Further to my earlier email, I now have the opportunity to reply to your query more fully.

A) CORE STRATEGY PROCESS

A chronology may assist:

**Adopted Local Plan 2001-2011 (adopted 2005)**

The adopted Local Plan (2005) shows a “Transport Reservation” under Policy T13. The Proposals Map erroneously refers to a “Transport Corridor” whereas Policy T13 refers to “Transport Reservation”. The route runs roughly north west to south east through the middle of Eagle Farm North, then south west down the A421 corridor, apparently outside Eagle Farm South, and outside the edge of the SR3 allocation (the easternmost part of the precursor to the SLA) http://www.cartogold.co.uk/miltonkeynes/. In summary, the old Local Plan possible canal route was outside the pre-cursor to the SLA south of the A421 and therefore of no concern to our clients Burford and Merton College Oxford when investing in Wavendon Golf Course.

**Core Strategy**

- **Revised Proposals Map Amendment (October 2010)** as submitted to the SoS in October 2010.
  
  This refers to the adopted Local Plan policy T13 and shows a “Transport Corridor” on the Proposals Map Amendment (note it is still not called a “Transport Reservation” as per old Policy T13). This is routed through Eagle Farm North and stops at the A421. It does not cross the A421 into Eagle Farm South and the SLA south of the A421. It was therefore acceptable to Burford and Merton College Oxford, so no objection needed to be raised.


- **The Post Submission Proposals Map Amendment (September 2011)**
  
  This included the Merton College Oxford /Burford Group land (and Haynes land) for the first time. It maintained the line and terminology of the proposed “Transport Corridor” through Eagle Farm North, which still did not cross the A421 into the SLA south of the A421. This is what the Inspector Examined. This proposal was outside the SLA south of the A421 and therefore acceptable to Burford and Merton College Oxford, so no objection needed to be raised.


- **Consultation on Main Modifications (15 January 2013)**
  
  This shows a wholly new alignment of the waterway running to the eastern boundary of Eagle Farm North SLA, alongside the M1. The route was now entirely outside all parts of the SLA. This is shown on Milton Keynes Council’s Policies Map (MKC46) and is referred to in Main Modification 1 (MM1). For the first time it is referred to as the “Proposed Revised Safeguarded Route for the waterway”. This proposal was wholly outside the SLA and therefore acceptable to Burford and Merton College Oxford, so no objection needed to be raised.
Inspector’s Letter ID/17 regarding Council revised proposed route (May 2013)

This Council proposal, without published evidence or assessment, public consultation or examination, shows a revision to MKC46 with the waterway running along the M1 east of Eagle Farm North but then running south across part of the Eagle Farm North SLA area, over the A421 and into the SLA south of the A421. This proposal is inside the SLA south of the A421 and therefore is not acceptable to Burford and Merton College Oxford, so an objection needed to be raised. This plan is attached.

In order to be an acceptable feature of the Core Strategy, the proposed new route needs to be demonstrably evidence-based and assessed, publicly consulted upon and examined. Further, it would need to be make clear that the waterway would not impose any cost or land use budget burden on the SLA south of the A421. Ideally it should be physically excluded from the SLA boundary to avoid any confusion, as has been done north of the A421.

B) SLA DEVELOPMENT FRAMEWORK PROCESS

The Draft SLA Development Framework (July 2012) said on p39: “The Development Framework proposals allow for the possibility of the canal proceeding in the future. It therefore includes a safeguarded route for the canal. [note lower case text] The route should allow for the provision of a towpath which would serve as an extension of the Broughton Brook open space linear corridor. The route shown is indicative only. Before detailed layouts are approved a specific and deliverable waterway route should be demonstrated, connecting the Broughton Brook with the Borough Boundary at Eagle Farm, including a crossing of the A421.”

The “Indicative Development Framework” plan on page 50 includes the route running along the M1 east of the Eagle Farm north part of the SLA, then south to cross the A421 and into the Eagle Farm South part of the SLA south of the A421.

The text on p39, quoted above, left matters sufficiently loose for the proposal to be acceptable to Burford and Merton College Oxford, so no objection needed to be raised.

This “indicative” route has remained a constant through the various versions of the Development Framework – including the most recent one sent by yourself last week. However, in the July version you referred to a “Safeguarded Route” which was not correct and did not align with what was before the Core Strategy Inspector. The version you issued last week also says the route is a “Safeguarded Route”, which remains an error (and note capital letters); and there is no supportive text by way of explanation. There has been no presentation to the Project Board of a “specific and deliverable waterway route” as was promised in the Draft Development Framework text (page 39).

This is not an acceptable way to launch a new proposal into the Development Framework. Burford and Merton College Oxford have been clear all along that the waterway should not be a cost on the SLA and should not hinder its delivery. There has been no assurance on this yet.

DAVID LOCK ASSOCIATES’ ASSISTANCE TO THE WATERWAY TRUST

Our company has been supportive of the waterway project for several years. We found the solution to its route through Brooklands (a route at grade through the linear park, instead of on a 4m high embankment through the development area) and, for example, through our work finding a route through our clients’ lakes in the Marston Vale towards Bedford. We consider it a wonderful project, though have always spoken up against pretence by anyone that it is an official government project with rights over private land or land values.
Our pro bono work has not involved any cost or financial viability analysis, social economic or environmental assessments, or engineering or construction design. The matter of who pays for the waterway at any point is a matter over which our company has no involvement at all.

In that context our company has been helping the Trust deal with the Gallagher August 2012 planning application for B8 development on Eagle Farm North and the Central Bedfordshire Local Development Framework Plan North (November 2011) which shows the waterway coming northwards towards MK to the west of the A421 rather than on the M1 side of the road as had been originally proposed.

Using our masterplanning skills and 3-D landform modelling tools, we were asked to explore a canal route that maximised the developable area in Eagle Farm North (an advantage to Gallagher) and where possible reduced the number of locks proposed by Halcrow in their 2005 routing plan (an advantage to the Trust). In each of the options we explored, we sought to make the logical link of the canal from the Broughton Brook length in the linear park (which already has planning permission), to the route in Central Bedfordshire, broadly along alternative route options previously identified by Halcrow.

This work was discussed with the Waterway Trust prior to Christmas 2012 and was discussed with MKC officers and Gallagher on 18 March 2013. The Power Point presentation from that occasion is attached to prove the nature of the meeting.

At that meeting Gallagher offered a line which crossed the A421 and clipped their ownership at the easternmost edge of the SLA south of the A421. My colleagues have undertaken to prepare this next reiteration looking at the gradients of the slopes, water levels etc and their drawing is soon to be issued to the Waterway Trust for discussion.

The meeting on 18 March was not the formal consultation meeting on Core Strategy representations that you imply. Our company did not prepare for, or participate in the meeting, on the basis that it was evidential for the statutory Core Strategy processes, or for the Development Framework process. It was an update and discussion of physical masterplanning possibilities being considered by the Trust, and clearly a great deal of work would need to be carried out and consulted upon before the meeting and its outcomes could be used to justify any particular proposal for the waterway in any plan promoted by the Council.

Your Council has mistakenly jumped from a chat with the Trust and Gallagher to a formal amendment to the Core Strategy and to the Development Framework.

It is clear to me that our company has ended up in an awkward position through the help it has been trying to give the Trust in this case. We have now explained this to the Trust, and that unless the SLA boundary is pulled back a few metres to keep the route out of the SLA south of the A421 (as has been done north of the A421), or there is written assurance that the waterway will not impose any financial or land use budget cost on the SLA south of the A421, my company will be forced to cease its pro bono work for the Trust in this area immediately.

Either way, the objections both to the Core Strategy proposal as sent to us by the Inspector, and to the way the waterway is proposed to be dealt with in the Development Framework, stand, in the interests of our clients Merton College Oxford and Burford Group.

I hope this provides the clarification you seek.

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