

Appendix 12-PD-1: Consultation

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Appendix 12-PD-1: Consultation

1. Introduction

- 1.1.1 This Preliminary Environmental Information (PEI) Report appendix consolidates key comments raised in the Environmental Impact Assessment (EIA) Scoping Opinion (**Appendix 5-PD-2** in PEI Report **Volume 4**) from the Planning Inspectorate (PINS) and other consultees, such as Environment Agency, Natural England, Historic England, local planning authorities, in relation to aquatic ecology.

2. Scoping Opinion and Additional Consultation

Scoping Opinion

- 2.1.1 A scoping exercise was undertaken in early 2025 to establish the content of the assessment and the approach and methods to be followed.
- 2.1.2 The EIA Scoping Report (**Appendix 5-PD-1** in PEI Report **Volume 4**) was issued 28 March 2025 and records the findings of the scoping exercise and details the technical guidance, standards, best practice and criteria to be applied in the assessment to identify and evaluate the likely significant effects of the Proposed Development on aquatic ecology.
- 2.1.3 Following receipt of the EIA Scoping Opinion on 08 May 2025 (**Appendix 5-PD-2** in PEI Report **Volume 4**), the requirements summarised in **Table 1** have been identified by consultees in relation to aquatic ecology.
- 2.1.4 **Table 1** outlines how and where these issues have been addressed within the PEI Report or will be addressed within the Environmental Statement (ES) to ensure they are taken account of as part of the ongoing assessment of effects on aquatic ecology.

Table 1: Scoping Opinion Responses

Consultee	Topic	Summary of comment	How and where addressed
PINS	European Habitats Sites potentially within Zone of Influence (Ensor's Pool SAC/SSSI) during construction and operation. (Part 2)	3.5.1: The Inspectorate agrees that effects on Ensor's Pool SAC/SSSI may be scoped out on the basis that no hydrological connections exist between the site and the proposed development. However, if design changes introduce potential hydrological connectivity, the potential for significant effects should be reassessed.	Ensor's Pool SSSI is scoped in for further assessment as it remains the same distance from the Preliminary Order Limits and working areas of the canal. Hydrological connectivity, existing or proposed, between the Coventry Canal and Ensor's Pool SSSI is assessed in Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2 . It is considered that there is no impact pathway for aquatic ecology receptors.
	River Humber or River Mease Impacts	3.5.2: The Inspectorate does not agree to scope out impacts on the River Humber or River Mease designated sites at this stage. Although these sites are located approximately 120 km and 23 km from the proposed development respectively, the potential for hydrological connectivity remains unclear. Given Environment Agency comments noting that river and sea lamprey from the Humber Estuary SAC may migrate into the River Trent, the ES should include an assessment of potential impacts on these sites.	Designated sites are scoped into the assessment presented in this chapter, notably the Humber Estuary SAC, River Mease SAC, Ensor's Pool SSSI, and the Nene Valley SPA/Ramsar site. Refer also to Chapter 13: Terrestrial Ecology in PEI Report Volume 2. The mitigation hierarchy will be followed when defining mitigation measures that may be required following impact assessment for these sites.
	Other national statutory designated sites (SSSI, LNR) designated at least	3.5.3: The scoping report states that there are no impact pathways during the construction phase to any other statutory	Noted – if there are future changes to the design of the Proposed Development that result in potential impact pathways to

Consultee	Topic	Summary of comment	How and where addressed
	in part for aquatic ecology interest during construction (Part 1a including Tame and Trent)	designated sites of interest for aquatic ecology due to a lack of direct hydrological connectivity. The scoping report states that the nearest SSSI designated for aquatic ecology is the River Blythe, located 2.8 km to the southeast. The nearest Local Nature Reserve is Plantsbrook Reservoir 2.4 km away. On the basis of a lack of hydrological connectivity, the Inspectorate agrees this may be scoped out. Though if changes are made to the design of the proposed development which result in any potential for hydrological connectivity, the potential for significant effects should be assessed.	these designated sites, they would be scoped back in for assessment.
	Detrimental effects to fish passage and spawning habitats during construction and operation (Part 1a including Tame and Trent)	3.5.4: Effects on smelt in Part 1a Rivers Trent and Tame are scoped out given that Environment Agency records of this species are for the Humber Estuary and not the Rivers Tame and Trent, and no significant hydrological effects are modelled downstream of the tidal limit (Cromwell Weir). The scoping report does not provide sufficient justification to scoping this matter out and the Inspectorate does not agree that effects on smelt at Part 1a may be scoped out at this stage. Accordingly, the ES should include an assessment of these matters, or the information referred to	Smelt in the River Trent will be scoped into the assessment of operational effects with a view to providing additional information sufficient to demonstrate that no Likely Significant Effects are likely. Ongoing consultation with statutory stakeholders is underway to establish areas of agreement within the ES, such as draft Statements of Common Ground.

Consultee	Topic	Summary of comment	How and where addressed
		demonstrating agreement with the relevant consultation bodies and the absence of a LSE.	
	White clawed crayfish during construction and operation (All parts)	3.5.5: The scoping report seeks to scope out effects on white clawed crayfish, stating that desk study and eDNA surveys has established that white-clawed crayfish are absent from all parts of the proposed development. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.	It has been established through extensive desk study and ecological surveys that white-clawed crayfish are absent from the Scheme area and ZOI in relation to this species (and INNS crayfish are prevalent in the Rivers Tame and Trent). If further desk study or survey information comes to light through the on-going assessment, this species may be scoped back in on a precautionary basis; however, no statutory stakeholders have raised concern about white-clawed crayfish from the extensive assessment information provided to date.
	Impacts to qualifying features of designated sites during operation. (Part 1a: Tame and Trent only)	3.5.6: The scoping report seeks to scope out effects from changes in connectivity of SSSI to the rivers Tame or Trent as a result of reduced flows on the following designated sites: Attenborough Gravel Pits SSSI Holme Pit SSSI Mother Drain Misterton SSSI Farndon Ponds LNR	Noted – hydraulic and hydrological modelling is being updated to inform the ES and will be presented in Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2 . The results of this modelling will inform scoping requirements for these and other designated sites and ecological features in the Tame and Trent catchment.

Consultee	Topic	Summary of comment	How and where addressed
		Plantsbrook Reservoirs LNR The scoping report states that these sites do not depend on water supply at times of low flow in the River Trent and therefore will not be affected by the minimal modelled reductions in flow at these locations. On the basis of the information in the scoping report, the Inspectorate agrees to scope this matter out. However, the modelling relied upon to date should be presented in the ES.	
	Changes in connectivity of the SSSIs to the rivers Tame or Trent resulting from reduced flows and from potential effects of surface and groundwater connectivity during operation. (Part 1a: Tame and Trent only)	3.5.7: The Inspectorate does not agree to scope out effects on the listed SSSIs at this stage. The scoping report does not confirm whether these sites are water-dependent or provide their distances from the order limits. The ES should therefore include an assessment of potential effects or clear justification that significant effects are unlikely. The applicant should also consider the Environment Agency's comments provided in Appendix 2 of this opinion. Donington Park SSSI Whitacre Heath SSSI Attenborough Gravel Pits SSSI Holme Pit SSSI Lockington Marshes SSSI	Noted – hydraulic and hydrological modelling is being updated to inform the ES and the results of groundwater assessment will be presented in Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2. The results of this modelling will inform scoping requirements for these and other designated sites and ecological features in the Tame and Trent catchment. The assessment presented in Chapter 22 will inform the assessments for aquatic ecology and terrestrial ecology (Chapter 13 Terrestrial Ecology in PEI Report Volume 2).

Consultee	Topic	Summary of comment	How and where addressed
		Lea Marsh SSSI Humber Estuary SSSI (features other than lamprey spp.)	
	Effects of hydrological changes resulting in altered connectivity to the River Tame on non-statutory Local Wildlife Site (LWS) or equivalent during operation (Part 1a: Tame and Trent only)	3.5.8: The scoping report seeks to scope out effects of hydrological changes resulting in altered connectivity to the River Tame on 22 LWS or equivalent on the basis that modelled hydrological changes will be insignificant and will not have an effect on aquatic habitats. On this basis, the Inspectorate agrees this matter may be scoped out. However, the modelling relied upon should be presented in the ES.	Noted – as described above, hydraulic and hydrological modelling is being updated to support the ES and will inform re-scoping of these non-statutory designated sites, if required.
	Non-statutory sites unconnected to the canal network LWS and County Wildlife Site (CWS) during operation. (Part 2)	3.5.9: The scoping report states that modelling and design assumptions indicate that there will be no impacts to aquatic receptors in sites unconnected to the canals, and no changes in flows over waste weirs to receiving water bodies. On this basis, the Inspectorate agrees this matter may be scoped out. However, the modelling referred to should be presented in the ES.	Noted – as described above, hydraulic and hydrological modelling is being updated to support the ES and will inform re-scoping of these non-statutory designated sites, if required.
	Potential barriers to fish passage on the River Tame and Trent during operation. (Site 11 only)	3.5.10: The scoping report seeks to scope out impacts from potential barriers to fish passage as a result of the proposed development, at Site 11 (Meadow Weir). The scoping report states that the	Noted – as described above, hydraulic and hydrological modelling is being updated to support the ES and will inform further assessment of fish passage at this, and all other barriers and existing

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		proposed development is not expected to have an impact on the overall passability and the site is already considered a 'complete barrier' for all flows and species for the baseline situation, limited by depths. The scoping report confirms that passage through the fish pass is unimpacted. On the basis of this information, the Inspectorate agrees this matter may be scoped out from further assessment.	fish passes along the Rivers Tame and Trent.
	Impacts on fish from reduced flow in the River Tame during operation (Part 1a. Tame and Trent only)	3.5.11: The Inspectorate agrees that impacts on fish from reduced flows in the River Tame during operation may be scoped out. The scoping report identifies potential flow issues at Orton Weir and Water Orton Lane road bridge but concludes these do not present barriers to fish passage, noting the Environment Agency's advice that improved passability at Orton Weir is not critical and that Water Orton Lane bridge allows continuous flow beneath it.	Noted – as described above, hydraulic and hydrological modelling is being updated to support the ES and will inform further assessment of fish passage at this, and all other barriers and existing fish passes along the Rivers Tame and Trent.
	Zone of Influence for cumulative effects	3.5.12: It is noted that for aquatic ecology, ZOI have been set as 2 km for protected and notable species and 10 km for international and national conservation designations. The ES should also ensure that a ZOI for designated sites which may	As described in the aquatic ecology assessment, the ZOI has been established based on the extent of potential hydrological effects, e.g., up to 180 km for the Rivers Tame and Trent.

Consultee	Topic	Summary of comment	How and where addressed
		be hydrologically linked is included within the assessment.	
	Study areas	3.5.13: The ES should clearly define and justify the final extent of the study area with reference to the potential Zone of Influence (Zoi), taking into account any receptors where there is potential for hydraulic connectivity with the proposed site. Any use of professional judgement should be fully justified in the ES. Effort should also be made to agree the final study areas with relevant consultation bodies.	As described in the aquatic ecology assessment, the Zoi has been established based on the extent of potential hydrological effects, e.g., up to 180 km for the Rivers Tame and Trent. The study area for aquatic receptors may extend beyond 2 km where data is not available in the immediate study area, as described in the aquatic ecology assessment.
	Construction impacts	3.5.14: It is noted that impacts from construction on European eel via entrapment will be assessed. However, the ES should also consider entrapment on coarse fish fry and eggs. The applicant's attention is drawn to comments from the Environment Agency (appendix 2 of this opinion) in this regard.	Potential impacts on all fish species and their fry and eggs, including European eel, are considered in the aquatic ecology assessment.
	Compensation	3.5.15: The scoping report refers to development of mitigation and compensation. If compensation measures are required as a result of the proposed development, the ES should clearly set out what the compensation requirements are, seek agreement of compensation measures with relevant stakeholders and	Embedded and additional mitigation measures (where required) are described in the aquatic ecology assessment. Compensation and enhancement measures are in development through design evolution, also informing the BNG assessment, and these will be presented in greater detail in the ES.

Consultee	Topic	Summary of comment	How and where addressed
		explain how compensation would be secured in the Development Consent Order.	
	Sensitive receptors	3.5.16: The scoping report identifies the River Ouzel chalk stream as a habitat of principle importance. The Inspectorate considers that the Chilterns chalk stream should be included within the assessment where significant effects may occur. The applicant's attention is drawn to comments from Chilterns National Landscape (appendix 2 of this opinion) in this regard.	The River Ouzel chalk river and other watercourses within the ZOI of Part 4b of the Proposed Development, including tributaries of the Ouzel, are scoped in for assessment. Refer also to Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2 for the assessment of surface water and groundwater impact pathways.
PINS / Environment Agency	European habitats sites (Humber Estuary SAC; River Mease SAC)	The scoping report claims there will be no construction-phase impacts on designated sites due to their distance from the proposed development (River Humber ~120 km, River Mease ~23 km) [SACs]. However, the Planning Inspectorate disagrees and requires further assessment in the ES, citing unclear hydrological connectivity and Environment Agency concerns about migratory lamprey species linked to the Humber Estuary SAC that may enter the River Trent. The Humber Estuary SAC has been scoped out, despite river lamprey and sea lamprey, designated species of the Humber Estuary SAC, being expected to migrate into the River Trent. This oversight	Impacts to the Rivers Tame and Trent will not take effect until the operational phase, i.e., when recycled water is diverted from Minworth WWRC. Therefore, hydrological effects on the stated designated sites will be assessed during operation, including potential effects on migratory fish species. Desk based and site survey work undertaken to date suggest that there is unlikely to be significant effect on these sites even during operation; however, such potential effects are the subject of on-going assessment informed by hydraulic and hydrological modelling of the river system. As a precautionary approach, these designated sites are

Consultee	Topic	Summary of comment	How and where addressed
		could lead to potential damage to the Humber Estuary SAC due to unconsidered impact-pathways. Therefore, the EIA should include these designated species and assess potential impact-pathways on them.	included within the ZOI and scoped in for assessment during construction and operation.
	European smelt in the River Trent	The scoping report proposes excluding effects on smelt in Part 1a, citing no records in the Rivers Trent and Tame and no significant hydrological effects downstream of Cromwell Weir. However, the Inspectorate finds the justification insufficient and does not agree to scope this out. An assessment of potential effects on smelt is therefore required. European smelt are scoped out based on the impacts of the hydrological regime, which means potential other impact-pathways will not be assessed, potentially leading to harm to the species. Assurance is needed that no influence of hydrological effects will exist downstream of the tidal limit in future abstraction and flow scenarios, and that no deterioration in olfactory chemicals will occur.	Smelt in the River Trent will be scoped into the assessment of operational effects with a view to providing additional information sufficient to demonstrate that no Likely Significant Effects are likely. On-going consultation with statutory stakeholders is underway to establish areas of agreement within the ES, such as draft Statements of Common Ground.
PINS	White-clawed crayfish	The scoping report proposes excluding effects on white-clawed crayfish, based on desk study and eDNA survey results indicating their absence. However, without	It has been established through extensive desk study and ecological surveys that white-clawed crayfish are absent from the Scheme area and ZOI in relation to this

Consultee	Topic	Summary of comment	How and where addressed
		evidence of agreement from relevant statutory bodies, the Inspectorate does not agree to scope this out. An assessment of potential effects is therefore required.	species (and INNS crayfish are prevalent in the Rivers Tame and Trent). If further desk study or survey information comes to light through the on-going assessment, this species may be scoped back in on a precautionary basis; however, no statutory stakeholders have raised concern about white-clawed crayfish from the extensive assessment information provided to date.
PINS / Environment Agency	SSSIs along the Rivers Tame and Trent	Changes in connectivity of the SSSIs to the rivers Tame or Trent resulting from reduced flows and from potential effects of surface and groundwater connectivity during operation. (Part 1a: Tame and Trent only)	As described above, the River Mease SAC/SSSI is scoped in for assessment of operational effects due to changes in the hydrological connectivity between the River Trent and the River Mease. This also applies to the River Blythe SSSI. Such SSSI (including Whitacre Heath SSSI) are also scoped in for assessment in Chapter 13: Ecology - Terrestrial and Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2.
PINS	Potential impacts to fish fry and eggs due to entrapment	While construction impacts on European eel via entrapment will be assessed, the Inspectorate notes that entrapment risks to coarse fish fry and eggs must also be considered. The applicant is referred to the Environment Agency's comments for further detail.	Noted. The ES will consider entrapment on coarse fish fry and eggs, in addition to potential effects on European eel. This relates to operational effects in Part 2 (canals), in particular in relation to canal abstractions and intake screens and pumped and gravity bypass structures.

Consultee	Topic	Summary of comment	How and where addressed
PINS / Environment Agency	Mitigation and compensation	The scoping report mentions potential mitigation and compensation. If compensation is required, the Inspectorate expects the assessment to clearly define the requirements, demonstrate agreement with relevant stakeholders, and explain how compensation would be secured through the DCO.	The PEI Report chapter includes embedded (design) mitigation established through design development to date and recommends additional mitigation where required to mitigate potentially significant effects. At PEI Report stage this is draft mitigation, and the exact mechanisms to secure this will be established as the design progresses and through the DCO process.
	Natural England	Natural England is not part of the NAU and are a separate consultee, this text should be amended in the PEI Report.	The comment is noted, and whereas Natural England were engaged through NAU at Gate 3, they are engaged independently through the EIA and DCO process.
	Potential effects of increased turbidity	Further assessment of the likely effects associated with increased turbidity is necessary, as this could deteriorate water quality, negatively affecting fish life. Increased turbidity caused by boats moving in elevated flow due to higher propulsion effort could deteriorate water quality, negatively affecting fish life. This deterioration in water quality could have significant impacts on aquatic ecosystems. Therefore, further assessment of the likely effects is necessary.	This impact pathway is being reviewed and discussed with the EA as part of ongoing engagement. Turbidity and sediment mobilisation are being assessed for Part 1a (Tame and Trent), Part 2 and Part 3, and the outputs of the Water assessment and associated modelling will inform the aquatic ecology assessment, including fisheries.

Consultee	Topic	Summary of comment	How and where addressed
Environment Agency	Fish passage – Rivers Tame and Trent	Predicted negative effects on fish passes [in the Rivers Tame and Trent] are currently limited to weir 7, weir 8, and Holme sluice, but the potential impact could be greater due to limited data on fish passes and an incomplete picture of abstraction and climate scenarios. This could lead to underestimating the true extent of the impact on fish migration and habitat. Therefore, a full assessment using design drawings for all fish passes, predicted future abstraction licences, and climate scenarios for the life of the scheme is necessary.	The likelihood of greater impacts beyond those scoped in will be reviewed and discussed with the EA as part of ongoing engagement. The assessment of fish passage in the Rivers Tame and Trent will be updated for the ES informed by updated hydraulic and hydrological modelling for the river system (which is ongoing at the time of PEI Report reporting) and will incorporate additional information on weir and fish pass design drawings, requested from the EA and Trust as an outcome of Gate 3 environmental investigations.
	Fish passage – future abstractions	Impacts on fish passage have not considered future abstractions, which was a concern when the fish passage assessment was made, as it was based only on the current situation. Assurance is needed that the assessment will be representative and that associated impacts will be predictably modelled. Robust data gathering, forecasting, and modelling are required to ensure a representative picture of abstraction at the time of scheme operation and throughout its predicted lifecycle.	Future abstractions are built into the Aquator model and WRMP24 SIMCAT model for the Tame and Trent catchment, and as such are considered in hydraulic and hydrological, and water quality modelling of the catchment. Along with RCP8.5 climate change scenario and modelling of extreme low flows, all scenarios are modelled, the results of which informs the fish passage assessment. Refer also to Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2 .
	Part 1a – ecological surveys	It is recommended to include Part 1a in proposals for additional surveys and	Further aquatic ecological surveys have been completed, or are proposed, for the

Consultee	Topic	Summary of comment	How and where addressed
		undertake the hydro-ecological assessment. Table 12-7 outlines ongoing and proposed aquatic ecology baseline surveys, but Part 1a is excluded from additional survey work despite potential impacts to habitats and species within the Tame.	River Tame and for Part 1a (Minworth WwRC). This is in addition to extensive survey work undertaken previously and desk study, which remains valid to inform the assessment. The requirement for further survey work and survey updates will be considered throughout the EIA and DCO process.
	Designated sites – assessment of impacts	Appendix 12.1 does not mention Broadmeadow LNR, Dosthill Park LNR, Kingsbury Meadow LNR, and Lea Marston Lakes LWS, these sites should be included in the assessment of impacts.	Scoping of these designated sites has been reviewed for the PEI Report chapter. These designated sites are also considered in Chapter 13: Ecology - Terrestrial in PEI Report Volume 2 where there are potential impacts to terrestrial habitats or species, including riparian mammals for example.
	River Tame LWS	The Table 12-6 lacks listed improvements for the River Tame LWS, showing a lack of ambition in enhancing this area. It is recommended to draft a river restoration plan for the River Tame to ensure WFD elements, hydro-ecology, and functionality are maintained and enhanced to reflect new flow regimes.	Opportunities for enhancements have not been fully assessed at this point in time and will be reviewed as part of the EIA process. This includes the BNG assessment, which has scoped in the River Tame for river condition assessment through Modular River Physical (MoRPh) surveys as per previous engagement with the EA. Other opportunities for enhancement of the River Tame are being considered, for example in relation to fish passage.

Consultee	Topic	Summary of comment	How and where addressed
	Mobilisation of contaminants from sediment	The [Scoping] report correctly scopes in all project parts but only mentions dissolved oxygen as a pollutant from sediment disturbance. It should also include the potential release of other pollutants like oils, chemicals, and heavy metals into the water column when sediment is disturbed.	The assessment for PEI Report and ES will include all potential pollutant risks, including temporary construction sources and contaminated sediment disturbance in the canal. Water quality monitoring and modelling is also on-going for the River Tame and Part 3 (Daventry and Drayton Reservoirs), the results of which will inform the aquatic ecology assessments; therefore, potential impacts to water quality are scoped in for all parts.
	Water quality – River Tame	The consideration of water quality impacts is limited to sanitary determinants, dissolved oxygen, and other polluting substances, omitting nutrients and temperature. The solution is to include the impact of the scheme on temperature and explicitly specify that nutrients will be considered in the assessment. Temperature and dissolved oxygen have been identified in previous reports as significant water quality parameters, which could deteriorate water quality below WFD standards and significantly affect aquatic life. These issues should be highlighted, and assurance given that solutions will be sought to avoid WFD deterioration and mitigate against changes. Additionally, the River Tame's historical oxygen crashes from summer storms should be	Water quality determinants have been discussed as part of ongoing engagement with the EA and the scope of on-going water quality monitoring and modelling agreed, which will inform the aquatic ecology assessment in the ES (applies to Part 1a Tame and Trent, Part 2, and Part 3). Separately, modelling of temperature and dissolved oxygen in the River Tame has been undertaken and will be used to inform the assessment post-PEI Report.

Consultee	Topic	Summary of comment	How and where addressed
		considered in light of the scheme's impact on flow.	
	WFD classification	All watercourses, including those with catchment areas under 10 km ² , are part of the WFD catchment and take their classification from the downstream water body they connect to. It is recommended to present separate map sheets or in-sets at a suitable scale to highlight the crossing locations of these smaller watercourses. [And other comments relating to WFD classification]	The classification of watercourses and the terminology used in Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2 has been reviewed. The WFD assessment presented in Chapter 22 has been informed by the aquatic ecology assessment and is considered in the assessment of effects in relation to aquatic ecology.
	Downstream fish passage	The assessment on fish passage has focused on upstream fish migration, potentially overlooking downstream migration impacts. Fish such as [salmonid] smolts may experience damage or death during downstream migration if the head drop difference is significant and the receiving pool is too shallow. The assessment should include downstream fish passage impacts on the River Tame and River Trent.	Downstream fish migration and the potential impacts on this of altered flows in the Rivers Tame and Trent will be considered in the aquatic ecology assessment. Hydraulic and hydrological modelling is being updated and the results of this will be available to inform the updated fish passage assessment in the ES.
	Changes in flow in the Rivers Tame and Trent – spawning gravels	EIA scoping has not considered changes in flow in the River Tame and Trent, as well as weirs, and their impact on spawning gravels.	Potential effects of altered flows in the Tame and Trent on spawning gravels have been considered in previous environmental investigations through the

Consultee	Topic	Summary of comment	How and where addressed
		Changes to flows and velocities could lead to loss of clean gravel spawning habitat and oxygenated water for all life stages of fish. Solution: The EIA should assess changes to spawning habitat on the Tame and Trent, particularly focusing on weir sites due to changes in flow and velocity.	Gated process. The results of these assessments, supported by updated hydraulic and hydrological modelling, will be considered in the aquatic ecological assessment in the ES.
	River Tame – lateral connectivity to marginal and riparian habitats	Loss of lateral connectivity has not been considered. Impact: Reduced flow in the River Tame and Trent may disconnect marginal and riparian habitats with fish refugia, leading to habitat loss. Solution: The EIA should assess the loss of these habitats due to reduced flows, and the ES should include mitigation and compensation proposals, with the BNG plan improving marginal and riparian habitats for fish	Potential changes in lateral connectivity and effects on fish refugia and spawning habitats will be assessed, informed by updated hydraulic and hydrological modelling for the ES. This will include assessment of changes in wetted perimeter at low flows, as has been completed for previous environmental investigations through the Gated process. Mitigation to achieve BNG will be assessed through the on-going BNG assessment for the Proposed Development.
	Fish passage – Rivers Tame and Trent	Potential barriers to fish passage on the Tame and Trent are scoped in, while reduced fish passage due to reduced flow in the River Tame is scoped out, which seems contradictory. Reduced flows may impact fish passage but might not be included in the EIA.	Assessment of potential impacts on fish passage in both the Rivers Tame and Trent is scoped in for assessment and will be informed by the results of updated hydraulic and hydrological modelling for the ES.

Consultee	Topic	Summary of comment	How and where addressed
		Solution: Clearer text and detail are needed to explain why barriers to fish passage are scoped in for the Tame and Trent, while reduced fish passage due to reduced flow in the Tame is scoped out; this should be presented in the PEI Report.	
	European eel and Eel Regulations – canals	The wording used to describe eels in the canals suggests they are less important, with the single record of European eel in the Oxford Canal implying sporadic presence. This may give the impression that the species' presence is insignificant or that regulations may not apply, potentially leading to inadequate mitigation for eels affected by pumps, bypasses, outfalls, and abstractions. Solution: The Eel Regulations apply, and Best Achievable Eel Protection (BAEP) should be implemented at diversion structures, as required by The Eels (England and Wales) Regulations 2009.	Effects on European eel in the canals are scoped in for assessment, with further surveys proposed to establish the likely abundance of eel and age classes present. The scope of these surveys is subject to on-going discussion and agreement with the EA, and the results will be presented in the ES to support the assessment of canal abstractions and intake weirs and associated infrastructure. The assessment will be informed by the requirements of the Eel Regulations 2009.
	Rivers Tame and Trent – compensation / enhancements	Vital habitat work to compensate for changes in flow and level on the Tame and Trent may not be delivered because it is required outside of the red line boundary. This could result in inadequate compensation for the affected habitats.	Opportunities for enhancement or mitigation are being considered outside the Preliminary Order Limits, including through the BNG assessment. This will progress post-PEI Report and will feed into the mitigation strategy for the

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		The ES should provide details on how habitat compensation will be implemented.	Proposed Development as the design develops. Further detail will be provided in the ES and supporting documents including the BNG assessment.
	Tameside LNR – fish refuge	The fish refuge at Tameside LNR is not listed, which means impacts from the scheme on fish habitat at Tameside may not be assessed, potentially leading to damage or loss of habitat. To address this, the hydrological connectivity of Tameside LNR with the River Tame should be included, and fish habitat should be assessed in the EIA.	Tameside LNR and the fish refuge (pipe culvert connecting the River Tame to 'Smiley Face Pool') are scoped in for assessment. This will be informed by updated hydraulic and hydrological modelling post-PEI Report.
	Canal diversion structures, waste weirs, bypasses, pumps and intakes	Concerns around the modification of lock bypasses, waste weirs, and the addition of diversion structures such as pumps and the final intake have not been included. If these impact-pathways are not assessed in the EIA, there may be risks to fish migration potential and fish mortality through entrainment and impingement. Therefore, these impact-pathways should be included and assessed within the EIA.	The impact of lock bypasses and diversion structures will be assessed as appropriate within the ES. This will be discussed with the EA as part of on-going engagement. This includes abstractions from the canals, intake weirs and associated infrastructure, including Fish Recovery and Return (FRR) systems.
	Risk of spread of INNS and pathogens – canals and reservoirs	Concerns around the potential increased risk of pathogen spread to and from Daventry Reservoir and the Grand Union Canal have not been included. If these impact-pathways are not assessed in the	Potential effects of the spread of pathogens and diseases will be assessed as part of the INNS assessment – refer also to Chapter 13: Ecology - Terrestrial in PEI Report Volume 2 .

Consultee	Topic	Summary of comment	How and where addressed
		EIA, there may be risks to fish mortality, impacts on recreational fisheries, and wider biodiversity. Therefore, these impact-pathways should be included and assessed within the EIA to conserve the recreational fishery at Drayton Reservoir and prevent damage from the spread of fish pathogens and INNS.	
	Waste weirs – canals	The control strategy for the Proposed Development aims to maintain the volume of overflows at waste weirs similar to the pre-development situation, but the term "aims" sounds vague. If this is not maintained, it could affect the connectivity potential with adjacent watercourses. The EIA should provide assurance that the volume of overflows at waste weirs will match the current pre-development levels.	Further work is being completed through hydraulic modelling of the canals and the design of the Proposed Development to ensure overflows from waste weirs remains the same – refer also to Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2 .
	Species present in the River Tame (fish)	The list of species receptors includes only those for which records are kept, not all species that the Tame and Trent could support. This could lead to overlooking the impact on species currently present, including those from the designated Humber estuary, such as river and sea lamprey. To address this, a row should be added to the table for species likely to be present but not in historic records, denoting eDNA versus physical records,	Baseline data will consider the likelihood of a greater range of species being present and will make clear what data (eDNA and physical records) is available to support conclusions around species presence. All species likely to be present within the Rivers Tame and Trent are considered in the fisheries assessment.

Consultee	Topic	Summary of comment	How and where addressed
		and clarifying if Petromyzontidae is listed based on eDNA records rather than physical capture of sea lamprey.	
	Fish fry and eggs – entrainment / entrapment risk – canals	The text suggests that only European eel will be considered for entrainment/entrapment risk, potentially overlooking the impact on coarse fish fry and eggs, which are most vulnerable to entrainment. Mitigation should include managing construction activities outside of spawning and migration periods to limit the impact and appropriately screening any intakes.	All fish species present and their fry and eggs will be considered in the assessment of entrainment and entrapment at intakes, bypasses etc.
	INNS	Despite significant survey efforts to identify the INNS baseline within the DCO boundary, the report lacks detail on potential management and the risk of spreading INNS into connected watercourses via outfalls once flow is increased. The absence of a discussed Biosecurity Management Plan raises concerns about the practical management of INNS and the prevention of their spread. Therefore, an invasive non-native species management plan and a robust Biosecurity Plan must be included in the Environment Statement, along with detailed measures to mitigate the spread	INNS pathways and risks are being considered as part of both the aquatic and terrestrial ecology assessments – refer also to Chapter 13: Ecology - Terrestrial in PEI Report Volume 2 . A Biosecurity Management Plan will be produced alongside the ES to detail mitigation measures to minimise the spread of INNS during the construction and operation of the Proposed Development.

Consultee	Topic	Summary of comment	How and where addressed
		of INNS during construction, operation, and decommissioning.	
Natural England	Priority habitats and species	Priority habitats and species, listed under Section 41 of the Natural Environment and Rural Communities Act 2006, are crucial for conservation and should be identified through habitat and species surveys, including historical data and assessments conducted at appropriate times of the year. Brownfield sites may also hold significant ecological value and should be checked against the Open Mosaic Habitat inventory. The Environmental Statement must detail the presence, status, and potential impacts on these habitats and species, along with proposed mitigation, compensation, biodiversity net gain opportunities, and consideration of sensitive aquatic species such as Atlantic Salmon and European Eel.	Refer also to Chapter 13: Ecology - Terrestrial in PEI Report Volume 2 for consideration of habitats of principal importance, alongside the aquatic ecology chapter. Sensitive aquatic species including European eel and Atlantic salmon are assessed in this chapter.
	Biodiversity Net Gain and baseline	Under the Environment Act 2021, Nationally Significant Infrastructure Projects (NSIPs) are required to deliver at least a 10% biodiversity net gain (BNG), with this applying to all terrestrial NSIPs accepted for examination from November 2025. Developers should establish a biodiversity baseline for all land within the project boundary and follow established	Refer to Chapter 13 Terrestrial Ecology for the approach to BNG for the Proposed Development. Aquatic habitats are also being considered in the BNG assessment including through river and canal condition assessment (Modular River Physical MoRPh surveys), and ditch condition assessments, with the aim of

Consultee	Topic	Summary of comment	How and where addressed
		BNG principles and statutory metrics, such as BS 8683 and CIEEM/IEMA/CIRIA guidance. Biodiversity gains must be secured for a minimum of 30 years through adaptive management, with BNG plans included as a requirement in the Development Consent Order (DCO).	providing at least 10% BNG through delivery of the Proposed Development.
	Ensor's Pool SSSI	Table 24-5 of the Grand Union Canal EIA Scoping Report - Volume 1 shows that a complete disconnection cannot be dismissed based solely on the "intervening urban environment." It highlights the need to assess connectivity via urban drainage networks, overflows, waste weirs, and potential impacts from bank raising, especially considering new developments near Ensor's Pool SSSI that may alter flow pathways through added water features and Sustainable Drainage Systems (SuDS).	Ensor's Pool SSSI is scoped in for further assessment as it remains the same distance from the Preliminary Order Limits and working areas of the canal. Hydrological connectivity, existing or proposed, between the Coventry Canal and Ensor's Pool SSSI is assessed in Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2 . It is considered that there is no impact pathway for aquatic ecology receptors.
	Nationally and internationally designated nature conservation sites	The Environmental Statement must comprehensively evaluate whether the proposed development could directly or indirectly impact nationally and internationally designated nature conservation sites. This assessment should follow the 'avoid, mitigate, compensate' approach as outlined in the National Planning Policy Framework	Designated sites are scoped into the assessment presented in this chapter, notably the Humber Estuary SAC, River Mease SAC, Ensor's Pool SSSI, and the Nene Valley SPA/Ramsar site. Refer also to Chapter 13 Terrestrial Ecology in PEI Report Volume 2. The mitigation hierarchy will be followed when defining mitigation measures that

Consultee	Topic	Summary of comment	How and where addressed
		(NPPF). If avoiding impact isn't possible, all options to minimize harm must be fully considered. Specifically, the Environmental Statement should also assess effects on internationally designated sites such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Ramsar sites, and any candidate or proposed SPAs or SACs, including marine sites where relevant. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.	may be required following impact assessment for these sites.
	Zone of influence for designated sites and species	Natural England recommends revising the 2 km desk study area in Table 13-3 of the EIA Scoping Report to better reflect the potential impacts on internationally designated sites and species-specific behaviours, such as upstream/downstream movement and foraging. They advise that current guidance on appropriate survey distances, particularly for bat roosts and habitats, should be followed. All ecological assessments should align with the Zone of	Where considered appropriate, the desk study (and Zol) has been extended beyond 2 km, for example to consider downstream effects in terms of aquatic ecology. In terms of fish passage, this Zol extends as far as the Humber Estuary at the downstream end of the River Trent, and as such all fish species known to be present in that catchment have been considered.

Consultee	Topic	Summary of comment	How and where addressed
		Influence to accurately evaluate possible indirect disturbances to habitats and species.	
Atherstone Town Council	Discharge to canal	The discharge of sewage into the canal in the centre of Atherstone will have a sewage discharge consent. Although treated, it is sewage and will have harmful parameters in it... In appropriate conditions found in canals, bacteria from the discharge may have the ability to double in number every hour to levels, causing a significant negative impact. Locks have slack water periods when not in use where the water does not move making it ideal for bacteria proliferation. Alien species can colonise other water systems if they are forced to move from current locations, to the detriment of destination locations.	Water quality monitoring and modelling is on-going and currently confirms the transfer of recycled water into the canal is not expected to have significant acute impact on fish populations or aquatic life. This is part of the on-going assessment for aquatic ecology and will be informed by updated modelling post-PEI Report. Assessment of alien species (INNS) is also being completed in both this and Chapter 13: Ecology -Terrestrial in PEI Report Volume 2 and a Biosecurity Management Plan will be provided with the ES to minimise the risks of INNS spread.
Atherstone Town Council	Canal ecology	There are also concerns about disturbance of the canal's ecology. Residents fear that the effect on water balance and wildlife could be huge. They considered that phosphates and/or nitrates in the water will cause algae, taking oxygen out of the water. Consequently, fish will die and other wildlife will be adversely affected. One particular resident suggested that a similar	As described above, water quality monitoring and modelling is being undertaken to inform the aquatic ecology impact assessment. Recycled water diverted from Minworth WwRC to enter the canal will be treated to a very high standard, and assessment against WFD standards ensures that no deterioration in canal ecological status will be caused.

Consultee	Topic	Summary of comment	How and where addressed
		transfer project was proposed as a consequence of the 1976 drought. However, it was abandoned because of the potential harm to wildlife that would have resulted from the transfer of water from one area to another, due to varying mineral content in water, depending on specific geographical locations.	
Buckinghamshire Council	Survey effort and methodology for ecological impact assessment (EcIA)	Survey effort in accordance with current standards will be expected for each species group and habitat assessments that accord with best practice as set out within the EIA scoping report. The EcIA must be completed by a suitably qualified ecologist and reported in accordance with CIEEM Guidelines... All ecological information should be prepared and presented so that it is fit to inform the decision-making process. The EcIA should set out the ecological monitoring required to audit predicted impacts and effects against the actual situation... and utilise the most up to date biodiversity data from the [Local Environmental Records Centre].	The EcIA identifies likely significant effects, which will be assessed in detail in the ES. This will follow relevant CIEEM Guidance, as quoted herein, by suitably qualified ecologists. Likewise, BNG Assessment will be provided in support of the DCO application, as described in Chapter 13: Ecology - Terrestrial in PEI Report Volume 2. Extensive ecological monitoring and survey data is set out, much of which is on-going and will be updated in the ES. This is supported by up-to-date ecological data from all LERCs within the ZoI of the scheme.
Wolfhampcote Parish Council	Biodiversity and ecology	Biodiversity and Ecology: Local habitats, including watercourses, should be assessed for species impacts. We request	As described in this chapter, aquatic ecology surveys have been completed for species and habitats to inform the impact assessment and the BNG assessment.

Consultee	Topic	Summary of comment	How and where addressed
		that survey work includes known sites of ecological interest in our parish.	Designated sites have been considered in the assessment according to the identified Zol.
Old Stratford Parish Council	INNS – carp and zander	There is no mention of Carp or Zander, which are known to be in the canal. Surveys or accurate records should be drawn upon in the ES.	Both species are considered in the INNS assessment (to be presented in Chapter 13: Ecology - Terrestrial for the ES and in the accompanying Biosecurity Management Plan). Available records for Zander have been requested from the Trust.
Daventry Town Council	Part 3 – Daventry and Drayton Reservoirs	From my basic understanding of the documents this should not affect Daventry too much just perhaps the levels of water in the two reservoirs. My main concern is how this will affect the wildlife. I couldn't spot this in the documents but I must admit I did scan many of the pages as the documents are so lengthy.	Effects of changing water levels in Drayton and Daventry Reservoirs are being assessed, and the corresponding effects on water quality and aquatic ecology – species and habitats.
Milton Keynes City Council	Blue Lagoon LNR	Blue Lagoon Local Nature Reserve (LNR) – Assessment Inconsistency. Aquatic ES Chapter: Blue Lagoon LNR is included due to potential direct impacts during construction and possible changes to water quality and hydrological connectivity during operation. Terrestrial ES Chapter: The LNR is not considered, despite the inclusion of	Although this LNR is 1.74 km west of the Grand Union Canal, it is scoped in for aquatic ecology assessment due to its importance for aquatic habitats and species and potential hydrological connectivity to the Proposed Development. Refer to Chapter 13: Ecology - Terrestrial in PEI Report Volume 2 for the scoping of potential effects for that discipline.

Consultee	Topic	Summary of comment	How and where addressed
		hydrological impacts in the terrestrial assessment. Issue: This presents an inconsistency between the aquatic and terrestrial chapters. Recommendation: A full explanation is required to clarify why Blue Lagoon LNR is excluded from the terrestrial assessment and to ensure consistent evaluation across both chapters.	