in occupation. It is subject to statutory obligations as a facility owner under the Railways Act 1993. DB Cargo is duly concerned that its compliance with these obligations may be affected if the security of the Railway Land is compromised and access is restricted during the construction works of the CPO Scheme. Therefore the works by the Environment Agency must also ensure compliance with DB Cargo's statutory obligations.</p>	<p>The Agency will ensure compliance with DBC's statutory obligations by ensuring that access to the Railway Land is available by a diversion access track, and that any access disruption is kept to a minimum and negotiated with DBC regarding the most suitable time to limit access.</p>

Name: Elizabeth Jukes

Status: Statutory Objector

Plot Interests: 10/028, 10/030, 10/032, 10/033, 10/034, 10/035, 10/036, 10/037, 10/038, 10/039, 10/040, 10/042, 10/043, 10/044

Summary of Position:

Ms Jukes objects to both the scheme in-principle and the Agency's proposal to construct a flood wall on her property. The Agency met Elizabeth Jukes on site in July 2021 and November 2022 to discuss the Scheme, explain its impacts on her property in more detail and answer questions. The Agency continue to engage with the agent to progress an agreement, including an in-person meeting on 5 July 2023.

No.	Ground of objection	Agency response
1	The Agency wishes to acquire new rights and interests over a large portion of the garden (equivalent to about 50%, including car parking space), for the purpose of constructing and maintaining a flood wall, as part of the CPO Scheme.	<p>The Agency has been in active discussions with Ms Jukes regarding the impact of the CPO Scheme on the property. The CPO Scheme is proposing to construct a permanent flood wall along the top of the bank of the ditch, which is situated along the property's eastern boundary. In order to do so, the Agency need to acquire various permanent and temporary land and rights.</p> <p>Once the works are complete, the parking area, garden and ditch land, which are to be used as temporary works area, will be returned to Ms Jukes. This will allow the continued use and enjoyment of these aspects, subject to the permanent access rights reserved by the Agency which will be exercised occasionally for the purposes of inspecting and maintaining the flood wall.</p> <p>Where possible, the alignment of the flood wall has been designed to avoid encroaching onto the parking area and formal garden land. The flood wall's interference on the adjoining section of garden land will be limited to a narrow sliver.</p> <p>Whilst the Agency cannot provide actual dates due to the uncertainty around the planning and CPO processes, the Agency has confirmed that the construction of all the new flood defences (both walls including cladding and earth embankments) around the village will take approximately 5 months. Under the current programme these new defences will be constructed in year 2 of construction. The sheet piling will be the activity which creates the most noise and disruption when constructing the wall. The Agency expects this will take approximately 4 weeks overall with works progressing at around 10 linear metres per day – this will be set out prior to the piling itself occurring, in order to confirm</p>

		<p>the exact alignment. Dates will be confirmed with you.</p> <p>The cladding to the new wall will be in keeping with the local stone and any examples provided under planning will be shared with Ms Jukes.</p> <p>The Agency will attempt to work around trees in the garden but the Agency will need to reduce the canopy to drive the piles. The Agency has suggested removing the trees and replacing them with new ones after the works to better guarantee survival.</p>
2	The construction of the wall will involve the removal of large, mature trees and use of heavy machinery including steel-pile-driving equipment, within a few metres of the house.	Please see response to 1.
3	The consultation with the Agency and their contractors has not been satisfactory. They have not given adequate assurances about the aesthetic appearance of the proposed wall (which will run through the property), nor have they provided any detail or assurances about the expected timetable for the clearance of vegetation, construction and completion of the work.	Please see response to 1.
4	The great uncertainty and the prospect that half the garden, and parking space, will be disrupted and inaccessible for several years, with all the consequent loss of amenity and enjoyment is an unreasonable infringement on Ms Jukes' property and on quality of life.	Please see response to 1.
5	The Order covers fields surrounding South Hinksey village, which will be used for large construction compounds (including spoil heaps, storage facilities, car parking, toilets etc), and for the "haul route" - which will be used to transport excavated material from the proposed flood channel onto the A34 at the rate of 100+ lorry movements per day. Because of resulting noise, vibration, air pollution etc, this activity should not be located so close to the village (in fields adjoining people's gardens) - especially as this work will continue for at least 3-4 years. The Agency has not	<p>The location of the main compound and impacts on the community has been discussed on many occasions with the community and members of South Hinksey Parish Council. These meetings are summarised in section 2.2.2 of our Environmental Statement of the planning application. This section is a summary of the consultation and does not include many of the meetings held with individuals from either the community or Parish Council.</p> <p>Changes to the compound since the original planning application are summarised in section 3.4 of the planning</p>

	<p>responded adequately to concerns raised about the serious negative impacts on quality of life, nor have they engaged satisfactorily over possible mitigations.</p>	<p>statement and an indicative layout of the compound area north of South Hinksey village is included in the ES figure 3.2. This plan is included as indicative only and the Agency would provide further details of the layout nearer to the start of construction.</p> <p>The main earthworks between South Hinksey and Old Abingdon Road are currently programmed for approximately 12 weeks in year 3 - this equates to on average around 1500 tonnes per day or 75No 20t tipper lorries. The Agency will be establishing the haul roads site clearance in year 1, so there will be some activity behind Ms Jukes' property. Ms Jukes will be informed of the relevant dates in advance.</p> <p>Works to install the new bridge on the Devil's Backbone to the north of Ms Jukes' property are currently programmed for year 2 and is expected to take 11 months. The new bridge will provide access for the Agency's maintenance vehicles and will also be used by landowners and National Grid to access land to the east of the new channel. By allowing National Grid to share the new bridge it avoids the provision of a separate bridge of similar size on the current access track to the sub-station immediately behind Ms Jukes' property.</p>
6	<p>Residents of South Hinksey, and many other people, regularly use the Electric Road and other footpaths between South Hinksey and North Hinksey for recreation. Access to the paths and open spaces included in the Order will be severely restricted during construction of the CPO Scheme, and in some cases permanently lost.</p>	<p>The Agency are aware that the area between South Hinksey and North Hinksey is well-used for walking, running and cycling, so the Agency has been very careful to assess the likely impacts that the CPO Scheme will have on all of the formal and informal access routes across the site, and to avoid or minimise temporary and permanent impacts on those routes wherever possible.</p> <p>Figure 6.1 in the ES illustrates legal public rights of way in and around the Order Land, as set out on Oxfordshire County Council's Definitive Map . Aside from these public rights of way and the permissive paths that cross Hinksey Meadow, all other paths in the area are informal. The permissive and informal paths in the Order Land have been described in Section 6.1.1 of the ES, and Figures 6.3a and 6.3b show the proposed diversions for footways and informal or permissive paths during construction. The Agency can confirm that where legal rights of way need moving to deliver the CPO Scheme alternate, permanent routes will</p>

		<p>be provided.</p> <p>Table 6.1: Impacts on Public Rights of Way, informal paths and permissive access routes (pages 77 and 78) describes the likely impacts of the CPO Scheme during construction. The likely impacts once the CPO Scheme is built are set out in Table 6.2 Residual impacts on recreation and public access (pages 83-85).</p> <p>The Electric Road, which is an informal path, will stay open while the CPO Scheme is being constructed and will remain open once it is in operation.</p> <p>A new permissive cycle way and footpath (Figure 6.4 in the ES) will run along the proposed maintenance track from Ferry Hinksey Lane to South Hinksey, providing a new recreational access route in the area. Gates will be positioned along the fence line of the track to maintain access to all of the main informal paths.</p> <p>The Agency have developed a construction methodology which is designed to minimise any uncertainty or disturbance for recreational users. This is set out in section 6.3 of the ES.</p>
7	<p>This is a beautiful and iconic landscape on the edge of Oxford which will be changed forever by the CPO Scheme and by proposed new infrastructure (such as elevated footbridges which are inappropriate in this rural setting).</p>	<p>Please see response to 6.</p>
8	<p>Adequate assurances has not be given about the re-routing of the Devil's Backbone footpath (and whether it will be accessible year-round); many villagers rely on this path for access to local schools and to Oxford.</p>	<p>Part of the Devil's Backbone, Public Right of Way 352/1, will be temporarily closed while the CPO Scheme is constructed. The proposed diversion during this time is shown on ES Figure 6.2a. The diversion will be surfaced with asphalt and will be at the same level as the existing path, making it equally accessible throughout the year.</p> <p>When the CPO Scheme is built, a new path, bridge and railings will replace the existing Devil's Backbone path 352/1, which has subsided and is in very poor condition. The new path will be on the same alignment as the existing one but it will be wider and safely accommodate the many cyclists who use this route. The railing height across the new bridge will be set to cycleway standards (height of 1.4m)</p>

		to enable the possibility of the Devil's Backbone footpath being upgraded to a cycleway in the future.
9	There will be an environmental impact in excavating the proposed flood channel. This will largely destroy the floodplain meadow (Hinksey Meadow) which is a habitat for rare species, and two thousand trees will be felled - resulting in a loss of biodiversity in the area.	<p><u>Hinksey Meadow</u></p> <p>Hinksey Meadow is designated as a Local Wildlife Site and includes areas of species-rich burnet floodplain meadow (MG4), which is unimproved neutral grassland. Sites supporting MG4 are usually subject to traditional hay-meadow management, with a hay crop cut in mid-summer. MG4 grassland is scarce across the UK because traditional hay meadows have been drained or converted to other land uses.</p> <p>The Agency recognises that Hinksey Meadow is a valuable natural habitat that includes rare wildflower species and floodplain grasses and have worked to minimise the impacts of the CPO Scheme in this area. The Agency appointed the Floodplain Meadows Partnership (FMP) of the Open University, as national experts in MG4 grassland, to provide independent expert advice on the likely impacts of the scheme at Hinksey Meadow, on the options for mitigation and on recommended maintenance and monitoring.</p> <p>The lowered ground next to the stream here will be kept as narrow as possible. It will be created by lowering the ground by a maximum of around 60cm, ensuring there's a gradual slope on the stream sides. The upper part of the slope will be seeded with MG4 seed and the ground at the top of the stream sides will have the same characteristics as the surrounding meadow. In this way the overall change to Hinksey Meadow from the new channel has been minimised as much as possible. For most of the year it will look very similar to how it does now, whilst enhancing the meadow's capacity to carry more water in times of flood.</p> <p>The Agency has followed the Floodplain Meadows Partnership's independent expert advice and guidance in the production of an MG4 Mitigation Strategy.</p> <p>The Environment Agency will monitor the mitigation measures and management regimes to optimise their effectiveness.</p> <p>Once the CPO Scheme is complete, vegetation in Hinksey Meadow, including in the upper parts of the sloping floodplain,</p>

		<p>will still have a hay cut in the summer and aftermath grazing, as it does currently. The lowered ground next to the stream is likely to be too wet to graze, so a mechanical cut will be carried out twice a year, if required, to keep down woody growth.</p> <p>Further details are set out in ES Appendix C-5 Floodplain Meadows Partnership Report and ES Appendix D-23 MG4 Grassland Mitigation.</p> <p>Trees</p> <p>Throughout the design process, engineers and ecologists have worked together to minimise tree loss wherever possible. The Agency will continue to reduce tree loss when constructing the CPO Scheme, by working around trees that have been identified for felling if at all possible. An Environmental Clerk of Works will be on site to ensure that these further opportunities are identified and taken wherever possible.</p> <p>The Agency's tree-planting proposals will result in more woodland within the Order Land after completion than there is at present. The Agency plan to plant over 4,000 larger tree species and thousands of smaller trees, such as hawthorn, hazel and elder, along with many more native shrubs such as dogwood, goat willow, dog rose and wild privet. The tree-planting proposals form part of the Agency's planning application.</p> <p>The new woodland will contain a greater variety of tree and shrub species than the majority of the woodland that is being lost and will quickly provide greater structural diversity. The woodland will also be managed to support a diverse ground flora. This is in contrast to much of the existing woodland where the unmanaged, single age stands of mature trees support only sparse shade-tolerant ground flora.</p> <p>Areas of deciduous woodland and lengths of hedgerow will be planted close to where habitats need to be removed in order to maintain a corridor of tree and shrub cover. The scale and orientation of the woodland and hedgerow planting will match the existing landscape character. Only small groups of trees will be planted in the lowered floodplain beside the new stream because planting woodland and hedgerows here would impede the flow of floodwater.</p>
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		Habitat creation and enhancement, both within the scheme area and in the surrounding Oxfordshire environment will ensure that we deliver biodiversity net gain, which means that over time the scheme will increase the range of wildlife and the quality of the habitats in the area.
10	The estimated cost of the CPO Scheme has risen steadily over the years it has been under consideration, and that the target cost now stands at £176 million. The Agency's preferred scheme delivers a much lower benefits-to-costs ratio, than the viable alternative (ie maintaining existing assets and watercourses and deploying temporary flood barriers). Whilst Ms Jukes supports the overall aim of reducing flood risk to homes and businesses around Oxford, the CPO Scheme represents poor value for money in terms of public expenditure.	<p>The "viable alternative" referred to, the 'do minimum' option, highlights the important work the Agency and its partners do now but would mean accepting that flooding continues and only gets worse as the effects of climate change are realised. Accordingly, this would not meet the objectives and critical success factors agreed by the project partners. Effectively this is 'business as usual' and the option against which all 'do something' options are compared.</p> <p>To ensure flood risk is reduced, the Agency assessed options in accordance with the Flood and Coastal Erosion Risk Management (FCERM) Appraisal Guidance as detailed in section 4 of the Statement of Reasons. The scheme being promoted by our CPO has a benefit: cost ratio of 10.6 to 1 which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit: cost ratio.</p>

<p>Name: Hartwell PLC</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 01/013, 01/015, 01/016, 01/017, 01/018, 01/019</p>		
<p>Summary of Position:</p> <p>The Agency issued terms for an agreement with Hartwell in February 2022. Hartwell have advised they are supportive of the overall scheme but take issue with the proposed alignment of the flood wall on their property. The Agency have considered an alternative proposal presented by Hartwell but have not been able to agree to this for reasons communicated both in writing and face-to-face. The Agency continue to express their preference to acquire the land by agreement and this was reiterated during an in-person meeting with the agent on 5 July 2023.</p>		
No.	Ground of objection	Agency response
1	The Order proposes to erect a flood defence wall in a position across the Property that severely compromises the use and amenity of Boundary	It is unclear how the proposed alignment of the flood defence wall compromises the existing use and amenity of Boundary House, as it is located to the north of the existing building and car park in a largely unmanaged, wooded area.

	House – the alignment follows land parcels 01/015 – 01/020.	<p>The land to the north of the existing building is to be used for environmental mitigation tree planting and, as such, the visual outlook on this side of Boundary House will remain unchanged, save for the addition of the flood wall.</p> <p>The Agency does not believe the CPO Scheme has impacts on the owner's use or amenity of the retained land.</p>
2	<p>The positioning of the flood defence structure will have a significant impact on the use and enjoyment of the property and cause considerable diminution in value. Despite the Objector's request for meaningful engagement with the Agency and their advisors to discuss the alignment of the flood defence and suggest suitable alternative options, there has been no substantiative engagement throughout this process.</p>	<p>Diminution in value is a compensation matter rather than a substantive basis for objection to the Order.</p> <p>The reasons for the proposed alignment of the flood wall and how the current scheme design cannot be modified in this location has been explained in discussions between the Agency and Hartwell.</p> <p>The Agency follows the requirements of the National Planning Policy Framework and Planning Practice Guidance, by looking to minimise loss of existing floodplain. If the Agency moves away from this fundamental premise, it opens the Agency up to challenge from others and runs counter to advice the Agency has given on other developments. When finalising the design of hard flood defence structures, the Agency also need to take in to account site specific constraints. In this location, the Agency needed to retain the existing gated access off the Botley Road for inspection and maintenance purposes; tie-in with the slip road (that drops steeply from the A34); and the retention of as many trees as possible, which in turn will help screen the new wall. For the above-mentioned planning and flood plain reasons, the Agency's preference, in the case of Boundary House, would always be for the wall to remain as close to the existing property as possible, to preserve the existing flood plain. Furthermore, the Agency cannot be seen to be enabling development as part of the schemes they provide.</p> <p>The Agency does not accept that there has been no meaningful or substantive engagement on this topic.</p>
3	<p>The Objector has undertaken their own flood modelling which has shown that the acquisition is not proportionate. It can be demonstrated that the flood defence structure can be slightly realigned to the satisfaction of the Objector and will have no consequence</p>	<p>The Agency are not aware that Hartwell had undertaken its own hydraulic modelling.</p> <p>Nevertheless, the principles set out in our</p>

	on the impact of the wider flood scheme.	response to 2 still apply, in relation to avoiding the incremental loss of floodplain.
4	The Order further proposes to take land parcel reference 01/013 and New Rights of the Order, for the purpose of biodiversity improvements and other environmental benefits. Within the Statement of Reasons there is no justification about how this land will be used, or how it can be enhanced beyond its current state and condition, being a wooded area, and therefore the purpose for the acquisition of this land is called into question. The proposed inclusion of parcel 01/013 is considered excessive.	<p>The area to the north of Boundary House is only partially wooded and additional tree and shrub planting will be undertaken to increase the total amount of woodland cover. The whole area will be managed to improve its condition in terms of biodiversity.</p> <p>The EIA for the CPO Scheme identified that in the absence of mitigation, the construction/operation of the CPO Scheme would have significant environmental impacts on certain landscape features, species and habitats. The proposed tree and shrub planting and long-term management of the area of unused land to the north of Boundary House is required as mitigation for the loss of woodland and scrub in the footprint of the lowered floodplain beside the Seacourt Stream, in the vicinity of Botley Road Bridge. Without mitigation, the CPO Scheme would not comply with the current landscape and environmental planning policies of the relevant planning authorities (as set out in Paragraph 9.1 of the Statement of Reasons).</p>
5	The Objectors do not feel that there is justification for the Compulsory Purchase Order on land within their ownership. With proper consultation around the placement and nature of the flood defence, the Objectors will willingly agree terms to accommodate the Agency's proposed interests.	<p>The Order is necessary to deliver the CPO Scheme, and full justification can be found in our Statement of Reasons. The CPO is necessary to ensure that all land required to build the scheme is available, so that the full scheme can be delivered. Wherever possible, the Agency continues to engage with landowners and other interested parties to acquire land and rights needed by private agreement, but the CPO provides programme certainty.</p> <p>The Agency has consulted with you on an ongoing basis since January 2022 and there has been proper consultation in relation to the flood defence element of the CPO Scheme.</p>
6	The Agency has not taken reasonable steps to acquire the Property by agreement nor is compulsory purchase being used as a last resort.	The use of compulsory purchase powers is not premature, and the Agency has made meaningful attempts to negotiate with Hartwell. The Government's Guidance "Compulsory purchase process and the Crichel Down Rules" recognises that if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time would be lost. The Guidance also states that undertaking negotiations in parallel with the compulsory purchase

		<p>order process has a number of practical benefits. There is no bar or restriction in the Guidance which prevents an acquiring authority from undertaking negotiations in parallel with the CPO process.</p> <p>The Agency believes that all reasonable steps have been taken to acquire the land and rights needed for the CPO Scheme from Hartwell by agreement.</p>
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Name: North Hinksey Parish Council
Status: Statutory Objector
Plot Interests: 04/004

Summary of Position:
The Agency has attended a number of meetings with North Hinksey Parish Council to discuss the Scheme with them and responded to questions raised by Council members. A letter from the Parish Council on 31 March 2023 confirms that access (to the Agency) will be allowed to the Parish Council land subject to planning permission being granted.

No.	Ground of objection	Agency response
1	The land the Agency wishes to acquire (a part of Seacourt Stream) is adjacent to/part of allotments owned by North Hinksey Parish Council for the enjoyment and use of its parishioners.	The Agency understands that following clarification of the rights needed by the Agency over the Parish Council's land it has been confirmed that access will be allowed subject to planning permission being granted.
2	Should the planning application for the CPO Scheme be approved, North Hinksey Parish Council will allow the Agency and their contractors access to the land for the necessary works for the duration of the works (provided they are temporary and within reasonable agreed dates) but does not agree to give absolute title (ownership) of any part of the land to the Agency or any other body.	Please see response to 1.

Name: Oxford University Innovation Limited
Status: Statutory Objector
Plot Interests: 03/001, 03/003, 03/025, 03/25x, 03/027, 03/031, 03/032, 03/033, 03/036

Summary of Position:
We have been in contact with Oxford University Innovation Limited (OUIL), tenants at Buxton Court, since August 2022 when heads of terms were first issued. Several virtual meetings have since taken place to establish and address their concerns. The most recent meeting on 5 July

2023 involved our contractor, VBA, giving a detailed breakdown of our proposed works sequence on their land. Whilst we still await a formal response to the presentation, we remain in correspondence with OUIL to address the other issues and progress terms for an agreement.

No.	Ground of objection	Agency response
1	The Agency has specified that it requires the car park area for a period of five years, however, it advised the University of Oxford, Oxford University Innovation Limited (OUI) and the freeholder that the works will only take fifteen months.	The Agency has previously discussed with OUI that this is the standard approach across the project. This does not mean the Agency need to, or intend to, occupy the car park at Buxton Court for any longer than is necessary. The Agency has confirmed that the removal and subsequent construction of the new footbridge at West Way to take approximately 15 months.
2	It is unclear what use the Agency intend to use the car park for, as the remaining 45 months are not accounted for, and also therefore what disruption may be caused by the Agency's use.	Please see response to 1. The 5-year period does not reflect the duration of the proposed works at Buxton Court. It simply sets out to provide the Agency with security to deliver the CPO Scheme and flexibility when programming the works. The Agency will not remain in occupation of Buxton Court land any longer than necessary.
3	The Agency has said it will arrange for alternative car parking at the local park and ride or a local retail store, however, nothing has yet been agreed with OUI, or confirmed by the Agency and OUI cannot accept this position of uncertainty. The Agency has also not yet confirmed the location of any alternative disabled car parking with easy access to Buxton Court.	In respect of replacement car parking, the Agency has been working to resolve this issue and provide alternative car parking.
4	It is understood that the Agency has now advised OUI that they have agreed in principle that the park and ride can be used as alternative car parking, however, this is caveated, in that there is no formal agreement in place for the designation/exclusive use of an equivalent number of car parking spaces for the period of the proposed works. This is unacceptable to OUI and its sub-under tenants, who would need at the very least to be guaranteed that the same amount of exclusive parking spaces would always be available as they currently have at Buxton Court. The CPO Scheme is set to begin at the	Please see response to 3. The earliest start date for the CPO Scheme is late 2024 due to the CPO inquiry process so any overlap between the two projects is unlikely given that closure for the Network Rail project is only likely to be until October 2024.

	same time as Botley Road is closed by Network Rail, increasing the demand on the Seacourt Park & Ride, therefore exclusive parking is required.	
5	<p>This situation is unacceptable for the occupiers of the building as no attempt has been made by the Agency to discuss shorter time scales for the use of the car park, the location and size of alternative car parking and the provision of alternative disabled car parking spaces.</p>	<p>Please see responses to 1 and 2.</p> <p>The works required in the region of Seacourt Stream are complex and heavily constrained by the physical characteristics of the site, particularly the presence of Minns Business Park, the existing watercourse, and National Grid overhead powerlines. The Agency's contractor has confirmed that works cannot be completed from a different location and can only offer limited flexibility in respect of the use of the Buxton Court car park, without compromising on the Agency's ability to deliver the CPO Scheme.</p> <p>The Agency has explained that the temporary works area extent is necessary to facilitate the safe operation of the crane, when oversailing the car park to undertake the proposed footbridge works. The Agency cannot commit to a lesser timescale or a smaller temporary works area, but the Agency intend to undertake the main bridge replacement works during evenings and weekends, where possible, to offset the impact of the works.</p>
6	<p>OUI's main concerns, in respect of the CPO Scheme, are:</p> <ul style="list-style-type: none"> - Crane <ul style="list-style-type: none"> o 450t crane proposed to remove a foot bridge seems excessive. o There is a culvert running perpendicular to the stream below the car park. It is unknown if the culvert can withstand a 450t crane. o Plate bearing tests were undertaken several years ago. It is unknown if this accounted for 450t crane. - Site Use <ul style="list-style-type: none"> o The site would be for crane/machinery and 'day materials storage'. o No official response stating that the car park would not be used 	<p>The Agency note the concerns raised and will review them with the Agency's contractors. The Agency and OUI have been in discussions the main concerns flagged have not been raised previously. The Agency will continue to engage with OUI and other Buxton Court parties to agree mitigations, where possible to minimise the impacts of the CPO Scheme.</p>

	<p>as a contractor car park or long-term materials storage yard.</p> <ul style="list-style-type: none"> - Operational Impacts <ul style="list-style-type: none"> o Creates issues for disabled staff, staff with mobility issues that are not classed as disabled and staff with childcare responsibilities. o Causes a significant disruption to the business as visitors will be unable to visit easily or conveniently. o OUI has contractual obligations to two sub-under tenants. Without alternative parking there are financial implications for OUI. o Cyclists are unable to access the areas of the car park where cycle storage is located. o Access to bin storage will be impeded and waste disposal contractors will be unable to access the waste. This will create either waste disposal and/or health issues or force the bins to be stored roadside, potentially creating additional issues. o Car security: OUI provides CCTV in the exclusive staff car park and has a security service that patrols regularly (including overnight). Alternative parking will not provide this function. o Staff regularly leave their vehicles in the staff car park overnight when attending work related events. This will no longer be possible and thus a financial impact on the business to provide secure overnight parking. - Environmental Factors 	
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	<ul style="list-style-type: none"> ○ Dust/dirt: Whilst Buxton Court is air conditioned, as an environmentally conscious company OUI prefer to reduce the use of the system and utilise windows when possible; this will not be possible due to dust during the works and therefore increase our energy consumption costs. ○ Fifteen months of work on the streambank is likely to create a significant amount of mud/dirt that could be tracked into the building by pedestrians. Keeping the site clean would help reduce/eliminate this (vehicles driving in/out likely to muddy the roads, pedestrians walking through it bring it into the building) ○ Noise: OUI understand piling works will take place from Richer Sounds (neighbouring business); however, this is expected to cause significant noise and no accommodation or notice of this has been provided to OUI. OUI staff work onsite regularly and are often on video calls with customers – significant noise will mean that they cannot do their job if working at Buxton Court, essentially making the site useless for our needs. ○ Number of Noisy days/schedule of such is required to ensure that meetings can be organised at other times and locations which will result in additional costs to OUI. 	
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	<ul style="list-style-type: none"> ○ Vibration: Piling works could cause significant vibrations to the building, potentially damaging to the building infrastructure and causing disruption to OUI operations. Any damage caused by vibrations would need to be repaired rapidly by the Agency to ensure continued operations. 	
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Name: University of Oxford

Status: Statutory Objector

Plot Interests: 01/005, 01/006, 01/007, 01/008, 01/009, 01/010, 01/011, 01/012, 03/001, 03/003, 03/025, , 03/025x, 03/027, 03/031, 03/032, 03/033, 03/036, 13/001, 13/001a, 13/002, 13/002a, 13/003, 13/003a, 13/004, 13/004a, 13/005, 13/005a, 13/006, 13/006a, 13/007, 13/007a, 13/008, 13/008a, 13/009, 13/009a, 13/010, 13/010a, 13/011, 13/012, 13/014, 13/014a, 13/016, 13/016a, 13/017, 13/017a, 13/018, 13/018a, 13/019, 13/019a, 13/020, 13/020a, 13/021, 13/021a, 13/022, 13/022a, 14/019, 14/021, 14/022, 14/023, 14/030, 14/031

Summary of Position:

The Agency issued terms for an agreement with the University of Oxford at the beginning of September 2022. The University of Oxford are project partners and supporters of the project, but as landowners have raised specific concerns in so far as the Scheme impacts their landholdings and property interests. Discussions on all points are ongoing and progressing well, although we do not expect to resolve the Open Space issue at Kennington Pools for the reason noted below.

No.	Ground of objection	Agency response
1	The University has three separate locations affected by the CPO Scheme and the University has objections in respect of all three areas. To the extent that the CPO Scheme and proposed acquisition of rights under the Order affect land in which University IT infrastructure is located, the University is also concerned to ensure that no disruption is caused to its critical fibre network which provides internet access throughout the University. This is a private network and may or may not be shown on public utility plans/records.	The University of Oxford have not previously raised this issue. Plans for private utility apparatus over land which is impacted by the CPO Scheme has been requested so they can be reviewed.
2	The Agency has not been able to advise the University of the status of the Kennington Pools site. The status of the Kennington Pools land has a bearing on the extent of the land required at Egrove Park, if any.	The Agency previously confirmed that it has not been possible to determine whether the Order Land at Kennington Pools is open space land in accordance with section 19 of the Acquisition of Land Act 1981. Open space is defined as land which is 'laid out and used as a public garden' or actually 'used for the purposes of public recreation'.

		<p>The Vale of White Horse District Council, as landowner, have not been able to advise whether they consider the area to be open space land or not. However, their Countryside Officer has confirmed previous community involvement at the site.</p> <p>Kennington Pools is an area of dense and mostly inaccessible woodland, surrounding what is understood to be old gravel workings which have now become pools. Access is taken from the A423 slip road via a narrow single file earth track which leads onto a section of gravel path and timber walkways. We assume these were installed as part of the community involvement noted above. The area is now largely overgrown and difficult to use with no maintenance evident.</p> <p>We have conducted three separate visitor surveys of the site. A very small number of infrequent visitors have been recorded. It is not clear to us if such a low level of use provides clear evidence for the land to be regarded as open space land or not.</p> <p>The Order Land at Kennington Pools has been identified as potential open space land as it is not possible to conclude with any certainty whether or not it is open space land. Consequently, we have taken a precautionary approach, and provision of corresponding Exchange Land is made within the CPO, in case the Secretary of State concludes that it is open space land.</p>
3	<p>The Agency informed the University that the requirement for land at Egrove was dependant on whether other land deemed “public space” in the context of the CPO requires replacing by virtue of being acquired by way of a CPO. If agreements were reached with relevant landowners then Egrove land would not be required for the CPO Scheme as agreements with other landowners would fulfil the CPO Scheme’s requirements. However, the Egrove land is still included within the Order Land and, to the University’s knowledge, no agreements have been concluded with these other landowners.</p>	<p>The Agency confirms that negotiations are taking place with the known owners of Kendall Copse, Oxford City Council and Oxfordshire County Council. The Agency expects to reach agreement with both Councils, but at present neither agreement has been completed.</p> <p>In addition, a small area of Kendall Copse (CPO Plot 11/064) is unregistered, and the Agency has been unable to identify the owner.</p>
4	<p>The Agency has not demonstrated that Egrove is the most suitable site to meet the exchange land requirements, if indeed these are needed. The University requested that the Agency</p>	<p>The Agency delivered two copies of the Open Space and Exchange Land Report to your offices on 21 March 2023.</p>

	<p>provide it with a copy of the OFAS Open Space Report so that the University could understand what alternative sites have been considered by the Agency. The Open Space Report has only now just been received and the University has not been afforded sufficient time to review in advance of the deadline for submission of the objection.</p>	
5	<p>The Agency has a requirement for use of the car park and external access areas at Buxton Court for the siting of a crane for the lifting of a replacement bridge together with other works. The Agency has advised the University that it requires the car park area for a period of five years, however, it advised the University and the freeholder that the works will only take fifteen months. This is unacceptable to the University and OUI. The Agency has said it will arrange for alternative car parking at the local park and ride or a local retail store, however, nothing has yet been agreed with OUI, or confirmed by the Agency and the University cannot accept this position of uncertainty. The Agency has also not yet confirmed the location of any alternative disabled car parking with easy access to Buxton Court.</p>	<p>The Agency does not need to, or intend to, occupy the car park at Buxton Court for any longer than is necessary. The Agency expects the removal and subsequent construction of the new footbridge at West Way to take approximately 15 months.</p>
6	<p>It is understood that the Agency has now advised OUI that they have agreed in principle that the park and ride can be used as alternative car parking, however, this is caveated, in that there is no formal agreement in place for the designation/exclusive use of an equivalent number of car parking spaces for the period of the proposed works. This is unacceptable to the University and its tenant and sub-tenants, who would need at the very least to be guaranteed that the same amount of exclusive parking spaces would always be available as they currently have at Buxton Court.</p>	<p>In respect of replacement car parking, the Agency has been working to resolve this issue and provide alternative car parking.</p>
7	<p>The car parking situation is unacceptable for the occupiers of the building as no attempt has been made by the Agency to discuss shorter time scales for the use of the car park, the location and size of alternative car parking and the provision of alternative disabled car parking spaces.</p>	<p>The works required in the region of Seacourt Stream are complex and are heavily constrained by the physical characteristics of the site, particularly the presence of Minns Business Park, the existing watercourse, and National Grid overhead powerlines. The Agency's contractor has confirmed that the Agency are unable to complete the works from a different location and can only offer limited</p>

		<p>flexibility in respect of the use of the Buxton Court car park, without compromising on the Agency's ability to deliver the CPO Scheme.</p> <p>The Agency has explained on several occasions, the temporary works area extent is necessary to facilitate the safe operation of the crane, when oversailing the car park to undertake the proposed footbridge works. Whilst the Agency cannot commit to a lesser timescale or a smaller temporary works area, the Agency has shared the intention to undertake the main bridge replacement works during evenings and weekends, where possible, to offset the impact of the works.</p>
8	<p>The land at Tilbury Farm is agricultural land and although the University is happy to discuss the use of the land as part of the CPO Scheme, discussions are not yet concluded. The University does not accept the current land take proposals which would leave the University with land which is rendered unusable as a result of the land the Agency currently propose to acquire under the Order. The University is currently awaiting additional information from the Agency so that it can consider the proposals further.</p>	<p>The Agency are only able to acquire the land necessary to construct and maintain the CPO Scheme. The proposed works at Tilbury Farm include the construction of a new permanent access track off the A420 West Way. This will result in a small area of land, lying to the south of the new access track (around the National Grid pylon), being severed from the wider agricultural parcel, which lies to the north of the new proposed access. As part of the Order, access rights over the new access track were included, to allow the University of Oxford continued access to the severed area, in order that they can continue to use it.</p>

<p>Name: The Master, Fellows and Scholars of Pembroke College</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 08/008, 14/019, 14/024, 14/024, 14/025, 14/026, 14/026, 14/027, 14/028, 14/029, 14/034, 14/036, 14/037, 14/038, 14/041, 14/042, 14/044</p>		
<p>Summary of Position:</p> <p>The Agency have been engaging in agreement discussions with the College since May 2022 and continue to work with the College to help mitigate the impacts of the scheme on their aspirations to return the land to lowland meadow. The Agency have reviewed their requirements for the proposed alignment of the temporary access and are working to provide the College with revised agreement terms comprising a lesser area needed for temporary works. The Agency propose to restore the remaining land required temporarily to lowland meadow on completion of the Scheme.</p>		
No.	Ground of objection	Agency response

1	<p>The site is currently used for biological research and to support the College's wider biological strategy to deliver biodiversity net gain, which has established and emerging protection in planning policy terms at local and national levels in both biodiversity and green infrastructure terms.</p> <p>The CPO Scheme will adversely impact both the function of the site as a valuable contributor to biodiversity within the City and established green infrastructure.</p>	<p>The Agency are supportive of the College's current use of the site for biological research and potential to deliver biodiversity net gain. The use of the field for the purposes of the CPO Scheme is temporary, and the land will be handed back to College once the access to the rail sidings is no longer required. The Agency are keen to work with the College to achieve their biodiversity aspirations.</p>
2	<p>The College has limited access to external and open space. The College is based within the heart of Oxford City Centre and the only available land is made up of the sports fields and associated land adjacent to Hinksey Stream. A significant part of this land is used by the College for the use of a sports facility hosting tennis, cricket and rugby pitches.</p> <p>The land to the west and south of the sports grounds are used by the College for Biological research and to support its biodiversity objectives. It is the only land available to the College for such purposes.</p> <p>The College is committed to increasing biodiversity and is aware of the potential of the site to become a biodiverse lowland meadow. The site is already significant in terms of biodiversity. A recent biological study found rare species on the site.</p>	<p>The Agency would be interested to understand more about the research projects mentioned by the College, which have been carried out on the field to date. The temporary use of part of the field as an access track would not preclude the use of this area for scientific research in the future. In fact, there are many exciting opportunities for biological research across the whole of the CPO Scheme in terms of wetland habitat development, floodplain meadow creation/restoration and biodiversity net gain, and the Agency would be more than happy to discuss these 'living laboratory' opportunities with the College's biology department, especially if the two small fields to the south and west of the sports ground are the only land that is available for students to research during their time at Pembroke College.</p>
3	<p>The site forms part of the Network Enhancement Zone 1 identified within the Oxford City Council (OCC) Green Infrastructure Study 2022 (the GIS), drawn from Natural England's Habitat Network Mapping.</p> <p>Noting this identified contribution to biodiversity, green infrastructure and climate change adaptation, the current operation and function of the Site is underscored in local policy within adopted Policies G1 and G2 of the Local Plan 2016-2036 and further within emerging Policies G1 and G5 of the emerging Local Plan 2040.</p> <p>The policy framework support extends</p>	<p>The planning application for the temporary access track will include an assessment of the CPO Scheme against all relevant planning policies.</p>

	<p>to national guidance with Paragraphs 174 and 180(c) of the National Planning Policy Framework providing direct guidance on the point, directing decision and policy makers to focus their minds on 'minimising impacts on and providing net gains for biodiversity'.</p> <p>As such the present function has robust current and emerging policy protection. That function is inherently sensitive to disturbance arising from construction works, and goes well beyond the description of the land as 'agricultural land' within the Order. Indeed the area proposed to be taken risks severing the City Wildlife Site identified along the eastern bank of the Hinksey Stream, possibly significantly undermining the contribution made and the value of the entirety of that site's function, a contribution and value protected by adopted policy G2 and emerging policy G5.</p>	
4	<p>There are plans to further develop the land's biodiversity, restoring it as a lowland meadow as well as adding fruit bearing trees and wild flowers, forming an orchard and wild life centre. This would enhance the contribution made by the site towards the function that has established and emerging policy support at local and national levels, and a function which is fundamentally incompatible with the rights sought under the Order, which would risk entirely undermining that present and future contribution made by the site.</p> <p>As yet the proposed mitigation is uncertain so cannot be adequately assessed, albeit the proposals relating to off-site terrestrial mitigation outlined within the published Statement of Reasons, and the CEMP and LHMP proposed within the pending planning application, is inadequate. This has been corroborated by the holding objection to the planning application currently maintained by OCC biodiversity officers. This is in the context of the particular location and function of the Site being such that any use (even temporary) of the site for operational construction works will have a negative and meaningful impact on its function.</p>	<p>The Agency's intention is to restore the site as lowland meadow once the temporary access track is removed. The Agency will be minimising the footprint of the works and therefore the ground that needs to be disturbed. Before the access track is laid, the topsoil will be carefully stripped and stored in a labelled stockpile, so that exactly the same topsoil is returned to the field once the track is removed. The subsoil under the access track will be de-compacted before the topsoil is re-laid. The Agency intend to re-seed the area with a local lowland meadow seed mix (possibly MG4 from Clattinger Meadow).</p>
5	<p>Biodiversity is integral to the College's ESG agenda. Oxford University as a</p>	<p>Detailed BNG calculations for the CPO Scheme were submitted with the planning</p>

	<p>whole has an aim to reach net zero and improve their biodiversity by 2030, the use of the land impacted by the Order will have a significant impact on the College's ability to achieving this goal. These goals are made in line with the City Council's Local Plan 2040, particularly chapters 3, 4 & 5.</p>	<p>application for the CPO Scheme. These calculations will be updated with the details for the temporary access track and submitted with the forthcoming access track planning application. The CPO Scheme and temporary access track will deliver a minimum of 10% biodiversity net gain.</p>
6	<p>The College notes that whilst the Agency claim to have undertaken the necessary biodiversity calculations for the CPO Scheme itself, the College is not aware of a similar calculation for the planning application regarding access to the Hinksey rail sidings. The College would request that such modelling is undertaken for the Agency's proposed route, and the College's proposed alternative route (through the Devil's Backbone, adjacent to the pre-existing footpath access), as part of the Planning Application for this element of the CPO Scheme.</p>	<p>The planning application Environmental Statement Addendum includes the assessment of the land for the access to the rail sidings (although a separate planning application will be submitted in due course).</p> <p>The College's proposed alternative route (through the Devil's Backbone, adjacent to the pre-existing footpath access) is not preferable because 2 bridge crossings would be required to cross the Hinksey Stream and the lakes which abut the railway land. The lakes are fairly wide and to create a safe and suitable crossing would require significant engineering to create the span including central piers to bridge across into the sidings. This would be costly and impact the wildlife in the lake. Access to the north into the rail sidings is also considered preferable for community reasons because this route would keep construction traffic at a distance from nearby villages.</p>
7	<p>The College has outstanding plans to use the land to improve biodiversity, in line with its existing function and policy protections. These plans are under development and subject to baselining activities and professional advice, which has been ongoing despite the College's inability to improve the land during to the CPO proceedings.</p> <p>Given the limited space available to the college this is the only land which can be used for this purpose</p>	<p>If the College has aspirations to increase the biodiversity on the site by managing the field as a lowland hay meadow in the future, then this very much fits in with the environmental vision of the CPO Scheme and would represent a great opportunity to extend the network of floodplain meadow and wetland habitat that the Agency are aiming to create. The most diverse floodplain meadows benefit from aftermath grazing once the hay has been cut and there may be opportunities for the Agency to help facilitate grazing on the College field.</p>
8	<p>Having highlighted the College's concerns to the Agency the College believes there has been no investigation to divert the right of access across the site, thus avoiding the impact on the biodiversity and green infrastructure function of the site, which is contrary to established public policy and interest. This is particularly pertinent given the CPO Scheme does not currently have the relevant agreement and authorisation to use the</p>	<p>The Agency has selected the most appropriate route to the sidings based on a number of factors including; health & safety, effective and efficient delivery of the works and environmental impacts.</p> <p>The planning application for the CPO Scheme is based on the removal of spoil by road. The Agency's preferred method for removing the spoil is by rail for environmental, community and efficiency reasons, but this is subject to obtaining</p>

	<p>railway and railway sidings to remove the spoil from the CPO Scheme. Other routes should be investigated to remove the soil via the railway in the event the CPO Scheme obtains permission, for example to the south of the College's land. Other routes not including the railway should also be considered.</p>	<p>separate permissions as well as reaching commercial agreement with a rail operator. The Agency will be submitting the planning application for access to the rail sidings to Oxfordshire County Council in due course.</p>
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<p>Name: Richer & Richer Sounds Status: Statutory Objector Plot Interests: 03/006, 03/007, 03/008, 03/009, 03/010, 03/011, 03/012, 03/013, 03/014</p>		
<p>Summary of Position: The Agency have been in discussions with Julian Richer and Richer Sounds since January 2022, when heads of terms were first issued. Communications to date have included a site meeting in November 2022, to identify practical issues, followed by a revised Agency proposal to deal with their concerns. Agreement negotiations are progressing well and the Agency currently await response to a revised mitigation proposal returned to their legal representative on 6 July 2023.</p>		
No.	Ground of objection	Agency response
1	<p>The Agency has failed to assess the impact of the proposal's on land owned by Richer Sounds and land it has interests over.</p> <p>The Agency has failed to consider alternative proposals generally.</p> <p>The Agency has failed to consider all alternative proposals put forward.</p> <p>The CPO Scheme will cause the unnecessary extinguishment of Richer Sound's business.</p>	<p>The Agency are aware that the CPO Scheme will have an impact on the property and the commercial business which operates from it. The Agency has been in active discussions with Richer Sounds and its representatives so that practical mitigations could be sought and offered.</p> <p>The Agency does not accept that there has been a failure to consider alternative proposals. The property is a small, unique site, and the Agency are therefore heavily constrained in respect of the works alternatives available.</p> <p>The Agency has considered the alternative mitigation proposal: the demolition of the old pub store structure, which would make way for an additional parking area and the installation of a new main store access, located on the western side of the property. Whilst this was not an unreasonable proposal for mitigating the purported impacts of the Agency's works on Richer Sounds, the Agency wished to explore other options available in the first instance. As such, the Agency made a counter-proposal in discussions with Richer Sounds' representatives.</p>

		<p>The physical constraints posed by the property greatly limit the extent to which the Agency can be flexible. The contractor has identified the works area required to safely undertake the CPO Scheme and, whilst the Agency are cognisant that the works will have a negative impact on Richer Sounds while they take place, the Agency believe these impacts can be controlled and mitigated, to enable Richer Sounds to remain open for business. The Agency therefore do not accept that the works will result in the “unnecessary extinguishment” of Richer Sounds.</p>
2	<p>The Agency does not have planning permission for the CPO Scheme and cannot demonstrate that there is no planning impediment to the delivery of the CPO Scheme.</p>	<p>The planning application has been submitted to Oxfordshire County Council for consideration. Planning is a separate regulatory regime to the CPO. Oxfordshire County Council will consider all material planning considerations when determining the planning application.</p> <p>The Agency does not consider that there are any impediments to the CPO Scheme, and there are no obvious reasons why planning permission would be withheld.</p>
3	<p>The acquisition of rights and permanent acquisition of land will result in the retail operation not being capable of operating, having to close and coming to an end in this location if the CPO is confirmed.</p>	<p>None of the rights the Agency are seeking will result in long term impacts on Richer Sounds’ retail operations. Once the works are complete, the land taken as temporary works area will be immediately returned to Richer Sounds, for their continued use and enjoyment.</p> <p>The Agency continues to engage with Richer Sounds so that appropriate mitigations are agreed between parties.</p>
4	<p>Alternative land has been offered to the Agency so that the business can continue whilst the CPO Scheme is delivered. However, this has been refused because the planning application does not include these proposals. The Agency has failed to consider alternatives to the compulsory acquisition of Richer Sound’s land generally and has failed to consider properly alternatives put forward.</p>	<p>Please see response to 1.</p>
5	<p>The Agency must engage in a meaningful way so as to ensure Richer Sound’s business can continue to operate.</p>	<p>The Agency and Richer Sounds have been in active negotiations in order to reach an agreed position. The Agency are cognisant of its responsibility to engage</p>

		throughout the CPO process and the Agency will continue to do so.
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Name: Sackville UK Property Select III Nominee (3) Limited and Sackville UK Property Select III Nominee (4) Limited

Status: Statutory Objector

Plot Interests: 01/040, 01/041, 01/042, 01/043, 01/044, 01/045, 01/046, 01/047, 01/049, 01/050, 01/051, 01/052, 01/053

Summary of Position:

Sackville have only recently acquired New Barclay House as an investment opportunity. Agreement discussions are ongoing with terms first put forwards to the owner in February 2022. A site meeting was held on 18 July 2023 to discuss the alignment of the flood defence at the northern end of the site.

No.	Ground of objection	Agency response
1	<p>The Agency has refused to reimburse Sackville's reasonable fees by placing an unreasonably low cap on them. The Agency are not placing a flood defence across a field, they are potentially significantly interfering with an existing commercial site with development potential which needs considerable thought in terms of planning, valuation and compensation, client involvement and legal input. Their suggestion of a cap of £160 per hour is unacceptable in the circumstances and highlights the lack of engagement to understand the impacts and prohibits Sackville's ability to receive independent expert advice.</p> <p>There has been a failure to consider each site on its merits and it appears no consideration has been given to the fact that the site is a commercial premises in the city of Oxford which the owners have acquired with the aspirations of redeveloping. Sackville should be entitled to receive and recover the cost of the expert advice required for such a site.</p> <p>Furthermore, attempts to reach an agreement swiftly have been hamstrung by delayed responses and a lack of clear information on the impacts of the CPO Scheme on the site to date. For example, although discussions have been ongoing since August 2022, all discussions to date remain subject to Agency approval preventing Sackville from moving forward with those discussions.</p>	<p>Detailed consideration of fees payable for wider advice and assistance is a matter of compensation, which is for consideration at the Upper Tribunal (Lands Chamber).</p> <p>In relation to agents' fees, the Guidance requires that the acquiring authority, where appropriate, give consideration to funding landowners' reasonable costs of negotiation or other costs and expenses likely to be incurred in advance of the process of acquisition. In short terms, the Agency does not consider that the costs asserted to date are reasonable.</p> <p>The Agency considers this is not a complex matter requiring specialist advice. The reasonable cost of negotiation would include instructing local agents up to the rate offered of £180/hr, which the Agency considers to be commensurate with the level of work that is required. This rate has been agreed with the majority of agents acting on behalf of commercial property owners.</p> <p>The Agency considers that there has been active engagement and responses have been provided in a timely manner in accordance with relevant guidance. The Agency considers that queries and concerns have been addressed via ongoing engagement including emails, Teams meetings and telephone calls, during which the impacts of the CPO Scheme have been specifically relayed and discussed. The Agency's land agents required instruction from the Agency as client and input on technical points from the project team. It is standard for the</p>

		Agency to sign off on agreements before they are entered into.
2	<p>The Agency has failed to consider appropriate alternative options for the design and location of the flood defence structure to mitigate Sackville's loss. The current proposal (which permanently acquires the kerb and access to the north of the site) unnecessarily sterilise a large portion of the northern part of the site which has been acquired for its development potential. An alternative solution has been submitted that would resolve these issues. This realignment would mitigate Sackville's loss and enable them to maximise the future development of the site.</p>	<p>In developing the CPO Scheme, the Agency has looked to not take more land than is necessary, and to follow the requirements of the National Planning Policy Framework and Planning Practice Guidance, by minimising the loss of existing floodplain. If the Agency move away from this fundamental premise, this would run counter to advice we have given on other developments.</p> <p>At New Barclay House this has meant following the existing higher ground, and this is reflected in the planning application and the Order.</p> <p>Furthermore, the Agency cannot be seen to be enabling development as part of the schemes they provide. As such, the Agency are only able to consider existing developments when designing schemes, and not the future aspirations of third parties. Hence, the Agency are unable to agree to Savills' alternative flood defence design proposal.</p> <p>The land in question is located in flood zone 3, further compromising any re-development opportunities.</p>
3	<p>The Order impacts Sackville in two ways.</p> <p>The Order Land is excessive and can be redesigned to have a lesser impact on Sackville's land, or, be moved entirely off Sackville's land to minimise the disruption caused by the CPO Scheme.</p> <p>The construction of the CPO Scheme is due to start in 2025 for a period of between five and seven years. This is completely unacceptable given that the temporary works area would block the main access point to the north of the site for the duration of the construction period. This would detrimentally impact Sackville's ability to develop the site until 2030 at the earliest. Even in world where Sackville had no intention of redeveloping the site, the duration of the construction period would materially impact the current occupiers ability to access the site via the main entrance to the north. No information or detail has</p>	<p>Please see response 2.</p> <p>Subject to statutory approvals, the earliest date that work might start is late 2024. The Agency expect that it will take up to five years to construct the CPO Scheme, but this does not mean the Agency need to, or intend to, occupy land any longer than necessary.</p> <p>The Agency's current indicative works programme suggests the works at New Barclay House are to be completed early in the overall programme. The flood kerbs and ramp should take approximately 6 weeks to complete, with the ramp taking up to 5 days. The piling along the northern boundary will take 3 days to install followed by a week to clad. Piling to the eastern boundary will be undertaken from the Seacourt Park and Ride car park.</p>

	been provided to our client to help it understand the extent of the impact.	
4	The Agency typically work in a rural environment as does their advisor on the CPO Scheme which is reflected in wording proposed in negotiations.	Wording specific to agriculture has been removed from the heads of terms.

<p>Name: Southern Gas Networks PLC</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 01/001; 01/002; 01/003; 01/004; 01/005; 01/006; 01/007; 01/008; 01/033; 01/034; 01/035; 01/039; 01/040; 01/041; 01/042; 01/062; 01/072; 02/001; 02/002; 02/003; 02/004; 02/009; 02/037; 02/065; 02/082; 03/001; 03/002; 03/003; 03/004; 03/005; 03/006; 03/015; 03/016; 03/018; 03/020; 03/021; 03/023; 03/025x; 03/045; 03/048; 03/049; 03/051; 03/052; 03/056; 03/057; 03/070; 03/070a; 03/072; 03/072a; 03/073; 03/073a; 03/075; 03/076; 03/077; 03/078; 04/006; 04/015; 04/016; 04/018; 04/019; 04/020; 04/022; 04/026; 04/033; 04/034; 04/043; 04/044; 04/045; 04/049; 04/050; 04/051; 05/001; 05/002; 05/003; 05/004; 05/005; 05/006; 05/007; 05/008; 05/009; 05/012; 05/013; 05/014; 05/020; 05/025; 05/026; 05/027; 05/028; 05/029; 05/030; 05/031; 05/043; 05/055; 05/064; 05/065; 05/066; 05/067; 05/068; 05/070; 05/071; 05/075; 05/076; 05/080; 05/084; 05/087; 05/088; 05/091; 05/092; 05/093; 05/096; 05/097; 06/002; 06/003; 06/004; 06/005; 06/006; 06/007; 06/011; 06/012; 06/020; 06/021; 06/037; 06/046; 07/001; 07/002; 07/003; 07/008; 07/009; 08/002; 08/003; 08/005; 08/006; 08/007; 08/008; 08/009; 09/001; 09/002; 09/003; 09/004; 09/005; 09/014; 09/016; 09/018; 09/020; 09/021; 09/022; 09/025; 09/028; 09/029; 09/030; 09/032; 09/033; 09/034; 09/036; 09/037; 09/038; 10/004; 10/006; 10/007; 10/008; 10/013; 10/014; 10/015; 10/016; 10/018; 10/020; 10/021; 10/022; 10/024; 10/026; 10/027; 10/028; 10/031; 10/035; 10/036; 10/037; 10/050; 10/051; 10/054; 10/056; 10/063; 10/065; 10/067; 10/068; 10/069; 10/071; 10/072; 10/073; 10/076; 10/077; 10/079; 10/080; 10/081; 10/083; 10/084; 10/085; 10/086; 10/087; 10/088; 10/090; 10/091; 10/092; 10/093; 10/094; 11/002; 11/003; 11/013; 11/019; 11/020; 11/021; 11/028; 11/029; 11/032; 11/035; 11/039; 11/040; 11/042; 11/043; 11/044; 11/045; 11/046; 11/047; 11/050; 11/051; 11/052; 11/055; 11/056; 11/057; 11/058; 11/059; 11/061; 11/062; 11/063; 11/065; 11/066; 11/067; 11/068; 11/069; 11/076; 11/078; 11/082; 11/083; 11/084; 11/087; 11/101; 11/106; 11/126; 12/005; 12/012; 12/013; 12/014; 12/023; 12/024; 12/037; 12/038; 12/039; 12/040; 12/063; 12/064; 12/065; 13/021x; 13/023; 13/024; 13/031; 13/032; 13/035; 13/036; 13/037; 13/038; 13/039; 13/042; 13/046; 13/051; 13/053; 13/055a; 13/055b; 13/056a; 13/056b; 13/061; 13/065; 13/069; 13/070; 13/073; 13/074; 13/079; 13/099; 13/104; 13/105; 13/106; 14/001; 14/002; 14/006; 14/007; 14/013; 14/019; 14/021; 14/022; 14/023; 14/030; 14/031; 14/032; 14/033; 14/034; 14/035; 14/036; 14/037; 14/038; 14/041; 14/042; 14/044; 15/001; 15/002; 15/006; 15/010; 15/012; 15/013; 15/014; 15/014a; 15/014b; 15/016; 15/016a; 15/016b; 15/017; 15/018; 15/019; 15/019a; 15/020; 15/021; 15/026; 15/028; 15/034; 15/036; 15/038; 15/039; 15/041; 15/042; 15/043; 15/045; 15/046; 15/047; 16/024; 16/025; 16/026</p>				
<p>Summary of Position:</p> <p>The Agency have an Asset Protection Agreement in place with Southern Gas Networks PLC and they have formally withdrawn their objection.</p>				
No.	Ground of objection	Agency response		
1	Southern Gas Networks (SGN) wishes to protect its position in light of existing apparatus which is both within, and in the vicinity of, the Order Land until an Asset Protection Agreement has been	The Agency understands and appreciates the need for an Asset Protection Agreement to ensure that SGN's interest and apparatus are not impacted by the CPO Scheme. Discussions on the		

	completed. SGN's rights to retain its infrastructure in situ and rights of access to inspect, repair and renew such apparatus within the Order Land must be maintained at all times and access must not be restricted.	agreement are well advanced and the Agency hopes this will be agreed soon.
2	SGN's operational land will be adversely affected by the proposed acquisition of rights, which will have a serious detriment to the carrying on of SGN's undertaking.	The Agency will be acquiring rights where SGN holds operational rights. Where the Order proposes to acquire land that contains easements and other mechanisms associated with SGNs operations the Agency will ensure that all existing rights are re-granted.

<p>Name: Stark Building Materials UK Ltd</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 03/067, 03/067a, 03/068, 03/068a, 03/068b, 03/069, 03069a, 03/069b, 03/070, 03/070a, 03/071, 03/071a</p>		
<p>Summary of Position:</p> <p>The Agency are in discussions with Stark for the acquisition of land required for the CPO scheme and have sought to address their questions on the compelling case and grounds for the CPO.</p>		
No.	Ground of objection	Agency response
1	Stark Building Materials (SBM) UK Ltd is willing and able to dispose of its interest in the Property to the Agency by private treaty although agreement of terms has not been reached.	The Agency acknowledges that SBM UK Ltd is willing and able to dispose of its interest in the Property to the Agency by private treaty and the Agency will continue to discuss this with SBM UK Ltd.
2	The Agency has not demonstrated that there is a sufficiently compelling case in the public interest to justify interfering with SBM UK Ltd's rights under the European Convention on Human Rights.	<p>The CPO Scheme significantly reduces flooding to all properties at risk from the River Thames.</p> <p>The CPO Scheme would have prevented the flooding seen in all recent flood events and the associated misery, stress and financial costs. The evidence summarised in the Statement of Reasons clearly supports option 6 and is a compelling case.</p>
3	There are no compelling grounds for the Order to be confirmed to enable the compulsory acquisition of the Property.	The Agency's justification for the Order and the CPO Scheme is included in the Statement of Reasons and Statement of Case.

<p>Name: Travelodge Hotels Limited</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 11/107</p>		
<p>Summary of Position:</p> <p>The CPO scheme requires the shared use, on a temporary basis, of the private road that Travelodge use to access their Hotel. The CPO scheme's use will be for contractor access and this use will be alongside that of the Hotel and adjoining Park & Ride users. The plot will not be fenced off in any way.</p> <p>The Agency issued Travelodge draft terms for a simple works licence agreement in August 2022. Agreeing agents fees has held up progressing an agreement. The Agency has sort to be flexible in it's approach to agent's fees, offering hourly rates or alternatively a two staged fixed fee. The Agency is continuing to seek to progress to an agreement.</p>		
No.	Ground of objection	Agency response
1	<p>There is no case for part of the Objector's Property (Plot 11-107) comprising access road and pavement to be included within the Order.</p> <p><u>The Agency has failed to demonstrate that the acquisition of rights is necessary. There is an alternative access road (Plots 11/108 and 11/109) included within the Order which would allow for the Objector's Property to be removed from the Order. The works compound proposed at the Property could be located within the main works compound within the Redbridge Park and Ride.</u></p>	<p>The acquisition of plot 11/107 for temporary working area is necessary as plot 11/108 is not sufficiently wide enough on its own to access Redbridge Park & Ride. It is also necessary to acquire plots 11/109 and 11/110 so our Contractor can access/egress from Redbridge Park & Ride as per the current entrance/exit system, see attached plan 20230524_OFAS_Redbrdige PR OAR Entrance_Exit. Our Contractor will follow the same entrance/exit system as is currently operated from Old Abingdon Road.</p>
2	<p>The Objector is concerned about the impact of the construction of the CPO Scheme and its impact on the hotel business.</p> <p><u>The Objector is concerned with the disruption caused by the acquisition of rights over the Property to service the wider construction compound within the Redbridge Park and Ride. The construction of the CPO Scheme is likely to have a negative impact on business activity. Access from Abingdon Road is likely to become congested, with road closures considered. The impact of this disruption is anticipated to negatively impact customers / staff resulting in business disturbance and reputational damage.</u></p> <p><u>Working hours for the construction of the Scheme are also a cause for concern. This provides the ability to</u></p>	<p>The main compound in Redbridge P&R will be contained at the very southern end of the car park, a distance away from the Travelodge Hotel. Only access and egress of construction vehicles will be via plots 11/107, 11/108, 11/109 and 11/110 which are closest to the Hotel.</p> <p>Access into the compound from Abingdon Road will be limited to light vehicles only to reduce congestion.</p> <p>Old Abingdon Road and Kennington Road will each be closed for a period whilst road bridges are installed to enable the flood channel to pass under the roads. The mitigation to reduce traffic congestion on the local road network is a temporary road diversion through Kendal Copse West. Traffic congestion as a result of these works is therefore anticipated to be minimal and will not impact Hotel customers or staff.</p>

	<p><u>cause business disruption throughout the business day causing most impact to customers and staff.</u></p>	<p>The number of HGV's using the Redbridge P&R access via Old Abingdon Road will be minimal and the disruption caused will be no greater than that caused by coaches accessing via the same route.</p> <p>Working hours are a planning matter which is controlled through the planning regime, the proposed hours are standard construction working hours. Working hours are likely to be conditioned in an approved application.</p>
3	<p>The use of compulsory purchase powers is premature. <u>The Agency</u> has not made a meaningful attempt to acquire the interest by agreement.</p> <p>The Agency should be able to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement.</p> <p>The Objector has not had any meaningful discussions with the Agency or their representatives.</p>	<p>The use of compulsory purchase powers is not premature, and the Agency has made meaningful attempts to acquire the interest by agreement. The Government's Guidance "Compulsory purchase process and the Crichel Down Rules" recognises that if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time would be lost. The Guidance also states that undertaking negotiations in parallel with the compulsory purchase order process has a number of practical benefits. There is no bar or restriction in the Guidance which prevents an acquiring authority from undertaking negotiations to acquire by private treaty in parallel with the CPO process.</p> <p>Customer and staff access would remain as it is currently and the Agency's contractor will follow the same entrance/exit route as is currently operated from Old Abingdon Road. The Agency does not anticipate that construction traffic will be significant and therefore the impact to the Hotel will be minimal.</p> <p>The occupation at Redbridge P&R is approximately 1 year. The timing of works will be communicated once the permissions are in place. Construction works will not begin before summer 2024 and Redbridge P&R will not be required as a compound until 2026/27 (Year 3 of the construction programme).</p>

<p>Name: Waitrose Limited</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 02/011</p>
<p>Summary of Position:</p>

The Agency has sort to address Waitrose's concerns regarding access to the service yard via a site meeting in November 2022 and via the detailed response provided to the objection. The Agency has issued a draft works licence as requested by Waitrose and awaits a response.

No.	Ground of objection	Agency response
1	<p>The extent of land affected by the Order relates to the main access to the service yard for Waitrose delivery vehicles. The uninterrupted and use of this service access road is imperative for the ongoing operation of the store. Whilst the right sought is expressed to be a temporary right, the reality of the Order, if confirmed is that it would enable a permanent right to be exercised over this land. The acquisition of any right, whether temporary or permanent over the sole service yard access will severely affect the operation of the store.</p>	<p>The Agency is aware of the concerns raised by Waitrose Limited in respect of maintaining access to the Waitrose service yard. The Agency does not intend to interrupt access or operation of the store and wish to work with Waitrose Limited to ensure any impact to access is minimal.</p> <p>The Agency requires rights in this location to install a new river gauging station. The works are anticipated to take around two weeks to complete. In order to undertake the proposed works, a small number of deliveries (two expected) are required, which may temporarily stop up the entrance to the service yard.</p> <p>The Agency has sought to deal with the access concerns by offering reassurance to Waitrose in the form of a letter of intent. This captured an intention to maintain Waitrose's access to the service yard, save for the occasions when construction deliveries take place. The letter also shared the Agency's intention to liaise with the store in advance to agree suitable dates/times for deliveries, in order to mitigate the impact of the works.</p> <p>The Agency are confident that the parties can work together to avoid any unnecessary disruption to Waitrose.</p>

<p>Name: James Wynne Status: Statutory Objector Plot Interests: 06/017, 06/018</p>		
<p>Summary of Position: James Wynne has either recently negotiated (or is in the process of negotiating) a lease over land at New Hinksey for the 4th Oxford Scout Group. Discussions are ongoing.</p>		
No.	Ground of objection	Agency response
1	<p>The Order will have a significant and permanent adverse impact on a large group of young people who would otherwise use 3 acres of the Order</p>	<p>The Agency has been through a detailed appraisal process in accordance with government appraisal guidance. At each stage, the preferred option has been</p>

	<p>Land, and who would also otherwise access 150m of Hinksey Stream for a variety of valuable activities. The Order will prevent this use by a group of people sharing a protected characteristic (their age), and will adversely impact the viability of a broader range of related activities enabled by 4th Oxford Scout Group (a group of people protected under equalities legislation by reason of their age).</p>	<p>confirmed as increasing flood conveyance in the existing floodplain west of Oxford. The appraisal is summarised in both the Statement of Reasons and in the planning application. Increasing conveyance will centre around a new 2 stage channel. The channel has been carefully designed to carry water all year round in the deeper first stage, with a shallower and wider second stage that will fill with water as river levels rise. The existing floodplain remains an integral part of the overall solution and will still flood in larger flood events. The new channel has been designed to sit naturally within the existing landscape, whilst accommodating 40m³/sec during a 1% AEP flood event, hence it's overall size.</p> <p>The new first stage of the channel generally follows the lowest point of the existing floodplain with a wider shallower section either side. It is part of this second stage channel that sits within the 8 acres plot Mr Wynne is currently looking to lease. As the Agency will be materially altering the 3 acres by lowering the ground, the Agency need to acquire this land freehold under the CPO. This land will then form part of a central section of the CPO Scheme that will be managed and maintained as a single block as the Agency cannot introduce cross fencing or hedging as these may cause blockages in a flood event. The Agency's intention is to work with an environmental organisation and manage the area using cattle.</p> <p>The Agency are happy to discuss future access with you, or the Scout Group, but we would need to resolve the logistics of access into an unfenced area grazed by cattle.</p>
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<p>Name: Terry's Stone Cottage Limited</p> <p>Status: Statutory Objector</p> <p>Plot Interests: 05/050, 05/051, 05/052, 05/052a, 05/053, 05/053a, 05/054, 05/061, 05/061a</p>
<p>Summary of Position:</p> <p>The Agency engaged with Terry's Stone Cottage Ltd in respect of the 2018 CPO. An agreement was reached with their Landlord included the tenant's interest. More latterly the Agency met with Terry's Stone Cottage Ltd in February 2023 to provide an update on the scheme and to discuss any outstanding issues for to include assistance in respect of business relocation.</p>

No.	Ground of objection	Agency response
1	Terry's Stone Cottage Limited (TSC) is concerned about the impact of the construction of the CPO Scheme and its impact on the business. TSC will be displaced by the CPO Scheme.	<p>The Agency has been working with TSC to establish how to assist in locating new premises. The Agency and TSC discussed the logistics and the costs of moving premises, seeking new premises and timeframes of advance notice that will be needed.</p> <p>The Agency are committed to engaging constructively with TSC about relocation issues and providing advice and assistance in respect of relocation, insofar as this is necessary.</p>
2	The use of compulsory purchase powers is premature; the Agency has not made a meaningful attempt to acquire the interest by agreement.	The use of compulsory purchase powers is not premature, and the Agency has made meaningful attempts to acquire the interest by agreement. The Government's Guidance "Compulsory purchase process and the Crichel Down Rules" recognises that if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time would be lost. The Guidance also states that undertaking negotiations in parallel with the compulsory purchase order process has a number of practical benefits. There is no bar or restriction in the Guidance which prevents an acquiring authority from undertaking negotiations to acquire by private treaty in parallel with the CPO process.
3	TSC has not had any meaningful discussions with the Agency or their representatives and are unaware of any substantive efforts to make contact beyond an email in February 2023 and two site visits in February and March 2023.	<p>TSC is a tenant of Mid-Counties CoOp. The Agency reached terms some time ago with the CoOp, for the interests that are needed for the CPO Scheme. It was understood, and it is a standard position in compulsory acquisition, that the CoOp would deal with their tenant's interest. The Agency, therefore, did not negotiate separately or issue terms to TSC.</p> <p>The Agency first liaised with TSC in May 2018 and has been in regular contact since then. Accordingly, the Agency has made meaningful attempts to negotiate with TSC and are continuing to provide assistance on an ongoing basis.</p>
4	TSC has occupied the Property for more than 22 years and turns over in excess of £1,000,000 per annum. TSC cannot simply re-locate without significant prior planning and engagement. The impact of the CPO Scheme will have significant financial	The Agency held an informative and cooperative meeting with the Company in February 2023. At this meeting the Agency stated it is committed to assisting with relocation insofar as this is necessary. The Agency were further advised that new premises would either be purchased outright or rented ahead of

	implications on the business and its employees.	when the CPO Scheme needed the premises.
5	The Agency has not taken reasonable steps to acquire the Property by agreement nor is compulsory purchase being used as a last resort.	The Agency considers that it is reasonable to rely on a landlord to deal directly with their tenants for the interests in land that are required for the Order. However, once the Agency became aware those discussions were not completed, the Agency have engaged fully with the tenant and are taking reasonable steps to understand their current tenancy, so that the Agency may acquire the necessary property interests by agreement.

Name: The Camping and Caravanning Club
Status: Statutory Objector
Plot Interests: 11/100

Summary of Position:
The Agency have demonstrated meaningful attempts to engage with the Camping and Caravanning Club however progress on an agreement has been hindered due to the hourly fee request from the agent acting for the Camping and Caravanning Club. The Agency has sort to be flexible in it's approach to agent's fees, offering hourly rates or alternatively a two staged fixed fee. The Agency is continuing to seek to progress to an agreement..

No.	Ground of objection	Agency response
1	<p>The Order will enable the Agency to use part of the Camp Site as a temporary working area for construction.</p> <p>The Order has been made pursuant to section 154 of the Water Resources Act 1991 together with other powers under the Environment Act 1995. Neither Act provides the Agency with the power to compulsorily acquire land or new rights on a temporary basis. Despite reference to a "temporary working area", were the Order to be implemented in respect of Plot 11/100, the effect would be the permanent acquisition of the New Rights over the Camp Site.</p> <p>Use of land on an exclusive basis goes beyond what can be described as a "new right" over that land. Where the Agency require the use of land on an exclusive basis e.g. as a temporary working area, the land should properly</p>	<p>There are no specific powers available to an acquiring authority which would authorise the temporary acquisition of rights. Permanently depriving landowners of their interests in land, where rights are only required on a temporary basis, would be a disproportionate exercise of CPO powers.</p> <p>Accordingly, the Order seeks permanent rights, as this is the only legal basis on which rights can be compulsorily acquired or created. To clarify the use of those rights in practice, the body of the Order confirms that those rights will be exercised on a temporary basis only, for example, during the construction period. This follows the approach taken by the Environment Agency on the Environment Agency (Little Hadham Flood Alleviation Scheme) Compulsory Purchase Order 2017.</p>

	<p>have been included in the Order for permanent acquisition and consultation and discussions with landowners undertaken on that basis.</p> <p>The Club object to the acquisition of new rights pursuant to the Order to achieve the temporary possession of working areas on the ground that this is beyond the scope of the statutory powers available to the Agency. This is not a matter that can be retrospectively corrected via a modification to the Order. The Order is therefore fundamentally flawed.</p>	
<p>2</p>	<p>At present, the Club operates a popular and successful caravan site from the Camp Site. The business operates all year round and is well regarded for providing an attractive and peaceful setting with a riverside location and excellent transport links into Oxford.</p> <p>Plot 11/100 consists of that part of the Camp Site closest to the river edge. Plot 11/100 includes a total of approximately 30 pitches. Of the available pitches at the Camp Site, those within Plot 11/100 are considered to be the most popular and regularly booked due to the desirability of pitches directly adjacent to the river.</p> <p>The proposed works will include use of Plot 11/100 as a site compound for offices and storage, as a working area for the removal of the weir, and as a haul route for construction vehicles and dumper trucks to transfer waste material from this and other locations to a land beyond the Camp Site.</p> <p>Due to the impact of the works, it is not considered that the business will be able to continue to operate from the Site. Not only would the works result in the loss of approximately 30 very popular pitches, the works, traffic, noise and impact on landscaping and views is incompatible with use of the remainder of the site as a holiday destination, with the experience for those using the facilities falling significantly below what members expect from a site operated by the Club.</p> <p>The Club is therefore of the view that its operations would either need to close entirely, or relocate for the</p>	<p>The Agency anticipates that it will be able to work with the Club, to ensure that the Club remains open during the CPO Scheme works. Where losses of income that do arise as a direct result of the CPO Scheme works, the Club will be financially compensated.</p> <p>The Agency has set out previous examples of works where the Club remained open and operational to customers. On completion of the works, the campsite area was re-turfed and watered-in for several weeks to allow turf to establish, before being handed back to the Club and after a further period of establishment, for tent pitch use.</p> <p>The CPO Scheme works will impact the campsite in a similar way to previous works affecting the Club. The west side of the campsite, adjacent to Hinksey Stream and currently used mostly for tent pitches, will be fenced off during the works. Upon completion to the works, this area will then be reinstated using turf which will then be watered as necessary to establish, before being handed back to the Club for occupation. The duration of the CPO Scheme works in this location are expected to last 6 months, but depending on the time of year and when vegetation clearance can take place it may be longer.</p> <p>The Agency believes that the Club site will be able to remain open during the CPO Scheme works. The Agency considers that it would be appropriate for the Club to seek to mitigate its losses and remain open. The Agency believes that good communications and transparency on the camp website, advising about the CPO Scheme works before people book to visit Redbridge Camp site, will assist in managing visitor expectations. The</p>

	<p>duration of the works. Use of the Camp Site post construction would need to be considered in light of the impact on the Club's business operations of the permanent acquisition of the New Rights over Plot 11/100.</p> <p>The Club therefore object to the Order on the ground of the impact of the compulsory acquisition on the business operations of the Club.</p>	<p>Agency are happy to work with the Club on these communications. The Agency can also assist the Club further when reviewing the construction programme, to give the Club more advanced notice of the time frame for the earliest entry onto your site, so the Club will be able to give more certain visitor messaging.</p>
3	<p>The Agency has not made any offer to the Club to acquire by agreement the New Rights sought in the Order. It has therefore not made any attempt to seek to acquire the New Rights by agreement. The only negotiations proposed by the Agency relate to an option to acquire a different interest in the Camp Site to that which it seeks to compulsorily acquire.</p> <p>The Agency has not sought to engage with the Club on the impacts of the Order on its business operations and the potential for it to result in the permanent closure of the Camp Site. In particular, no attempt has been made to assist the Club with relocating its operations to an alternative site so that the business may continue.</p> <p>The Club therefore object to the Order on the basis of the EA's failure to engage in meaningful attempts to acquire the New Rights by agreement in breach of the Department for Levelling Up, Housing and Communities "Guidance on Compulsory Purchase Process and the Crichel Down Rules" of July 2019.</p>	<p>The Club has been consulted during the CPO Scheme's development and the requirements for the campsite have been discussed during this consultation. For the 2023 CPO preliminary meetings were held with the Club in June and August 2022. Terms for an agreement were issued to the Club in September 2022.</p> <p>The Agency has sought to reach agreement with the Club; however, this has been hampered by the Club's delay in appointing an agent to progress matters.</p> <p>The Agency has followed the Guidance on Compulsory Purchase Process and The Crichel Down Rules, and has made meaningful attempts to engage and progress terms with the Club.</p>
4	<p>The Statement of Reasons accompanying the Order provides a list of all those further agreements and consents required before the Agency would be in a position to implement the CPO Scheme.</p> <p>Very little detail is provided within the Statement of Reasons to explain the progress made to date in relation to each of the impediments to delivery.</p> <p>Further, there is no detail in the Statement of Reasons to confirm the date that the costs of the CPO Scheme were last assessed. Many of the funding agreements referred to in the Statement date back several years and</p>	<p>The use of compulsory purchase powers is not premature, and the Agency has made meaningful attempts to negotiate with the Club. The Government's Guidance "Compulsory purchase process and the Crichel Down Rules" recognises that if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time would be lost. The Guidance also states that undertaking negotiations in parallel with the compulsory purchase order process has a number of practical benefits. There is no bar or restriction in the Guidance which prevents an acquiring authority from undertaking negotiations in parallel with the CPO process.</p>

	<p>no details are provided as to the conditions or timing attached to those funding agreements. In particular, no assurances are provided in the Statement of Reasons that the current estimates for the cost of the CPO Scheme have been updated in light of the recent significant nationwide increases in labour and construction material costs.</p> <p>As a result, it is not certain that the CPO Scheme will be able to proceed within the statutory time limits for the exercise of compulsory purchase powers were the Order to be confirmed and implemented.</p> <p>The Club therefore object to the Order on the ground that it has been made prematurely in light of the apparent lack of certainty as to the potential for resolving the considerable number of outstanding impediments to delivery of the CPO Scheme.</p>	<p>With regards to the planning application, this has been submitted to Oxfordshire County Council and is a separate regulatory regime to the CPO. Oxfordshire County Council will consider all material planning considerations when determining the planning application. The Agency is not required to wait until planning permission is granted before making or seeking confirmation of the CPO. The Government's "Guidance on compulsory purchase and the Criche! Down Rules" acknowledges, at paragraph 15, that the acquiring authority should demonstrate in the absence of planning permission that there are no obvious reasons why it might be withheld. In the planning context, it is accepted that it is not always feasible to wait until planning permission is obtained before proceeding with a CPO. The Agency's approach in this respect falls entirely within the requirements of the law and Guidance.</p> <p>The CPO Scheme has a benefit cost ratio of 10.6 to 1 which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit:cost ratio.</p> <p>The Agency has taken steps to ensure that the CPO Scheme is costed against the current programme, taking into account government guidance on inflation and risk. The CPO Scheme will be subject to approval from HM Treasury following confirmation of the Order. Therefore, in line with government guidance the CPO Scheme is considered affordable and is fully funded.</p>
<p>Name: Axelle Jeangirard Status: Non Statutory Objector Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency sent a detailed response to Axelle Jeangirard's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply.</p>		
<p>No.</p>	<p>Ground of objection</p>	<p>Agency response</p>
<p>1</p>	<p>Losing access to the meadow for 5 years would really reduce the quality of life as used to walk dog daily.</p> <p>The paths are used every week to go to the city centre, so this would reduce access.</p>	<p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes</p>

	<p>There will be ecological damage to green spaces which won't be recoverable.</p>	<p>wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p> <p><u>Biodiversity</u></p> <p>Habitat creation and enhancement, both within the CPO Scheme area and in the surrounding Oxfordshire environment, will ensure that the Agency delivers biodiversity net gain. This means that over time, the CPO Scheme will increase the range of wildlife and the quality of the habitats in the area.</p> <p>Biodiversity enhancements will be secured by the planning process, and required by planning conditions and/or legally binding agreement(s)</p> <p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business</p>
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		<p>Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p>
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<p>Name: Sarah Ainsworth</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>
<p>Summary of Position:</p> <p>The Agency sent a detailed response to Sarah Ainsworth's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply</p>

No.	Ground of objection	Agency response
1	<p>Field are used daily for recreation and open access to the immense biodiversity in the fields is good for mental health and fitness reasons.</p> <p>Grandsons are able to walk to primary school in a safe way.</p> <p>The fields have beautiful flowers and abundant birdlife.</p>	<p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes</p>

		<p>were considered to move water reliably through and around Hinksey Meadow.</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p> <p><u>Process</u></p> <p>The Agency is not required to wait until planning permission is granted before making or seeking confirmation of the CPO. The Government's "Guidance on compulsory purchase and the Crichel Down Rules" acknowledges, at paragraph 15, that the acquiring authority should demonstrate in the absence of planning permission that there are no obvious reasons why it might be withheld. In the planning context, it is accepted that it is not always feasible to wait until planning permission is obtained before proceeding with a CPO. The Agency's approach in this respect falls entirely within the requirements of the law and Guidance.</p>
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		<p>The Agency are aware of public opinion and that representations have been made to Oxfordshire County Council as part of the planning application process. Oxfordshire County Council will take any material planning considerations into account when they determine the planning application.</p>
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Name: Julia Bray
Status: Non Statutory Objector
Plot Interests: N/A

Summary of Position:
The Agency sent a detailed response to Julia Bray's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply

No.	Ground of objection	Agency response
1	<p>Rare plant and wildlife habitat will be destroyed.</p> <p>It will cost a huge estimated sum for minimal (insufficient) protection. The adverse effects on the economy and the negative impact (direct and indirect) on human wellbeing, estimated to last for 3 to 5 years, have not been costed. It is realistic to expect that both overall costs and duration have been underestimated in the overall scheme, and parts of the overall scheme would be abandoned in the course of implementation, but only after irreversible damage has been done.</p> <p>At a time of increasing pressures on all of Oxford's growing population, the loss of amenity will affect physical and mental health not only locally but city-wide, as will pollution and traffic congestion resulting from excavation and carrying away of spoil. The impact of the extra, heavy works traffic on local transport (particularly bus services, on lines which are vital not only to locals but also to commuters) has not been assessed.</p> <p>The study of the functionality of the scheme in both the short and long term has been insufficient. There is no realistic medium to long-term planning for mitigation/compensation of loss of biodiversity and for maintenance of the flood alleviation channel and surroundings. Some of the biodiversity loss (of nationally rare MG4a grassland) is not replaceable within the stated time frame, if at all.</p>	<p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for</p>

	<p>floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p> <p><u>Climate change</u></p> <p>The latest evidence confirms that flooding in the UK will become both more frequent and more severe. The Agency has followed the latest guidance on climate change throughout the development of the CPO Scheme. The Agency use the latest UKCP18 climate projections to inform flood modelling. The Agency issued updated climate change allowances based on these in July 2021. Climate change projections over the next 50 years predict that properties will suffer more frequent damage and there is a greater likelihood of more significant widespread disruption, affecting more homes, businesses, transport links and utilities than the floods of recent decades. This is reflected in the modelling for the CPO Scheme and highlights the importance of doing something now.</p> <p><u>Natural flood management</u></p> <p>Natural flood management (NFM) such as creating wetlands and floodplain meadows, improving soil and crop management and planting trees can help retain or slow water. This can be a cost-effective and sustainable way to manage flood risk alongside traditional engineering, while creating habitat for wildlife and delivering other benefits to the ecosystem.</p> <p>Flood water can stay in Oxford for days or weeks, and standalone NFM would need to store an additional 50 million m³ of water in the existing floodplain of the</p>
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	<p>River Thames to bring the same benefits as the CPO Scheme. Flooding in Oxford occurs most commonly in winter when the ground is already saturated, which means that options which increase infiltration, such as tree planting, have limited benefits.</p> <p>There is no evidence that implementing NFM at this scale would be possible against the flood events seen in Oxford in recent years.</p> <p><u>Value for money</u></p> <p>The Agency assess viable options in accordance with Government guidance (the Flood and Coastal Erosion Risk Management Appraisal Guidance) as detailed in section 4 of the Statement of Reasons. The CPO Scheme has a benefit cost ratio of 10.6 to 1 which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit:cost ratio.</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central</p>
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		<p>section of this track between South Hinskey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p> <p><u>Traffic</u></p> <p>The Agency is aware of the temporary effect that our construction traffic could have, and that this is a concern for local communities and businesses, but the Agency are working hard to minimise impacts. As part of the planning application to Oxfordshire County Council the Agency submitted a Transport Assessment. This is an Appendix to the Environmental Statement and includes an outline Construction Traffic Management Plan (CTMP). The CTMP will be developed further and will confirm in detail how we will manage impacts if planning permission is granted.</p> <p>The Agency are working with partners and other organisations to manage impacts and to regularly review how the CPO Scheme can be delivered alongside other major infrastructure projects in the area.</p> <p><u>Consultation</u></p> <p>The Statement of Community Involvement which supports the planning application details the extensive consultation the Agency has undertaken.</p> <p><u>Biodiversity</u></p> <p>Habitat creation and enhancement, both within the CPO Scheme area and in the surrounding Oxfordshire environment, will ensure that the Agency delivers biodiversity net gain. This means that over time, the CPO Scheme will increase the range of wildlife and the quality of the habitats in the area.</p> <p>Biodiversity enhancements will be secured by the planning process, and required by planning conditions and/or legally binding agreement(s)</p>
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<p>Name: David Brown</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>
<p>Summary of Position:</p>

The Agency sent a detailed response to David Brown's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply.

No.	Ground of objection	Agency response
1	<p>The cost/benefit does not weigh up of this proposal and the overall environmental impact is negative.</p> <p>Currently uses these grounds daily to dog walk and commute into town and work within city centre</p>	<p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p>

		<p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p> <p><u>Value for money</u></p> <p>The Agency assess viable options in accordance with Government guidance (the Flood and Coastal Erosion Risk Management Appraisal Guidance) as detailed in section 4 of the Statement of Reasons. The CPO Scheme has a benefit cost ratio of 10.6 to 1 which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit:cost ratio.</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p>
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<p>Name: Andrew Clayton</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. After not receiving a response from the objector to our detailed response the Agency followed this up asking if their concerns have been satisfied.</p>		
No.	Ground of objection	Agency response
1	<p>Concerned that local views are being ignored in this process.</p> <p>You will see that 91% of the respondents to this public consultation expressed objection to the scheme. These were for a wide range of issues, ranging from traffic impacts on the A34 of large numbers of lorries, the destruction of beautiful and rare local flora and fauna, the carbon footprint of the scheme, and the loss of local walking access and rights.</p> <p>Most importantly, there is strong feeling amongst respondents that alternatives to the current version of the scheme, that would have much smaller ecological, carbon, and financial impact, has been ignored by the Agency.</p>	<p><u>Consultation</u></p> <p>The Agency has undertaken extensive engagement with the local community through the design of the CPO Scheme, with a number of public events held since 2015. These events and other engagement has been set out in our Statement of Community Involvement submitted with the planning application.</p> <p>Oxfordshire County Council ran a public consultation on the planning application from 7 April – 9 May 2022. Oxfordshire County Council are the planning authority who will decide whether to grant planning permission so that the CPO Scheme can go ahead. Oxfordshire County Council requested further information to support the planning application under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The Agency has submitted this additional information and the county council will run a consultation on the newly submitted information, before determining the application.</p> <p>The Agency are aware of public opinion and that representations have been made to Oxfordshire County Council as part of the planning application process. Oxfordshire County Council will take any material planning considerations into account when they determine the planning application.</p> <p><u>Alternative options</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p>

		<p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once the Agency has the statutory approvals.</p> <p>The Agency are aware that there are some alternative ideas being put forward by both individuals and groups in the community and take all these proposals seriously. The Agency considered more than 100 combinations of options to reduce flood risk from the River Thames in Oxford, working with the community every step of the way.</p> <p>The Agency has reviewed alternative proposals presented, but after careful consideration none was considered to reduce flood levels to the same extent across the whole area as the proposed scheme, or to provide the same robust certainty and reliability of operation, or long term wider environmental enhancements. Several alternatives suggested would transfer flood risk elsewhere, which would not be acceptable.</p>
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<p>Name: Anne-Marie Desitter Status: Non Statutory Objector Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency sent a detailed response to Anne-Marie Desitter's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply</p>		
No.	Ground of objection	Agency response
1	<p>Written to object to the compulsory purchase of Hinksey Meadow as part of the CPO Scheme due to its regular use by large numbers of dog walkers, & also ramblers and joggers.</p> <p>The meadow contains rare snake's head fritillaries and is a beautiful traditionally managed flood meadow. Altering this with the proposed colossal flood scheme is very detrimental to the local ecology & environment.</p>	<p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p>

		<p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO</p>
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		<p>Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p>
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<p>Name: Brian Durham</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency has been in regular contact with Brian Durham since 2014, initially as a member of the Oxford Flood Alliance and as co-founder of the South Oxford Flood Action Group (no longer in existence). More latterly Mr Durham has become associated with several of the groups campaigning for alternate options. He objected to the CPO in an individual capacity. The Agency sent a detailed response to his objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if his concerns had been addressed. We have since received a detailed further letter and a Freedom of Information request which we are responding to.</p>		
No.	Ground of objection	Agency response
1	The design has not been placed in front of the local planning authority for decision in nearly five years since first proposed.	The 2018 CPO was withdrawn in March 2020, following the decision to work jointly with Oxfordshire County Council to design a new solution for the channel under the A423 Kennington Railway bridge, and this new solution is incorporated in the CPO Scheme. This iteration of the CPO Scheme is now before the local planning authority for consideration.
2	The design includes channel profiles on Hinksey Meadows described as 'an inefficient way of moving flood water' in a	This comment relates to Dr David Ramsbottom's presentation to the Oxford Flood and Environment Group on 19 November 2021. This is one comment

	<p>review by a distinguished peer Dr David Ramsbottom of Hydraulics Research.</p>	<p>from the presentation which is out of context.</p> <p>Overall, Dr Ramsbottom was actually suggesting that the channel should be bigger and more formalised, akin to the Jubilee River that reduces flood risk to Maidenhead, Windsor, and Eton.</p> <p>As detailed in the Statement of Reasons at sections 3 and 4, and the planning application, various sizes of channel were tested during the appraisal process before the channel size and layout was confirmed. The proposed channel is also designed to better blend into the landscape than a channel similar to the Jubilee River would.</p>
3	<p>Downstream of the meadows, the design creates flood backup as a result of obstruction by the proposed bridge decks at Old Abingdon Road T-junction, and by omission of a modern viaduct at the railway in Kennington.</p>	<p>The Agency has discussed these issues with Mr Durham in detail on several occasions.</p> <p>The new bridge at Old Abingdon Road will surcharge at higher order flood events.</p> <p>This is a fairly standard design approach, with the water driven through the bridge as water levels behind increase. Raising the bridge further would not increase the flow capacity, as flood levels are dictated by downstream conditions.</p>
4	<p>The inefficient channel-form includes features on the meadowland of a kind that in community conversations with the Agency in 2012 were described as 'swales', but which in the present design are not distinguished what is being called a 'channel'.</p>	<p>Swales are typically small-scale shallow depressions designed to aid drainage and the Agency is not sure what features are being referred to as swales.</p>
5	<p>The developer's modelling compares performance of the preferred option against a sincerely-proposed alternative from Dr Tim King (identified as 'Scenario A2'). The detail of this comparison was the subject of requests for clarification under the current Regulation 25 consultation:</p> <p>a. Exceptionally high difference values in Scenario A2 at Nodes 2-6 are not elucidated;</p> <p>b. The response declines to manually interpolate peak water levels at Node 7;</p> <p>c. The response justifies part or total blocking of three proposed meadow bridges in Scenario A2 in terms of silting of lowered beds, when lowered beds have been proposed elsewhere in the developer's own designs (2018 bypass tunnels);</p> <p>d. The response refers to two generic roughness values without illustrating where each has been applied in the modelling, nor from which of these values</p>	<p>The Agency has responded to points b and c during discussions with Mr Durham.</p> <p>Point a is explained by the fact that capacity under Seacourt Bridge on the Botley Road has been increased to divert flood water into this route, but additional flow capacity is not provided across the Hinksey Meadow where the second stage channel is proposed in the "with scheme" scenario. As such, water levels would increase against the base levels (i.e. with scheme).</p> <p>On point d, roughness co-efficients used in the modelling are provided in the Modelling Report submitted as Appendix B of our Flood Risk Assessment in support of our planning application. The roughness values used were reviewed and confirmed as being appropriate by an independent third-party specialist consultant as part of the technical peer review of the modelling work.</p>

	the +20% and -20% have been added/subtracted;	
6	The Old Abingdon Road T-junction the Reg 25 response ignores the phrase from their own consulting engineer: 'a much more elegant solution', in favour of one that requires four times the duration of construction and/or traffic disruption.	<p>The Agency and Mr Durham have previously discussed these points in detail.</p> <p>Mr Durham extracted a single comment from minutes of a meeting held in February 2021, which go on to confirm "it doesn't comply with current highway standards so the council wouldn't sign it off if you did a road safety audit".</p> <p>In addition, the 2-bridge approach allows the Agency to safely deal with the numerous utility diversions, maintain commercial access to the rail sidings, residential access to Redbridge Hollow, maintain 2-way traffic to negate National Highways concerns, and minimise impacts to the travelling public while providing a safe working space for the construction process".</p>
7	The Agency declines to adopt Network Rail's offer to accommodate a new viaduct that would reduce 0.36m quoted head-loss at 550m of railway embankment between Redbridge (Oxford) and Munday's Bridge (Kennington). Such a viaduct may be constructable track-by-track by virtue of an additional track at the location in question. Without this it is reasonable to assume an avoidable increased risk to national infrastructure, to the proposed Oxford Cowley passenger link, and to the servicing of Oxford's BMW Mini plant.	<p>The Agency has shared numerous correspondence on this point and the Oxford Railway Act 1843. At no point have Network Rail offered to accommodate a new viaduct.</p> <p>The Oxford Railway Act of 1843 cannot be interpreted as providing an obligation or compulsion on Network Rail, as inheritor of these responsibilities, to provide a culvert under the railway to accommodate any new arrangement. Network Rail agrees with this provision.</p>
8	The Agency proposes 10ha (100,000m ³) of avoidable flood plain displacement in New Hinksey, which in a flood cell of (say) 2km ² would sacrifice 5cm of available flood alleviation, leaving only 9cm alleviation over the do-minimum scenario at the local Thame/Cherwell confluence (5% AEP event).	The alignment of the embankment to protect New Hinksey from flooding from the River Thames was carefully considered. Whilst it would be technically possible to construct a wall along Abingdon Road, this would involve significant tree loss and changes in the visual appearance along Abingdon Road, major utility diversions, issues with entrances to all properties fronting the east side of Abingdon Road and significant disruption to pedestrians and road users whilst being constructed. Costs would be prohibitive compared to the proposed earth embankment'. These reasons remain valid.
9	It is entirely premature to propose compulsory purchase.	It is not "premature" for the Agency to seek a compulsory purchase order at this point in time. The Agency are not required to await the outcome of the planning process. The Agency's approach in this respect falls entirely within the requirements of the law and the Government's Guidance.

<p>Name: Cllr Martin Dowie</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency sent a detailed response to Cllr Martin Dowie's objection letter which was the same as the statutory objection from North Hinksey Parish Council. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply.</p>		
No.	Ground of objection	Agency response
1	Objection for the land part of Seacourt Stream for the enjoyment and use of its parishioners.	The Agency understands that following clarification of the rights needed by the Agency over the Parish Council's land it has been confirmed that access will be allowed subject to planning permission being granted.

<p>Name: Dr Robert Grant-Downton</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency sent a detailed response to Dr Grant-Downton's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if his concerns had been addressed. Dr Grant-Downton replied confirming that he does not wish to withdraw his objection.</p>		
No.	Ground of objection	Agency response
1	<p>The Order Land has been used for many years for walking on a regular basis for both work, social purposes and exercise benefits.</p> <p>It is astonishing that the Order has been made before planning permission has been granted.</p>	<p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk</p>

		<p>between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p> <p><u>Process</u></p> <p>The Agency is not required to wait until planning permission is granted before making or seeking confirmation of the CPO. The Government's "Guidance on compulsory purchase and the Cribel Down Rules" acknowledges, at paragraph 15, that the acquiring authority should demonstrate in the absence of planning permission that there are no obvious reasons why it might be withheld. In the planning context, it is accepted that it is not always feasible to wait until planning permission is obtained before proceeding with a CPO. The Agency's approach in this respect falls entirely within the requirements of the law and Guidance.</p> <p>The Agency are aware of public opinion and that representations have been made to Oxfordshire County Council as part of the planning application process. Oxfordshire County Council will take any material planning considerations into account when they determine the planning application.</p>
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<p>Name: Eleanor Dobson Gomez</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>
<p>Summary of Position:</p>

The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. After not receiving a response from the objector to our detailed response the Agency followed this up asking if their concerns have been satisfied.

No.	Ground of objection	Agency response
1	<p>Lack of access to Willow Walk.</p> <p>The wild meadow brings so much joy with diverse wildlife.</p>	<p>The works completed in 2022 on Willow Walk were completed by Oxfordshire County Council and do not relate to the CPO Scheme. If the CPO Scheme is constructed, there will be a short 400m diversion while the required bridge is constructed, details of which can be found in the Environmental Statement Section 6 which was submitted as part of the planning application. Therefore, during the construction of the CPO Scheme Willow Walk can continue to be used.</p> <p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p>

		<p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p>
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<p>Name: Dr Helen Harvey</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency have responded to Dr Helen Harvey on the grounds outlined in her with a detailed response. After not receiving a response to our detailed letter the Agency followed this up asking if their concerns have been satisfied. Dr Harvey has since replied confirming she retains her objection.</p>		
No.	Ground of objection	Agency response
1	<p>No proof CPO Scheme will actually work.</p> <p>It is very poor value for money. The CPO Scheme represents a lot of public money being spent for very little/short term or no gain - and to protect private property.</p> <p>Biodiversity will be permanently damaged. The area currently supports a wide range of wildlife including some protected species and many species of birds which will be lost. Even though trees will be supposedly be replaced, they will take years to mature.</p> <p>The works will increase traffic/congestion on the A34, a road which is already extremely busy and almost at a standstill at certain times of the day. The emissions from the earth removal vehicles will worsen the air quality. Earth movement and the removal of trees (carbon sinks) will make the effects of climate change worse rather than better by removing these carbon sinks - this is in direct opposition to OCC policy to achieve a Net Zero Carbon Oxfordshire by 2050.</p> <p>Residents of South Hinksey Village, New Hinksey and West Oxford will be deprived</p>	<p>No proof it will work</p> <p>Bypass channels are a standard and well used flood defence option in both this country and overseas. The principle of creating extra space for water and then allowing it to use gravity is tried and tested.</p> <p><u>Value for money</u></p> <p>The Agency assess viable options in accordance with Government guidance (the Flood and Coastal Erosion Risk Management Appraisal Guidance) as detailed in section 4 of the Statement of Reasons. The CPO Scheme has a benefit cost ratio of 10.6 to 1 which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit:cost ratio.</p> <p><u>Biodiversity</u></p> <p>Habitat creation and enhancement, both within the CPO Scheme area and in the surrounding Oxfordshire environment, will ensure that the Agency delivers biodiversity net gain. This means that over time, the CPO Scheme will increase</p>

	<p>of a recreational area for the 3-5 year construction period, not to mention being subjected to all the disruption (noise, dirt, increased traffic, pollution, etc.) of the construction work.</p> <p>The County is in drought - this needs to be taken into account before spending money of flood schemes. Water needs to be stored more efficiently and rivers managed as a whole, not just in 'small' stretches.</p> <p>The CPO Scheme is a waste of public money. The money would be better spent on clearing and maintaining all the streams, ditches and dykes in this area so that water could run away freely.</p>	<p>the range of wildlife and the quality of the habitats in the area.</p> <p>Biodiversity enhancements will be secured by the planning process, and required by planning conditions and/or legally binding agreement(s)</p> <p><u>Tree loss</u></p> <p>Throughout the design process, engineers and ecologists have worked together to minimise tree loss wherever possible. The Agency will continue to reduce tree loss when delivering the CPO Scheme, by working around trees that have been identified for felling if at all possible. An Environmental Clerk of Works will be on site to ensure that these further opportunities are identified and taken wherever possible.</p> <p>Areas of deciduous woodland and lengths of hedgerow will be planted close to where habitats need to be removed in order to maintain a corridor of tree and shrub cover. The scale and orientation of the woodland and hedgerow planting will match the existing landscape character. Only small groups of trees will be planted in the lowered floodplain beside the new stream because planting woodland and hedgerows here would impede the flow of floodwater.</p> <p>The Agency's tree-planting proposals will result in more woodland within the scheme area after completion than there is at present. The Agency plan to plant over 4,000 larger tree species and thousands of smaller trees, such as hawthorn, hazel and elder, along with many more native shrubs such as dogwood, goat willow, dog rose and wild privet. The tree-planting proposals form part of the planning application.</p> <p>The new woodland will contain a greater variety of tree and shrub species than the majority of the woodland that is being lost and will quickly provide greater structural diversity. The woodland will also be managed to support a diverse ground flora. This is in contrast to much of the existing woodland where the unmanaged, single age stands of mature trees support only sparse shade-tolerant ground flora.</p> <p><u>Green belt</u></p> <p>The CPO Scheme is located in the Green Belt. Certain types of development are appropriate in the Green Belt as long as they do not harm its defined purpose. In the Agency's view the CPO Scheme will help to safeguard the Green Belt in this area, as it will need to remain as a</p>
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		<p>functioning flood alleviation scheme for at least the next 100 years. This will help to preserve the openness of the area and permanence of the Green Belt.</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p> <p><u>Traffic</u></p> <p>The Agency is aware of the temporary effect that our construction traffic could have, and that this is a concern for local communities and businesses, but the Agency are working hard to minimise impacts. As part of the planning application to Oxfordshire County Council the Agency submitted a Transport Assessment. This is an Appendix to the Environmental Statement and includes an outline Construction Traffic Management Plan (CTMP). The CTMP will be developed further and will confirm in detail</p>
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		<p>how we will manage impacts if planning permission is granted.</p> <p>The Agency are working with partners and other organisations to manage impacts and to regularly review how the CPO Scheme can be delivered alongside other major infrastructure projects in the area.</p> <p><u>Carbon</u></p> <p>The Agency is committed to achieving net zero by 2030. This means that, by 2030, the Agency will aim to balance the carbon emissions produced with those that can be taken out of the atmosphere. Having the CPO Scheme in place will reduce the likelihood of floods in built-up areas. Flooding increases carbon emissions due to direct damage and disruption, as well as the replacement and refurbishment of properties, vehicles and belongings. By reducing flood damage, the CPO Scheme will prevent the production of far more carbon emissions in the long term than are generated through its construction and maintenance.</p> <p>The CPO Scheme has been designed as far as possible to minimise carbon emissions. Most of the carbon emissions will be from machinery and vehicles needed to move material and from producing the concrete and steel we will use. The Agency will continue to explore ways to reduce the carbon generated through construction and maintenance, including how the Agency might use current and future technology.</p> <p><u>Natural flood management</u></p> <p>Natural flood management (NFM) such as creating wetlands and floodplain meadows, improving soil and crop management and planting trees can help retain or slow water. This can be a cost-effective and sustainable way to manage flood risk alongside traditional engineering, while creating habitat for wildlife and delivering other benefits to the ecosystem.</p> <p>Flood water can stay in Oxford for days or weeks, and standalone NFM would need to store an additional 50 million m³ of water in the existing floodplain of the River Thames to bring the same benefits as the CPO Scheme. Flooding in Oxford occurs most commonly in winter when the ground is already saturated, which means that options which increase infiltration, such as tree planting, have limited benefits.</p>
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		<p>There is no evidence that implementing NFM at this scale would be possible against the flood events seen in Oxford in recent years.</p> <p><u>Dredging</u></p> <p>Whilst channel maintenance is a riparian responsibility, the Agency often uses its discretionary powers to ensure that the River Thames and secondary watercourses in Oxford maintain their flood flow capacity by dredging or removing blockages.</p> <p>Dredging can increase a river's ability to convey water by a modest amount. During low river flows this modest amount may be significant (proportionally to the 'low flow'). However, during higher flow events, this modest increase in conveyance rate is proportionally much smaller. During flood events, when river conveyance has exceeded the channel's normal capacity and the river is using the floodplain to flow, deepening of a river channel makes little difference to water levels, as the amount of water trying to enter the channel far exceeds the small additional capacity that dredging would provide.</p> <p>The natural processes in many rivers can cause the sediment removed by dredging to quickly return and accumulate in the same places. This means that dredging is inefficient and would need constant repetition. Each repetition causes further environmental damage without ever allowing full recovery. Frequent re-dredging would be disruptive and expensive.</p>
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<p>Name: Georgina Howes</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position: The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. After not receiving a response from the objector to our detailed response the Agency followed this up asking if their concerns have been satisfied.</p>		
No.	Ground of objection	Agency response
1	<p>Environmental damage and the loss of rare meadowland that will be caused by the channel built as part of the CPO Scheme.</p> <p>Loss of beautiful land in which the residents of South Oxford walk every day.</p>	<p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal</p>

	<p>Building continues on flood plains in spite of the problems it will create.</p>	<p>Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on</p>
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		<p>these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p> <p><u>Existing floodplain</u></p> <p>The CPO Scheme is designed with the existing floodplain at its heart and enhances its role protecting Oxford. The new stream will create more space for floodwater and improve its passage, moving water through the floodplain and away from built up areas. New flood embankments that will prevent floodwater from reaching properties mean some of the existing floodplain will be removed from use, but this will be compensated for by the improved passage of water and volume provided in the new channel.</p>
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<p>Name: Yvonne Hutchinson Status: Non Statutory Objector Plot Interests: N/A</p>
<p>Summary of Position:</p>

The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. The objector responded stating they are a statutory objector. The Agency has received a copy of the grazing tenancy and is considering the objectors position.

No.	Ground of objection	Agency response
1	The CPO Scheme would claim huge areas of the fields where horses are currently exercised. The limited areas remaining would be difficult to access as it would involve riding past extensive areas of construction. This would be completely unsafe.	The Agency put forward a formal offer for an alternative temporary hacking route to Ms A Ergeneli, the leasehold owner of the stables, in April 2022.
2	Of equal importance is that access is being demanded through the yard and across paddocks for works vehicles and to store equipment. Access to the stable area would no longer be possible.	The Order seeks a small area of land for the permanent location of a new overhead electricity H-pole and stays. It also seeks additional land on a temporary basis for SSE to erect the H-pole and to string realigned overhead conduits and for emergency services access (if required) to reach the flood channel works. As such, the Order provides an area for SSE to safely carry out their works and flexibility for emergency services access, depending on ground conditions. The temporary working area in the paddock excludes the stable block. It has been discussed with the leasehold owner of the stables, Ms A Ergeneli, whether some modifications can be made to the temporary works area, to mitigate the impact of the CPO Scheme on the tenants' use of and access to the stables, during the proposed works.
3	It will not be possible to relocate, as there are no funds to purchase private land.	The Agency understand the importance of the livery to the leaseholder, tenants and community. The Agency has been engaging with relevant parties since 2018 to ensure that the impact to the livery is minimised. In respect of the land tenanted which is owned by Corpus Christi College Oxford, a small piece of land will be lost to the overhead electricity H-pole, all other land is required temporarily, as per the above, for SSE to carry out their works and for emergency service access if required.
4	The Order should not be served until planning permission is granted.	The Agency is not required to wait until planning permission is granted before making or seeking confirmation of the CPO. The Government's "Guidance on compulsory purchase and the Crichel Down Rules" acknowledges, at paragraph 15, that the acquiring authority should demonstrate in the absence of planning permission that there are no obvious reasons why it might be withheld. In the planning context, it is accepted that it is not always feasible to wait until planning permission is obtained before proceeding with a CPO. The Agency's approach in this respect falls entirely within the requirements of the law and Guidance.

<p>Name: Susan Irvine</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency sent a detailed response to Susan Irvine's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply</p>		
No.	Ground of objection	Agency response
1	<p>The ecological damage is immense to a MG4a flood meadow which has existed for a thousand years. Sequestered carbon will be released, very rare plants will be destroyed. 97% of all the UK meadows have been destroyed in the last 100 years and Hinksey Meadow is a particularly rare meadow.</p> <p>Hinskey Meadows is performing an essential task of holding water during a flood. To lose this place would be detrimental to the people of Oxford.</p> <p>The sum of money that will be spent on the channel part of the CPO Scheme does not offer value for money because it alleviates flooding in a fairly small number of houses in Osney Island. Clearing out the ditches and implementing the majority of the CPO Scheme would be far more cost effective.</p>	<p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and</p>

		<p>certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p> <p>Hinksey Meadow (and the wider floodplain) will continue to flood in the future as it does now. The only change will be the lowered section of channel next to Seacourt Stream will start to fill with water sooner.</p> <p><u>Carbon</u></p> <p>The Agency is committed to achieving net zero by 2030. This means that, by 2030, the Agency will aim to balance the carbon emissions produced with those that can be taken out of the atmosphere. Having the CPO Scheme in place will reduce the likelihood of floods in built-up areas. Flooding increases carbon emissions due to direct damage and disruption, as well as the replacement and refurbishment of properties, vehicles and belongings. By reducing flood damage, the CPO Scheme will prevent the production of far more carbon emissions in the long term than are generated through its construction and maintenance.</p> <p>The CPO Scheme has been designed as far as possible to minimise carbon emissions. Most of the carbon emissions will be from machinery and vehicles needed to move material and from producing the concrete and steel we will use. The Agency will continue to explore ways to reduce the carbon generated through construction and maintenance, including how the Agency might use current and future technology.</p> <p><u>Value for money</u></p> <p>The Agency assess viable options in accordance with Government guidance (the Flood and Coastal Erosion Risk Management Appraisal Guidance) as detailed in section 4 of the Statement of Reasons. The CPO Scheme has a benefit cost ratio of 10.6 to 1 which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit:cost ratio.</p>
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		<p><u>Dredging</u></p> <p>Whilst channel maintenance is a riparian responsibility, the Agency often uses its discretionary powers to ensure that the River Thames and secondary watercourses in Oxford maintain their flood flow capacity by dredging or removing blockages.</p> <p>Dredging can increase a river's ability to convey water by a modest amount. During low river flows this modest amount may be significant (proportionally to the 'low flow'). However, during higher flow events, this modest increase in conveyance rate is proportionally much smaller. During flood events, when river conveyance has exceeded the channel's normal capacity and the river is using the floodplain to flow, deepening of a river channel makes little difference to water levels, as the amount of water trying to enter the channel far exceeds the small additional capacity that dredging would provide.</p> <p>The natural processes in many rivers can cause the sediment removed by dredging to quickly return and accumulate in the same places. This means that dredging is inefficient and would need constant repetition. Each repetition causes further environmental damage without ever allowing full recovery. Frequent re-dredging would be disruptive and expensive.</p>
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<p>Name: Leanne Kelly</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. After not receiving a response from the objector to our detailed response the Agency followed this up asking if their concerns have been satisfied.</p> <p>[</p>		
No.	Ground of objection	Agency response
1	<p>Objection to the CPO Scheme on the grounds of the destruction of habitats for animals and birds, the destruction of precious grasslands, loss of trees and hedgerows.</p> <p>Loss of access for the public during construction and after the channel.</p> <p>The waste of public money for a scheme that is calculated on old data and is</p>	<p><u>Biodiversity</u></p> <p>Habitat creation and enhancement, both within the CPO Scheme area and in the surrounding Oxfordshire environment, will ensure that the Agency delivers biodiversity net gain. This means that over time, the CPO Scheme will increase the range of wildlife and the quality of the habitats in the area.</p>

	<p>experimental. The Agency are trialling much cheaper and less destructive schemes all over the country which use the natural landscape to mitigate flooding. There are plenty of experts who think that would be applicable in this area before years of construction, money and destruction.</p> <p>The Agency does not maintain or manage these flood meadows currently. There is no pollarding of willows or clearing of streams, no dredging of the waterways which are no longer navigable by boat as they used to be, and no maintenance at all anywhere on the land.</p>	<p>Biodiversity enhancements will be secured by the planning process, and required by planning conditions and/or legally binding agreement(s)</p> <p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Tree loss</u></p> <p>Throughout the design process, engineers and ecologists have worked together to minimise tree loss wherever possible. The Agency will continue to reduce tree loss when delivering the CPO Scheme, by working around trees that</p>
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	<p>have been identified for felling if at all possible. An Environmental Clerk of Works will be on site to ensure that these further opportunities are identified and taken wherever possible.</p> <p>Areas of deciduous woodland and lengths of hedgerow will be planted close to where habitats need to be removed in order to maintain a corridor of tree and shrub cover. The scale and orientation of the woodland and hedgerow planting will match the existing landscape character. Only small groups of trees will be planted in the lowered floodplain beside the new stream because planting woodland and hedgerows here would impede the flow of floodwater.</p> <p>The Agency's tree-planting proposals will result in more woodland within the scheme area after completion than there is at present. The Agency plan to plant over 4,000 larger tree species and thousands of smaller trees, such as hawthorn, hazel and elder, along with many more native shrubs such as dogwood, goat willow, dog rose and wild privet. The tree-planting proposals form part of the planning application.</p> <p>The new woodland will contain a greater variety of tree and shrub species than the majority of the woodland that is being lost and will quickly provide greater structural diversity. The woodland will also be managed to support a diverse ground flora. This is in contrast to much of the existing woodland where the unmanaged, single age stands of mature trees support only sparse shade-tolerant ground flora.</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track</p>
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	<p>(known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p> <p><u>Value for money</u></p> <p>The Agency assess viable options in accordance with Government guidance (the Flood and Coastal Erosion Risk Management Appraisal Guidance) as detailed in section 4 of the Statement of Reasons. The CPO Scheme has a benefit cost ratio of 10.6 to 1 which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit:cost ratio.</p> <p><u>Dredging</u></p> <p>Whilst channel maintenance is a riparian responsibility, the Agency often uses its discretionary powers to ensure that the River Thames and secondary watercourses in Oxford maintain their flood flow capacity by dredging or removing blockages.</p> <p>Dredging can increase a river's ability to convey water by a modest amount. During low river flows this modest amount may be significant (proportionally to the 'low flow'). However, during higher flow events, this modest increase in conveyance rate is proportionally much smaller. During flood events, when river conveyance has exceeded the channel's normal capacity and the river is using the floodplain to flow, deepening of a river channel makes little difference to water levels, as the amount of water trying to enter the channel far exceeds the small additional capacity that dredging would provide.</p> <p>The natural processes in many rivers can cause the sediment removed by dredging to quickly return and accumulate in the same places. This means that dredging is inefficient and would need constant repetition. Each repetition causes further</p>
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		<p>environmental damage without ever allowing full recovery. Frequent re-dredging would be disruptive and expensive.</p> <p><u>Dredging</u></p> <p>Whilst channel maintenance is a riparian responsibility, the Agency often uses its discretionary powers to ensure that the River Thames and secondary watercourses in Oxford maintain their flood flow capacity by dredging or removing blockages.</p> <p>Dredging can increase a river's ability to convey water by a modest amount. During low river flows this modest amount may be significant (proportionally to the 'low flow'). However, during higher flow events, this modest increase in conveyance rate is proportionally much smaller. During flood events, when river conveyance has exceeded the channel's normal capacity and the river is using the floodplain to flow, deepening of a river channel makes little difference to water levels, as the amount of water trying to enter the channel far exceeds the small additional capacity that dredging would provide.</p> <p>The natural processes in many rivers can cause the sediment removed by dredging to quickly return and accumulate in the same places. This means that dredging is inefficient and would need constant repetition. Each repetition causes further environmental damage without ever allowing full recovery. Frequent re-dredging would be disruptive and expensive.</p>
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<p>Name: T.J.King</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>[The Agency has been in contact with Dr Tim King for many years, both in connection with impacts on Hinksey Meadow and specific questions on the alternate options. These discussions continue. Specifically with respect to his objection the Agency sent a detailed response letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply</p>		
<p>No.</p>	<p>Ground of objection</p>	<p>Agency response</p>
<p>1</p>	<p>Impacts on Hinksey Meadow and inclusion of channel.</p> <p>The CPO Scheme represents poor value for money.</p>	<p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk</p>

	<p>Computer models show that the elimination of the 'channel' between Botley and the Old Abingdon Road would have scarcely any effect on the number of properties and businesses in Oxford at risk of flooding.</p>	<p>Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p> <p><u>Value for money</u></p> <p>The Agency assess viable options in accordance with Government guidance (the Flood and Coastal Erosion Risk Management Appraisal Guidance) as detailed in section 4 of the Statement of</p>
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		<p>Reasons. The CPO Scheme has a benefit cost ratio of 10.6 to 1 which means for every £1 spent, over £10 costs are later avoided. This is a very robust benefit:cost ratio.</p> <p><u>Biodiversity</u></p> <p>Habitat creation and enhancement, both within the CPO Scheme area and in the surrounding Oxfordshire environment, will ensure that the Agency delivers biodiversity net gain. This means that over time, the CPO Scheme will increase the range of wildlife and the quality of the habitats in the area.</p> <p>Biodiversity enhancements will be secured by the planning process, and required by planning conditions and/or legally binding agreement(s)</p>
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<p>Name: Sylvain Dany-Lewandowski & Montse Sánchez Mateos</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. After not receiving a response from the objector to our detailed response the Agency followed this up asking if their concerns have been satisfied.</p>		
No.	Ground of objection	Agency response
1	<p>The CPO Scheme is expensive and inefficient.</p> <p>Running streams in the area serve as reproduction sites for at least 3 species that are recognised by the Environment Agency as species of special interest that require significant conservation measures.</p>	<p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once the Agency has the statutory approvals.</p> <p>The CPO Scheme is designed with the existing floodplain at its heart and enhances its role protecting Oxford. The new stream will create more space for floodwater and improve its passage, moving water through the floodplain and away from built up areas. New flood</p>

		<p>embankments that will prevent floodwater from reaching properties mean some of the existing floodplain will be removed from use, but this will be compensated for by the improved passage of water and volume provided in the new channel.</p> <p><u>Fishing</u></p> <p>The new stream will carry water all the time and have riffles to create shallower sections and pools to provide diverse flow depths and speeds. Backwaters will also be excavated. This will lead to higher quality habitat and greater biodiversity, including fish, in the new stream than in the existing rivers and streams in the area, and should be as good, if not better for wildlife. Away from structures such as bridges, natural river processes of bank erosion and silt deposition will be allowed to occur. The Agency will plant native trees and shrubs close to the stream to provide pockets of shaded habitat along its length. These areas of tree and shrub planting have been carefully designed so that they will not restrict flows, while complementing the existing landscape character of the area.</p> <p>The new stream will connect with the existing stream network, including the Seacourt Stream, Bulstake Stream and Hinksey Stream, and will meander through the floodplain before re-joining the River Thames.</p>
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<p>Name: John Lowe Status: Non Statutory Objector Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency sent a detailed response to John Lowe's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. We have not received a reply</p>		
No.	Ground of objection	Agency response
1	<p>The proposed works will be highly destructive and result in significant carbon emissions.</p> <p>Hinskey Meadow and nature reserve is used regularly for walking and exercise. The meadow is unique, not only in terms of its biodiversity, but also in being a rare open space in the Botley area.</p>	<p><u>No channel</u></p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a</p>

	<p>three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2, the current scheme is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once we have our statutory approvals.</p> <p>The appraisal process, including reference to 'no channel options' is summarised in section 4 of the Statement of Reasons and section 2.3 of our Environmental Statement submitted as part of our planning application. The 'no channel' report summarises the Agency's review of the 'no channel' options and forms Appendix Q of the Environmental Statement.</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme and therefore they are not considered technically viable options.</p> <p><u>Hinksey Meadow</u></p> <p>The Agency recognise the importance of Hinksey Meadow, and the Agency has worked hard to firstly avoid, and then minimise, any potential impacts.</p> <p>When the Agency consulted the public and stakeholders on the route options for the scheme in 2015, a range of routes were considered to move water reliably through and around Hinksey Meadow.</p> <p><u>Carbon</u></p> <p>The Agency is committed to achieving net zero by 2030. This means that, by 2030, the Agency will aim to balance the carbon emissions produced with those that can be taken out of the atmosphere. Having the CPO Scheme in place will reduce the likelihood of floods in built-up areas. Flooding increases carbon emissions due</p>
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	<p>to direct damage and disruption, as well as the replacement and refurbishment of properties, vehicles and belongings. By reducing flood damage, the CPO Scheme will prevent the production of far more carbon emissions in the long term than are generated through its construction and maintenance.</p> <p>The CPO Scheme has been designed as far as possible to minimise carbon emissions. Most of the carbon emissions will be from machinery and vehicles needed to move material and from producing the concrete and steel we will use. The Agency will continue to explore ways to reduce the carbon generated through construction and maintenance, including how the Agency might use current and future technology.</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p>
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		<p><u>Biodiversity</u></p> <p>Habitat creation and enhancement, both within the CPO Scheme area and in the surrounding Oxfordshire environment, will ensure that the Agency delivers biodiversity net gain. This means that over time, the CPO Scheme will increase the range of wildlife and the quality of the habitats in the area.</p> <p>Biodiversity enhancements will be secured by the planning process, and required by planning conditions and/or legally binding agreement(s)</p>
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Name: Hilary Mead
Status: Non Statutory Objector
Plot Interests: N/A

Summary of Position:
The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. After not receiving a response from the objector to our detailed response the Agency followed this up asking if their concerns have been satisfied.

No.	Ground of objection	Agency response
1	The CPO Scheme is costly and will damage wildlife, in particular the House Martins nesting.	<p>The Agency's aim is for the CPO Scheme to help reverse the national decline in wetland habitats. It will create over 20 hectares of new wetland, which will link with existing wildlife sites to the west of Oxford.</p> <p>A multi-disciplinary team of engineers, hydrologists, landscape architects, ecologists, archaeologists, geomorphologists and many others has designed the CPO Scheme to create a sustainable solution for Oxford. The CPO Scheme will not only reduce flood risk, but also respect and work with the existing natural environment to bring additional environmental benefits to the area.</p> <p>Habitat creation and enhancement, both within the scheme area and in the surrounding Oxfordshire environment will ensure that we deliver biodiversity net gain, which means that over time the CPO Scheme will increase the range of wildlife and the quality of the habitats in the area.</p> <p>The Agency are working closely with local environmental charity, Earth Trust, to further develop our Environmental Vision for the long-term maintenance of the Order Land. This will ensure that the CPO Scheme is maintained for its lifetime, with a focus on additional environmental improvements in the long term. In this</p>

		way the landscape and habitats of the area will see further enhancements well into the future.
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<p>Name: The Oxford Flood and Environment Group</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>

<p>Summary of Position:</p> <p>The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. After not receiving a response from the objector to our letter the Agency followed this up asking if their concerns have been satisfied.</p>
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No.	Ground of objection	Agency response
1	<p>A close reading of the current application and Regulation 25 requests have yet to prove a compelling interest. The burden of proof should be on the Environment Agency and the level of requests for correction of errors or missing information shows this case has not been made. It should be noted that of nearly 300 objections to the recent consultation, 91% of the public and experts objected to the channel component. So this demonstrates there is a large group who do not feel that the Agency has demonstrated that major elements of the CPO Scheme and therefore the CPOs are in the public interest.</p>	<p><u>Compelling case in the public interest</u></p> <p>The Agency believes there is a compelling case in the public interest to reduce the flood risk to homes and businesses to the west and south of the city of Oxford. This is described in greater detail in section 16 of our Statement of Reasons and will also form part of our Statement of Case.</p> <p>The CPO Scheme has been selected following a thorough and detailed appraisal process in accordance with the Flood and Coastal Erosion Risk Management (FCERM) appraisal guidance. The Oxford Flood and Coastal Risk Management (FCRM) Strategy, completed in 2010, recommended a three-phase approach to reducing flood risk in Oxford.</p> <p>Stage 2 of that approach (the CPO Scheme) is subject to three stages of external assurance: Strategic Outline Case; Outline Business Case and Full Business Case. The first two cases have been approved by HM Treasury which has allowed the Agency to proceed to the Full Business Case. This final case has been drafted, but HM Treasury can only approve it once the Agency has its statutory approvals.</p> <p>The appraisal process, including an explanation of how we have considered 'no channel options', is summarised in section 4 of the Statement of Reasons and section 2.3 of the Environmental Statement and Environmental Statement Addendum, submitted as part of our planning application. The 'no channel' report, summarising the Environment Agency's review of the 'no channel' options, forms Appendix Q of our Environmental Statement.</p>

		<p>No channel options</p> <p>The 'no channel' options would mean omitting parts of the main section of lowered floodplain from the CPO Scheme. The lowered ground alongside the new stream provides more capacity for floodwater and a defined route for this additional floodwater to move through the floodplain through a range of different size of floods. Without increasing the capacity of the western floodplain, additional floodwater would redistribute in ways that are difficult to predict.</p> <p>The Agency does not consider that the 'no channel' options provide the reliability and certainty needed to promote a flood defence scheme, and therefore they are not considered technically viable options. Further detail is provided on this topic in the "no channel" report at Appendix Q of the Environmental Statement.</p>
2	<p>Such is the magnitude of the scale of the CPO Scheme and the drastic implications of the proposed 5k channel, the Oxford Flood and Environment Group (OFEG) believe it should go to a planning inquiry and should not be decided at the local level. The local planning authority, Oxfordshire County Council are in fact one of the consortium behind the channel and do not have sufficient distance to be able to adjudicate in such a controversial proposal.</p>	<p><u>Determination of the planning application</u></p> <p>The Agency are aware of public opinion and that representations have been made to Oxfordshire County Council as part of the planning application process. Oxfordshire County Council will take any material planning considerations into account when they determine the planning application.</p>
3	<p>The scale of the land buy-up for change of use, altering 133 acres of the Green Belt and 250 acres of farm land needs to be grounded on sufficiently robust modelling and data. OFEG do not believe that the Agency has presented a sufficiently robust case particularly for the channel aspect of the CPO Scheme.</p>	<p><u>Green Belt</u></p> <p>The CPO Scheme is located in the Green Belt. Certain types of development are appropriate in the Green Belt as long as they do not harm its defined purpose. In the Agency's view the CPO Scheme will help to safeguard the Green Belt in this area, as it will need to remain as a functioning flood alleviation scheme for at least the next 100 years. This will help to preserve the openness of the area and permanence of the Green Belt.</p> <p>Please see also responses to points 1 and 10.</p>
4	<p>The scale of alteration will fundamentally change the use of the locale as a local amenity. Dog walkers, walkers, nature lovers, members of the public will be severely impacted for the length of the CPO Scheme for 5 years and in perpetuity as there will be a reduction in access and public space. The channel will also destroy the irreplaceable asset of MG4a grassland, Hinksey Meadows, which is too serious a loss to go forward without every possible scrutiny.</p>	<p>Please see responses to 8 and 17.</p>

5	<p>The officers' report seeking authorisation for the Order should address human rights issues. OFEG have yet to see any evidence that the lead authority has addressed human rights issues. OFEG are also aware that the CPOs interfere with people's livelihoods in some cases and in charitable benefices that have been bequeathed in the public interest. OFEG do not feel that this issue has been sufficiently addressed.</p> <p>In addition, the authorities have failed by their own admission to properly consult the public and therefore the CPO's arguably breach human rights.</p>	<p><u>Engagement</u></p> <p>The Agency has undertaken extensive consultation on the CPO Scheme which is set out in our Statement of Community Involvement submitted with the planning application. The engagement includes public consultation events, digital public engagement, attendance at events and community hubs, distribution of information postcards, newsletters, providing articles for community newsletters and posts across social media platforms.</p> <p>The Agency has a website which includes updates on the CPO Scheme, the planning and CPO processes.</p> <p>The Agency has also engaged with landowners, tenants, occupiers and third-party interests by letter, email, telephone, Teams meetings, in person and at site meetings or workshops since 2014 to the current day, and engagement is ongoing.</p> <p>The Agency consider full and proper consultation has been undertaken for the CPO Scheme.</p> <p>Oxfordshire County Council fulfilled their statutory requirements in notifying people of the planning application. The planning application was advertised in a local newspaper, site notes were erected across the site, consultees were consulted and neighbour notification letters were issued. The planning application documentation was made available for viewing at Oxfordshire County Hall, Oxford.</p> <p>The Agency has assessed human rights and considers that making the Order is in the public interest, in accordance with the law and that its consequences are proportionate to the purpose for which the Order is sought. Further detail on human rights issues and impacts is set out at section 16 of the Statement of Reasons.</p>
6	<p>The Agency has yet to provide evidence that they have the necessary funding to maintain the channel and other elements of the CPO Scheme. OFEG contend that the Agency has failed to show that "all the necessary resources are likely to be available to achieve that end within a reasonable time-scale" and therefore the CPOs should not be granted as it is not in the public interest.</p>	<p><u>Funding</u></p> <p>The affordability of the CPO Scheme has been considered using the Government's "Partnership funding for FCERM projects" guidance. This guidance sets out the terms under which the whole life cost of FCERM schemes is funded, including maintenance and monitoring activities for 100 years post construction. The CPO Scheme meets all the requirements under this guidance and subsequently has Government commitment to funding all future costs. Annual funding for</p>

		<p>maintenance is allocated through a “needs based” approach. This funding is ringfenced for FCERM activities and will not be impacted by any budget pressures seen in separate areas of the Environment Agency’s business.</p> <p>Because the total cost of the CPO Scheme is over £100m, the Agency are also required to secure HM Treasury approval before construction, and as part of this we need to demonstrate certainty of “up front” funding to deliver the first 10 years of maintenance. This is aligned to requirements on other large infrastructure schemes. Section 6 of the Statement of Reasons sets out the CPO Scheme funding package to meet the target cost of £176m aligned to these requirements.</p>
7	<p>Under section 38(6) of the Planning and Compulsory Purchase Act 2004, the planning application will be determined in accordance with the development plan for the area, unless material considerations indicate otherwise. Such material considerations might include, for example, a local authority’s supplementary planning documents and national planning policy, including the National Planning Policy Framework. OFEG believe that the OFAS proposal breaches several elements of the NPPF.</p>	<p><u>National Planning Policy</u></p> <p>The Agency believes that it has complied with national planning policy as set out in the National Planning Policy Framework (NPPF). The Agency has set out its case within the planning statement submitted with othe planning application for the CPO Scheme to be determined by Oxfordshire County Council.</p> <p>The Agency has addressed points in relation to the NPPF below, however for clarity the Agency’s view is that these are matters for due consideration by the planning process.</p>
8	<p>The CPO Scheme will endanger a national asset: its area includes MG4a grassland, a nationally rare habitat of which only 4 square miles remain in England and Wales. The threat to this ancient, untranslocatable habitat has attracted local, national and international protest. The CPO Scheme is also now an anomaly with the EA’s avowed adherence to National Flood Management. Therefore, the CPO Scheme is out of date and should be shelved pending further design.</p>	<p><u>Hinksey Meadow</u></p> <p>Hinksey Meadow is designated as a Local Wildlife Site and includes areas of species-rich burnet floodplain meadow (MG4), which is unimproved neutral grassland. Sites supporting MG4 are usually subject to traditional hay-meadow management, with a hay crop cut in mid-summer. MG4 grassland is scarce across the UK because traditional hay meadows have been drained or converted to other land uses.</p> <p>The Agency recognises that Hinksey Meadow is a valuable natural habitat that includes rare wildflower species and floodplain grasses and have worked to minimise the impacts of the scheme in this area. The Agency appointed the Floodplain Meadows Partnership (FMP) of the Open University, as national experts in MG4 grassland, to provide independent expert advice on the likely impacts of the scheme at Hinksey Meadow, on the options for mitigation and on recommended maintenance and monitoring.</p> <p>The lowered ground next to the stream</p>

		<p>here will be kept as narrow as possible. It will be created by lowering the ground by a maximum of around 60cm, ensuring there's a gradual slope on the stream sides. The upper part of the slope will be seeded with MG4 seed and the ground at the top of the stream sides will have the same characteristics as the surrounding meadow. In this way the overall change to Hinksey Meadow from the new channel has been minimised as much as possible. For most of the year it will look very similar to how it does now, whilst enhancing the meadow's capacity to carry more water in times of flood.</p> <p>The Agency followed the Floodplain Meadows Partnership's independent expert advice and guidance in the production of an MG4 Mitigation Strategy. This included the four-pronged approach to mitigation.</p> <p>The Agency will monitor the mitigation measures and management regimes to optimise their effectiveness. Once the CPO Scheme is complete, vegetation in Hinksey Meadow, including in the upper parts of the sloping floodplain, will still have a hay cut in the summer and aftermath grazing, as it does currently. The lowered ground next to the stream is likely to be too wet to graze, so a mechanical cut will be carried out twice a year, if required, to keep down woody growth.</p> <p>Further details are set out in Environmental Statement Appendix C-5 Floodplain Meadows Partnership Report and Environmental Statement Appendix D-23 MG4 Grassland Mitigation. All actions from the mitigation strategy are incorporated into the contractor's contract by means of an Environmental Action Plan (EAP). This was submitted with the planning application as Appendix G of the Environmental Statement, but it is a live document that we will continue to develop. It will be updated as design details are finalised and as construction progresses.</p>
9	<p>The Agency claims the CPO Scheme is for 100 years but budgets maintenance for 10 years after construction. It has no clear pathway, other than a bid for operational funding after the first 10 years, and the hope of securing partners and environmental charities for maintaining the scheme for up to 30 years. This is barely the time needed for the proposed mitigations (tree planting to replace mature and veteran trees) to take effect. As acknowledged by the Agency (Appendix I to their application), the</p>	<p>Please see responses to points 6 and 25.</p>

	<p>proposed channel requires ongoing maintenance to be kept clear of vegetation, but the absence of secured maintenance past the initial 10 years risks silting up the channel, reducing its efficacy still further, and making the rationale of all the environmental destruction caused by the channel still more insubstantial.</p>	
10	<p>The CPO Scheme fails to build in long-term planning even according to its own data. It does not, for example, include data for the +30% increase in peak flows in the 2080's when flooding will be very extensive. This makes it at best a 60 year not a 100-year scheme.</p>	<p><u>Modelling and Flood Risk</u></p> <p>The Agency's Flood Risk Assessment submitted as part of the Planning Application sets out in detail how the Agency has considered climate change in line with the 'Estimating Peak River Flow Climate Change Allowances by Management Catchment' published by the Environment Agency in July 2021.</p> <p>The Agency has increased flows in accordance with the latest guidance with increases of +11% (2020s) - our new baseline model; +13% (2050's) and +30% (2080's). This work clearly highlights that the scheme continues to deliver benefits well beyond 60 years.</p>
11	<p>As the Agency states in its application (Environmental Statement 9.1.4, 'Water Quality', p. 201), the principal Oxford Sewage Treatment Works are downstream of the CPO Scheme, but there are some local combined Sewer Outfall discharges in the scheme area and there may be foul misconnections into the storm drainage. The intensive West Oxford development planned around the CPO Scheme by the Oxford City Council creates the potential for further sewage and industrial runoff. There are wetland landscapes, such as that proposed for the CPO Scheme are particularly vulnerable to the problem of maintaining nutrient neutrality (as legally required for wetlands protection).</p> <p>The Agency is currently without the funding to maintain monitoring sewage pollution even for rivers with a dense surrounding population such as the Thames (5082 sewage outfalls last year from Thames Water, a partner in the scheme). Given the Agency's current lack of maintenance and monitoring budget now, the chances of a future budget are unacceptably slim.</p>	<p>Please see response to points 6.</p>
12	<p>Questions about biodiversity and the consideration of alternatives to the channel persist. The Agency's response has often failed to clarify or seriously address the concerns raised.</p> <p>There are also issues with the quality of</p>	<p>Please see responses to points 2 and 5.</p>

	<p>the consultations as well as with the Agency's response. As the Agency itself notes in the report, they discover themselves over the consultation period to be engaging principally with the same, distinctive segment of the population-people not in the throes of bringing up small children, people with established homes and people with time to access and digest information.</p>	
13	<p>When OFEG held a public meeting with independent speakers in November 2021, audience engagement was not with later EA consultation details (such as choosing a preferred option for bridge handrails), but with the desire for discussion of fundamental issues of the scheme's design, hydrology, the necessity for the channel and the impact on biodiversity and the green spaces of Oxford. These have remained live matters of concern and unresolved issues in the Agency's 2022 and 2023 application.</p>	Please see response to point 5.
14	<p>There has been limited communication about the planning application and the deadline. Residents were not sent leaflets informing them that the new application had gone in. A handful of notices were posted throughout the area of the scheme, but the chances of all the residents affected by the CPO Scheme walking in the relevant scheme areas over a four-week four-day period was always going to be minimal, especially during the school and Easter holidays when many are away. Given the magnitude of the CPO Scheme, affected residents should have been sent a letter or received a leaflet, particularly as the consultation period ran over Easter and bank holidays last year and similarly this year.</p>	Please see response to point 5.
15	<p>The lack of debate in the consultations (the Agency and its spokes people in the Oxford Flood Alliance controlling the flow of information) makes it questionable that people in Oxford understand the benefits that the CPO Scheme will provide and the limitations of the CPO Scheme: i.e. that many properties will still flood, but less frequently. This has also promoted the belief among some residents that they can either have this scheme including the channel or no flood scheme at all. This is not the case.</p> <p>Around 85% of the measures can be introduced and do not depend on the channel. The relief of the pinch points at the A43 bridge for example will go ahead and are not tied to the channel. Neither are the bunds and embankments). There is a strong argument for an incremental approach and a "maintain and monitor"</p>	Please see response to point 5.

	<p>strategy.</p> <p>Despite the attempts of the Agency to manage community engagement, the strength of objections, 91% of the consultation respondents being strongly against the channel, demonstrates that the Agency is out of touch with the community.</p>	
16	<p>The Agency's own data show that the channel is a waste of public money, with its £2 million cost offering minimal mitigation. In economic terms not having a channel, or a shorter channel that does not impact Hinksey Meadow, makes more sense than the current proposal.</p> <p>The channel subcomponent of the CPO Scheme would give rise to considerable environmental and social costs, none of which are reflected in the EA's formal benefit-cost analysis.</p> <p>According to independent hydrologists, planners and economic analysts, the channel does not bring certainty and reliability: it will carry only about 15% - 20% of the flood flow at best (river levels are projected to rise by 30%).</p>	Please see response to point 1.
17	<p>While it claims to create access to high-quality open spaces, the CPO Scheme actually restricts community access to the principal green spaces of West Oxford for 3-5+ years plus during construction and reduces their extent thenceforth, giving less access to walking and cycling. Eight hectares of existing public space is lost, including much of Seacourt Nature Reserve.</p> <p>The Agency relies on contractors to control pollution and hazards during construction. It adds to the traffic congestion on local roads which already suffer from excess vehicles and pollution.</p> <p>Much of the CPO Scheme is essentially concerned with extracting soil and gravel. Like any such an extraction project, it will harm the health of people living nearby through noise, dust, vibrations, and air pollution. Linked with this are mental and physical health issues. Green infrastructure is linked to physical and mental health benefits. The CPO Scheme, particularly the excavations and extractions required by the channel would significantly reduce local residents' access to green infrastructure during the 3-5 years of construction, and somewhat reduce access during the operation of the CPO Scheme.</p>	<p><u>Access and Recreation</u></p> <p>The Agency are aware that the CPO Scheme area is well-used for walking, so the Agency has been very careful to assess the likely impacts that the CPO Scheme will have on all of the formal and informal access routes across the site, and to avoid or minimise temporary and permanent impacts on those routes wherever possible.</p> <p>Figure 6.1 in the Environmental Statement illustrates legal public rights of way in and around the scheme area, as set out on Oxfordshire County Council's Definitive Map. Aside from these public rights of way and the permissive paths that cross Hinksey Meadow all other paths in the area are informal. The permissive and informal paths in the Order Land have been described in Section 6.1.1 of the Environmental Statement, and Figures 6.3a and 6.3b show the proposed diversions for footways and informal or permissive paths during construction. The Agency can confirm that where legal rights of way need moving to deliver the scheme alternate, permanent routes will be provided.</p> <p>Table 6.1: Impacts on Public Rights of Way, informal paths and permissive access routes (pages 77 and 78)</p>

		<p>describes the likely impacts of the scheme during construction. The likely impacts once the CPO Scheme is built are set out in Table 6.2 Residual impacts on recreation and public access (pages 83-85).</p> <p>The Electric Road, which is an informal path, will stay open while the scheme is being constructed and will remain open once it is in operation.</p> <p>A new permissive cycle way and footpath (Figure 6.4 in the Environmental Statement) will run along the proposed maintenance track from Ferry Hinksey Lane to South Hinksey, providing a new recreational access route in the area. Gates will be positioned along the fence line of the track to maintain access to all of the main informal paths.</p> <p>The Agency developed a construction methodology which is designed to minimise any uncertainty or disturbance for recreational users. This is set out in section 6.3 of the Environmental Statement.</p> <p>These measures are incorporated into the contractor's contract by means of an Environmental Action Plan (EAP). This was submitted with the planning application as Appendix G of the Environmental Statement, but it is a live document that we will continue to develop. It will be updated as design details are finalised and as construction progresses.</p>
18	<p>As 111 vehicle movements per day for 15 months spread across the three plus years of gravel digging are planned, this is a dubious claim and presumably can only be correct if the form of words refers to 'national level transport impact'. But up to 114 HGV movements per day from the CPO Scheme on and off the congested A34 near the Hinksey Hill Interchange accessing national motorways is not without impact, locally or nationally. The Agency's request for a 40mph speed limit on the A34 ring road linking with motorways outside Oxford does affect an aspect of the national transport system.</p> <p>The A34 is already severely congested: the addition of so many HGV journeys is problematic.</p> <p>The Agency's 2018 application invoked consideration of a railway access road to use the Hinksey Sidings for spoil removal: in the 2022 application this is not firmed up but said to be under consideration for a separate planning application: to be</p>	<p><u>Transport and Air Quality</u></p> <p>The Agency are very aware of the temporary effect that the construction traffic could have, and that this is a concern for local communities and businesses, but the Agency are working hard to minimise impacts. As part of our planning application to Oxfordshire County Council the Agency submitted a Transport Assessment. This is an Appendix to the Environmental Statement and includes an outline Construction Traffic Management Plan (CTMP). The CTMP will be developed further and will confirm in detail how the Agency will manage impacts if planning permission is granted.</p> <p>In response to the regulation 25 request for further information, at the request of the local authority, the Agency provided up to date air quality monitoring data. The findings of which are set out within Appendix H of the Environmental Statement, that air quality levels would</p>

	<p>developed if made a condition of the scheme. Its likelihood and timeliness in mitigating traffic problems cannot be relied on.</p>	<p>not be significantly altered by the construction of the CPO Scheme.</p> <p>The Agency are working with partners and other organisations to manage impacts and to regularly review how the CPO Scheme can be delivered alongside other major infrastructure projects in the area.</p>
19	<p>The CPO Scheme's traffic will have a major impact for local residents and anyone travelling through Oxford's road network on already congested roads in residential areas (where at least three of the WHO air safety criteria are regularly breached to 70% -90% + above permitted levels).</p>	<p>Please see response to point 18.</p>
20	<p>The main work yard of the CPO Scheme is situated right up against South Hinksey village, necessitating noise and disruption (which the Agency says it will try to control, by, for example, using screens and having a local farmer not trim his hedge, but cannot guarantee in the light of the number of vehicle movements and the scale of its excavations).</p> <p>Movement of construction vehicles across the busy Abingdon Road on the proposed haulage routes to the worksite on the southern border of Hinksey Park will ultimately cause further congestion on the A34.</p> <p>Congestion will be caused at the south end of the CPO Scheme where the main construction access for the Hinksey Stream channel is via the Redbridge Park and Ride.</p>	<p><u>Construction</u></p> <p>Construction impacts such as minimising noise, checking air quality and traffic flow impacts are identified and detailed through the Environmental Impact Assessment (EIA) process. These results are incorporated into the contractor's contract by means of an Environmental Action Plan (EAP). This is submitted in the planning application as an appendix to the Environmental Statement, but it is a live document we continue to develop. It will be updated as design details are finalised and as construction progresses. The Environmental Action Plan includes a number of separate plans for specific areas of work, for example a Construction Traffic Management Plan and a Site Waste Management Plan. It also sets out the measures that must be taken to protect all other parts of the environment covered by the Environmental Impact Assessment.</p> <p>The Agency been in communication with communities particularly affected by construction plans. The Agency listened to their concerns and thoroughly investigated options to reduce the impact of construction as much as possible. The Agency the support of local communities in progressing with this vital scheme.</p> <p>Redbridge Park and Ride will be used as a temporary compound for works in the Hinksey Stream immediately adjacent to the southeast corner of the park and ride. The number of HGVs using the Redbridge Park & Ride access via Old Abingdon Road will be minimal and it is anticipated that the disruption caused will be no greater than that caused by coaches accessing via the same route.</p>
21	<p>Despite the Agency's claims that since they are not building a housing estate,</p>	<p><u>Design</u></p>

	<p>they are preserving green belt and open spaces and creating a landscape infrastructure, there is little evidence of well-designed placemaking. The key problem is that their new designed place is at the expense of an existing, thriving ecology. Even well-designed places are not adequate replacements for established ecologies maintained with skill and respect.</p> <p>OFEG also dispute that the proposed replacement is well-designed. For example, the proposed 'motorway style' paved and railed bridge over the historic Willow Walk introduces an appalling visual on the landscape as well as the loss of 1/3 of the veteran trees. This compares to the current pleasing informal, mature landscape with a pedestrian and cycle path through it.</p>	<p>The CPO Scheme will visually blend into the surrounding fields. It will work with the natural floodplain and fits in with the existing environment, most of which is farmland. The newly created stream will look and behave like a natural stream, with a gently sloping floodplain of new wetland habitat, grazing meadow and wildflowers.</p> <p>A full assessment of the impacts that the scheme is likely to have on landscape character has been carried out and included as part of the Environmental Statement submitted with the planning application. For most of the CPO Scheme, including those areas where there are currently fields and where the land is in agricultural use, the landscape will continue to look very similar after the construction of the scheme as it was before. A sensitive approach has been taken to the design of bridges in the semi-rural setting.</p>
22	<p>The channel is not effective enough to protect Oxford from these challenges over the claimed 100-year life of the CPO Scheme. Independent experts have from the beginning raised serious questions about the channel's function and hydrological performance. The problem of the channel's disproportionate cost and destructiveness and the absence of whole catchment planning is a dereliction from NPPF 14. The CPO Scheme only indirectly addresses river surges and flash flooding, which are increasing risks due to climate change. It also only indirectly addresses groundwater flooding, a major risk in an area like Oxford that is built on gravel.</p>	<p>Please see response to point 10.</p>
23	<p>There are several apparent discrepancies within the modelling of river flows in ES App Q, which suggest the Agency's data is not a robust basis for making decisions. It should also be noted that the Agency often gives the impression of having run hundreds of modelling alternatives. In fact, these are mainly paper exercises.</p>	<p>Please see response to point 10.</p>
24	<p>The Agency and Oxfordshire County Council are in breach of NPPF 14, para. 153's requirement that local planning authorities take a proactive approach to climate change.</p> <p>The loss of carbon sequestration in ancient flood meadows, mature trees, hedgerow and grasslands is not mentioned, let alone measured. In its response to the first of its two Regulation 25 letters, in which information about uncalculated carbon emissions in the CPO Scheme was requested, the Agency</p>	<p><u>Carbon Emissions</u></p> <p>The Agency is committed to achieving net zero by 2030. This means that, by 2030, the Agency will aim to balance the carbon emissions produces with those taken out of the atmosphere. Having the CPO Scheme in place will reduce the likelihood of floods in built-up areas. Flooding increases carbon emissions due to direct damage and disruption, as well as the replacement and refurbishment of properties, vehicles and belongings. By reducing flood damage, the CPO Scheme</p>

	<p>claims that it is counting its carbon emissions as operational under maintenance but does not address sequestered carbon. The Agency has consulted with the Floodplain Meadow Alliance, and should be aware of this, but says nothing of sequestered carbon.</p> <p>The Agency has not responded to Freedom of Information requests as to how it counts its carbon emissions. This is not transparent or accountable use of public money, and it is not an adequate response to meeting the challenge of climate change.</p>	<p>will prevent the production of far more carbon emissions in the long term than are generated through its construction and maintenance.</p> <p>The CPO Scheme has been designed as far as possible to minimise carbon emissions. Most of the carbon emissions will be from machinery and vehicles needed to move material and from producing the concrete and steel we will use. The Agency continue to explore ways to reduce the carbon generated through construction and maintenance, including how we might use current and future technology.</p>
25	<p>The Agency's most contentious claim and the one with the most obvious consequences both nationally and for residents is that the CPO Scheme improves the landscape and brings 'enhanced bio-diversity'. Destroying an existing ecology and wildlife corridor and replacing it with an inferior one that will take many decades to reach viability is not "enhancing" the natural environment.</p> <p>Even were the Agency's classification of the existing biodiversity correct and were its mitigations to work as planned, the CPO Scheme violates NPPF 15, para. 180: significant harm to biodiversity resulting from the Agency's development cannot be avoided through locating on an alternative site with less harmful impacts. Nor can it be adequately mitigated, or, as a last resort, compensated for.</p>	<p><u>Wildlife</u></p> <p>The Agency conducted wildlife surveys and know that badgers, otters and water voles live in various locations across the scheme area. The Agency aim to minimise disturbance to these species as much as we possibly can, by establishing exclusion zones to prevent disturbance until breeding is complete and creating new habitat where disruption is unavoidable.</p> <p>The Agency identified potential bat roost trees when we conducted tree inspection surveys. Additional tree surveys will be carried out before construction starts. The Agency will provide alternative bat roost locations under licence before removing any existing bat roosts. Tree work will take place when bats are not present. The Agency will leave as many trees and dead trees standing as possible to maintain bat roosting opportunities and to provide structure for bat foraging and commuting routes. Alternative artificial roosts will also be provided. There will be a short-term loss in woodland and it is important to compensate for this as quickly as possible. The Agency will plant biodiverse native woodland, which will provide increased future provision of bat roosts. New wetland habitat will provide more foraging opportunities for bats.</p> <p>To preserve fish passage, the Agency are avoiding obstructive works between March and July in Bulstake Stream, Seacourt Stream, Hinksey Stream, and areas which directly affect fish spawning. The CPO Scheme will include the removal of Towles Mill Weir, which will help facilitate unimpeded fish passage around Oxford in the long-term.</p> <p>The Agency expect all pre-construction wildlife surveys and associated mitigation proposals will be the subject of any planning permission which is granted.</p>

		<p>Trees</p> <p>Throughout the design process, engineers and ecologists have worked together to minimise tree loss wherever possible. The Agency will continue to reduce tree loss when building the CPO Scheme, by working around trees that have been identified for felling if at all possible. An Environmental Clerk of Works will be on site to ensure that these further opportunities are identified and taken wherever possible.</p> <p>The Agency's tree-planting proposals will result in more woodland within the scheme area after completion than there is at present. The Agency plan to plant over 4,000 larger tree species and thousands of smaller trees, such as hawthorn, hazel and elder, along with many more native shrubs such as dogwood, goat willow, dog rose and wild privet. The tree-planting proposals form part of the planning application</p> <p>The new woodland will contain a greater variety of tree and shrub species than the majority of the woodland that is being lost and will quickly provide greater structural diversity. The woodland will also be managed to support a diverse ground flora. This is in contrast to much of the existing woodland where the unmanaged, single age stands of mature trees support only sparse shade-tolerant ground flora. At Willow Walk, once construction works are complete, the Agency will be planting 20 white willows - 10 on each side of the path - to reinstate the avenue of trees. Willow trees are fast growing so the avenue effect will be recreated relatively quickly. The Agency are also working with Oxford City Council Direct Services to develop a maintenance plan that will enable them to undertake pro-active management and succession planting along the full length of Willow Walk, with a view to improving the appearance of this important landscape feature in the long-term. At the moment, many of the willow trees are suffering from a bracket fungus which is causing rot in some of the branches and trunks.</p> <p>Biodiversity Net Gain</p> <p>Habitat creation and enhancement, both within the CPO Scheme area and in the surrounding Oxfordshire environment, will ensure that deliver biodiversity net gain. This means that over time, the CPO Scheme will increase the range of wildlife and the quality of the habitats in the area. Biodiversity enhancements will be secured by the planning process, and</p>
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		required by planning conditions and/or legally binding agreement(s).
26	<p>The Agency claims to be creating a new corridor for wildlife through the CPO Scheme but is in fact disrupting an existing one.</p> <p>Under the Environment Act 2021 the CPO Scheme must provide at least 10% biodiversity net gain. Most of Seacourt Nature Park will be permanently lost, as will Kennington Copse. The CPO Scheme only provides the net gain if: Approx. 9.2ha of wet woodland is created off-site 4-5km of hedges are planted off-site. Approx. 730m of ditches are provided off-site (Environmental Statement Appendix S, Biodiversity Metric, pp. 5-7). The revised Biodiversity Net Gain calculations show that the adjusted BNG is now minus 1 and therefore a net loss. This does not include Hinksey Meadow and now almost all of the compensation will be offsite. This is a major loss to local citizens and breaches our human rights.</p>	Please see response to points 5 and 25.
27	<p>The vast amount of excavation and traffic carrying spoil generated by the channel is the chief objection.</p> <p>In extracting 455,000 cubic tons of alluvial soil and gravel that represent embodied carbon, the Agency is destroying a carbon sink. This is not a sustainable use of mineral materials.</p>	Please see response to points 18 and 24.
28	<p>OFEG disputes that the OFAS recognizes the importance of the existing green and blue infrastructure because the new stream and associated wetland habitat constituted by the channel replace a much more rare and nationally important meadow grassland habitat and iconic pastoral landscape.</p> <p>The special character of the Green Belt is not preserved but degraded by the destruction of mature trees, hedgerows, and flood meadows surrounding Oxford's western flank and their replacement with wetlands.</p> <p>The construction of the channel fails to preserve the historic setting of Hinksey Village, purchased by the Oxford Preservation Trust with a view to ensuring its permanence.</p> <p>Green Belt protection will be in fact strengthened through forthcoming changes to the NPPF guidelines. The requirement for Green Belt permanence is not met: the replacement landscape itself is threatened by the lack of a maintenance budget beyond 10 years</p>	Please see response to points 3, 17 and 21.

	<p>post-construction.</p> <p>The construction of channel infrastructure such as bridges arguably violates the requirements for openness. Loss of footpaths and rights of way and the erection of fencing and blocking of access to maintenance roads will also limit spatial as well as visual openness. Inappropriate bridge structures violate the rural and informal character of the landscape.</p> <p>There will be a permanent loss of 100 ha. This is an immense amount of green belt land particularly in a traditional pastoral location.</p> <p>Harm through adjacent development. While the EA claims (Planning Statement, p. 75) that the scheme's existence will ensure that the flood plain cannot be developed on, the scheme does facilitate adjacent development and/or re-classified land that will contribute to urban sprawl and threaten the permanence of the green belt.</p>	
29	<p>The Agency may be in violation of the National Planning Policy Framework Section 13 on protecting Green Belt land. The Agency's argument also fails to meet the criteria for Very Special Circumstances for Changes to the Greenbelt.</p> <p>(i) Essentially the redundancy and inefficacy of the channel means that the EA does have an alternative to the destruction of Hinksey Meadow, other valuable floodplain meadows, and the iconic riverine landscape of veteran crack willows and other established trees and hedgerows in the scheme area.</p> <p>(ii) As it is the chief cause of ecological destruction and constriction of access, the channel also causes a loss of value (unmentioned and uncoded in the EA's argument for a Special Case greenbelt scheme) in the now recognised welfare costs associated with greenbelt, greenfield and landscape destruction.</p>	Please see response to points 3 and 8.
30	<p>The CPO Scheme would destroy 1.33ha of irreplaceable 1000-year-old MG4a Hinksey Meadow, and threatens the remaining 7.2-7.7ha of MG4a meadow through changes in hydrology.</p> <p>Hinksey Meadow has been judged to be of higher ecological value than SSSI's Oxford Meadows and Iffley Meadow and therefore should have been given similar</p>	Please see response to point 8.

	<p>consideration. Several prominent ecologists, including Dr Tim King, Dominic Woodfield, and the Buckingham, Berkshire Oxford Wildlife Trust have expressed serious concerns about the loss of Hinksey Meadow as well as problems with the EA's DEFRA calculations.</p>	
31	<p>As earlier noted, the Agency may be in violation of the 2021 Environment Act.</p> <p>(i) The precautionary and prevention principles of the 2021 Environment Act mean ministers must act in accordance with five core principles to meet net zero and halt biodiversity collapse in a climate emergency. (a) As detailed in A 2, NPPF 14, above, the CPO Scheme does not include construction emissions and the release of sequestered carbon in its statement of carbon emissions.</p> <p>(ii) The ecological and environmental destructiveness of the channel threatens the green corridor and the wildlife who inhabit and access it with bio-diversity degradation that cannot be mitigated or compensated. To comply with the precautionary principle, the CPO Scheme ought to manage and monitor before implementing the more harmful elements of the scheme.</p> <p>(iii) The CPO Scheme struggles to achieve the biodiversity net gain required by the Environment Act 2021.</p> <p>(iv) Biodiversity net gain should only be a last resort, after avoidance and mitigation: "the mitigation hierarchy [requires projects to] avoid impacts first, then mitigate and only compensate as a last resort." In OFAS's case, avoidance is possible by not having a secondstage channel. The approach currently proposed is inappropriate, and much/all of the biodiversity net gain should not be needed.</p> <p>(v) The Agency's full calculations of net gain do not form part of the planning application, and the validity of their claims therefore hidden from full examination. Adjudication at a higher level is required.</p>	Please see response to point 25.
32	<p>The Agency may be in violation of the Acquisition of Land Act 1981.</p> <p>The CPO Scheme will not improve access. This issue is governed by The Acquisition of Land Act 1981 (Section 19, Schedule 3, Para 6) which suggests this is at the level of a planning inspector or Parliament. Much of the land cited by the</p>	<p><u>Open Space and Exchange Land</u></p> <p>Jewson's Field is in private ownership and is surrounded by chain-link fencing. The site has been left unmanaged for many years and is now a biodiverse matrix of lowland meadow and scrub. In the north-west corner of the site, the chain-link fencing is broken. This has created a</p>

	EA as mitigation is already publicly accessible, for example Jewson's Field and the grassland meadow SE of Osney Mead.	<p>concealed access point through the overgrown hedgerow, which is narrow and dark. The site is not intended for public recreation so the vegetation is not managed to enable access. Once in the site, access is restricted, particularly in the spring, summer and autumn months, when the unmanaged, dense blackthorn scrub and tall meadow vegetation make it difficult to walk through the area.</p> <p>There is no formal current access between Seacourt Nature Park and the 'Jewson's Field' and, should the landowner choose to repair or replace the damaged chain-link fence, those members of the public who are currently accessing the site could be stopped at any time. By selecting the area as exchange land, the site could be secured for the purposes of public recreation and sensitively managed to make it equally as accessible and advantageous as Seacourt Nature Park whilst retaining and maximising the existing biodiversity.</p>
33	<p>Eminent hydrology engineer David Ramsbottom, (Senior Engineer, HR Wallingford) has objected on the basis of technical weaknesses. The capacity of the channel is less than 20% of the total flood flow in a large flood. As a result, the reduction in flood levels is small and the flood benefit is also small. Will cause a lot of disruption and does not seem to be an efficient use of public money. In his assessment, the conflict between storing water, while the object is to reduce flooding in the area is a basic conceptual flaw.</p> <p>The Agency has not allowed for flooding behind walls and banks during a flood, caused by seepage underneath. This could be a source of flooding within the scheme and could require further works (and costs) to mitigate.</p>	Please see response to point 10.
34	Roger Bettess, retired Principal Engineer and former Technical Director at HR Wallingford, author and expert on rivers and climate change, cites fundamental errors with the data modelling and hydrology in his objection. By removing data from the hydrological analysis carried out, the calculated flood hydrographs used in the hydraulic model may be in serious error and may underestimate the flood volumes to which Oxford is subject. Bettess concludes that it is folly to proceed on this basis, since the hydrology underlying the hydraulics of the CPO Scheme are not sound.	Please see response to point 10.
35	Oxfordshire County Council, the planning authority, are part of the consortium backing the CPO Scheme. While	See other responses.

	legislation makes it possible for councils to adjudicate on their own proposals, this is not a fair or transparent approach for a controversial scheme of such enormous magnitude. Local planning officers lack the necessary critical distance and are placed in an unfair position if they are to be the arbiters of whether the benefits and costs of the scheme meet both national requirements and local needs. The onus is on central government to ensure a more transparent process through a public enquiry.	
36	The Agency has failed to show that while Oxford needs a flood scheme, the current iteration is the best possible of the alternatives.	Please see response to point 1.
37	Two hundred and thirty-two comments on the Oxford Flood Alleviation Scheme Oxford application have been received by the planning authority. Two hundred and twelve (91%) explicitly reject the proposals in their current form, specifically its flood channel component.	Please see response to point 2.

<p>Name: Matthew Scarborough</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency have responded to the objector on the grounds outlined in their letter with a detailed response. After not receiving a response from the objector to our detailed response the Agency followed this up asking if their concerns have been satisfied.</p>		
No.	Ground of objection	Agency response
1	<p>The CPO Scheme will prevent the use of the fields. In addition, the compulsory access route through a shared livery yard will render this completely unusable.</p> <p>Further afield, the CPO Scheme would markedly restrict the amenity areas that are currently used for walking and riding. As a consequence, horses would not be able to be owned in the area and the local ecological diversity would be irreparably damaged.</p>	<p>The Agency are aware of the stable's importance from communication with the stables leaseholder, Ms A Ergeneli. The Order seeks a small area of land for the permanent location of a new overhead electricity H-pole and stays. It also seeks additional land on a temporary basis for SSE to erect the H-pole and to string realigned overhead conduits and for emergency services access (if required) to reach the flood channel works. As such, the Order provides an area for SSE to safely carry out their works and flexibility for emergency services access, depending on ground conditions. The temporary working area in the paddock excludes the stable block.</p> <p>The Agency has been discussing with the stables leaseholder, Ms A Ergeneli, whether some modifications can be made to the temporary works area, to mitigate the impact of the CPO Scheme on the</p>

		<p>tenants' use of and access to the stables, during our proposed works.</p> <p><u>Biodiversity</u></p> <p>Habitat creation and enhancement, both within the CPO Scheme area and in the surrounding Oxfordshire environment, will ensure that the Agency delivers biodiversity net gain. This means that over time, the CPO Scheme will increase the range of wildlife and the quality of the habitats in the area.</p> <p>Biodiversity enhancements will be secured by the planning process, and required by planning conditions and/or legally binding agreement(s)</p> <p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p>
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<p>Name: Susannah Sheffield</p> <p>Status: Non Statutory Objector</p> <p>Plot Interests: N/A</p>		
<p>Summary of Position:</p> <p>The Agency sent a detailed response to Susannah Sheffield's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if her concerns had been addressed. Susannah Sheffield replied confirming that she does not wish to withdraw her objection.</p>		
No.	Ground of objection	Agency response
1	<p>This is a vital space for local well-being. There is an increased appreciation of the local space and environmental habitats. People enjoy the combination of open space, countryside and access to the city. The CPO Scheme will have an immediate impact on access to services and encourage more people to use cars.</p>	<p><u>Recreation (Access)</u></p> <p>The Agency are aware that the area is well used for walking, so the Agency has been careful to assess the likely impacts that the CPO Scheme will have on both formal and informal access across the site, and to avoid or minimise impacts on these routes wherever possible. Section 6 of the Environmental Statement, which supports the planning application, details the impacts and mitigation of the CPO Scheme on recreation activities, including footpaths.</p> <p>Inevitably, there will be some temporary closures of designated bridleway, footpaths and cycleways while the Agency constructs the CPO Scheme. The Agency will always signpost alternative routes and make temporary routes available where possible. Key public access routes, such as Willow Walk between North Hinksey and Osney Mead and the National Grid access track (known as the 'electric road' between Osney Mead and South Hinksey) will always remain open.</p> <p>While the Agency are constructing the CPO Scheme, access to Hinksey Meadow will be available from Botley Road via a temporary footpath which the Agency will create along the edge of Seacourt Nature Reserve, and the existing north east access from Willow Walk.</p> <p>The Agency will be creating a new track along much of the CPO Scheme to allow access for maintenance. The central section of this track between South Hinksey and Osney Mead will be made into a permissive path, that the public can use for walking and cycling.</p>

<p>Name: Riki Therivel and Tim O'Hara</p> <p>Status: Non Statutory Objector</p>

Plot Interests: N/A

Summary of Position:

The Agency sent a detailed response to Riki Therivel and Tim O'Hara's objection letter. After not receiving a response, the Agency sent a follow-up letter to ask if their concerns had been addressed. In parallel to this, Riki Therivel and Tim O'Hara have written to the Agency directly with a set of questions about the scheme. A response has been sent to them which answers those queries.

No.	Ground of objection	Agency response
1	Jewson's Field is used frequently for dog walking and by others in the area for other reasons (e.g. access, berry picking).	'Jewson's Field' is in private ownership and is surrounded by chain-link fencing. The site has been left unmanaged for many years and is now a biodiverse matrix of lowland meadow and scrub. In the north-west corner of the site, the chain-link fencing is broken. This has created a concealed access point through the overgrown hedgerow, which is narrow and dark. The site is not intended for public recreation, so the vegetation is not managed to enable access. There is no formal current access between Seacourt Nature Park and the 'Jewson's Field' and, should the landowner choose to repair or replace the damaged chain-link fence, those members of the public who are currently accessing across the site could be stopped at any time. By selecting the area as exchange land, the site could be secured for the purposes of public recreation and sensitively managed to make it equally as accessible and advantageous as Seacourt Nature Park, whilst retaining and maximising the existing biodiversity.

Appendix 3

CPO plots applicable to each Local Authority

Oxford City Council

01/036; 01/037; 01/038; 01/039; 01/048; 01/054; 01/055; 01/056; 01/056x; 01/056y; 01/057;
01/058; 01/059; 01/060; 01/061; 01/063; 01/064; 01/065; 01/066; 01/067; 01/068; 01/069;
01/070; 01/071; 01/072; 01/073; 01/074; 01/075; 01/076; 01/077; 01/078; 01/079; 01/080;
01/081; 01/082; 01/083; 01/084; 01/085; 01/086; 01/087; 01/088; 01/089; 01/090; 02/049;
02/065; 02/067; 02/069; 02/071; 02/073; 02/075; 02/079; 02/080; 02/081; 02/082; 02/083;
02/084; 02/085; 02/086; 02/087; 03/015; 03/016; 03/017; 03/018; 03/019; 03/020; 03/021;
03/022; 03/023; 03/024; 03/045; 03/046; 03/047; 03/048; 03/049; 03/050; 03/051; 03/052;
03/053; 03/054; 03/055; 03/056; 03/057; 03/058; 03/059; 03/060; 03/061; 03/062; 03/063;
03/064; 03/065; 03/066; 04/005; 04/006; 04/015; 04/017; 04/018; 04/019; 04/020; 04/021;
04/022; 04/023; 04/024; 04/025; 04/026; 04/027; 04/028; 04/029; 04/030; 04/031; 04/032;
04/033; 04/034; 04/035; 04/036; 04/037; 04/038; 04/039; 04/040; 04/041; 04/042; 04/043;
04/044; 04/045; 04/046; 04/047; 04/048; 05/001; 05/002; 05/003; 05/004; 05/015; 05/016;
05/017; 05/018; 05/019; 05/021; 05/022; 05/023; 05/024; 05/025; 05/026; 05/027; 05/028;
05/029; 05/030; 05/037; 05/038; 05/039; 05/040; 05/041; 05/042; 05/046; 05/047; 05/048;
05/049; 05/058; 06/003; 06/006; 06/007; 06/009; 06/037; 06/038; 06/040; 06/041; 06/045;
07/003; 07/004; 07/005; 07/006; 07/007; 07/008; 07/009; 07/010; 08/001; 08/002; 08/003;
08/004; 08/005; 08/006; 08/007; 09/001; 09/002; 09/003; 09/004; 09/005; 09/006; 09/011;
09/012; 09/013; 09/014; 09/016; 09/017; 09/018; 09/019; 09/020; 09/021; 09/022; 09/023;
09/024; 09/025; 09/026; 09/027; 09/028; 09/029; 09/030; 09/031; 09/032; 09/033; 09/034;
09/035; 09/036; 09/037; 09/038; 10/001; 10/002; 10/003; 10/004; 10/005; 10/006; 10/007;
10/008; 10/009; 10/010; 10/011; 10/012; 10/019; 10/020; 10/021; 10/022; 10/023; 10/024;
10/025; 10/026; 10/027; 10/029; 10/031; 10/041; 10/050; 10/051; 10/054; 10/056; 10/057;
10/058; 10/059; 10/060; 10/061; 10/062; 10/063; 10/064; 10/065; 10/066; 10/067; 10/068;
10/069; 10/070; 10/071; 10/072; 10/073; 10/074; 10/075; 10/076; 10/077; 10/078; 10/079;
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11/002; 11/003; 11/010; 11/012; 11/013; 11/014; 11/015; 11/016; 11/017; 11/018; 11/022;
11/023; 11/024; 11/031; 11/037; 11/039; 11/042; 11/051; 11/052; 11/054; 11/055; 11/058;
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11/086; 11/087; 11/088; 11/089; 11/090; 11/091; 11/092; 11/093; 11/094; 11/095; 11/096;
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11/113; 11/114; 11/115; 11/116; 11/117; 11/118; 11/119; 11/120; 11/121; 11/122; 11/123;
11/124; 11/125; 11/126; 12/001; 12/003; 12/005; 12/006; 12/007; 12/008; 12/009; 12/067;
12/068; 12/071; 12/072; 12/073; 12/074; 13/001; 13/001a; 13/002; 13/002a; 13/003; 13/003a;
13/004; 13/004a; 13/005; 13/005a; 13/006; 13/006a; 13/007; 13/007a; 13/008; 13/008a; 13/009;
13/009a; 13/010; 13/010a; 13/011; 13/087; 13/088; 13/097; 13/101; 13/102; 13/103; 14/001;
14/002; 14/003; 14/004; 14/005; 14/006; 14/007; 14/008; 14/009; 14/010; 14/011; 14/012;
14/013; 14/014; 14/015; 14/016; 14/017; 14/018; 14/019; 14/020; 14/021; 14/022; 14/023;
14/024; 14/025; 14/026; 14/027; 14/028; 14/029; 14/030; 14/031; 14/032; 14/033; 14/034;
14/035; 14/036; 14/037; 14/038; 14/039; 14/040; 14/041; 14/042; 14/043; 14/044; 14/045;
14/046; 14/047; 14/048; 14/049; 14/050; 14/051; 14/052; 15/001; 15/002; 15/005; 15/006;
15/007; 15/010; 15/014; 15/014a; 15/014b; 15/015; 15/015a; 15/015b; 15/016; 15/016a;
15/016b; 15/017; 15/018; 15/019; 15/019a; 15/020; 15/021; 15/022; 15/023; 15/024; 15/025;
15/026; 15/026z; 15/027; 15/028; 15/029; 15/030; 15/031; 15/032; 15/033; 15/034; 15/041;
15/042; 15/050; 15/059; 15/064; 15/065; 15/066; 15/067; 15/068; 15/069; 16/012; 16/013;
16/014; 16/015; 16/016; 16/017; 16/018; 47 WORK\44218876\v.2 30665.26 16/019; 16/020;
16/021; 16/022; 16/023; 16/024; 16/025; 16/026; 16/027; 16/028; 16/029; 16/030; 16/033

Oxfordshire County Council

01/001; 01/002; 01/003; 01/004; 01/024; 01/025; 01/026; 01/027; 01/029; 01/030; 01/040;
01/062; 02/001; 02/002; 02/004; 02/008; 02/009; 02/012; 02/013; 02/014; 02/015;
02/018; 02/019; 02/037; 02/038; 02/041; 02/042; 02/043; 02/044; 02/045; 02/046; 02/047;
02/048; 02/080; 02/081; 02/082; 03/002; 03/003; 03/004; 03/005; 03/015; 03/016; 03/020;

03/021; 04/018; 04/026; 04/043; 04/044; 04/054; 04/057; 04/058; 05/005; 05/006; 05/007; 05/008; 05/009; 05/010; 05/011; 05/012; 05/013; 05/014; 05/020; 05/021; 05/022; 05/023; 05/024; 05/041; 05/042; 05/043; 05/044; 05/045; 05/058; 09/007; 09/008; 09/009; 09/010; 09/011; 09/012; 09/022; 09/023; 09/024; 09/031; 09/033; 09/035; 10/019; 10/020; 10/021; 10/022; 10/023; 10/024; 10/025; 10/026; 10/027; 10/029; 10/056; 10/062; 10/066; 10/067; 10/072; 10/073; 10/081; 10/083; 10/096; 10/098; 10/100; 11/012; 11/016; 11/017; 11/019; 11/020; 11/021; 11/026; 11/027; 11/035; 11/037; 11/038; 11/039; 11/040; 11/041; 11/042; 11/043; 11/044; 11/045; 11/046; 11/047; 11/048; 11/049; 11/050; 11/053; 11/054; 11/055; 11/056; 11/057; 11/062; 11/063; 11/065; 11/066; 11/067; 11/068; 11/069; 11/070; 11/072; 11/073; 11/124; 11/125; 11/126; 12/010; 12/011; 12/020; 12/021; 12/022; 12/023; 12/024; 12/027; 12/028; 12/029; 12/030; 12/031; 12/037; 12/038; 12/039; 12/040; 12/041; 12/042; 12/043; 12/044; 12/045; 12/046; 12/049; 12/050; 12/051; 12/052; 12/053; 12/054; 12/055; 12/056; 12/057; 12/058; 12/059; 12/060; 12/061; 12/062; 12/063; 12/064; 12/065; 12/067; 12/068; 12/071; 12/072; 12/073; 12/074; 12/075; 12/076; 12/077; 12/078; 13/013; 13/015; 13/015a; 13/017; 13/017a; 13/018; 13/018a; 13/022; 13/022a; 13/025; 13/026; 13/027; 13/028; 13/029; 13/031; 13/032; 13/039; 13/097; 13/098; 13/099; 13/100; 13/101; 13/102; 14/001; 14/002; 14/003; 14/004; 14/005; 14/006; 14/007; 14/013; 14/019; 14/020; 14/021; 14/022; 14/023; 14/030; 14/031; 14/032; 14/033; 14/035; 15/011; 15/012; 15/013; 16/017; 16/018; 16/019; 16/020; 16/021; 16/023; 16/024; 16/025; 16/026; 16/027

Vale of White Horse

04/014; 04/016; 12/001; 12/002; 12/003; 12/004; 12/005; 12/006; 12/007; 12/008; 12/009; 12/010; 12/011; 12/012; 12/013; 12/014; 12/015; 12/016; 12/017; 12/018; 12/019; 12/022; 12/024; 12/025; 12/026; 12/027; 12/030; 12/032; 12/033; 13/021x; 13/022x; 13/023; 13/029; 13/030; 13/031; 13/032; 13/033; 13/034; 13/035; 13/036; 13/037; 13/038; 13/039; 13/040; 13/041; 13/042; 13/043; 13/044; 13/045

Cheshire West And Chester Borough Council

02/006; 02/007; 02/008; 02/009; 02/010; 02/011; 03/034; 03/038; 03/039

North Hinksey Parish Council

04/004

All Highway plots

01/001; 01/002; 01/003; 01/004; 01/024; 01/025; 01/026; 01/027; 01/029; 01/030; 01/040; 01/062; 02/001; 02/002; 02/003; 02/004; 02/008; 02/009; 02/012; 02/013; 02/014; 02/015; 02/037; 02/038; 02/041; 02/042; 02/043; 02/044; 02/045; 02/046; 02/047; 02/048; 03/002; 03/003; 03/004; 03/005; 03/015; 03/016; 03/020; 03/021; 04/018; 04/026; 04/043; 04/044; 04/054; 04/057; 04/058; 05/010; 05/011; 05/012; 05/020; 05/021; 05/022; 05/023; 05/024; 05/041; 05/042; 05/043; 05/044; 05/045; 05/058; 09/007; 09/008; 09/009; 09/010; 09/011; 09/012; 09/022; 09/023; 09/024; 09/031; 09/033; 09/035; 10/019; 10/020; 10/021; 10/022; 10/023; 10/024; 10/025; 10/026; 10/027; 10/029; 10/056; 10/062; 10/066; 10/067; 10/072; 10/073; 10/081; 10/083; 10/096; 10/098; 10/100; 11/012; 11/016; 11/017; 11/026; 11/027; 11/035; 11/038; 11/039; 11/040; 11/041; 11/042; 11/045; 11/046; 11/047; 11/048; 11/049; 11/050; 11/053; 11/054; 11/055; 11/056; 11/065; 11/066; 11/067; 11/126; 12/010; 12/011; 12/020; 12/021; 12/022; 12/023; 12/024; 12/027; 12/028; 12/029; 12/030; 12/031; 12/037; 12/038; 12/039; 12/040; 12/041; 12/042; 12/043; 12/044; 12/045; 12/046; 12/050; 12/051; 12/052; 12/053; 12/054; 12/055; 12/056; 12/057; 12/058; 12/059; 12/060; 12/061; 12/062; 12/063; 12/064; 12/065; 12/075; 12/076; 12/077; 12/078; 13/013; 13/015; 13/015a; 13/017; 13/017a; 13/018; 13/018a; 13/022; 13/022a; 13/026; 13/027; 13/029; 13/031; 13/032; 13/039; 13/098; 13/099; 13/100; 14/001; 14/002; 14/003; 14/004; 14/005; 14/006; 14/007; 14/013; 14/019; 14/020; 14/021; 14/022; 14/023; 14/030; 14/031; 14/032; 14/033; 15/011; 15/012; 15/013; 16/017; 16/018; 16/019; 16/020; 16/021; 16/023; 16/024; 16/025; 16/026; 16/027

National Highways Limited

01/001; 01/002; 01/003; 01/004; 09/007; 09/008; 09/009; 11/040; 11/041; 11/045; 11/046; 11/047; 11/048; 11/053; 11/054; 11/124; 11/125; 11/126; 12/039; 12/044; 12/046; 12/050; 12/052; 12/054; 12/055; 12/056; 12/057; 12/058; 12/059; 12/060; 12/061; 12/062; 12/063; 12/064; 12/065; 12/067; 12/068; 12/071; 12/072; 12/073; 12/074; 12/075; 12/076; 12/077; 12/078; 12/079; 13/031; 13/097; 13/098; 13/099; 13/100; 13/101

Appendix 4

Plots applicable to Network Rail Infrastructure Limited

11/001; 11/004; 11/005; 11/006; 11/007; 11/008; 11/009; 11/011; 11/025; 11/026; 11/027;
11/028; 11/029; 11/030; 11/032; 11/033; 11/034; 11/036; 11/101; 11/103; 11/106; 12/034;
12/035; 12/036; 12/039; 12/044; 12/046; 12/047; 12/048; 12/051; 12/052; 12/053; 12/055;
12/065; 12/066; 12/069; 12/070; 12/077; 12/080; 13/024; 13/070; 13/073; 13/074; 13/079;
13/080; 13/081; 13/104; 13/105; 13/106; 14/039; 14/040

Appendix 5

CPO plots applicable to each section of land relating to utility companies

BT Group PLC

01/001; 01/002; 01/003; 01/004; 01/024; 01/026; 01/027; 01/040; 01/041; 01/042; 01/062;
02/003; 02/004; 02/005; 02/006; 02/007; 02/008; 02/009; 02/065; 02/083; 03/001; 03/002;
03/003; 03/006; 03/025x; 03/036; 05/009; 05/020; 05/024; 05/030; 05/039; 05/040; 05/043;
05/044; 05/054; 05/055; 06/011; 06/012; 09/011; 09/012; 09/014; 10/065; 10/066; 10/083;
11/025; 11/026; 11/027; 11/028; 11/029; 11/030; 11/032; 11/033; 11/034; 11/035; 11/036;
11/039; 11/040; 11/041; 11/042; 11/045; 11/046; 11/047; 11/050; 11/051; 11/054; 11/055;
11/056; 11/061; 11/062; 11/063; 11/065; 11/066; 11/101; 11/105; 11/106; 11/109; 11/126;
12/037; 12/038; 12/039; 12/049; 12/063; 12/064; 12/065; 13/001; 13/001a; 13/002; 13/002a;
13/003; 13/003a; 13/005; 13/005a; 13/010; 13/010a; 13/012; 13/013; 13/014; 13/014a; 13/015;
13/015a; 13/016; 13/016a; 13/017; 13/017a; 13/018; 13/018a; 13/020; 13/020a; 13/025; 13/028;
13/031; 13/032; 13/039; 13/040; 13/041; 13/097; 13/099; 14/034; 14/035; 14/036; 15/012;
15/020; 15/021; 15/023; 15/024; 15/026; 15/026z; 15/027; 15/028; 15/029; 15/030; 15/031;
15/032; 15/033; 15/034; 16/012; 16/013; 16/014; 16/015; 16/016; 16/022; 16/025; 16/026;
16/028; 16/029; 16/030; 16/033

Centrica PLC

14/019; 14/024; 14/025; 14/026; 14/027; 14/028; 14/029; 14/035; 15/014; 15/014a; 15/014b;
15/015; 15/015a; 15/015b; 15/016; 15/016a; 15/016b; 15/017; 15/018; 15/019; 15/019a; 15/020;
15/021; 15/022; 15/023; 15/024; 15/025; 15/026; 15/026z; 15/027; 15/028; 15/029; 15/030;
15/031; 15/032; 15/033; 15/034

Instalcom Limited

11/117; 11/126; 12/056; 12/057; 12/064; 12/067; 12/069; 12/070; 12/071; 12/072; 12/076;
12/082; 13/082; 13/083; 13/084; 13/089; 13/090; 13/091; 13/093; 13/094; 13/096; 13/097;
13/099; 13/100; 13/101; 14/039

National Grid Electricity Transmission PLC

01/001; 01/005; 01/006; 01/007; 01/008; 01/011; 01/012; 01/013; 01/014; 01/015; 01/016;
01/020; 01/021; 01/022; 01/023; 01/028; 01/031; 01/032; 03/016; 03/018; 03/019; 03/020;
03/021; 03/022; 03/023; 03/024; 03/045; 03/046; 03/047; 03/048; 03/049; 03/050; 03/051;
03/052; 03/053; 03/054; 03/055; 03/056; 03/057; 03/058; 03/059; 03/060; 03/061; 03/062;
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04/042; 04/044; 04/045; 04/048; 04/053; 05/019; 05/024; 05/030; 05/031; 05/032; 05/033;
05/034; 05/035; 05/036; 05/037; 05/038; 05/039; 05/040; 05/041; 05/042; 05/043; 05/046;
05/047; 05/048; 05/049; 05/057; 05/058; 05/059; 05/060; 05/061; 05/061a; 05/062; 05/062a;
05/064; 05/069; 05/080; 05/084; 05/087; 05/088; 05/091; 05/093; 05/094; 05/096; 05/099;
05/101; 06/003; 06/006; 06/007; 06/009; 06/021; 06/022; 06/023; 06/025; 06/026; 06/027;
06/028; 06/029; 06/030; 06/031; 06/032; 06/033; 06/034; 06/037; 06/038; 06/040; 06/041;
06/043; 06/045; 06/046; 07/002; 07/003; 07/004; 07/005; 07/006; 07/007; 07/008; 07/009;
07/010; 08/001; 08/002; 08/003; 08/004; 08/005; 08/006; 08/007; 09/001; 09/002; 09/006;
09/023; 09/024; 09/025; 09/026; 09/028; 09/035; 11/002; 11/003; 11/010; 11/030; 11/031;
11/035; 11/036; 11/037; 11/074; 11/075; 11/076; 11/077; 11/087; 11/096; 11/098; 12/008;
12/009; 12/017; 12/026; 12/032; 12/033; 12/034; 12/035; 12/054; 12/055; 12/063; 12/064;
12/066; 12/067; 12/069; 12/070; 12/075; 12/076; 12/077; 12/082; 12/083; 13/086; 13/087;
13/089; 13/095

National Grid Gas PLC

06/003; 06/037; 06/038; 06/040; 06/041; 06/045; 07/003; 13/001; 13/001a; 13/002; 13/002a;
13/003; 13/003a; 13/004; 13/004a; 13/005; 13/005a; 13/006; 13/006a; 13/007; 13/007a; 13/008;
13/008a; 13/009; 13/009a; 13/010; 13/010a; 13/011

Network Rail Infrastructure Limited

11/001; 11/004; 11/005; 11/006; 11/007; 11/008; 11/009; 11/011; 11/025; 11/026; 11/027;
11/028; 11/029; 11/030; 11/032; 11/033; 11/034; 11/036; 11/101; 11/103; 11/106; 12/034;

12/035; 12/036; 12/039; 12/044; 12/046; 12/047; 12/048; 12/051; 12/052; 12/053; 12/055;
12/065; 12/066; 12/069; 12/070; 12/077; 12/080; 13/024; 13/070; 13/073; 13/074; 13/079;
13/080; 13/081; 13/104; 13/105; 13/106; 14/039; 14/040

Southern Electric Power Distribution PLC

01/001; 01/002; 01/003; 01/004; 01/005; 01/006; 01/007; 01/008; 01/033; 01/034; 01/035;
01/039; 01/040; 01/041; 01/042; 01/062; 01/072; 02/001; 02/002; 02/003; 02/004; 02/009;
02/037; 02/065; 02/082; 03/001; 03/002; 03/003; 03/004; 03/005; 03/006; 03/015; 03/016;
03/018; 03/020; 03/021; 03/023; 03/025x; 03/045; 03/048; 03/049; 03/051; 03/052; 03/056;
03/057; 03/070; 03/070a; 03/072; 03/072a; 03/073; 03/073a; 03/075; 03/076; 03/077; 03/078;
04/006; 04/015; 04/016; 04/018; 04/019; 04/020; 04/022; 04/026; 04/033; 04/034; 04/043;
04/044; 04/045; 04/049; 04/050; 04/051; 05/001; 05/002; 05/003; 05/004; 05/005; 05/006;
05/007; 05/008; 05/009; 05/012; 05/013; 05/014; 05/020; 05/025; 05/026; 05/027; 05/028;
05/029; 05/030; 05/031; 05/043; 05/055; 05/064; 05/065; 05/066; 05/067; 05/068; 05/070;
05/071; 05/075; 05/076; 05/080; 05/084; 05/087; 05/088; 05/091; 05/092; 05/093; 05/096;
05/097; 06/002; 06/003; 06/004; 06/005; 06/006; 06/007; 06/011; 06/012; 06/020; 06/021;
06/037; 06/046; 07/001; 07/002; 07/003; 07/008; 07/009; 08/002; 08/003; 08/005; 08/006;
08/007; 08/008; 08/009; 09/001; 09/002; 09/003; 09/004; 09/005; 09/014; 09/016; 09/018;
09/020; 09/021; 09/022; 09/025; 09/028; 09/029; 09/030; 09/032; 09/033; 09/034; 09/036;
09/037; 09/038; 10/004; 10/006; 10/007; 10/008; 10/013; 10/014; 10/015; 10/016; 10/018;
10/020; 10/021; 10/022; 10/024; 10/026; 10/027; 10/028; 10/031; 10/035; 10/036; 10/037;
10/050; 10/051; 10/054; 10/056; 10/063; 10/065; 10/067; 10/068; 10/069; 10/071; 10/072;
10/073; 10/076; 10/077; 10/079; 10/080; 10/081; 10/083; 10/084; 10/085; 10/086; 10/087;
10/088; 10/090; 10/091; 10/092; 10/093; 10/094; 11/002; 11/003; 11/013; 11/019; 11/020;
11/021; 11/028; 11/029; 11/032; 11/035; 11/039; 11/040; 11/042; 11/043; 11/044; 11/045;
11/046; 11/047; 11/050; 11/051; 11/052; 11/055; 11/056; 11/057; 11/058; 11/059; 11/061;
11/062; 11/063; 11/065; 11/066; 11/067; 11/068; 11/069; 11/076; 11/078; 11/082; 11/083;
11/084; 11/087; 11/101; 11/106; 11/126; 12/005; 12/012; 12/013; 12/014; 12/023; 12/024;
12/037; 12/038; 12/039; 12/040; 12/063; 12/064; 12/065; 13/021x; 13/023; 13/024; 13/031;
13/032; 13/035; 13/036; 13/037; 13/038; 13/039; 13/042; 13/046; 13/051; 13/053; 13/055a;
13/055b; 13/056a; 13/056b; 13/061; 13/065; 13/069; 13/070; 13/073; 13/074; 13/079; 13/099;
13/104; 13/105; 13/106; 14/001; 14/002; 14/006; 14/007; 14/013; 14/019; 14/021; 14/022;
14/023; 14/030; 14/031; 14/032; 14/033; 14/034; 14/035; 14/036; 14/037; 14/038; 14/041;
14/042; 14/044; 15/001; 15/002; 15/006; 15/010; 15/012; 15/013; 15/014; 15/014a; 15/014b;
15/016; 15/016a; 15/016b; 15/017; 15/018; 15/019; 15/019a; 15/020; 15/021; 15/026; 15/028;
15/034; 15/036; 15/038; 15/039; 15/041; 15/042; 15/043; 15/045; 15/046; 15/047; 16/024;
16/025; 16/026

Southern Gas Networks PLC

01/024; 01/026; 01/027; 01/062; 02/003; 02/004; 02/009; 02/044; 02/082; 03/001; 03/002;
03/003; 03/025x; 04/006; 06/003; 06/006; 06/007; 06/009; 06/011; 06/021; 06/028; 06/029;
06/030; 06/031; 06/032; 06/037; 06/038; 06/040; 06/041; 06/045; 06/046; 07/001; 07/002;
07/003; 07/009; 08/002; 08/003; 08/004; 08/005; 08/006; 09/001; 09/002; 09/003; 09/004;
09/005; 09/006; 09/017; 09/018; 09/019; 09/020; 09/021; 09/022; 09/023; 09/024; 09/025;
09/026; 09/027; 09/028; 09/029; 09/030; 09/031; 09/032; 09/033; 09/034; 09/036; 09/038;
10/001; 10/002; 10/003; 10/009; 10/010; 10/011; 10/012; 10/041; 10/066; 10/067; 10/083;
10/092; 10/093; 10/094; 10/100; 11/002; 11/003; 11/010; 11/012; 11/013; 11/014; 11/015;
11/016; 11/017; 11/018; 11/031; 11/035; 11/036; 11/038; 11/039; 11/040; 11/041; 11/042;
11/047; 11/048; 11/049; 11/050; 11/051; 11/053; 11/054; 11/055; 11/056; 11/065; 11/105;
11/108; 13/001; 13/001a; 13/088; 14/001; 14/002; 14/003; 14/004; 14/009; 14/015; 14/020;
14/021; 14/022; 14/034; 15/001; 15/002; 15/006; 15/010; 15/014; 15/014a; 15/014b; 15/015;
15/015a; 15/015b; 15/016; 15/016a; 15/016b; 15/017; 15/018; 15/019; 15/019a; 15/020; 15/021;
15/022; 15/023; 15/024; 15/025; 15/026; 15/026z; 15/027; 15/028; 15/029; 15/030; 15/031;
15/032; 15/033; 15/034; 15/035; 15/041; 15/042; 15/050; 15/052; 15/059; 15/064; 15/065;
15/066; 15/067; 15/068; 15/069; 15/070; 15/072

Thames Water Utilities Limited

01/014; 01/019; 01/020; 01/021; 01/024; 01/025; 01/027; 01/028; 01/062; 02/001; 02/002;
02/005; 02/006; 02/007; 02/008; 02/009; 02/013; 02/014; 02/015; 02/045; 02/046; 02/047;
02/048; 02/049; 02/065; 03/001; 03/002; 03/004; 03/005; 03/015; 03/016; 03/025; 03/025x;

04/005; 04/006; 05/002; 05/006; 05/007; 05/008; 05/009; 05/030; 06/011; 06/012; 06/017;
06/018; 07/001; 08/002; 08/006; 08/008; 08/009; 09/001; 09/002; 09/003; 09/004; 09/005;
09/010; 09/018; 09/019; 09/020; 10/004; 10/005; 10/006; 10/007; 10/008; 10/067; 10/068;
10/070; 10/079; 10/081; 10/082; 10/083; 10/085; 10/086; 10/092; 10/097; 10/098; 10/099;
10/100; 10/102; 10/103; 10/104; 11/019; 11/020; 11/021; 11/035; 11/038; 11/039; 11/041;
11/042; 11/043; 11/044; 11/046; 11/047; 11/048; 11/050; 11/051; 11/060; 11/064; 11/066;
12/011; 12/012; 12/013; 12/015; 12/016; 12/020; 12/025; 12/027; 12/028; 12/037; 12/038;
12/039; 12/063; 12/064; 12/065; 13/005; 13/005a; 13/006; 13/006a; 13/007; 13/007a; 13/009;
13/009a; 13/016; 13/016a; 13/017; 13/017a; 13/018; 13/018a; 13/021x; 13/022; 13/022a;
13/022x; 13/023; 13/024; 13/030; 13/033; 13/034; 13/035; 13/036; 13/037; 13/038; 13/039;
13/040; 13/041; 13/042; 13/043; 13/044; 13/045; 13/051; 13/055a; 13/055b; 13/059a; 13/059b;
13/060a; 13/060b; 13/061; 13/080; 13/098; 14/002; 14/003; 14/005; 14/009; 14/034; 14/039;
14/052; 15/001; 15/006; 15/021; 15/023; 15/024; 15/025; 15/026; 15/027; 15/052; 15/070;
15/072; 16/001; 16/002; 16/003; 16/006; 16/007; 16/024; 16/025

Virgin Media Limited

01/062; 01/082; 02/001; 02/002; 02/037; 02/065; 03/001; 03/002; 03/003; 03/004; 03/005;
03/015; 03/016; 03/025x; 05/055; 11/035; 11/037; 11/038; 11/039; 11/057; 11/062; 11/063;
11/066; 11/067; 11/068; 11/069; 11/070; 11/071; 11/073; 11/106; 11/110; 11/126; 12/049;
12/056; 12/059; 12/061; 12/063; 12/064; 13/025; 13/028; 13/039; 13/097; 13/100; 13/101;
14/001; 14/002; 14/003; 14/005; 14/009; 14/015; 14/020; 14/022; 14/023; 14/030; 14/031;
14/032

Vodafone Limited

11/039; 11/055; 11/056; 11/065; 11/124; 11/125; 11/126; 12/040; 12/045; 12/046; 12/049;
12/056; 12/059; 12/061; 12/063; 12/064; 12/067; 12/068; 12/071; 12/072; 12/073; 12/074;
12/075; 12/076; 12/077; 12/078; 13/025; 13/028; 13/097; 13/099; 13/101; 14/001; 14/006;
14/007; 14/013; 14/019; 14/020; 14/022; 14/030; 14/031; 14/032; 14/033