

ITEM 12a

Somerset Rivers Authority Board Paper (for information)

Quarterly Key Project Update - Bridgwater Tidal Barrier

Purpose of the item

To update the Somerset Rivers Authority Board on progress in obtaining the legal power to enable the construction of Bridgwater Tidal Barrier and associated works which is the Transport and Works Act Order (TWAO).

Background and context

The Environment Agency and Sedgemoor District Council are working in partnership to deliver a tidal barrier and improvements to downstream defences to better protect Bridgwater and downstream communities. This will reduce tidal flood risk to 11,300 homes and 1,500 businesses.

Transport and Works Act Order (TWAO) Application

The TWAO application was submitted to the Secretary of State at the Department for Environment Food and Rural Affairs (Defra) on 19 December 2019. Following the consultation period, the time period to secure the withdrawal of objections and resolution of issues raised in representations was extended until 31 July 2020, mainly to allow for the extra difficulty in engagement with stakeholders during Covid-19 lockdown.

The decision on whether the TWAO should be determined by Public Inquiry or through formal Written Representations rests with the Defra Secretary of State. A Public Inquiry must be held if statutory objectors e.g. landowners, utilities, wish to be heard.

Effective engagement resulted in all statutory objections either being withdrawn or with statutory objectors advising the Secretary of State that they were content for outstanding issues to be resolved through the process of Written Representations. On 31 July the Secretary of State confirmed his decision that the TWAO will be determined through the process of Written Representations.

Written Representations procedure

The formal written representation process started on 1 August with the Environment Agency preparing responses for Defra to send to all those who made representations in early September. There has been a number of representation exchanges through Defra with some objectors.

Defra has shown a clear intention to move through the process as speedily and efficiently as possible. It is believed that the written representations process is now entering a critical phase, when Defra should seek to bring the process to a close, while at the same time ensuring that all relevant information and arguments have been

identified and that the Environment Agency and the Objectors have had a proper opportunity to comment upon each matter.

Once the period for written representations has ended, the TWAO application will revert to the Secretary of State for determination. There is no timetable or time limit for the determination process and it may be impacted by wider political considerations.

Detailed design and business case

During this time the Environment Agency will continue to work with framework suppliers to scope and start the detailed design, and update and submit the scheme business case for funding assurance through the Environment Agency, Defra and HM Treasury.

Date: 17 November 2020

Authors: Andy Hohl, Graham Quarrier, Environment Agency