

File Name: ISH6 - 26 June 2023_Part 3.mp3

File Length: 02:19:45

FULL TRANSCRIPT (with timecode)

00:00:05:16 - 00:00:08:29

Hello. Can I just ask if people can hear me, please?

00:00:10:16 - 00:00:13:06

Yes, we can hear you. I can hear you, Andre.

00:00:14:24 - 00:00:15:24

Thank you very much.

00:00:19:23 - 00:00:31:12

Right. So it is now 230, and I would like to welcome everyone back to this issue specific hearing. Can I just confirm that live stream has recommenced, please?

00:00:33:08 - 00:00:33:25

Yeah.

00:00:37:24 - 00:01:17:08

Uh, okay. Before the break, we had just finished item a four and we were moving on to traffic and transport. In this item, we want to discuss the proposed development in relation to traffic and transport, mainly traffic generation assessment of traffic and transport effects at construction and operational phases, traffic management and highway safety. The outline construction traffic management plan, the outline operational travel plan, the outline operational traffic management plan and effects of the proposed development on the accessibility of other premises.

00:01:22:19 - 00:01:34:02

Mr. Tuttle. Good afternoon. Can I ask you to just turn off your camera while I just do the introduction to the item, please? Thank you very much.

00:01:35:25 - 00:01:57:12

So before start, there are a number of documents that were included in the agenda for this item which may be referring to. I will confirm now the references for the deadline five documents that were not available when the agenda was issued, but do not propose to go through the entire list. Now, can everyone just confirm that they are in agreement with the list included?

00:02:03:21 - 00:02:06:02

Or confirm if they have any objection.

00:02:10:00 - 00:02:43:12

I don't see any hands raised, so I assume that everyone is in agreement with the list provided. So just like to confirm before I start the documents that were submitted, any deadline five So my list referred to the Cambridgeshire County Council and Fenland District Council Deadline five response to Issue four and five action points, which is Web 5044. The Cambridgeshire County Council and Fenland District Council Deadline five comments on any further information or submissions by deadline for and that thread 543.

00:02:43:20 - 00:03:23:12

The applicants comments on the deadline to submissions. Part one Statutory Party States Rep 5034. Access and Rights of way plan revision five which is read 5004 The outlined construction traffic management plan tract version which is 5011 and the clean version which is read 5012. The outline construction environmental management plan tract version which is read five 0 to 1 and clean version which is web 5022.

00:03:23:23 - 00:03:57:13

The applicant's response to two Action points Action 0.6, which is Rep 5036. The applicant's response to the exec two, which is Web 5032. The National Highways response to to which is rep 5051 and the Cambridgeshire County Council and Fenland District Council response to the second round of written questions. The two rep 5045.

00:03:58:11 - 00:04:02:16

Are there any comments that anyone would like to make on this? Before I move on.

00:04:08:21 - 00:04:42:15

I don't see any hands raised, so I assume that that is now. So we'll move on to my questions then. And my first question is for the applicant and then the applicant. Please set out the reasons and rationale behind the updated outline. Construction Traffic management 550 11 or 0 12 in the outline construction environmental management plan that is 5021 or 022 in relation to traffic and transport, highlighting any main changes made to those documents please.

00:04:47:20 - 00:04:50:12

Good afternoon, sir. David Kenyon for the applicant.

00:04:53:14 - 00:05:40:26

So just say a deadline fired up and submitted an updated outline construction traffic management plan. And that is 5011 and an updated outline. Construction Environmental Management plan. That is 5021. Updates are also made to the access and rights of way plan. Um in addition can come on to those as well. The changes were made in respond to requests from and FDC and a summary of the changes that were made to those documents is of course set out in the schedule of changes which is rec 5028.

00:05:41:22 - 00:06:13:16

Um, I can summarize them and the, the rationale, the reasons each of those changes. So with regard to the outline construction traffic management plan, the changes made at deadline five related to public rights of way and to the scope of the highway condition surveys. So these changes were made in response to comments made and received by Cambridge at deadline for primarily through the comments on on D3 submissions, which is Rep for 031.

00:06:14:03 - 00:06:56:14

And they also followed meetings with the council on the 7th of June and on the 14th of June as well. So, so subsequent to the the last hearing sessions that we had, we have met with the council a number of occasions to discuss public rights of way what we term use. So these are non-motorized users, pedestrians, cyclists, for example. Um, and also the scope and extent of the highway condition surveys as well. Um, so the public rights of way, the changes that we've made to the most recent version of the plan that TMP is a change in the way in which the footpaths are referred to.

00:06:56:16 - 00:07:29:15

So we are clear that we're referring to public rights of way rather than footpaths. Um, we now make reference to closures and we've also provided additional clarity with regard to the numbering, the sort of designation of the public rights of way which could be potentially affected. So we've, we've um, each public right of way has a, a number assigned to it in the, in the can't remember the plan now but the definitive map should say so we refer to that as well.

00:07:30:11 - 00:08:06:00

Um concerning signage as you'll have heard earlier this morning. So we've also agreed to work with the council with regard to the signage to be placed at the crossing point of the disused railway line. And we've also discussed with the Council the wording and positioning of that sign. And the TMP now includes for reference to that within the document and that we provide that to the Council for their review and comment before any signage is installed.

00:08:07:03 - 00:08:36:29

So clearly it's not in the it's network rails. Um, it's, it's a rail to determine the actual proximity, the positioning of the signage. But we've built into the tmp the fact that we will pass any information, we'll pass the details to the council so that they can comment as well. And as you heard, we've already had one meeting, a tripartite meeting with Network Rail, the Council and ourselves. So hopefully that that approach will continue of working together in partnership.

00:08:38:15 - 00:09:08:18

I also mentioned the highway conditions surveys and also said that yes, we have met with the highways again on condition surveys. Um, we've now with the council over emails and following the meeting on the 14th of June. Um, revised wording to the TMP and that is in paragraphs 7.4. 1 to 7.4 .27 of the outline construction traffic management plan.

00:09:08:22 - 00:09:43:07

And that now establishes the agreed extent of the surveys. So it's not just the highways that the sort of the highway where the vehicles would travel, but it's also been extended to the the public rights of way which abuts the order limits as well. So that we will also do a condition survey of the surface there and of the boundary features. Again, that is in following conversations and discussions we've had with with KCC. We've also confirmed now that the surveys will be undertaken by an independent, jointly approved contractor.

00:09:43:29 - 00:10:15:18

And we've also included at 7.4.27, a mechanism which picks up an eventuality. Two were by for a reason outside the control of the applicant. A diversionary route of vehicles coming to the facility have to take a diversionary route. So, for example, if there's a there's a major accident or something, which means that it can't take the prescribed route which is set out in the route restrictions. Um, clearly we need to inform the council of that.

00:10:15:21 - 00:10:31:09

But subsequent to that we would there be a mechanism for us to do a condition survey of that diversionary route in case potential damages caused. And then the, the mechanism again for repair and reinstatement is picked up in the TMP as well.

00:10:33:06 - 00:10:35:26

Um. What else have I got now?

00:10:37:22 - 00:11:16:18

So think that probably covers off the main elements of the. As I said, it's very much public rights of way and the highway condition surveys with regard to the construction environmental management plan, we didn't make any changes to that document. With respect to highway matters for deadline five, we have done previously, but the deadline five the changes there were focused on Appendix B, which is the outline water management plan, and that was to respond to comments we see from the King's Lynn Internal Journeys Board.

00:11:20:00 - 00:11:59:18

The final change that we've made more relative to highways really is the access and rights of way of plan, which is about 5004. And this is in response again to discussions we've been having with KCC, um, based upon the, the highway boundary where this land is and we're sort of private third party land is, and that's particularly around reasonable lane. Um, it's, it's quite a, quite a tricky road around that part of wheeze lane where the, where the railway crosses or did cross Wisdom Lane to actually identify where the highway boundary is.

00:11:59:21 - 00:12:15:04

But um, Cambridgeshire were good, good to provide us with some further mapping and we've reflected that as best we've been able in, in that document. So that's the access and rights of way plan.

00:12:17:27 - 00:12:20:00

And that's it there. Thank you very much, sir.

00:12:20:26 - 00:12:48:15

Thank you very much for that. Um, I would now like us to consider the overall capacity of the road network and how the applicant has assessed the impact of proposed development, particularly the impact of the anticipated increase in traffic as a result of the proposed development. So can the applicant please explain how this has been assessed and explained in broad terms? What would the conclusions of this assessment?

00:12:52:17 - 00:13:04:23

Beth Cook for the applicant. Sorry, is this referring back to the original assessment work and what was discussed at the previous hearing? Or is this in relation to the changes?

00:13:04:25 - 00:13:36:04

Yes, it will be referred to. I'm going to revisit some of the issues that we have covered on the previous hearing, obviously. I'm sure that you will understand that there will be some overlap because of the previous hearing. But I would just like to ask this question in terms of setting the overall context for the questions to follow. So, yes, it is linked with the original assessment that you have carried out.

00:13:36:06 - 00:13:38:17

So that will be AP 033.

00:13:40:04 - 00:13:50:01

Yes, I'm just trying to locate my notes from the previous hearing. But.

00:13:53:10 - 00:13:56:13

So we'll just run through those again.

00:13:57:11 - 00:14:27:02

So if I may interrupt, forgive me, Andrew Fraser, for the councils. I'm just following through on the agenda and the agenda item that followed immediately on from the section we've just heard related to the proposed changes. And this is something where the County Council has a number of important comments to make. So just was anxious. We don't skip over this. No, no.

00:14:27:04 - 00:14:27:22

Given where you are.

00:14:27:24 - 00:14:28:11

On the agenda.

00:14:28:13 - 00:15:02:10

Yes. Yes. I'm not I'm not proposing that we skip on that. That is definitely an item that I would like to cover. I would just like to actually cover this item first, if I may, because it's it's also linked. And then I'm going to ask some questions in terms of link to to the responses that we have received in rev 5 or 5 one from national Highways in response to our second written questions, which is question point two, point one.

00:15:02:13 - 00:15:20:09

But to set the context for my question on that. I would I would ask then the applicant to explain as again, if if they can very quickly the overall capacity of the road network assessment and how this has been carried out in broad terms, please.

00:15:21:11 - 00:16:24:15

Okay. Um, well, um, for the applicant again, um, so we undertook to what will we provided to assessment documents. One was part of the environmental statement, um, which was the traffic and transport Environmental Impact Assessment. And the other document was a transport assessment. If I just cover off the first, um, so the assessment was based on the guidelines for the environmental assessment of road traffic and produced by the Institute of Environmental Assessment, which considers a number of traffic related environmental effects on receptors which are identified as severance driver delay, pedestrian amenity, pedestrian delay, fear and intimidation, accidents and safety.

00:16:25:00 - 00:17:14:09

And the assessment approach takes account of the proportional increase in traffic as a result of the development itself. And because we were looking at construction and operational phases, we've done both of those scenarios. Um, there are two roads, um, that are set out in the guidelines that have been applied, which looks at where traffic flows are predicted to increase by more than 30%, and that also includes HGVs by more than 30% is real one and real rule two is where there are specifically sensitive areas which can be where there is a school or where there's a high street with a high pedestrian footfall.

00:17:14:18 - 00:17:47:23

And these are considered to be sensitive locations. And then rule two is applied where which looks at more closely where traffic flows are predicted to increase by 10% or more. Um, so the magnitude of change in traffic flows during the construction period, the peak construction period and the operational stage, um, as part of the process for this identified.

00:17:48:05 - 00:18:21:00

Um, and then there was a measurement of the increase of development traffic on a number of receptor locations which have been identified. So the receptor locations, there was identification of the level of sensitivity, whether a rule one or rule two applied. Um, and then there was presentation of what the actual difference in traffic flows were along each of those routes.

00:18:21:16 - 00:18:54:29

And then it was identified whether there was a need for further assessment if, um, the particular rule of rule one or rule two had been triggered. So if it was a rule one, if traffic flows had increased by 30% or more, or if it's a rule two where traffic flows had increased by 10% or more. And so for those locations where it was triggered, we undertook further assessment work.

00:18:55:01 - 00:19:13:09

So we looked at those locations and looked at the environmental effects of them and, and, and discussed whether. There was a significance of effect as a result of the traffic flows.

00:19:15:12 - 00:20:02:15

So that that was the idea. But we also undertook a transport assessment because this has so for construction traffic, it's it's temporary. And the peak month was identified as month 14. And the program is a 36 month programme of construction. And during those periods the the construction traffic does fluctuate. But for the operational because it's a permanent fixture and we did look at produce or we produced a transport assessment which considered in more detail the impact of the development traffic on specific junctions.

00:20:02:19 - 00:20:27:11

Um, and that transport assessment work found that um, there weren't issues at the junctions identified. So the assessment work found that there was sufficient capacity and that as part of the and that there wasn't any detrimental impact as a result of the development. Traffic is a very brief overview without the detail.

00:20:28:01 - 00:20:28:26

No, that's.

00:20:28:28 - 00:21:19:16

That's perfectly fine. Mrs. Cope we've reached the point that wanted, which was confirmation then in terms of Strategic Road Network, your assessment confirmed that strategic network would be able to cope with increasing the assessment. Um, I would now like to ask if can we chair County Council, as has as the Highways Authority would like to comment on this in asking this question. As mentioned before, I am mindful of the response that we have received from National Highways in Rab 5 or 5 one, which I have mentioned before in response to the execu 2.2.1, that scheme was considered unlikely to have a severe impact on strategic road network.

00:21:20:03 - 00:21:25:13

So can I please invite Cambridgeshire County Council to comment on that fact, please?

00:21:26:06 - 00:21:44:18

Well. So I don't think we have any particular comment to make on these issues relating to highway capacity. As you know, from previous representations we've made, our concern is some of the details of the the junctions. But in terms of overall capacity issues, Okay, We want to say.

00:21:44:29 - 00:21:48:05

But just wanted to confirm that you agree with that assessment.

00:21:49:04 - 00:21:49:24

Yes.

00:21:50:15 - 00:22:30:08

Thank you. Thank you very much. Now, as I have mentioned before, I just would like to ask a couple of quick questions in relation to the proposed change as well, if I may. So in this is obviously in the understanding that it asking these questions does not prejudice the position on this matter in any way. But can the applicant please explain the need for the proposed change, how it will impact any traffic and transport issues and the consequences of the change not being accepted if this is known?

00:22:33:03 - 00:23:06:29

Beth Cook for the applicant. Um, so the change with respect to the Cromwell Road, New Bridge Lane Junction. Um, our traffic and transport assessment and the, and the Ta did not identify a need to provide a signalised junction. Um, as there was sufficient capacity for, based on the existing junction configuration to accommodate the traffic generated by the proposed development during construction and operation.

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Um, the signalized, uh, scheme has come about as a result of consultation with Cambridgeshire and their request that the junction be signalized due to concerns of road safety. Uh, based on, on the basis of an increased volume of slow moving heavy goods vehicles turning right from Cromwell Road's southern arm into Newbridge Lane. Um, and Cambridgeshire has also confirmed that its request for these works is one of safety.

00:23:45:07 - 00:23:45:22

Um.

00:23:47:12 - 00:24:29:24

In terms of the ability of HGVs turning right into Newbridge Lane and. So that that's how the change has come about. It's through the discussions with Cambridgeshire since the submission of the draft DCO. And so notwithstanding the applicant's position that is set out within the environmental statement in order to reach common ground with Cambridgeshire. And the applicant has commissioned the design of a scheme for signalization of the Crossroads Junction to include a right turn lane for for traffic turning into Newbridge Lane as requested by Cambridgeshire.

00:24:30:23 - 00:24:57:24

And so the existing junction is largely retained where kerb lines have been changed, the changes have been informed by analysis of vehicle of vehicles, ability and inter visibility from the proposed new crossing have also been tested and forward visibility line is good along Cromwell Road due to its alignments and.

00:24:59:12 - 00:25:38:11

And we have also considered how it works with the Tesco Junction just to the north. So we've undertaken a scheme design, we've undertaken junction modelling of the signal junctions and a stage one road safety audit audit has been prepared and we have provided a designer's response to that and that's all been presented within the Transport Assessment addendum, volume 3.11, which is as 029.

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And. So in the event that the change applicant application was not accepted, the applicant would be able to implement the original junction design for Cromwell Road and Newbridge Lane under the powers contained in the DCO, which the applicant considers to be acceptable. And however, in the event that Cambridgeshire requires the updated synchronization scheme to be implemented and the applicant would need to undertake the work pursuant to a Section 278 agreement under the Highways Act 1980.

00:26:19:03 - 00:26:36:21

Which could require. Um. Agreement with Tesco's because of adoption of land constraints and the applicant is not aware of any reasons why Tesco would refuse consent.

00:26:41:04 - 00:27:20:07

Clever trick for the applicant. Just to add that the applicant had a virtual meeting with representatives from Tesco this morning. So contact has now been made with Tesco to discuss the proposals and Tesco's are going away to make some further in internal investigations and to clarify the position. But from a sort of initial in-principle position they didn't raise any concerns. So we're confident that we'll be able to get agreement from Tesco's and prior to hopefully prior to the end of the consultation period for the non-statutory consultation on the changes application, which was the 14th of July.

00:27:20:13 - 00:27:25:24

And hopefully we'll have something in writing that we can submit into the examination on that point. Okay.

00:27:26:12 - 00:27:27:15

Thank you very much.

00:27:30:25 - 00:27:39:25

I would now like to ask, um, can County council, uh, if they would like to comment on the issue of the change, please.

00:27:40:19 - 00:28:20:09

So yes, I think we need to look at this, um, slightly in the round. Um, the first point to make is just to touch upon something that Ms. Cooper said a moment ago, namely that the changes to the junction were only in response to our concerns about safety and that the applicant would, if this couldn't be sorted out, simply go ahead and try and implement the non signalized scheme. Or we would say that safety concerns have to be paramount and it would simply be unacceptable for the applicants to try and proceed with the original junction design.

00:28:21:06 - 00:28:31:16

So that that with respect is a non-starter. With respect to the amended junction design, the position is this um,

00:28:33:15 - 00:29:32:21

full investigation of the land ownership position in response to this revised junction layout revealed that some of the land which we had previously believed to be highway land, was in fact still in the ownership of Tesco. And it was land which was subject to a Section 106 agreement between the council and Tesco relating to Tesco's own improvements some ten years ago, and that that land would not become highway land unless and until a process of interim certification by the Council of the Fitness of the works that Tesco had done was given and that interim certification had never been given and therefore the land remained in Tesco's ownership.

00:29:34:01 - 00:30:09:17

Now the land covered by this Section 106 agreement did not just include the land with which we in this examination are concerned, but it also included other land. And as one looks at matters now, the Council is not in a position to give the interim certification of all of the land that was covered by the Section 106 agreement. So that's the land subject of of concerns this DCO and the other land.

00:30:09:24 - 00:30:42:26

So as we assess the matter, there were three options as to how matters might proceed. The first would be for the Council to find some way of giving a partial interim certification of the land solely that land which relates to this application, but on consideration and taking legal advice. There doesn't appear to be a mechanism within the Section 106 agreement to permit that.

00:30:42:28 - 00:31:12:28

And there are also various other practical difficulties with doing so. So that's the first option, but it's not really an option. The second would be for there to be a purely private contractual agreement involving Tesco's and the applicant and possibly ourselves to for that land to be transferred to be highway land or to be transferred to Medway or for some other solution to be found.

00:31:13:03 - 00:31:44:06

Now, we have just heard from the applicant that they may be making some strides towards trying to achieve that. I don't wish to be difficult, but my instructions are that the contact that we as the Council have had with Tesco has been less encouraging about the prospects of that happening than what we've heard from the applicant. But that's something that that may come out in the wash, but that would be the second option.

00:31:44:12 - 00:32:15:26

And then the third option, of course, is for the applicants to amend their application to include powers to compulsorily acquire that additional land that they need for these highways improvements. And obviously that's a matter for the the applicant subject to the jurisdiction of the examining authority. But that's the, as it were, the legal position with respect to the situation on that land.

00:32:16:02 - 00:32:50:05

But there then remain two other areas which I'm going to ask my officers to comment on in just a moment, if I may. The first is, um, what is the position where? With modeling of the effectiveness of this junction as reconstituted as a signalised junction and any other technical issues relating to whether that junction functions properly. So that's the sort of second major issue which I'm going to turn to my officers in just a moment.

00:32:50:08 - 00:33:24:11

And then thirdly, the issue of whether, notwithstanding the intended change, even that intended change, it takes enough land to make this practically workable as a junction. And that's, as it were, the third issue. So the legal position I've outlined. I'm now going to turn to Jez Tuttle, if I may, to explain to the examining authority where matters stand with respect to modelling of whether or not this junction functions properly anyway.

00:33:24:24 - 00:33:38:24

So I'll first of all invite Mr. Tuttle to come on camera and just introduce himself by job title and basic professional qualifications, and then to understand where we're up to with the modelling position. Please, Mr. Tuttle.

00:33:44:18 - 00:33:45:05

Subtle

00:33:46:23 - 00:33:47:12

apologies.

00:33:49:22 - 00:34:25:29

Good afternoon, sir. My name is Jeff Tuttle of the Transport Assessment and Smart Journeys Manager at Cambridgeshire Council. Um, so we've been reviewing the, um, the transport assessment, the revised junction design submitted along with my colleagues in the, the signals team. Um, and whilst we are broadly happy with the flows they've used, some of the Tesco's flows are in assumption, but we're broadly happy with the assumptions they made. We do have some concerns about the signal phasing, um, because it still does appear that it allows the right turn.

00:34:26:29 - 00:35:01:22

Traffic from the south to move on to Newbridge Lane without stopping the north. The southbound traffic from the from the north, sorry, the northbound traffic to go through. Without stopping the southbound traffic. And our safety consideration was that traffic would need to be stopped in all settings to allow the vehicles to turn right. Yet the phasing diagram submitted in the assessment addendum and also the modeling files looked at would appear to show that actually the northbound traffic isn't stopped in all settings.

00:35:01:26 - 00:35:16:19

Can I just ask you to pause there? Um, could you just go back through that explaining exactly which movements you're talking about, as it were, with relation to the different arms? No, no, no, that's fine. But this is important stuff to get right.

00:35:16:28 - 00:35:19:11

Traffic coming from the A47.

00:35:19:20 - 00:35:35:15

I'm sorry, Mr. Tuttle, but I'm having some difficulties in hearing you at the moment. It seems to me that your sound is coming through Mr. Andrew Frederick's computer, and I can't actually hear it very well. Um, so.

00:35:36:04 - 00:35:42:24

We'll try switching, switching horses on the microphones then, Sir, just give us a moment. Do you want to turn?

00:35:47:03 - 00:35:49:16

Your audio. Audio. And I'll turn my.

00:35:56:01 - 00:35:58:01

Um. Hello, sir. Can you hear me now?

00:35:58:03 - 00:36:00:17

Yes, much better. Thank you very much, Mr.. Thank you.

00:36:00:19 - 00:36:31:03

Very much. Thank you. Okay. Um, so when we. I'll go through it again. Broadly speaking, we looked at the flows and we broadly happy with the flows that they've used, albeit that there's some assumptions in there. Um, but we don't feel that that's, um, you know, enough for us to say, well it's, you know, broadly speaking it's not correct. But what we do have is a concern over the phasing of the traffic signals. Now the safety issue we highlighted was that we wanted all traffic coming from the south.

00:36:31:05 - 00:37:11:11

That's the a47. When it turns right into Newbridge Lane, we want all that southbound. So traffic coming out of Wisbech traffic stopped so that the traffic can turn right without any conflict. And at the moment it seems that the staging diagram doesn't do that. So there's still potential for north southbound traffic coming across the the right turning traffic to actually do so and we need the staging completely separate so that the southbound from Wisbech traffic is stopped to allow the vehicles turning right into Newbridge Lane.

00:37:14:18 - 00:37:20:19

Just so we're clear. Just so we're clear, is there any technical or practical reason why that can't be done?

00:37:24:12 - 00:37:29:27

I would probably have to refer to my colleagues in the signals department, but don't believe so.

00:37:34:13 - 00:37:34:29

Thank you.

00:37:37:01 - 00:37:39:24

Hi, I'm Richard Bing, Traffic signals and systems manager.

00:37:44:26 - 00:37:50:08

Mr. Linga could hear you a second ago, but now can't hear. You seem to be muted. Okay.

00:37:52:10 - 00:37:53:19

If you try. Now again.

00:37:54:08 - 00:38:22:20

Sorry, Sir Richard Ling. Traffic Signals and systems manager at Cambridgeshire County Council. Um, yeah. The with the new layout, they've got separate two lanes, as Jeremy Tuttle has just said, into the development, which has got an arrow can an arrow can go on to the island that's been provided so there's no reason the staging can't be changed simply and then remodelled to show that safely the manoeuvre that we've just spoken about.

00:38:23:17 - 00:38:26:16

Okay. Thank you for that confirmation, Mr. Link.

00:38:27:06 - 00:38:39:22

Thank you. Thank you, sir. And then to deal with issues relating to whether they're still taking enough land. I want to turn to Dan Ashman, please.

00:38:45:26 - 00:38:46:11

If your.

00:38:51:06 - 00:38:56:17

Hello, sir. This is Daniel Ashman. I'm the highway records manager at the Cancer Council. Can you hear me okay? Yes.

00:38:56:19 - 00:38:57:29

Thank you very much, Mr. Ashman.

00:38:58:08 - 00:39:37:06

Great. Thank you. So these are some points that we spoke to the we contacted the applicant about last week. They probably haven't had a chance to look at it yet. Don't know. But firstly, in terms of the land space that is included in the application for an amendment. Um, the additional land identified by the applicant on the carriageways of Newbridge Lane and Cromwell Road doesn't appear to achieve a sufficient distance back from where the proposed stop lines would be installed at the revised junction layout. So a minimum distance of think 50m is required to ensure that appropriate road surfaces and sensors can be installed at the correct locations at the junction.

00:39:38:03 - 00:40:10:11

Um, additionally, on the western side of the crossroads, on land that borders the Merc's car garage. Um, the boundary has been expanded slightly. Um, but there does appear to be limited space in one area, and whether extra space is needed here would depend entirely on the amount that the road would need to be expanded, what infrastructure is required to be installed, and the visibility requirements that may come into play as part of the revised design. Um, so that's the concern in respect of the crossroads of Newbridge Lane and Cromwell Road.

00:40:10:24 - 00:40:47:04

Um, there's a second question which we raised with the applicant, um, which is in relation to powers of acquisition that are included in the change application. Um, there are, there are some parcels of land where Newbridge Lane meets salters way and this is either side of parcel 12 1D. Um, either side of that, the applicant has now included small areas of land which make up part of the footways on salters way. Um, within their revised application boundary. Um, we advise the applicant in relation to these that those areas are part of the public highway.

00:40:47:27 - 00:41:14:12

Um, however, even though highway rights do exist over the surface of the land, the subsoil of that land is in private ownership. So in common with the rest of the application, we were anticipating some sort of power of acquisition being deployed over those areas, whether that would be temporary or permanent. Um, and I believe we did speak to an advisory applicant about that back in early June. So we were surprised that there was no power of temporary acquisition there.

00:41:16:17 - 00:41:21:04

And that would also be applicable if any additional land was required at the junction of Cromwell Road and Newbridge Lane.

00:41:24:07 - 00:41:25:28

Thank you. Thank you.

00:41:27:12 - 00:41:27:27

So

00:41:35:12 - 00:41:35:27

there we go.

00:41:36:01 - 00:42:06:17

Thank you, sir. Just just a final comment, if I may. We've explained the, as it were, the three different areas of concern. The technical aspects seem capable of resolution in due course, but the issue of how the land is acquired. Uh, still remains a fundamental issue which doesn't appear yet to be resolved and would not necessarily well, would not be resolved by the change application in its current form.

00:42:08:02 - 00:42:12:05

Okay. Thank you very much for that confirmation. Uh.

00:42:14:02 - 00:42:20:00

I would now ask the applicant to then reply to the comments that were just made by Kemper County Council.

00:42:20:02 - 00:42:20:19

Please

00:42:23:03 - 00:42:54:02

project for the applicant and I'll try and go through each of the points in turn in respect of the first comment in relation to safety. I just wanted to make it clear that the applicant was in no way suggesting that safety wasn't a concern for the Secretary of State. The Secretary of State will obviously be mindful of safety and will take into account the evidence that has been put forward by the applicant as to why it considers its assessment to be correct and any evidence and justification provided by the highway authority.

00:42:54:04 - 00:43:24:27

And it will be for the Secretary of State to decide which evidence it considers to give more weight to in a scenario where there is conflicting evidence in relation to the existing situation with the land that is not currently adopted as public highway and owned by Tesco. Mr. Fraser Urquhart set out a number of different ways in which the dedication of that land could take place.

00:43:25:12 - 00:44:05:11

All of those seem to be possible in various different ways with agreement. However, what the applicant is looking to do is take powers to undertake the works it needs for the junction for this particular proposed development. And there are different ways in a where powers to undertake

highway works can be achieved. And in respect of this little area which is referred to in the changes application as plot 12 forward for B, the applicant has got two different ways of carrying out the works to this land to facilitate the signalization of the junction.

00:44:05:15 - 00:44:54:27

It can either use the powers set out in Article 11 of the draft DCA and those powers apply to carrying out works to a street, whether that street is publicly adopted street or whether it is a private street. At the moment, the applicant's view is that this land is laid out as a street and therefore those powers would be available to it in addition, and to avoid a scenario where perhaps street powers were not available, the applicant in the changes application is seeking temporary possession powers, and those temporary possession powers would enable it to enter the land, carry out the work ization and then that land would be returned to its current status, with works having been carried out.

00:44:55:11 - 00:45:41:28

The applicant doesn't believe that its scheme needs to regularise the dedication of that land as that land is already to be dedicated pursuant to the agreement that Mr. Frazer mentioned. So the applicant doesn't consider it necessary for its scheme to facilitate the adoption of that land going forward in any event. The applicant considers that the situation can be regularized through one a variety of different methods relating to cooperation with Tesco and the applicant can't see why a partial certification to enable the adoption if that is something that Cambridgeshire County Council requires couldn't, couldn't take place by way of agreement, by way of varying the existing Section 106 agreement.

00:45:42:00 - 00:45:59:23

So the applicant doesn't consider there's any issue in relation to the the deliverability of the Signalization scheme that's proposed as part of the changes application. There are a variety of different ways of achieving it, both through the power sought in the DCA and by voluntary agreement

00:46:01:12 - 00:46:34:21

And in terms of the modelling of the junction. The applicant would note that today's hearing is the first time that the applicant has received feedback on the modelling that was submitted back on the 25th of May. So we're just taking some time to process the information that's been provided during the hearing, although we do note that the comments were that they were broadly happy with the flows and the assumptions and that the concerns that they did have were sort of a detailed technical nature and capable of being resolved.

00:46:35:06 - 00:47:08:06

Therefore, we don't consider that there's any issues with the proposed changes application that's been put forward, albeit clearly there's some further work needed to some of the detailed documents. And to support it. And in relation to whether enough land has been included. The applicant does believe that enough land has been included within the order limits in order to facilitate the proposed Signalization scheme in relation to the order limits that have been proposed.

00:47:08:08 - 00:47:41:18

Those are the order limits where actual works are required. It doesn't. Obviously it takes into account the fact that this is existing highway and therefore there are other powers that are available in terms of distances to the stop line. This in all directions. It is existing public highway. We're not talking about a brand new junction here. And just in relation to the powers or the works proposed to Salters Way, which is the second of the proposed changes.

00:47:41:25 - 00:48:22:05

Again, as mentioned before, there are different ways that you can obtain the powers to carry out works here. We're talking about a dropped kerb to an existing pavement. We don't believe there's any works that would impact on the subsoil. But even if there were, then the powers set out in Article 11 of the draft are sufficient as against for it to enable the applicant to carry out these works. There is no

need for temporary possession powers in this location and there's definitely no need for powers of full compulsory acquisition or dedication of an existing pavement to install a dropped kerb.

00:48:22:18 - 00:48:51:00

And we therefore believe that all of Cambridgeshire County Council's concerns are addressed by the proposed changes application as it currently stands. We can provide more technical comments if that's required. We do have our technical experts here who can talk through the junction modelling if that would be helpful to assist the examining authority. But it sounds as if the. Technical concerns are capable of resolution from from the submissions made by Cambridgeshire County Council.

00:48:52:29 - 00:49:23:13

Thank you very much for that intervention. Can I just go back to County Council please, and just ask Council to comment on this intervention from the applicant, particularly um, in relation to what was just said in terms of the technical modelling and technical work of the junction, but also in terms of the way that it is proposed, the situation will be resolved within the DCO.

00:49:24:21 - 00:49:57:26

Yes, they're dealing with the last point first. That is the first time we have heard from the applicant what they think the answer is to the points we raise about those with the legal position, the three routes by which this land might be made available to them for the purposes of doing the signalization works. I'd frankly want to digest what they've said and see whether it has substance and don't want to provide, I'm afraid, an instantaneous response now.

00:49:57:28 - 00:50:09:27

And what is a pretty involved legal matter In terms of the technical aspects, I'm just going to glance around my team. Mr. Tuttle wants to make a comment, so I'll queue him up now, if I may.

00:50:11:02 - 00:50:11:21

Thank you.

00:50:16:18 - 00:50:17:25

And good afternoon, sir.

00:50:21:05 - 00:50:21:21

Good afternoon.

00:50:21:29 - 00:50:43:28

I think we had a, um. Yes. So my signals colleague and I do believe that there is a potential way forward with this. It might require a couple of bits of sensitivity testing in the modelling, but we are quite happy to go forward with the applicant and to look at this again and to see what might be achieved.

00:50:45:03 - 00:50:47:15

Okay. Thank you very much for that confirmation.

00:50:49:23 - 00:50:52:02

And if the applicant just.

00:50:57:05 - 00:50:58:29

Right. I'm going.

00:50:59:01 - 00:51:04:23

I'm going. Can just respond to give a. I'm sorry. Forgive me.

00:51:04:25 - 00:51:05:29

I'm sorry to interrupt. Okay.

00:51:06:11 - 00:51:09:03

You were we had we managed to meet you.

00:51:09:05 - 00:51:34:12

Apologies. Both. Apologies. Both. But comments. Apologies, both. But but otherwise will not be able to actually hear any of the interventions. Can I just ask before I move on to the applicant, which change of jacket since you were responding to the issue now, can I just ask if you have finalized your response now, if there is anything else that you would like to add on?

00:51:34:18 - 00:51:54:15

What I'd like to say, if I may, is for you, for you to just repeat what you said over the last 30s, because we managed to both turn you off so we weren't able to hear what you were saying as we played ping pong with the microphone. So if I could ask you please, to repeat what you just said before, Miss Broderick sought to come in with her reply.

00:51:55:10 - 00:52:02:19

I was. The only thing that said was that I asked if the applicant would like to actually reply to this point. So over to Ms.. Broderick, please.

00:52:05:04 - 00:52:38:12

Clarity for the applicant. Yes, it was just to provide a cross reference to assist Cambridgeshire County Council, The applicant's approach to compulsory acquisition and the interaction with powers set out in the DCO is set out in the Changes application report, which is 028 and Section 2.4 set out where and what powers of compulsory acquisition or temporary possession was required to facilitate the scheme and how those interacted with the streets, highways, powers that are included in the draft.

00:52:38:14 - 00:52:47:12

DCO So just to refer Cambridgeshire County Council that that information is already before the examination and that was submitted on behalf of Gene. Thank you.

00:52:48:01 - 00:52:48:18

Thank you.

00:52:52:00 - 00:53:26:28

Um, right. So following on for my agenda. Um, I have actually asked and mentioned that I would like to ask the applicant to present predicted increases in traffic as set out in chapter six of the traffic and transport that would be 033, particularly taking into consideration the information set out in table 6.27 and 6.32. This was something that we have touched on the previous hearing, but I would like to have some I would like to ask some further questions on this specific issue.

00:53:27:00 - 00:53:36:02

So if I could ask the applicant to then comment on the information included on those two tables, please.

00:53:37:26 - 00:54:14:27

For the applicant. Um, so the predicted increases in traffic flow take into account the future base year flow, which is 2024 for construction and traffic, during which the peak construction month was month 14 was due to take place in 2027 for operational traffic. Um. So the tables in 6.27 or the table in 6.27 is construction traffic percentage impact per highways link.

00:54:14:29 - 00:54:50:19

So that shows the the future base year 2024 base year total vehicles and HGVs. So it's total vehicles, which includes HGVs and then the HGVs identified separately. And then alongside that is the the development traffic that would be generated and then magnitude of change, the percentage impact. So that's basically identifying the proportion of change in traffic flow as a result of the development.

00:54:50:21 - 00:55:35:28

So it's the percentage change with the development traffic, Um, and that is shown as being daily, um, traffic movements. Um, so our causeway, um, and new bridge lane, um are shown as having a higher proportional increase. Um, so for both our way and new bridge lane, um, for, for traffic and HGVs, um, so it's a higher proportionate increase because there are low levels in the baseline traffic and both roads are dead ends effectively.

00:55:36:00 - 00:56:06:28

So the, the traffic flows are as a consequence of those developments that are located off the roads. Um, so if you the percentage increase on new bridge lane, um, if you if you break it down, if you break the actual numbers down into an average hourly number so an hour goes way.

00:56:07:00 - 00:56:41:00

There is a predicted total trafficking increase of 517 HGV and light vehicles, which equates to an hourly average of 43 Um vehicles in an hour, which is less than one per minute. Um, the highest number of HGVs on Cromwell Road, um, is 186 vehicles, which equates to an hourly average of 16 vehicles, which is one every 14 minutes.

00:56:41:02 - 00:57:13:15

This level of increase would not have a significant impact on the environmental factors which are identified within the assessments. That is, the severance driver delay pedestrian amenity and delay fear and intimidation or accidents and safety, because over the course of an hour over the over the number of vehicles and in an hour it's it's not going to have a discernible effect because the baseline is very low in the first instance.

00:57:15:29 - 00:58:00:17

And. I am sharing now. Table 6.27. Yeah. Um, which obviously this question partially relates to and also obviously table 6.32 operational traffic which will get into a after. Nevertheless, I would just like to press the applicant on what you have just mentioned in terms of the impacts and how these are perceived. So considering the increase in the magnitude of change, I am not 100% clear in terms of how that impact will, according to your assessment, will not be significant.

00:58:00:19 - 00:58:05:13

So could you please just clarify that for us a little bit more in detail, please?

00:58:07:12 - 00:58:45:28

It's not significant because, as I said, the actual that the the baseline level is very low. So if so, say, for example, on on new bridge lane, an extra 16 HGVs averaged out over um an hour is 16 one every four minutes. So um the implications of that are not great on pedestrians if you imagine how long four minutes is, it's a very long time and it's not going to stop people from being able to, to cross the road

00:58:47:18 - 00:59:29:03

from from using the road because there will be improvements as well as part of the proposals with respect to the provision of footways. Um, these roads are dead end, so it's not like they are, it's going to cause any driver delay because it's, it's a certain distance along those roads. Um, and with respect to

our goes way, I mean that's, that's a very industrial area in any case so that there is um, there is frequent HGV movements along there.

00:59:29:08 - 00:59:56:16

So, so the point with it is that in terms of those environmental effects that are identified within the guidelines, this this volume of traffic, when you actually look at it in more detail in terms of of how it would manifest over the course of the day and it will not affect those. It will not have a significant impact on those environmental effects.

00:59:58:22 - 01:00:37:07

At. So in terms in terms of just to clarify this issue, in terms of the magnitude of change and considering that actually on receptor number one, which is way receptor number two, which is Newbridge Lane receptor three, which is B198 common road with the A47 and receptor 11, which is Wisdom Lane In relation to in relation to construction. Although the magnitude of change is above the 30% which you have mentioned, it's still not considered significant according to your assessment.

01:00:37:29 - 01:01:05:01

So it's these have been identified as rule one receptor routes and yep, so that's the 30%. So it's only HGV traffic and that would take it above 30%, only on new bridge lane.

01:01:07:08 - 01:01:24:00

Yes. And it would be very close to the 30% in terms of the Al Gore's way. So I'm the question that I'm asking is in relation to, you know, how have you actually then assessed that to come to the conclusion of the not significant.

01:01:25:05 - 01:01:32:03

Well, that each of the environmental effects have been dealt with in turn within the.

01:01:34:01 - 01:01:49:28

The chapter, the traffic and transport chapter. Um, and each of those mean I can pull it up and go through each of those if you want to discuss them in further detail.

01:01:56:13 - 01:02:02:10

Yeah, I've got it here. So, um. Excuse me. I'm just.

01:02:05:11 - 01:02:12:25

Going through the document. So it's so app. At 033.

01:02:19:00 - 01:02:20:18

And towards the end.

01:02:22:03 - 01:02:39:11

So where it's been identified that the. The proportional increase in traffic triggers the need for further assessment. Um, there's then a review of each of those. Um.

01:02:41:01 - 01:02:57:24

Those locations against the environmental effects. And so each environmental effect is taken in turn. So if you go to app 033.

01:02:59:11 - 01:03:05:15

Um. Yeah. Page 70. Page 73.

01:03:06:26 - 01:03:08:00

Like, spiked. Yeah.

01:03:09:09 - 01:03:09:24

And.

01:03:11:25 - 01:03:28:15

So this sets out, um, within each of the tables. So the first one is Al Gore's way, and that's table 6.28. And that discusses in further detail each of the environmental effects.

01:03:31:14 - 01:03:32:05

So.

01:03:33:24 - 01:04:05:00

With respect in terms of page 70, apologies. In terms of of page, can I just confirm that we're looking at the same page? So we're looking at paragraph six point 10.8 of the environmental statement, chapter six traffic and transport, where basically you list the different receptors that trigger the threshold for detailed assessment, environmental assessments. Yes, that's correct. Okay. So we have those four that I have mentioned before. So one, two, three and 11.

01:04:05:20 - 01:04:18:14

And so now you are going to talk us through the actually detailed environmental assessment and do the work that was carried out for each one of those receptors. Is that. And what?

01:04:20:02 - 01:04:23:03

If that's what you would like.

01:04:24:04 - 01:04:42:27

Uh, I would like, I would like us to look at that, but would also like us, but would like us to look that in the context of the ones that actually the environmental assessment was deemed to have a significant impact. So if I could ask you to just concentrate on those, please.

01:04:43:10 - 01:05:25:28

But but this is the way that it works and that the approach is if the the the rules are 10%, the 30% rule is triggered and then there's more, then there's then a, um, a more in-depth consideration of each of those environmental effects, um, against that receptor location. So table 6.8 looks at Highway Link one, which is Al Gore's way, and it goes through each of those environmental effects to to consider things in more detail.

01:05:26:00 - 01:05:58:01

So this can take into account the fact that the actual number of vehicles when it's sort of drilled down to in more detail. So for example, um, Al Gore's way six TVs per hour, um, which would result in an additional channel on the link every 20 minutes is not going to have an impact on severance because it's the volume of traffic is not so great.

01:05:58:03 - 01:06:31:15

It's going to stop people from from crossing the road. Um, and the same with pedestrian amenity delay and fear and intimidation and the fact that that road is in any case, it is a road through an industrial area that is a dead end. It's not also going to impact on driver delay. So these tables look at it the the the rules that 10% are 30% is a means of identifying what needs to be looked at in further detail.

01:06:32:11 - 01:07:02:27

Um, and then looking at the detail it enables to, to consider the actual, the numbers, the characteristics and, and whether it should be considered to be significant or not. So it is that the guidelines do identify that a lot of it is down to professional judgment and this is the approach that's taken within these tables. But, um, I can take you through the detail of these if you wish, or.

01:07:03:13 - 01:07:38:19

Miss Cooper would just like you to take me through the details of, for example, table 6.29 pre-construction scenario for the highway link to the ones that have actually that significant of residual effect has remained significant. So that is I'll just like to concentrate on those because obviously, according to your assessment on several others, um, the residual effect was considered not significant. But I would just like us to go through the ones that were actually considered significant that hopefully will narrow down the scope of your response.

01:07:39:24 - 01:08:10:20

And okay, so the, the first one is severance. Um, so the guidelines identify that that changes are of between 60 and 90% in HGVs can have an impact on severance. However, I think this does need to be tempered by the fact that if you like, say, break it down to hourly flows and what that means uh, per per minute.

01:08:10:23 - 01:08:53:01

Um, and also if you take into account that the characteristic of the road, so new bridge lane, um, there are um, industries on either side, but it's, it's less, um. And vulnerable to aspects of severance. It's not like there are communities on either side of it. Um, but so the, the table 6.29 does identify um, moderate um, level of effect and there is also the table.

01:08:54:03 - 01:08:54:21

Um.

01:08:57:16 - 01:09:00:05

Which. Which sets out how.

01:09:02:13 - 01:09:30:09

Sorry. It's table 6.26, which sets out the significance evaluation matrix, which is based on the receptor sensitivity and the magnitude of change and. So that one looking at the receptor sensitivity is medium and the magnitude of change is.

01:09:32:17 - 01:09:42:27

Moderate. And so with that table, that does then lead to the identification of significance.

01:09:50:07 - 01:10:15:19

But what has been done to address that is that there are improvements to pedestrian provision. There is a footway. There is a crossing point at the junction, but would still say that the levels of traffic along that road would not have a large impact on the the

01:10:17:04 - 01:10:27:17

the. Ability to cross the road. For there to be severance between. Development to the north and south.

01:10:31:03 - 01:10:49:18

I accept that. But can you then in that case, please explain to me if you do not consider that it would have an effect on severance? Why is the residual effect still moderate? Significant? I'm still not quite clear on how we came about with that.

01:10:50:16 - 01:11:09:27

Well, we came about with that from the table and the significance evaluation matrix, which is table 6.26, which sets receptor sensitivity against magnitude of change.

01:11:12:27 - 01:11:30:24

Okay. And considering that receptor sensitivity and linked with the magnitude of change. Are you stating that actually do not consider that significance of this of the residual effect is significant in terms of severance for highway link to.

01:11:32:08 - 01:12:00:08

Um, I don't think it is significant as a residual when you take into account the proposals, the improvements that are being made as part of the proposed development. And so it's it's identified as moderate significance through the basis of that, that matrix. Um, but think the residual effect will not be significant.

01:12:01:14 - 01:12:37:03

Okay Claire the applicant and that that thought process is set out in section 6.12 of the chapter, which is App 033. And then taking into account those additional mitigation measures. It then concludes in section 6.14 at the end that there would not be any residual significant effects. So the residual effects are not significant. It's the conclusion. So the the tables that Ms.. Cooper's been referring to then led on to the consideration of additional mitigation, which is set out in 6.12, which then gets you to the conclusion.

01:12:37:12 - 01:12:56:06

So basically what we are saying is that after that identification of severance, you then added another layer of mitigation which has then reduced further the level of significance. Okay. And that will take us to table 6.35. Summary of assessment of significance, I believe.

01:12:59:16 - 01:13:01:09

Yep, that's correct.

01:13:01:21 - 01:13:02:18

Right. Right.

01:13:04:12 - 01:13:16:04

That's that project for the applicant. Know that that table is summarizing it prior to the consideration of additional mitigation. And then you have 6.12, which considers additional mitigation.

01:13:17:23 - 01:13:45:20

And then you have the conclusion in section 6.14. So table three, table 6.35 identified only one significant impact, which is the one we've been discussing, and then that's the one that's taken forward for consideration of additional mitigation in Section 6.12, which then leads to conclusion in 6.14 that with mitigation, the effect is reduced to not significant.

01:13:46:00 - 01:14:12:07

Right. And and that I'm going to share my screen now as well. Uh, and that consideration is to do with Newbridge line and for, um, to mitigate against the significant impact and effects a proposed pedestrian crossing is being proposed. Is that the mitigation? Can you just confirm that for me please?

01:14:13:27 - 01:14:15:22

Clare Project the applicant. Yes, that's correct.

01:14:15:24 - 01:14:16:09

Right.

01:14:16:19 - 01:14:28:00

Um, can, can I ask how does the applicant consider that that is appropriate mitigation? And just talk me through the, the effects of that proposed mitigation, please.

01:14:30:13 - 01:15:03:13

Well, the effect is that it's providing a well, the original proposition was, um, drop kerbs because at the moment there's no provision for pedestrians at all at the junction. So it's providing an informal crossing. But with the Signalization scheme that would be a formal crossing. Um, because it's a controlled crossing that will enable pedestrians to cross without any traffic.

01:15:04:08 - 01:15:48:00

Um, I know one of your, your queries is around what the difference is between um, the original scheme and with the signalization. So the proposed changes and so the level of traffic on Newbridge Lane is not high and there are good opportunities for pedestrians to cross the road and safely without a controlled crossing point. But with the signalled scheme it does provide them with, with um, more ability to cross the road, but without a control crossing, it is still an appropriate form of crossing.

01:15:50:24 - 01:16:06:02

And should also say that Cambridgeshire are in agreement with the methodology and the conclusions that have been set out as set out in the Statement of Common Ground. Rep. 5023.

01:16:07:14 - 01:16:15:07

Thank you. I was actually going to now ask County Council if they would like to comment on this specific point.

01:16:21:22 - 01:16:24:23

Sir? No, sir, We don't have any comments to make on this particular issue.

01:16:25:05 - 01:16:56:21

Okay. Thank you very much. Right. I would like us to then move on to the outline construction traffic management plan and that would be read five zero 11 or 0 12, which sets out the means by which the effects arising from the construction traffic will be mitigated and managed in section 7.2 of the Outline construction Traffic management plan, the applicant sets out potential road closures and diversions and site specific mitigation.

01:16:57:06 - 01:17:07:12

Um, again, the applicant Please talk us through this section of the report and why road closures closures are needed. That would be a section 7.2.

01:17:18:05 - 01:17:19:05

That's that's right.

01:17:20:01 - 01:17:23:03

So David Kenyon for the applicant. Um,

01:17:25:11 - 01:18:03:28

so the road closures would be primarily with regard to the installation? Well. Twofold, I suppose. Um, with regard to the access improvements along Newbridge Lane. And clearly, if you're going to be widening and undertaking civil engineering works to Newbridge Lane, then you need to do a, you need to be able to undertake those works and undertake that through a partial closure. So the applicants approach would be wherever possible to maintain access clearly to for existing businesses and via a contraflow system to allow one way system.

01:18:04:07 - 01:18:35:17

Whilst whilst half the carriageway is reconstructed and widened to bring those improvements along the lines of those which Ms. Coupe's just been discussing. Um, in addition to the access improvements themselves, there's also the grid connection of course. Mustn't forget that. And the grid connection is, is a wholly underground connection and that will run along Newbridge Lane. But to the east of the, the access, the access down towards the a47.

01:18:35:19 - 01:19:05:27

So again over that stretch there's a need to trench in the highway. And on that basis, again, there will be a need for a partial closure of Newbridge Lane to allow those works to take place. Those are the two primary road closures. In addition, we have the CHP connection. The connection clearly follows the the disused railway north and crosses Wisdom lane. And there should be a worse.

01:19:06:01 - 01:19:40:21

There's a there's a proposal to put the connection on a pipe bridge at Wisdom Lane. Um, again, the intention is that that that would be prefabricated and craned in, but over a nighttime period it might be it's probably likely that the, the road needs to be closed for a period of time whilst the sort of final installation takes place as well. Um, the other area would be again for the grid connection up towards Walsall. And so we're running the connection along the verge or within the verge of the 47.

01:19:41:06 - 01:20:13:03

So at night time the agreement with national Highways is that we, we, we construct from the northbound carriageway of the a47 into the verge. So that's the, the vehicles effectively the, the, the excavators park on, on the on the carriageway and then lean into the and construct into the verge. So for safety reasons, again the northbound carriageway will be closed each evening for a distance of approximately one 200m and then reopened in the morning.

01:20:13:09 - 01:20:43:24

Um, again with the agreement of national highways. And then that process will carry on um, along the a47 until it branch off onto broad end road. Um, and to also consultation where again the cabling will be placed in the highway and therefore again there's a need for on safety grounds and to facilitate its construction to close a carriageway um, through traffic management measures to allow that to take place as well.

01:20:44:09 - 01:20:52:11

So I think those are the, the main areas where there will be a need for for temporary closure of the highway.

01:20:53:04 - 01:21:09:09

Thank you. And can the applicant please explain how it proposes to maintain and restricted vehicular access to number ten Newbridge Lane? Um, and also to potted plants, particularly in light of what you have just explained in terms of road closures.

01:21:12:16 - 01:22:34:03

Yes, I think that is addressed in in the TMP, particularly for potted plants. And so we have at the moment obviously cannot get access from Cromwell Road, the bollard at the railway at the moment. So the access improvements which take place to Newbridge Lane west of the railway would not affect access to ten Newbridge Lane. So, so it would only be affected once those works reach the western side of the railway and the works will be done primarily through day to day contact and liaison with the owner of ten visionary bins ten Newbridge Lane, such that the highway will only be open for a short section at any one time, and through the use of I'm not sure what they're called now, but you can have metal plates, for example, that you can place over of of excavations, for example, that access can

be retained as much as possible for ten Newbridge Lane. If there comes a time, and I'm sure there will be a short period of time where for a day, let's say there is a need to restrict access to ten Newbridge Lane because of the specific works which are taking place directly outside, for example.

01:22:34:06 - 01:23:06:02

Then again, the TMP requires that the contractor provides sufficient advance notification with the tenants and the owner of ten Newbridge Lane and organises the means by which they may be able to retain access during that period, or this would be subject to detail and will be subject to agreement and discussion with highways in advance as well. Um, the camp in particular. But it's also referenced in the TMP talks about a community liaison group.

01:23:06:04 - 01:23:38:28

So just broadening it out beyond ten and potted plants, but also to some of the other local businesses as well. There's a requirement on the applicant and the contract to work with the council and other interested parties to sort of work through the programme for roadworks and to ensure that the sufficient prior warning notice and alternative arrangements wherever possible in advance, that people are forewarned and forearmed.

01:23:39:00 - 01:24:04:11

And really what the applicants are proposing are the sort of typical highway works that a local authority would undertake, you know, across across its whole area really. You know, roadworks are a common feature, as we all know. So so it's it's not something which is unusual and is managed, you know, many, many, many times a day, you know, throughout throughout Cambridge and the UK as a whole.

01:24:05:27 - 01:24:27:26

Thank you for that confirmation. You have also mentioned the proposals of the roadworks for potted plants and the fact that some form of bollards will actually be installed. So considering that, um, can you just clarify via, um, I'm aware, will excess vehicle access to potted plants be secured?

01:24:35:04 - 01:24:56:05

So it won't change. I'm just trying to refresh my memory now. But David came for the applicant, so the bollards will be towards number ten. Newbridge Lane. So is it boldness? The name escapes me, but the access that potted plants the roots to potted plants at the moment will not change as a result of the bollards.

01:24:56:11 - 01:24:56:26

Okay.

01:24:56:28 - 01:25:03:24

They'll be set to the to the western side of the junction which serves potted plants.

01:25:04:21 - 01:25:33:13

And in your response, you have also mentioned the liaison groups proposed. And I did notice that in paragraph 7.4. 40, um, which I think reports to these liaison groups, it does not appear to include any proposals for what will happen if access cannot be secured. So how will this be solved and eventuality that access is needed and cannot be guaranteed?

01:25:39:05 - 01:25:39:20

So.

01:25:39:22 - 01:26:16:14

So, so the, the purpose of Community Liaison Group is to accept the support as a mentioned response before. There may well be think it's inevitable there will be a it might be an evening or something where where it's difficult to get access because by the nature of the works taking place on the highways, as mentioned before, this is this is not an uncommon feature. The purpose of the Community liaison group is to have that facility, have that that organization effectively that allows people to be given warning, sufficiently advanced.

01:26:16:16 - 01:26:51:01

So, for example, if it's scheduled for a certain evening to do those works and through the community liaison group, it's possible to engage with the owner of, say, ten Newbridge Lane or potty plants. If they are on, they require access that evening, then it can be rescheduled for another night or something. So it's it's an ability, it's a forum to try and work with people to minimise disruption as much as possible and to work around those arrangements as much as we can. Obviously, at the same time as constructing the the access and the grid connection works.

01:26:51:12 - 01:27:23:20

At the applicant. Just to clarify that, Mr. Kenyon is referring to vehicular access. There would be foot access, pedestrian access at all times to properties, and that's secured by way of Article 13 three in the draft that says that the undertaken must provide access for Non-motorised users to any premises that wouldn't have any other form of access. So there will be no property, that there would be an inability to access it on foot. It's just vehicular access that may be restricted overnight on occasions.

01:27:23:26 - 01:27:24:13

Thank you.

01:27:25:03 - 01:28:18:04

Thank you. Mr. Broderick. My my question, just to clarify, was actually in the context of vehicular access. But but yes, I do. I do take a point on board that you do mention pedestrian access will always be guaranteed and can I just also take us back to then continuing on seven paragraph 7.4. 40. I do note that in your response you have actually mentioned the owner of ten Newbridge Lane, and I'll just like to ask, um, if the applicant has any plans in terms of expanding that group beyond the owner, because obviously properties might be rented, which is, I believe the case of ten Newbridge Lane, and obviously that would be the person and those would be the people and the users of the property that would actually require access.

01:28:18:06 - 01:28:22:29

So has the applicant consider that and how will that be guaranteed?

01:28:23:15 - 01:28:24:00

Sorry.

01:28:24:14 - 01:28:56:06

So well, so um, we as you say, paragraph 440 talks about a wider stakeholder engagement plan. So the whole base of the community is, is subject to discussion in agreement with the relevant authorities. So it's not fixed, it's not set in stone. And we can, we can widen it, you know, to reflect advice, see from the councils that they feel number ten is it should be included within that layers on group. I'm just going to hand over to to Mr. Kerry and would like to just add something as well.

01:28:57:08 - 01:29:22:16

Yeah. Paul Kerry to the applicant. Just just to be absolutely clear, sir, this community liaison group would be open to anybody that really wants to join it. It's not a closed group. It's not a group that we select. It's a group that comprises of anyone that has an interest in the project and wishes to be

informed about it. And it would be modelled on the way we do this already in our other facility in in Plymouth and in Dundee.

01:29:24:03 - 01:29:52:18

Just to be absolutely clear, we would not rely on the members of the Community Liaison Group to liaise with individual people who might be affected by our work, such as Number ten and potted plants. We would communicate with them directly as we should do. So I just want to make it clear that the purpose of the Community Liaison Group is a general group, and it's not designed to to be a vehicle for communicating with individual people who may be affected by our work.

01:29:53:20 - 01:30:00:09

Thank you for that clarification. Um, Mr. Kerry, can I ask the applicant where that is set up then?

01:30:02:17 - 01:30:32:24

A clever trick for the applicant in paragraph 7.2.3 of the outline. It does mention that any requirement to temporarily close the highway with the potential to affect unrestricted access, vehicular access. This is to the property being ten. New bridge lane will be communicated to the tenant and owner in advance. So we do. In addition to the general community liaison, there is a specific commitment in the outline to communicate with both the occupier and the owner of the property.

01:30:33:09 - 01:30:40:17

Thank you. I see that Mr. Andrew Fraser could believe that you have raised your hand. Would you like to intervene at this point?

01:30:42:15 - 01:30:53:27

So, yes, we just had one comment on the matters that have just been discussed, which I'm relating to the issue of private rights, of access. I'm just going to turn to Mr. Ashman to put that forward, please.

01:30:56:18 - 01:30:57:09

Businessman.

01:30:58:13 - 01:30:59:11

Hello, sir, Can you hear me?

01:31:00:20 - 01:31:05:12

Yes. I think that we might have a little bit of feedback, but can hear you for the time being.

01:31:05:14 - 01:31:11:11

I think that's been resolved now. Hopefully. Yeah. Thank you. So, yes, this is related to the issues that have just been discussed

01:31:13:01 - 01:31:55:24

As the County Council, it's our responsibility to assert and protect the rights of the public who use our highways. And one of the issues that is coming into play at New Bridge Lane is the issue of the level crossing over, which we know highway rights are no longer recorded. They were extinguished in 1981. Um, now the changes in the layout of new Bridge lane will now require some of the private landowners on new bridge lane, not least those at number ten to now access the rest of the highway network by crossing the level crossing. Um, now we've been informed by the applicant that they are in engagement with the residents or the landowners there, um, about an agreement for their right of access over that level crossing that private land.

01:31:56:14 - 01:32:17:12

Um, now don't believe there has been any time to discuss that in detail with the County Council yet. But what I should say is that we are. We are very keen that those agreements with with the private landowners who are affected by this are finalized and in place before the end of the examination, because we have to protect those users rights of access to their properties.

01:32:19:07 - 01:32:22:12

Thank you very much, Mr. Ashman. Okay.

01:32:25:08 - 01:32:30:14

And would perhaps request not the applicant to reply. To Miss Desmond's point, please.

01:32:32:18 - 01:33:04:24

Check with the applicant. Yes, as we've mentioned in previous hearings, and I'm sure we will mention again the compulsory acquisition hearing on Thursday of this week. We are in discussions with Network Rail and Access for Tenure Bridge Lane and also for Fenland District Council, who the other owns the other parcel of land that is to the eastern side of the existing bollard. Part of the agreement that we are negotiating with network rail includes rights of access for those landowners and any occupiers.

01:33:05:02 - 01:33:22:11

But it's just also note that the proposed bollard that forms part of this scheme is a removable bollard and those landowners and occupiers would be given a key to that bollard. And so if they wish to take access through their current access arrangements, then they would be able to do so if they so chose.

01:33:23:15 - 01:33:26:26

Thank you for the clarification. And.

01:33:32:08 - 01:33:58:02

And I'll just I'll just like to ask a quick question. This is just for the record, but can the applicant please confirm as per paragraph 7.4.55 that vehicle and pedestrian access to businesses and properties along our causeway during the construction phase will always be maintained. I believe that this is what you state. I just wanted to just confirm that as part of this hearing, please.

01:34:00:10 - 01:34:04:22

And the pull carry for the applicant? Yes, sir, That's correct. Access will always be maintained.

01:34:05:07 - 01:34:05:27

Thank you.

01:34:06:24 - 01:34:38:24

Uh, if, um. If we could look at the outline operational traffic management plan, then please. And that would be rep three 0 to 4 or 0 to 5. So the outline operational traffic management plan establishes the permitted HGV routing to and from the Energy from Waste CHP facility during the operational phase. Section 2.1 operational hours for the acceptance of waste would be limited from 7 a.m.

01:34:38:26 - 01:34:53:24

to 8 p.m., 365 days a year. And can do. Can the applicant please clarify how loads would be processed if they arrive to the facility outside the operational hours, please?

01:35:01:16 - 01:35:02:01

Yeah.

01:35:03:09 - 01:35:35:10

Clever of the applicant. Yes. Think that's set out in paragraphs 2.1. Point two and 2.1. Point three of the outline operational traffic management plan she mentions with rep 3-025. And that does acknowledge that there may be occasions such as an emergency or other issues on the road network that could result in vehicles being unavoidably delayed and therefore there is an exception in those circumstances.

01:35:35:12 - 01:35:48:16

And then paragraph 2.1, point three states that if waste is received outside of the normal operating hours, then the vehicle will not be weighed and unloaded until normal operational hours for the least resume in the morning.

01:35:49:17 - 01:36:08:00

Thank you. How does the applicant propose to deal with potential odor management of such vehicles when they are obviously resting in one place for a significant number of hours? That could be until 7 a.m. the next day, depending on the hour that they arrive.

01:36:11:28 - 01:36:46:15

Poor care for the applicant. Mean these vehicles are normally covered with a sheet. The sides of the front and the rear are solid metal. Um, to the extent that there's any risk of odor escaping, it would be no more or no less than if they were parked on the road on the public highway, which they would be entitled to do if had we not received them at our facility. So there is no specific odor management mitigation of those vehicles that arrive late and stay over.

01:36:47:20 - 01:36:56:12

Whilst full. But as said, the the odour implications are no different from as if they were parked on the public highway which they would be entitled to do.

01:37:00:00 - 01:37:03:25

Thank you, Mr. Kerry. Um. Is that the end of your response?

01:37:05:08 - 01:37:45:14

No, no. It's an. Yeah, sorry, Paul. Care for the applicant? Just to put this into perspective. This is a very uncommon circumstance. Vehicles do travel on the roads at all times of day. A lot of vehicles travel overnight. And depending on the time that they've driven, some drivers or drivers are required to stop on the public highway and rest up. And these lorries would be subject to those same restrictions. And that will tend to occur off site, away from our site and on the public highway over which we have no control as to when those vehicles are required to stop.

01:37:45:22 - 01:38:04:07

The the the. Times, which we anticipate vehicles arriving late and then parking up on our site will be very, very infrequent in our view, because the majority of them will aim to arrive in our normal operating hours and be processed immediately.

01:38:08:28 - 01:38:12:27

Is that is that the end of your response to that question then?

01:38:14:12 - 01:38:16:27

Yes. Can't add any more. To what? Thank you.

01:38:17:18 - 01:38:18:09

Thank you. No. No.

01:38:18:25 - 01:38:21:02

Doing practice is what we do today.

01:38:21:17 - 01:38:56:27

Apologies. It's a little bit difficult at the moment to actually read body language because the image is this is coming with some interferences. So apologies. I was not sure that you were finished or not. Um, I'll accept. I accept that. But nevertheless, I think that the main difference between what you have just explained, Mr. Kerry, and the situation that potentially we could be facing would be that obviously a vehicle carrying waste that would be on a bay, on a road, uh, there would be movement traffic.

01:38:56:29 - 01:39:27:20

So obviously the No. One, no receptor would actually be exposed for a significant amount of time to any order if the vehicle actually enters your site outside these times. And there is no way for the vehicle with waste to actually unload their waste. Uh, I'm not necessarily sure that that would be necessarily the case. So it does seem to me that that is a slightly different position than what we are discussing here.

01:39:28:18 - 01:39:59:02

Uh, Paul Carey, with respect to I beg to differ. Um, if the vehicle wants to stop on the public highway, as long as it's in a safe place, it could easily stop outside a residential property. Um, hopefully not. But I just want to emphasise that in our experience, this is very, very rare. I don't recall any circumstance where we've had to do this on our other two facilities in the UK, and that's after between 5 and 7 years of operation.

01:39:59:04 - 01:40:21:17

So it is a very unlikely occurrence that we would have these vehicles on our land. And if they were to stop that, the chances are they will stop on the public highway at some point, probably close to a cafe or somewhere else where they can the driver can get something to eat as well as have his statutory rest. I'll end there. Thank you.

01:40:22:13 - 01:40:41:27

Um, thank you. Does the applicant then feel that it might be appropriate to actually include a provision that would limit the number of vehicles or at least trigger an assessment if a significant number of vehicles is found to be under the circumstances?

01:40:43:13 - 01:41:01:20

Airport care for the applicant. We would be happy to accept a limit. I really can't imagine it being many more than 2 or 3 at a time. And as I said, the occasions that this would occur are very, very infrequent but happy to accept a limit if you would like to see one. So thank you.

01:41:02:10 - 01:41:33:08

In that case, can I please ask for the applicant to work on providing some way forward in terms of how these numbers of vehicles could be limited and how management can actually be done, of vehicles that are found to arrive outside those hours and enable to vacate their loads within the site. Police could get an action for that.

01:41:35:08 - 01:42:21:08

I don't care for that. Yes, we will take an action for that. Sir, just to point out perhaps the obvious. If a vehicle turns up at, say, 12:00 at night, the on there, apart from the 2 or 3 operators in the in the control room and if we don't open our gates to let them in, they will have to do a U-turn and and go back out onto the public highway. So they will park up somewhere if they do arrive late. Um, and given the number of receptors in the area, number ten, Newbridge Lane being the closest and it may

well be more sensible for them to stop on our site rather than to turn around and trundle around looking for somewhere to park.

01:42:21:18 - 01:42:45:24

Um, so it may well be appropriate to have a limit of, say, five. I'm putting that number down just as a marker for now to avoid vehicles having to turn around and go back and find some, some place to park in the middle of the night. Um, but as I said, we've never experienced this before. This is purely a safeguarding measure in case it happens.

01:42:46:25 - 01:43:05:27

And that actually leads me to my next question, which is in the event that you have to turn around. Can the applicant please confirm that it believes that the design, particularly considering the entrance from Newbridge Lane, will allow for a vehicle to actually turn around and be able to direct itself somewhere else?

01:43:12:04 - 01:43:12:19

Yeah.

01:43:12:25 - 01:43:35:17

I think that the design is such that the bollards and our gates are set well enough back from the turning point so that they could do a would be a three point turn, not a U-turn. So use the long term earlier but a three point turn reversing in to our entrance and then forwarding out back onto the Newbridge Lane the way they came. Thank you.

01:43:36:06 - 01:44:09:28

Thank you very much. I would in that case, I'll ask the applicant to actually considering the location of the gate and the opening hours, if the applicant could actually confirm that information in writing, that would be helpful. I am asking this question because I have actually looked at that and I was not 100% sure that actually the proposed layout would allow for that. So if the applicant could please check that information and come back to the examining authority on that point, that would be helpful.

01:44:10:00 - 01:44:49:19

If the applicant yes, the applicant will review that and confirm at deadline. Deadline six. I'd also just like to draw attention to paragraph 2.3.5 of the outline operational traffic management plan, which deals with compliance and the various measures that will be put in place to ensure that those that are delivering waste comply with the terms of this document, including ensuring that waste arrives only during the normal operating hours, and that the where there are circumstances where waste has arisen arrived outside of those hours that those are reviewed as are taken if necessary, to prevent that reoccurring.

01:44:49:21 - 01:44:57:18

So there is already a monitoring and sort of measure set out within the operational traffic management plan as well.

01:44:58:18 - 01:45:16:12

Thank you. That's really useful. Um, I would, in the context of the discussion that we have just had, I do note that that measure does not actually include the limit. So some sort of limit or indication in terms of the number of of vehicles would be beneficial.

01:45:18:17 - 01:45:53:24

Um, can then move us on to section 2.5 of the outline operational traffic management plan that swept three 0 to 4 0 to 5, which states that the applicant will maintain. The local liaison group established during the construction of the proposed development throughout operational stage. Enlist a series of

organisations and individuals invited to join the local liaison group. Can the applicant please clarify if it has had any discussions with the organisations included in section 2.5 and if they have any indication that any of these organisations will actually be willing to join a local liaison group?

01:46:02:15 - 01:46:41:10

So I'll start. And then Mr. Marks may join. Join me. David Kenyon for the applicant. Um, so, yes, so a number of these organizations we have spoken with about this. Um, we've talked to the whole staff. It's not specifically about the liaison group, but they are aware of it and understand that they would be interested in joining the Environment Agency through its environmental permit. Um, oversight East of England Ambulance Trust specifically asked to be included in the liaison group, as did the Cambridgeshire and Peterborough Integrated Care System.

01:46:41:12 - 01:46:45:07

So they were added to this at an earlier version of

01:46:47:15 - 01:47:20:26

this transport plan. And then likewise the, the cost of the and the Cambridgeshire Fire and Rescue Service as well, also requested to be included within a future layers on group with regard to the local businesses. These are ones that we're aware of in terms of the relevant reps and we have agreed that they will be included in that liaison group as well. But in terms of actual discussions, we've not had any face to face yet to have a Sorry to Tim Marks for the applicant.

01:47:21:03 - 01:47:23:26

Yes, the the list of organisations.

01:47:23:28 - 01:48:04:06

In section 2.5, as Mr. Kennedy mentioned, reflects representations that have been made to yourself during the course of the examination and the concerns raised by the businesses and organisations, and we've included them specifically for the avoidance of doubt that we will be contacting them, but we will be writing to or inviting other members of the community, which Mr. Kerry mentioned. It is not a um, a defined we don't have a cut off point, should we say if, if if somebody in individual or organisation are interested in joining the group, then certainly we can we can bring them into the group.

01:48:04:21 - 01:48:45:04

I would say that we have already, through the non-statutory and statutory consultation, had interest from 14 individuals or organisations to join the liaison group and this includes Fenland District Council as well. So we, you know, subject to receiving consent for this project and proceeding with it when we established the Community Liaison Group, we'll be informing those local businesses and interested parties, those statutory organisations using the information that we've got as a starting point in Section 2.5 of this document, and then expanding that and inviting people to join.

01:48:45:06 - 01:48:50:18

So we're not we're not closing anybody who's interested. If they're interested to join, they'll be able to do so.

01:48:51:28 - 01:48:52:27

Thank you. Thank you.

01:48:55:02 - 01:49:29:19

Uh, I would now like to actually invite Cambridgeshire County Council to community discussion and first of all, would like to ask if they have any comments that they would like to raise. I am particularly mindful of comments that have been made previously regarding Non-motorised users. Um,

particularly around new bridge lane and public rights of way. So I would like to ask if Cambridge County Council would like to comment on that specific issue or any other outstanding issues in relation to traffic and transport.

01:49:38:26 - 01:49:42:15

Sorry. So just. Just give me a moment. I'm just collecting the voices, as they say.

01:49:51:04 - 01:49:51:24

Which is going to be.

01:49:53:15 - 01:49:58:28

So forgive me for that today. I'm just going to ask Camilla Rhodes to make a brief comment on Muse.

01:50:00:09 - 01:50:00:26

Thank you.

01:50:06:06 - 01:50:06:21

You.

01:50:11:28 - 01:50:14:01

Hello? Can you hear me okay?

01:50:14:23 - 01:50:16:06

Yes. Can Miss Rhodes?

01:50:21:18 - 01:50:22:13

Can you hear me now?

01:50:23:14 - 01:50:24:21

Yes, I can hear you.

01:50:25:04 - 01:50:58:07

Okay, good. Um. Yes. Thank you for Cambridgeshire County Council. I will. Just to summarize really where I think we're at. Further to our conversation and the discussion this morning, I think with regard specifically to Newbridge Lane, not to withstanding the creation of the pavement that's going to be provided along Newbridge Lane. The council's do remain concerned that there is a degradation in the overall experience for use using Newbridge Lane, which cannot be adequately mitigated.

01:50:59:11 - 01:51:12:26

However, clearly we do recognise that a mitigation package is under discussion and negotiation to offset that adverse impact and that's really where we are at that.

01:51:14:12 - 01:51:23:03

And that includes improving the information about the crossing over the level crossing and establishing those permissive rights there.

01:51:24:22 - 01:52:00:13

As a separate point, just on the liaison group, I would comment that we have raised previously in our written submissions that the liaison group does need to include the statutory and local user groups. I'm not aware that that's yet been recognised. I don't imagine from what's being said that would be a problem. But that does need to be just amended to include statutory user groups. I'm talking about the Ramblers, British Law Society and local walking groups, cycling groups, that kind of thing.

01:52:01:01 - 01:52:25:15

And. And yeah, we'll need to find out what the local groups are as opposed to. So it could be, for example, heartbeat walking groups, things like that. People who use that route already in their planned regular walks. And that's just wanted to say on those two points. Okay.

01:52:26:15 - 01:52:27:00

Thank you.

01:52:31:09 - 01:52:43:01

I can just confirm that that's all that Cranberry County Council would like to raise in terms of outstanding issues on traffic and transport. Or if there are any other interventions.

01:52:44:02 - 01:52:45:19

That might actually.

01:52:49:08 - 01:52:49:23

Give us.

01:52:52:17 - 01:53:02:02

Too many microphones in the same room. Forgive us. We have one. Sorry. You know, inviting comments on all the trash tracks and traffic point.

01:53:08:24 - 01:53:39:16

The point relating to highway conditions. We heard extensively from the applicant about the agreement and the discussion that's been going on surrounding conditions surveys. What was missing, we say, is what follows on from that, namely the acceptance by the applicants of a liability and appropriate mechanism for establishing and paying the liability to pay compensation for damage caused.

01:53:39:18 - 01:53:42:11

So I'll turn over now to Mr. Ashman.

01:53:58:00 - 01:54:31:10

And you. Can you hear me, sir? Yes. Excellent. Right. Thank you. Daniel Ashman for the. For the council. Um, yes. Think our council summed up the introduction ideally for me. Um, we feel that the applicants statistics which are presented for the increased levels of traffic on certain key highway links, um, most specifically Al Gore's way New Bridge Lane and Cromwell Road do demonstrate that there is going to be potential for excess damage and wear to the carriageway.

01:54:32:10 - 01:55:12:28

And we don't feel that the applicant has really addressed this appropriately in any of their answers so far. Um, there was a question about this in the second written questions from the Examiner, which is question T 0.2 0.11 and that is in document um rep 5032 And the applicant responded and broke down some of the figures for the answer. Um, what the applicant has referred to in there is the statement of Common Ground, where it notes that the transport assessment team at the county would have no concerns over the impacts of the applicant's development, subject to the enhancements to new bridge lane.

01:55:13:15 - 01:55:48:12

However, I think it's worth making the point that conclusion is based on an assessment of Section 6.9 of Chapter six of the environmental statement, and that's at 033, which details the impact of the development on traffic movements in Wisbech. What Section 6.9 does not do is make any mention of

the impact of the development on the highway condition. So the council's agreements to the points made in that section cannot be related to the additional wear that the development may have on the condition of the constructed highway. It can only really be related to the traffic movements explored in that document and that that really hasn't been addressed with us.

01:55:48:22 - 01:56:16:00

Um, and I think there is a more general point related to this. The applicant also made the point that new bridge lane will be reconstructed as part of the works. And I think the inference that we took that we've taken from this is that the applicant believes the reconstruction will offset any damage that might occur on the carriageway as a result of the traffic that will be using it. However, think it's worth making the point that there's a section of Newbridge Lane to the east of the formal level crossing, which leads up to the entrance to the

01:56:17:17 - 01:56:50:20

site that is intended under this application to be almost exclusively for the use of access in the development. This is a part of the public highway where after redevelopment, no through traffic will be permitted. Other access will be limited to authorized users only or to passing traffic. So it follows that the only vehicles that are likely to cause damage to that carriageway are those that are accessing the site. And this is on a public highway where the public is proposed to be restricted because we are tailoring it to suit the development.

01:56:52:11 - 01:57:37:00

The Highway Authority currently has minimal maintenance liability, minimal maintenance liability here owing to its extremely low usage. So the council believes it would be reasonable for the applicant to commit to providing some sort of mechanism for compensation for excess damage that any development might cause on that, certainly on that section of road. And think relying on the clauses of Section 59 of the Highways Act really isn't sufficient because it could lead us down a road where the council and the applicant find themselves in a in a disputatious position and it would be far easier to just agree a position now lay it out clearly in the or one of the linked documents to or the TMP so that there is clarity on this going forward and boundaries are set.

01:57:37:18 - 01:57:38:05

Thank you.

01:57:38:26 - 01:57:39:13

Thank you.

01:57:44:28 - 01:57:51:24

And I would ask then if if that concludes your points, Mr. Circuits.

01:57:53:10 - 01:57:53:25

Yes.

01:57:56:06 - 01:58:01:12

Forgive me again today. Sorry, we're just having 1 or 2 handover difficulties. Could you just repeat your last question to me?

01:58:01:24 - 01:58:04:11

I was just asking if that concludes your points in.

01:58:06:07 - 01:58:07:22

So, yes, it does. Thank you very much.

01:58:07:24 - 01:58:13:20

So can I ask the applicant to then comment on the points that can be taken to have just made, please?

01:58:24:06 - 01:58:46:07

The applicant in respect of the first point, which is in relation to the list of persons or groups that would be invited to join the community liaison group. We just wanted to flag that. This is obviously the outline and the Cambridgeshire County Council can request different or additional bodies to be added as our correct at the time

01:58:48:01 - 01:59:27:22

is approved. However, the applicant is willing to include a reference to local walking groups in the list to make it clear that that's intended to be considered when the final is created and submitted for approval. And in relation to the points being made about condition of the highway and as Mr. Ashton mentioned, discussion has taken place in relation to condition of the highway pre and post construction and that the applicant has agreed that any damage caused during construction will be remedied.

01:59:27:24 - 02:00:01:23

And in fact the works to new bridge lane will involve the resurfacing of that road and the Highway Authority will need to certify that that has been constructed to a suitable condition. And the parties are also negotiating a Section 278 agreement, which contains significantly more detail about how that process will work. It includes a period of 12 months maintenance where the applicant will be responsible for any maintenance costs or damage as a result during that initial 12 month period.

02:00:01:25 - 02:00:43:24

It also includes that the request of Cambridgeshire County Council, a commuted sum and that commuted sum is a sum of money the applicant is required to pay specifically to cater for future maintenance of that road, and the applicant therefore considers that a suitable contribution for future maintenance costs is already part of the proposals that are being discussed. What the Cambridgeshire County Council seem to be asking for is an additional indemnity on top of that. So in addition to the commuted sum, which we are contractually obliged to pay, and in addition to the existing statutory mechanism for obtaining compensation for damage, they want something extra on top of that, and the applicant does not consider that to be necessary or proportionate.

02:00:43:26 - 02:00:44:14

Thank you.

02:00:47:17 - 02:00:48:04

Thank you.

02:00:51:26 - 02:01:00:17

Can I ask if Cambridgeshire County Council can see your hands raised now? Would you like to come back on the applicants response?

02:01:01:00 - 02:01:19:19

Only insofar as we hear what they say, to use that lawyer's phrase, we don't entirely agree, but it's probably more sensible for matters to continue to be ventilated in discussion between us rather than trying to argue what are quite detailed technical points this afternoon.

02:01:20:18 - 02:01:47:16

App. Thank you. Yes. So if we could get an action then set out for the applicant and Cambridgeshire County Council. If both parties agree to continue conversations regarding additional liabilities in

relation to road maintenance and highways conditions. Um, can I just get a quick confirmation from the applicant and Cambridgeshire County Council that they agree with this action? Please.

02:01:49:09 - 02:02:05:09

Clear the applicant. Yes, the parties are in negotiations in relation to the drafting both of the Section 278 agreement and the protective provisions and believe they're currently with Cambridgeshire County Council for comment. And so as soon as we receive their comments, we will review those and get back to them. Thank you.

02:02:06:16 - 02:02:14:16

Don't know. Uh, so yeah, we agree with the action. I'm not going to rise to the little challenge there. So, um.

02:02:15:03 - 02:02:16:09

Thank you. Agree.

02:02:16:23 - 02:02:39:16

And I am mindful that we also had initially today a request from, um, Mr. Perriman to actually intervene on the topic of traffic and transport. I would just like to ask if Mr. Chairman would like to ask any points in relation to this specific topic.

02:02:54:26 - 02:03:21:01

Thank you, Mr. Pinto. It's not like my question isn't really in relation to this topic. It's it's more to do with the traffic and transport receptors scoped out of further assessment. Um, from the environmental statement Chapter six Traffic and Transport 660, which is page 62 of the PDF.

02:03:23:01 - 02:03:23:16

Uh.

02:03:23:28 - 02:03:30:14

In terms of PDF, I believe that you probably mean the environmental statement.

02:03:30:16 - 02:03:32:13

Chapter six Traffic and Transport Chapter.

02:03:32:15 - 02:03:34:12

Six of the Environmental Settlement. Yes.

02:03:36:19 - 02:03:38:06

And it's on page 62.

02:03:38:18 - 02:03:42:28

Is there a specific question that you have in relation to the receptors?

02:03:43:02 - 02:03:43:22

Yeah.

02:03:44:06 - 02:03:50:20

The table, which is the traffic and transport receptors scoped out of further assessment. Um.

02:03:52:16 - 02:03:55:11

661. It says the danger

02:03:56:26 - 02:04:34:07

dangerous or hazardous loads during the operational and construction phases. Um, and it's unclear why the applicant escaped out the movement of residues from further assessment because the justification is given that no dangerous or hazardous loads would be required during the construction or operational phases of the proposed development. Yet air pollution residues are classified as hazardous. So if a vehicle is transporting a known hazardous waste, then how can it not be deemed to be carrying a hazardous load? So just wanted to know why.

02:04:34:18 - 02:04:38:18

Why it's been scoped out. Further assessment.

02:04:39:14 - 02:04:44:03

Thank you. Thank you very much. Can I ask the applicant to reply to Mr. Perriman, please?

02:04:52:13 - 02:04:56:04

Clear project for the applicant. We're just checking the reference. Bear with us one moment.

02:05:01:22 - 02:05:04:28

Some pages. Page 62 of 91.

02:05:09:00 - 02:05:09:15

Project.

02:05:10:19 - 02:05:28:25

The applicant. Yes, we can. We've got the reference in table 6.20 in relation to it being scoped out. We're just trying to find the reasoning for that and whether there's a reference to refer you to. We're just going to see if we can find it quickly. If not, then we'll have to provide that in writing. But bear with us just one moment.

02:06:07:14 - 02:06:19:18

Collaborative of the applicant, and we're going to have to come back in writing on this point because we don't have the answer to hand, but we'll be in our written summary of our of the submissions made in this hearing.

02:06:22:06 - 02:06:23:06

Six.

02:06:24:18 - 02:06:25:03

Thank you.

02:06:27:21 - 02:06:28:06

Um.

02:06:28:21 - 02:06:53:18

I'm just trying to also find that reference as well because I would quite like to check just to get double confirmation from Mrs. Perryman that we actually have the correct reference. So I'm going to try and shed documents believe that you was referring to. So that would be page 62 of 91. Um, can I just confirm?

02:06:55:12 - 02:06:59:02

And if it is document that I'm about to share now.

02:07:14:00 - 02:07:21:04

If could just confirm experiment. Do you actually mean table 6.20 traffic and transport receptor scope out of further assessment?

02:07:21:11 - 02:07:23:25

Yes, it's the next page if you scroll.

02:07:25:20 - 02:07:28:12

Up. It's there.

02:07:31:12 - 02:07:32:13

At the very top.

02:07:33:03 - 02:07:33:18

Okay.

02:07:33:23 - 02:07:35:02

So hazardous lives.

02:07:37:23 - 02:07:50:19

Can I just ask? Before then, if we refer back to written responses, if the applicant has found any information that you would like to add to this.

02:07:52:27 - 02:08:20:13

Clever, the applicant. Now we're going to need to come back in writing. The movements have obviously been considered as part of the transport assessment from a vehicle movement perspective, but we're going to need to go back through our documentation to confirm the reasons why those those particular vehicle movements weren't considered to be a dangerous or has to slowed receptor for the purposes of the assessment in accordance with the guidance. But we don't have that information to hand at the moment.

02:08:21:06 - 02:08:41:20

Okay. Thank you very much. If we could come back to the next deadline on your submissions, please, on this specific point. Uh, can I ask if, um, any other, um, would like to ask any questions on traffic and transport before we close this specific hearing?

02:08:42:13 - 02:08:44:09

Mr. Pinto, I do have a second.

02:08:45:07 - 02:08:45:22

Please.

02:08:46:04 - 02:09:18:17

Point. Um, sorry, I just had the two points. That was the first one. My second point is the government announced two years ago that there will be no new diesel and petrol sold after 2040, which will come into effect less than a third of the way into the proposed development's 40 plus year life. Given the applicants need to source the vast majority of their weights from much greater distances from the proposed developments than the existing energy for waste facilities who are contracting and contracted to local authorities or from waste arising.

02:09:18:28 - 02:09:54:00

There doesn't appear to be any consideration given to the impact this will have on the proposed development. And given the size, scale and remote location of the proposed development, the impact is likely to be significant. So it's not something which can be batted away as a bridge to cross later or attempted attempt to put a rose coloured spin on alternative technologies because those which currently exist like hydrogen and electricity, are either too expensive or don't provide enough range. And it's unknown if or when they will exist or what what they will cost factors which are out of the applicant's control.

02:09:54:02 - 02:10:03:04

But the significant impact due to proposed development, size, scale and remote location needs to be given serious scrutiny as part of this DCO. Thank you.

02:10:03:23 - 02:10:08:11

Thank you very much, Mr. Chairman. Can ask the applicant to respond to the second point, please.

02:10:22:02 - 02:10:27:13

Clever. If the applicant just deciding who's best to respond to the queries that have been made, bear with me one moment.

02:10:56:06 - 02:10:57:11

Don't all jump.

02:11:00:28 - 02:11:13:10

Sorry, said Paul, Caring for the applicants. We're not entirely sure what the premise of the question. Clearly, by 2040 there will be a lot of other suitable technologies for.

02:11:16:09 - 02:11:46:05

Operated vehicles do have a limited range, but hydrogen fuelled vehicles would have a much longer range. It's impossible to know now which of those two technologies may develop to allow longer distance transport. Um, so it's very difficult to answer that question as to how we foresee vehicles being fueled in the future post 2040. But one of the options certainly would be hydrogen fueled vehicles.

02:11:49:17 - 02:11:50:12

I'm like, Can.

02:11:50:14 - 02:11:51:24

I come back on that, Mr. Bindi?

02:11:52:03 - 02:11:53:19

Yep, Certainly. Yes.

02:11:54:27 - 02:12:31:16

The the director of the Road Haulage Association doesn't agree with you. They say that those alternative technologies like hydrogen and electricity, are either too expensive or don't provide enough range currently, and it's unknown when or if they will exist and at what cost. So I think to kick this can down the road at this stage isn't really adequate when it's only going to it will come into effect in in less than a third of the way into this 40 year development.

02:12:33:00 - 02:12:52:12

At Mrs. Pearman, I was going to ask, you have also mentioned a specific document. If I could ask you to please provide reference of that document as part of your written submission to your own representation today. If you would be willing to do that, please.

02:12:53:04 - 02:12:59:25

It was just it was just in a comment in response to to a thing. But yes, I'll.

02:13:00:05 - 02:13:20:15

Certainly but it would be useful for us for the examining authority to actually see that specific document and that information that you have mentioned in order to also assess the applicant's response them to your specific questions. So if you could do that, please, I would be grateful if I could ask the applicant to then reply to Mrs. Perryman. Question, please.

02:13:24:00 - 02:14:09:17

The applicant. And the applicant's position is that some of the more general points being made are probably beyond the realms of this particular examination and what it's looking in to. We've obviously set out in a lot of detail at previous hearings the reasons for the site selection and the reasons for the selection of this particular site in terms of waste fuel availability. The applicant submitted an updated waste assessment at deadline five and that will be being discussed at the hearing tomorrow. And in that document, the applicant sets out why it considers that there will be sufficient waste for the proposed development and that waste will be being generated and will obviously have to be collected regardless of the method of transportation being used at that point in time.

02:14:09:19 - 02:14:42:27

So the applicant's position is that there is a need for the proposed development and that there is sufficient waste to supply it. But the applicant doesn't consider that it should consider the method of transportation. As part of this examination, we've assessed the worst case scenario from an emissions perspective as part of our environmental statement, and that looks at the continued use of fossil fuels for the delivery of waste, which we consider to be the worst case scenario. So for the purposes of this examination and the documentation to support it, the applicant considers that it's provided sufficient evidence.

02:14:42:29 - 02:14:43:16

Thank you.

02:14:44:15 - 02:14:45:01

Okay.

02:14:45:03 - 02:14:49:22

So the applicant hasn't considered this at all is the answer. Thank you.

02:14:50:21 - 02:15:16:29

Mr. Chairman. Then if we could actually, as we agreed, if you could actually submit that information in writing and then we'll probably give the applicant, then the applicant has another opportunity to consider your representation and reply. So that would be grateful. I would be grateful if we could do that. Um, are there any further questions on traffic and transported anyone else would like to raise please before we adjourn.

02:15:22:09 - 02:15:27:23

So, yes, if I may. Under the category of any other business. Sorry. I see you.

02:15:28:13 - 02:15:34:19

Haven't. I haven't quite I haven't quite got to that category yet. So if I could just finish.

02:15:35:03 - 02:15:35:18

One.

02:15:35:25 - 02:15:43:20

And then and then I will go into AOB. So are there any questions in relation to traffic and transport?

02:15:46:14 - 02:16:12:28

I don't see any hands raised before moving on to the next item, which is item six review of the issues and actions arising. So we have been making notes of the actions mentioned following from today's meeting. I don't intend to go through them now, but we'll be writing those up and publishing them as soon as practicable. And are there any comments that anyone would like to make on item six of the agenda in relation to issues and actions arising from today's meeting?

02:16:17:03 - 02:16:27:06

I don't see any hands raised. So move on to item seven, then. AOB. Uh, Mr. Andrew Fraser. Can't believe that you have. Would like to raise it. And then.

02:16:28:20 - 02:16:56:15

So, yes, it's just actually relates to tomorrow's hearing and the timings. And it's a it's a personal matter. I have an engagement tomorrow evening. Um, and in order to reach that, I would need for the, the hearing to conclude by about 2:30, 3:00. I'm not suggesting any truncation of the business or anything of that nature, but I just wondered whether that request of mine could be borne in mind when we consider the timing and duration of breaks tomorrow.

02:16:58:07 - 02:17:02:23

And. Can I ask the applicant to comment on this, please?

02:17:08:02 - 02:17:15:13

If the applicant yes, the applicant is happy to try and accommodate that if the examining authority consider it appropriate to do so.

02:17:16:07 - 02:17:16:22

Um.

02:17:17:03 - 02:17:42:22

In terms of looking at the agenda tomorrow, we are obviously trying to cover two items waste issues and cumulative effects. And I anticipate that the first item waste issues will probably be quite substantial. Um, and there are several questions on cumulative effects, but we will bear your request in mind. Mr. Fraser But in terms of timings, thank you.

02:17:42:24 - 02:17:44:00

I'm very much obliged to you, sir.

02:17:45:23 - 02:17:49:28

Right. Any other business from any of the parties?

02:17:50:21 - 02:18:10:23

Uh, Claire, the applicant. Um, as we've concluded the full agenda for today's hearing. I was wondering if you'd be able to confirm that the expert speaking on the matters for today, which is landscape and visual biodiversity and traffic and transport, are therefore not required for the reserved hearing on Friday. And we can release them.

02:18:11:24 - 02:18:12:09

Uh.

02:18:13:26 - 02:18:20:04

I believe that we have adequately covered all of the topics. Nevertheless, um.

02:18:22:09 - 02:18:47:17

I would just like to double check with Mrs. Makinson in terms of the examining authority's position in relation to this specific issue as a whole. But I am under the impression at the moment that that might actually be the case. Mrs. Makinson, would you would you be able to confirm as well that from your perspective, please?

02:18:48:09 - 02:18:54:16

Yes. Mr. Pinto. Thank you. I'm happy to confirm from my perspective that I would be happy with that.

02:18:56:17 - 02:18:58:17

Thank you. Does that ask you a question?

02:19:00:19 - 02:19:09:08

Yes, that's very helpful. Obviously, we'll have people available for cumulative related questions, tomorrow's hearing. But that's that's really helpful for our for our team. Thank you.

02:19:09:19 - 02:19:10:04

Thank you.

02:19:12:04 - 02:19:13:09

Any of the business.

02:19:17:06 - 02:19:39:19

I don't see any hands. Right. So move us on to item eight, which is the closure of the hearing. So thank you all for contributing for useful meeting today. We will consider all submissions made very carefully. The time is now. Ten minutes to five and six for the Met with energy from Voice Limited is now closed. Thank you very much.