

A46 Cov_8May_ISH1_PT2

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FULL TRANSCRIPT (with timecode)

00:00:06:00 - 00:00:24:17

Thank you. So we've finished agenda item seven. We're now moving to the next agenda item which is eight and flood risk assessment. So the first item to be discussed will be the submitted flood risk assessment. And my first question is directed to Coventry City Council.

00:00:26:14 - 00:00:58:29

I'm going to refer you to two parts of these applicants submission, where the applicant speaks of ongoing consultation with Coventry City Council concerning the submitted flood risk assessment, and those references are made in the applicant's environmental statement, chapter 13, which concerns road drainage and water environment. That's the examination library reference app Dash 035 and reference is made in section 13.4.

00:00:59:17 - 00:01:17:23

Paragraph 13 .4.3. And secondly, in the applicant's consultation report, which is examination library reference app dash 115, bullet point two, page 33 of 158.

00:01:19:19 - 00:01:28:04

We need to understand the position of the City Council that the City Council holds on the submitted flood risk assessment. Thank you.

00:01:32:28 - 00:01:50:27

Neil Thomas Flood, manager, Coventry City The position on road drainage is that we are awaiting more information, so more information will be submitted. And then of course we will be looking at that more closely when that is presented to us. On the position of the flood risk assessment.

00:01:53:24 - 00:02:07:23

Uh, the um, reservoir flood risk, um, is a residual risk. And in planning practice guidance he cites that um, um the the way they should be.

00:02:07:25 - 00:02:17:15

Sorry messed up with that. We're going to deal with that in the next the next item, if I may. It's more to do. So is are your concerns linked to the flood at the reservoir risk assessment? Am I correct?

00:02:17:24 - 00:02:18:18

That is correct.

00:02:20:08 - 00:02:24:12

Okay. That's my question. Any comments? Any contributions?

00:02:27:07 - 00:02:38:13

Um, Angus Walker for the applicant for for this item are, um, flood expertise and Mr. Andy Smith who is online. I don't know if he has anything to say at this point.

00:02:40:08 - 00:02:41:08

I hope he's there.

00:02:42:29 - 00:02:48:29

Hello? Yes. Andy Smith. Yes. For the applicant. No, I don't have anything further to add at this point.

00:02:50:15 - 00:03:14:14

Mr. Smith, thank you. On that basis, we move on to the next the next item on this agenda item. And this concerns the pool Flood Mitigation scheme, um, to the applicant and to Coventry City Council. I'll be posing questions to you both on your approaches to assessing reservoir flood risk. I'll direct my questions first to the city council and then to the applicant. Oh that's okay.

00:03:16:03 - 00:03:30:06

So to the city council. Um, can I refer you to the heading Drainage and flooding impacts in your relevant representation? That's examination. Examination library reference dash 013.

00:03:34:07 - 00:04:15:13

In your relevant representation, you referred to the development of proposals for a pool flood mitigation scheme due to the risk to the A46 and the immediate city area. So we need to understand the position the City Council holds on the risk to the proposed alignment of the A 46. What I'd like to do first, firstly, perhaps is to set the scene. Can I ask the city council to describe the dam for the lay audience? Give it some context in terms of its location, its position relative to the existing A46, its position compared to the proposed realignment of the A46.

00:04:16:03 - 00:04:23:19

Uh, the volume of water detained dimensions. How it's built. Just give an overall context to the lay audience, please. Thank you.

00:04:25:12 - 00:05:07:15

Thank you sir. Yes. Pool is located 95m away from the. From the east side of the A46. Um, the volume of the pool is around 340,000m³, and the water is raised in part above the ground level at this location, adjacent to the improvement. The Council has an obligation as owner of the asset, of course, to monitor performance of the pool as part of an emergency procedure. The relationship um of the um embankment, uh, adjacent to the A46 is high, presently around six metres above the carriageway level.

00:05:07:17 - 00:05:54:27

Existing and as has been described earlier, the proposals, um are to remove that substantially and and we had a um a concern about its removal because of residual risk. The, the, the actual um arrangement

in section which is not presented today is that, um, uh, the there is low ground levels between the A46 embankment and the pool itself. And, um, the construction, to answer your question, the construction of the, uh, pool embankment is an earthwork retaining structure, um, water retaining structure, um, of some historic nature, built as part of a landscape, uh, feature for the pool itself.

00:05:54:29 - 00:06:27:06

Off, but it is anticipated that, uh, in its time, it will have been engineered. It is monitored annually by a panel engineer to understand its condition. As part of this emergency, uh, procedure that we have to deal with risk. The concern related to, um, the changing circumstances, um, as as is cited, uh, in planning guidance. The reservoir is a residual risk for the A46 and, of course, the city.

00:06:27:24 - 00:06:58:17

And in removing the embankment as part of the proposals, as was first seen by the council, uh, then this caused us to have further conversations and that is subject to further discussion. The, the to set the scene in terms of the risk and consequences. The Environment Agency, um, have produced a flood risk model to show the impact of breach of the reservoir, again raised above the adjacent ground levels and the.

00:06:58:19 - 00:07:30:28

There is housing at risk as well as A46 downstream. For quantities and perspective. 500 houses are at risk of flood damage, amounting to around £27 million value. And this excludes damage to infrastructure and the A46 in any consequential loss. So our view is that, um, um, this although a um, a residual risk, uh, to the city and the A46, it needs to be understood better.

00:07:31:27 - 00:07:34:18

The, um, the modelling that the agency.

00:07:40:06 - 00:08:14:05

We are working in collaboration and there needs to be an understanding between the two parties to understand, um, risk and and the vehicle for that is that, um, although the environmental agencies His model has not been supplied to National Highways, and we felt that was important that it was. The council has made an application to to the Environment Agency to have this information released to National highways so that we can reach a joint understanding and to understand the magnitude of residual risk.

00:08:14:07 - 00:08:53:12

And if there is a change to residual risk. Some positives have emerged through this ongoing discussion. I should just say that although it was cited early on in these proceedings, that the embankment will be substantially removed as is perceived based on the technical information available, but rather on the approach to this hearing. Those ongoing discussions have resulted in a change to the earthwork arrangements that the earthwork is now higher in the proposal, adjacent to where our concerns are, to a point that it's not such a severe change to quote proportions, if I may.

00:08:54:09 - 00:09:28:15

The initial proposal showed, um, in excess of 75% reduction in the height of this, uh, this embankment between the pool and the A46. But following challenge and further discussion, then, the

proposal has now been presented to us following a site visit to understand the sensitivity of sensitivity of it, that the proposal has now been presented, where the reduction in earthworks is a significant asset, sitting around 50% reduction, and this is considered to be more appropriate.

00:09:29:07 - 00:10:05:16

But there is a residual residual risk, though, to consider and anticipating. The Environment Agency releases information, release the model to National highways. Uh, then we will jointly consider the magnitude of residual risk and a way forward in the risk flood risk assessment. It was cited that the, um, the mitigation measure was actually the emergency plan for, for Coventry City. But however, specifically in the planning practice guidance, it says that it's inappropriate to solely rely on those emergency plans.

00:10:06:11 - 00:10:21:06

Hence, what came forward was a change to the earthworks to ensure that there is more earthworks remaining. Uh, to to show that there is now, um, better resistance to breach flooding than there was in the previous scheme.

00:10:23:15 - 00:10:30:08

Thank you. Can I be direct? Are you satisfied with the proposals as changed? Did they meet to your satisfaction?

00:10:31:06 - 00:10:38:10

We are satisfied that there is an increase in the height of the Bund. And there is more resilience to the city and the A46.

00:10:38:28 - 00:10:43:18

Thank you very much. Can I just refer to the case team, please? Do we still have anybody from the Environment Agency present?

00:10:45:12 - 00:10:47:21

Uh, to the agency? Can you. Can you hear me?

00:10:50:16 - 00:10:51:26

Yes. Can he?

00:10:54:23 - 00:11:06:24

Thank you. Um, I don't know if you picked up the commentary from Coventry City Council in relation to the request for additional information. Are you aware of that request? And can that be followed through, please?

00:11:07:24 - 00:11:33:03

Uh, yeah. So we are aware of that request. Um, so that initially went, uh, to a team. Um, and so because reservoir, uh, breach specifically breach is deemed as sensitive information. Um, that's not, um, sort of generally released to the public and things like that. So initially, um, that request was denied and we didn't give it out. However, it has been escalated to a deputy director to see if it can be if an exception could be made.

00:11:34:12 - 00:11:39:05

Can I ask in terms of timeframes, when will the decision be taken by that director, please? Thank you.

00:11:40:08 - 00:11:41:10

I don't know that.

00:11:44:08 - 00:11:46:02

We can get back to you on that, sir.

00:11:48:09 - 00:11:50:13

Okay. How soon can I get back, please?

00:11:51:18 - 00:12:09:13

Can I just interject there? Sorry. It's Andy Smith from the applicant. The relevant team in the Environment Agency responded to me yesterday to say the process and the request, and we should be issued as well. Coventry City Council should be issued with the information shortly for provision to National Highways.

00:12:11:09 - 00:12:18:18

That's very helpful. Thank you indeed. Um, to the applicant when it comes to me and Angus Walker.

00:12:18:20 - 00:12:42:24

For the applicant, um, grateful for Mr. Thomas's, um, submission and that he appears to now be satisfied with what is proposed in terms of the although we acknowledge it is a lower band than it was to start with, it is still sufficient to protect from flood risk is our case, and that seems to now be accepted by the city Council.

00:12:46:00 - 00:12:47:05

Thank you. Um.

00:12:50:03 - 00:12:53:18

Sorry, can I just ask, in the absence of the model

00:12:55:03 - 00:13:07:09

that presumably would show whether or not it's suitable or otherwise? Are you satisfied? Or am I missing something about the modelling about the reservoir breach?

00:13:09:09 - 00:13:23:19

So we are satisfied. The purpose in following through with the request for the model is to have a better understanding of the residual risk, but we are satisfied a mitigation measure is in place. Thank you.

00:13:25:23 - 00:13:27:21

The mitigation measures in place.

00:13:29:01 - 00:13:41:02

Mitigation measures being the change to the scheme that was originally presented to us, such now showing that the earthworks are higher. So that mitigation measure is something that we are happy to accept.

00:13:41:13 - 00:13:52:08

Right. So you are satisfied that the mitigation the higher earthworks will contain any Residual flood risk from reservoir breach. Is that what you're saying?

00:13:53:03 - 00:14:27:00

Thank you for that clarification, sir. Um, um, the the the actual risk has not been quantified because the information hasn't been provided by the Environment Agency yet. So subjective. The subject of, uh, further discussion is the detail of that. So the risk hasn't been quantified. Um, but we are accepting that the proposals have moved in the right direction. Uh, leading up to this hearing, that a mitigation measure is now proposed that we find, um, acceptable.

00:14:28:18 - 00:14:32:27

So is it the modelling then that quantifies the risk? Is that what?

00:14:34:26 - 00:14:35:14

Yes.

00:14:35:27 - 00:14:43:01

So, am I right in thinking, then? Until that risk is quantified, you don't know the adequacy of the mitigation measures.

00:14:44:26 - 00:14:49:00

So it is true to say that both parties don't know the the adequacy.

00:14:49:27 - 00:14:54:25

Right? Thank you. Mr. Walker, do you want to make a comment there?

00:14:55:18 - 00:15:12:01

Um, Mr. Smith may wish to supplement, but, uh, Angus Walker for the applicant. I believe on our own data, we are satisfied that this does not pose an unacceptable risk of flood risk. What we are proposing. But perhaps Mr. Smith might want to add something.

00:15:15:26 - 00:15:27:02

Yeah. I agree with Mr. Walker that we are satisfied with the findings of the SRA, that the risk, the residual risk, remains suitable with the scheme in place.

00:15:28:22 - 00:15:29:21

Thank you for that.

00:15:31:21 - 00:15:48:27

Thank you. Um, that's really very helpful indeed. My next question really is to the applicant, and it's concerning the construction and the resilience of the proposed construction of the embankment to a breach event. I'm just going to refer you to, if I may, to.

00:15:51:05 - 00:16:06:04

Your environmental statement. Um, appendix 13.1, which is the examination library reference app Dash 101 and its section 8.7 reservoir flood risk

00:16:07:28 - 00:16:49:24

in paragraphs 8.7.20, 8.7.24, 8.7.26 of that document. It states the following I will read this out. In the event of a reservoir breach, the topsoil of the highway embankment will likely be compromised and washed away until the level of the surface of the carriageway is reached. The hard top of the highway itself would prevent further erosion. The inclusion of the clay layer will help to reduce the likelihood of the A46 becoming significantly breached, and hopefully give Coventry City Council additional time to implement the emergency plan.

00:16:52:00 - 00:17:12:12

My reading of these paragraphs leads me to understand that the residual risk to road users is the likelihood that the A46 embankment would be undermined, and would partially collapse, or suffer a more damaging collapse in the event of a failure of Coombe Pool Dam. Is my understanding correct?

00:17:13:18 - 00:17:19:18

Angus Walker for the applicant. Can I ask Mr. Smith to respond? It was quite technical.

00:17:20:29 - 00:18:01:07

Mr. Smith, for the applicant, the. It's been the both parties. Coventry City Council and the applicant agree that the earth embankment is unlikely to have been constructed as a flood retaining structure. Therefore, the material this is your comment is in relation to the material above the highway level, which would likely be washed away in the well. Be compromised in the event of a massive catastrophic failure of twin pulled reservoir, which is in itself a very unlikely event.

00:18:03:29 - 00:18:07:13

The the level of the embankment will be reduced.

00:18:09:29 - 00:18:19:11

As part of the scheme, but it will remain the the same material pre and post construction and operation of the scheme.

00:18:21:19 - 00:18:35:15

Thank you. I'm referring to the proposed realignment. We're speaking of, of a new embankment if I'm correct. So I'm referring to the resilience of the proposed embankment to be constructed by. Sorry.

00:18:36:00 - 00:18:52:20

Sorry. I was going to say that the proposed embankment is in the same location. It's just a lower height. We've been moving the top of the embankment to achieve a wider running line. We're not proposing to construct a new embankment at this location.

00:18:55:05 - 00:19:27:07

Okay, so my question, sir, is, um, in terms of the likely damage to the A46, I'm concerned about the safety of road users on the A46 in the event of a breach of the dam. Is it the case that users of the A46 would be exposed to the risk of flood? Flood damage, flood impacts in the event of a breach? How well protected are users of the A46 in the event of a breach of the dam? That's the kernel of what I'm trying to establish.

00:19:27:09 - 00:19:27:26

Thank you.

00:19:28:21 - 00:19:36:06

Road users would be at risk of a breach in both the current and the proposed scenario. That does not change,

00:19:37:21 - 00:19:50:25

however. However, it would take a Catastrophic failure of the dam to expose users to the risk. This is considered to be a residual risk in planning policy.

00:19:53:04 - 00:20:04:27

And there are significant measures in place under the Reservoirs Act 1975, which requires inspection and improvements to the dam itself to prevent this from occurring.

00:20:07:16 - 00:20:18:13

Smith. Thank you. I just want to ask, are you satisfied with the level of risk to the users of the A46 in the event of a breach of the dam? Are you accepting of those risks?

00:20:18:27 - 00:20:19:12

Yes.

00:20:22:22 - 00:20:25:03

I think it's water for the applicant. I just emphasize that

00:20:26:24 - 00:20:39:15

the the chance of the dam being breached is extremely low. So when you say in the event of the dam being breached. But we think that's so unlikely that that's why we accept the risk.

00:20:41:09 - 00:20:42:24

Mr. Walker. Thank you.

00:20:45:05 - 00:20:56:02

I have a question of Coventry City Council in relation to your current plans. I understand that there are remedial works undertaking being undertaken at the dam at this time. Am I correct?

00:20:58:27 - 00:21:10:20

Thomas. Coventry City remedial works in the context of maintaining the, um, the existing earthwork retaining structure and water retaining structure. I assume you're referencing. Can I just have that clarification? Yes.

00:21:11:26 - 00:21:12:11

That's correct.

00:21:12:13 - 00:21:34:14

Yes yes, yes. As part of the routine maintenance and risk management approach to the pool, then. Yes. Um, mate, this work is ongoing to, um, retain its residual strength to ensure it, uh, it meets, uh, it meets our obligations under the Reservoirs Act to maintain this, uh, this water retaining structure. Yeah.

00:21:35:17 - 00:21:49:13

Thomas, in terms of the programme and extent of the work. How long will this work be taking place for? And is there any likelihood that they might impact on the proposed works of the on the A46? Should the DCO be granted?

00:21:50:15 - 00:21:55:05

No. Thomas. Coventry City we will provide a written response. Thank you.

00:22:00:12 - 00:22:02:12

That concludes the agenda item. Thank you.

00:22:07:15 - 00:22:19:25

Okay. Um, that moves us on to agreeing, uh, action points arising from the hearing. I think we agreed at the beginning. Mr. Walker, you were going to read out what your list and or compare with the ones we've been taking.

00:22:21:00 - 00:22:29:05

Thank you. Sir. Angus Walker, for the applicant, if I may ask my colleague Monica Glass to, um, read the actions that we have recorded.

00:22:32:27 - 00:23:00:19

On behalf of the applicant. Um, the actions recorded are sort of in the order that they okay. In the order of the agenda items as the agenda was. So I'll read out the agenda item, um, and then read out the actions. So under agenda item three, um, an action for Coventry City Council to provide an indicative plan of how the proposed cycleways might connect across the A46.

00:23:02:09 - 00:23:37:21

Yes. Uh, under an agenda item. An agenda item three. Again for Coventry City Council and for the applicant to discuss with Warwickshire and Rugby Borough Council what their view is on a future potential link between the local authorities. Yes. Agenda item 5.1. For the applicant to provide a plan showing a comparison of the impacts of operational noise with and without the scheme. Yes. 5.1

again, for the applicant, provide a section that goes through the existing roundabout across to the end of Council, showing indicative heights of landscaping.

00:23:38:10 - 00:24:10:00

Yes. Agenda item 6.1 for the applicant. Update chapter eight to include a revised assessment of the noise impacts to Council during construction. To take into account ongoing work in relation to reducing the noise at source. Yes. Item 7.1 for the applicant, um, is chapter nine, uh, paragraph 9.3.16 to be amended to refer to the Soil handling Management plan rather than soil management plan? Yeah.

00:24:10:08 - 00:25:13:14

Uh, 7.1 for the applicant in the summary of submissions made up for this hearing to provide references from appendix 9.2 for the applicant's proposals for monitoring soil protection and reinstatement of land to agricultural use. Yes. Agenda item 9.1 for the Environment Agency is quite a long one, so provide written responses to questions raised during this hearing in relation to the following. Why does the Environment Agency consider it necessary for there to be a requirement in the draft DCO in relation to providing 10% BNG? What is the EA's position on the applicant's proposals to protect and enhance watercourses and the development of new habitats in proposed detention basin? Can the Environment Agency provide examples for the suitable and practicable enhancement for the watercourses and detention basin? The EA has used an Issue impact solution framework to explain its views on the effects of unnatural lighting on a pool.

00:25:14:24 - 00:25:55:00

Can the EA provide an explanation of these effects, and can the EA explain the green engineering solutions available as suitable alternatives to harm and scour protection? Yeah, and then agenda item 9.1 for Coventry City Council provide a written response to questions raised during this hearing in relation to the maintenance of the woodland area and two actions for the applicant under 9.1. First, to discuss with the EA if they would like some further detail in relation to the To commitment G3 in the RAC to reduce light disturbance during construction and operation.

00:25:55:22 - 00:26:11:08

And to discuss further with the Environment Agency in relation to whether they would like something in relation to green engineering options relating to harm and scour protection. And then there was an action just now, um,

00:26:13:00 - 00:26:26:08

for Coventry City Council to provide a written response in relation to the, um, maintenance works at the reservoir and whether they will have an impact on the DCO works.

00:26:26:12 - 00:26:40:06

Yes. That's fine. And all of those, barring the one about the revision to chapter eight, which was deadline three, I think I recorded as deadline one. Just if that's all right with everybody.

00:26:41:10 - 00:26:43:16

Yes, that's that's what I have recorded as well.

00:26:44:04 - 00:26:46:04

Okay. Well yes we'll agree those.

00:26:49:12 - 00:26:50:02

Um.

00:26:53:16 - 00:27:00:08

Is there anything else anyone else wants to add to that list that may have been missed? No thank you.

00:27:02:03 - 00:27:05:20

Is there any other business relevant to this hearing anyone wishes to raise?

00:27:09:00 - 00:27:09:16

No.

00:27:11:05 - 00:27:41:17

If there are no other matters, um. Then may I remind you that I'll move to the close of the hearing? May I remind you that the timetable for this examination requires that parties provide any post hearing documents on or before deadline one, which is Tuesday, the 27th of May, 2025. May I also remind you that recording of this hearing will be placed on the Inspectorate's website as soon as possible after this meeting. And thank you all very much for attending today and for your participation, which we have found very helpful.

00:27:41:21 - 00:27:42:06

Sorry.

00:27:42:16 - 00:28:02:03

I know you're just about to close the hearing. We just spotted one other action potentially, which is about the compulsory acquisition. Um, in respect of the the work, the verge of it as whether it is necessary for the scheme in general or just for the future cycle.

00:28:02:05 - 00:28:10:09

I think I didn't include that because I think you said you'd cover it in your submission following, but I mean, you can record it as an action.

00:28:11:28 - 00:28:12:27

Okay. Thank you sir.

00:28:14:03 - 00:28:20:15

Okay. Well, I'll return to what I was about to do. Okay. Subject to any there being nothing else.

00:28:22:21 - 00:28:28:03

The time is now. 1233. And this issue specific hearing is now closed.