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Shrewsbury
31 May 2023

Dear Secretary of State

We understand that you have recently received a letter from Daniel Kawczynski (MP for Shrewsbury and Atcham) regarding the Environment Agency (EA)'s response to Shropshire Council's planning application for a proposed North West Relief Road (NWRR) in Shrewsbury [1, 2].

The MP has not made the full text of the letter public; however, we understand from the article that he criticises the EA saying '*the EA has delayed [the project being submitted to the planning committee] by raising concerns about the potential impact of drilling affecting the local water supply.*' and '*I feel that the EA's continuous demands and ability to obstruct progress over the past four years are excessive*'.

We are writing to provide you with some additional relevant information that it appears is not included in the letter that you have received:

1. Shropshire Council submitted the planning application in March 2021 and did not manage to submit the full site investigation report until February 2023. Reference by the MP to delay over 'four years' is therefore potentially misleading.
2. The MP has criticised the EA for 'delays' but has apparently not mentioned the views expressed by Severn Trent Water which is very concerned to ensure the safety of its critical drinking water assets: the proposed project would involve construction of a 60 mph road and a roundabout [3] within the inner Source Protection Zone (SPZ1) of Severn Trent Water's Shelton Borehole Public Water Supply (PWS) together with a major viaduct across the River Severn immediately downstream of Severn Trent Water's Shelton PWS river intake. Severn Trent Water has explained that the boreholes and River Severn together provide the principal PWS to Shrewsbury and a large part of Shropshire and that any risk to either of these sources would make the supply of drinking water to these areas 'very difficult' [4].
3. The EA has been very consistent in its advice to Shropshire Council over the last 18 years (see timeline below), pointing out that it has a duty to protect Shrewsbury's drinking water supply and the safest way to do this is to encourage the council to select a different route for the proposed road. As the council has chosen not to do this, it is the council's responsibility to demonstrate to the satisfaction of both the EA and Severn Trent Water that its proposals do not put the town's water supply at risk.
4. The council was unable to complete the site investigations that it had planned to support the planning application for the NWRR in a timely manner due to a combination of COVID restrictions and local flooding. When the council did finally submit the final parts of these investigations in February 2023 these manifestly failed to allay the concerns of the EA and Severn Trent Water who are still seeking reassurances that the road can be built and operated over coming decades in a way that doesn't jeopardise the town's water supply [4, 5].

Together the points raised above show that the delays with the project have been caused by the council's selection of a high risk route and then it's failure to carry out appropriate and timely investigations to convince the EA and Severn Trent Water that these risks to Shrewsbury's water supply can be managed in perpetuity. We therefore believe that the MPs complaints regarding the delays to the project should be directed at Shropshire Council rather than the EA.

We trust that you will find the information that we have provided useful in your response to the MP. However, if you require any further details please do not hesitate to contact me.

Regards

Mike Streetly
On Behalf of Better Shrewsbury Transport [1]

Notes

[1] Better Shrewsbury Transport (BeST) is an alliance of local organisations and individuals in Shropshire campaigning for urgent action to promote active and sustainable modes of transport that are the only effective ways to reduce congestion, poor air quality and road deaths/injuries in the town whilst transforming all our lives for the better.

[2] Shropshire Star 29 May 2023 <https://www.shropshirestar.com/news/local-hubs/shrewsbury/2023/05/29/shrewsbury-mps-plea-for-progress-on-controversial-relief-road-as-he-criticises-excessive-environment-demands/>

[3] Roundabouts are the type of road junction associated with the highest level of risk of serious spillage according to Design Manual for Roads and Bridges (DMRB) LA 113 - Road drainage and the water environment

<https://standardsforhighways.co.uk/dmrb/search/d6388f5f-2694-4986-ac46-b17b62c21727>

Table D.1 Serious spillage rates in billion HGV km/year

	Motorways	Rural trunk roads	Urban trunk roads
No junction	0.36	0.29	0.31
Slip road	0.43	0.83	0.36
Roundabout	3.09	3.09	5.35
Crossroad	n/a	0.88	1.46
Side road	n/a	0.93	1.81

We have provided a list of some of the serious spillages and accidents on roundabouts in this area in recent years below:

Nov 2022 Spill of ferric chloride on A5 Mile End roundabout

<https://www.shropshirestar.com/news/transport/2022/11/22/emergency-services-tackle-chemical-spillage-on-busy-a5-roundabout-at-oswestry/>

March 2022 Tractor in collision on A5 Mile end roundabout

<https://www.shropshirefire.gov.uk/44108>

March 2021 Fuel spill on roundabout on A470

<https://www.countytimes.co.uk/news/19153260.281530281/>

May 2016 Tractor spills fertiliser on A5 Mile End roundabout

<https://www.shropshirestar.com/news/2016/05/04/pictures-tractor-spills-load-at-oswestry-roundabout/>

[4] Severn Trent Water's most recent comments on the proposed NWRR application

https://pa.shropshire.gov.uk/online-applications/files/3DF50B5E41AF36ED94F9B78B49D8FDB5/pdf/21_00924_EIA-SEVERN_TRENT_WATER_COMMENTS-4960285.pdf

[5] EA's most recent comments on the proposed NWRR application

https://pa.shropshire.gov.uk/online-applications/files/737473E3ECD53417FB6A6F8212633464/pdf/21_00924_EIA-ENVIRONMENT_AGENCY_COMMENTS-4955329.pdf

Timeline of discussions between the EA and Shropshire Council

1. Shropshire Council was made aware of this potential issue when selecting the route for the road in 2005 and the council's Public Consultation Report from that year p. 41 states that *'the EA would be obliged to resist routes passing through SPZ1 .. without detailed justification.'*
2. Despite this, in the council report to Cabinet on the preferred route choice for the NWRR (7 Feb 2006) the responsible council officer recommended a route that passed through SPZ1 saying that, although one route (red route option 2) did not pass through the SPZ1, the preferred route should be one of the routes which *'would also directly pass through the "Source Protection Zone" SPZ1 around the borehole used for ground water extraction, but our consultants advise that this would not preclude construction of these routes.'* Thus there was an option open to the council to route the road away from the SPZ1 but they chose not to select it and have now sold a key piece of land that was essential for this alternative route and the site has been developed for housing meaning that the alternative route is no longer available.
3. In November 2019 the council submitted a request for Environmental Impact Assessment Scoping Opinion for the proposed NWRR. In response the EA said (letter dated 3 Dec 2019:
*'Groundwater/abstraction protection - one of the key constraints is the Shelton Source Protection Zone, associated boreholes and the Severn Trent Water (STW) Limited Shelton surface water intake on the River Severn. This is a critical, sensitive, water supply for Shrewsbury. The groundwater and surface water systems at Shelton, together with other groundwater assets in the area, provide a robust and resilient system that ensures continuity of supply to the area. The road runs through Source Protection Zones (SPZ) 1, 2 and 3 for a public supply borehole. **Given the location of the road through the highly sensitive SPZ1 we would raise concerns regarding the protection of the groundwater at this location-particularly the interchange around Shelton and the bridge crossing near the intake.** The EIA should consider options to avoid the above constraints. If the preferred option is to be pursued then it will be important to understand and demonstrate the risk and how the risk will be mitigated. There may be some impacts remaining and risks which could result in potential impact upon the majority of Shrewsbury's water supply. This will also be a key concern of Severn Trent Water Ltd as asset owner. Options to avoid this risk must be explored.*
Alternatives
*With regard to potential alternatives, capable of influencing the environmental effects of this project, we have been involved in previous historical discussions about the proposed route for the NWRR but, based on our records, we were not formally consulted on the Options Assessment Report dated December 2017. **We note that your EIA will pick up upon alternative design options and avoidance of environmentally sensitive sites such as the above. This will enable decision makers to take into account. linked to baseline data, the reasonable alternatives (including route) which are relevant to the proposed development and its characteristics, and an indication of the main reasons for the options chosen taking into account the effects of the development on the environment.***
4. The council submitted a planning application for the proposed NWRR in March 2021. However, the application was not supported by the full planned site investigation which had been delayed in part due to COVID restrictions and the missing site investigation information was not submitted until February 2023.
5. In response to the March 2021 submission, the EA stated that *'We advise against the granting of planning permission.'*, reiterated the points that it had made in 2019 including criticising the council's EIA for not properly considering alternatives (both to the need for

a road and for alternative routes) and pointed out that the council's own draft Local Plan policies say '*Proposals in Source Protection Zone 1 are not encouraged (DP19.3).*

Criticising the lack of information in the EIA the EA notes that

'Notwithstanding the above, given the scale and environmental sensitivity of the development route, a number of significant data gaps remain. Within the EIA, we note that many of the reports are 'interim', relying on data to be provided by the delayed Phase 4 site investigation, or to be agreed at the detailed design stage. However, we would expect information to be provided as part of the EIA to give certainty on the principle of the proposal from a land use planning perspective. Therefore, at this stage we consider that further works are required before we are able to provide recommendations.

and

In summary, whilst we have had some pre-application discussions with WSP on elements of the proposal, some of the assessments are ongoing. There are a number of areas where information is lacking and there is uncertainty and risk. We would recommend you seek further information to ensure a robust EIA and assist decision making.

6. Severn Trent Water responded on 22 April 2021 saying
*'You will be aware that the proposed road will pass across the source protection zone of our Shelton boreholes and will run close to the South of our river intake facility. The construction of a road through this area therefore needs to carefully consider the operation of these assets to ensure that the significant construction activities of the road, and potential pollution events during its operation, do not affect our operational activities in the short, medium and long term. **We will not accept any unacceptable risk that threatens our ability to provide safe drinking water to our customers.**'*
At the moment, there is a lack of information to fully allay our concerns and therefore the level of uncertainty portrayed in the ES chapters and appendices is not currently acceptable. Additional information is required specifically to close out the risks to our supply assets both during the construction phase and the operational phase of the road. These risks require that additional data and analysis are undertaken around:
7. The council submitted some further information in Sept 2021 but, in response, the EA stated on 21 Oct 2021 that, due to the missing information '*we would maintain our previous concerns and recommend that further information is necessary to be submitted, including some critical assessment work, to inform a robust EIA, some of which is still being produced.*'
8. The council was then unable to complete the outstanding work until it submitted further information in February 2023.
9. In response to this, the EA (3 May 2023) re-iterated yet again its concerns regarding the proposed route of the road, the need to seriously consider alternatives and the imperative of ensuring that Shrewsbury's drinking water supply is protected. The letter points out some critical errors and omissions in the conceptual understanding of the groundwater system that supplies the PWS boreholes and expresses concerns about the implications of the risk assessments that the council has submitted as these show potential breakthrough of pollutants to the public water supplies
10. Severn Trent Water's response (3 May 2023) also criticises the latest information submitted by the council as not demonstrating to its satisfaction that the road could be built and operated without an unacceptable level of risk to the PWS. The company points out some potential ways forward but these involve Shropshire Council making some significant written commitments about future maintenance of the proposed impermeable drainage system for the road. Any such commitments will take time and money to draft.

We are therefore now in a position in which, despite knowing about this major issue for 18 years, Shropshire Council has failed to carry out the necessary work to demonstrate that the route that it has selected for the road can be safely built and operated without putting the town's water supply at risk.