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Your Ref:

Our Ref: TR010018

Date: 29 September 2015

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Dear Sir/Madam

**Planning Act 2008 (as amended), the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (as amended) – Regulation 12, and the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) (EPR) – Rule 8(3)**

**Application by Highways England for an Order Granting Development Consent for the A14 Cambridge to Huntingdon Improvement Scheme**

### **Changes Proposed by the Applicant**

The Examining Authority (ExA) has received from the applicant during the course of the examination three submissions setting out what it considers to be non-material changes to the application. These are:

- Deadline 5: 22 July 2015 HE/A14/EX/68 (REP5-030)
- Deadline 7: 19 August 2015 HE/A14/EX/99 (REP7-034)
- Deadline 9: 10 September 2015 HE/A14/EX/131 (REP9-006)

Some include additional land which will require compulsory acquisition unless the consent of affected persons has been obtained.

The purpose of this letter is to set out how the ExA is dealing with these submissions, procedural decisions made by the ExA relating to them, to notify the dates of forthcoming hearings and to record changes to the Examination Timetable.

### **The Submissions**

#### **Deadline 5 - REP5-030**

REP5-030 was submitted on 22 July 2015 and involves four proposed changes to the application involving the acquisition of additional land and triggering the provisions of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regulations).

On 29 July 2015 the ExA made a procedural decision accepting these changes as non-material changes but noted that they would require compulsory acquisition powers which would require the applicant to comply with regulations 5 to 19 of the CA Regulations. The ExA's procedural decision in respect of REP5-030 was published in August and is available at the following address:

<http://infrastructure.planninginspectorate.gov.uk/document/3325434>

The ExA received one additional relevant representation and five comments from existing interested parties in relation to the proposed provision. The ExA has compiled an initial assessment of principal issues arising and these are appended at **Annex A**. The ExA has decided it is not necessary to hold a meeting to discuss how the proposed provision should be examined.

This letter contains the procedural decisions it has taken into the matter. Interested parties are now invited to submit written representations regarding the proposed provision by noon on Thursday 22 October 2015. Please send these, where practicable as email attachments to [A14CambridgetoHuntingdon@pins.gsi.gov.uk](mailto:A14CambridgetoHuntingdon@pins.gsi.gov.uk). Files should be clearly labelled and not exceed 12 MB for each email. If posted, representations should be sent to Nicholas Coombes at the address at the top of this letter, marked A14 TR010015.

A compulsory acquisition hearing and an open floor hearing to allow affected persons to address the ExA about the proposed provision for compulsory acquisition of additional land and rights have been arranged for Wednesday 21 October 2015. Details of the hearing are provided at **Annex B**.

If, during the course of the compulsory acquisition hearing, the ExA consider that accompanied site visits are necessary, they will be arranged at the hearing and take place as soon as practicably possible following the close of the hearing. There will be no transport provided in these circumstances as they will only involve sites in relation to which access is required onto private land and would thus only involve representatives of the land interests concerned.

### **Deadline 7 - REP7-034**

REP7-034 was submitted on 19 August 2015 and involved 40 proposed changes to the scheme all of which are said by the applicant to be non-material. In this submission the applicant indicated that 21 of the proposed changes required additional land thereby invoking the CA regulations since in these cases the consent of the affected persons had not been obtained. At the compulsory acquisition hearing on 2 September 2015, the applicant explained that 5 of these changes were incorrectly identified as requiring additional land, reducing the total from 21 to 16.

On 4 September 2015 the ExA made a procedural decision in respect of this submission as follows:

- to accept 18 of the proposed changes not involving additional land as non-material changes;
- to accept three proposed changes where additional land is sought and written confirmation is provided by the applicant of the landowners agreement, as non-material changes.

A decision by the ExA on materiality in respect of the remaining 13 cases where

additional land is required and the applicant is still endeavouring to obtain the consent of the affected persons, has been held over until Wednesday, 21 October 2015 at the second compulsory acquisition hearing planned for that day. The ExAs procedural decision in respect of REP7-034 was published in September 2015 and is available on the planning portal website at:

<http://infrastructure.planninginspectorate.gov.uk/document/3432606>

### **Deadline 9 - REP9-006**

This submission received on 10 September 2015 followed on from initial discussion at the compulsory acquisition hearing held on 1 September 2015. It contained:

- seven requests not involving additional land which the applicant considers to be non-material changes of which one request (DR1.08) is updated from the document submitted as REP7-034;
- 19 requests where there is a proposed reduction in the land required;
- six requests where additional land is required and which the applicant considers are non-material, but where no written confirmation has been provided by the applicant as to the consent of the land owner. Four of these requests (DR1.20b; DR1.20c; DR1.20d and DR1.20e) are updated from the document submitted as REP7-034, meaning there is a total of two new additional land requests.

On 17 September 2015 the ExA made a procedural decision in respect of REP9-006 to accept 26 change requests where there is either a reduction in the land required or a reduction in the CA powers sought, as non-material changes.

In respect of the remaining five change requests where additional land is required and the applicant is still endeavouring to obtain the consent of the affected persons, a decision by the ExA on materiality, has been held over until Wednesday, 21 October 2015 at the second compulsory acquisition hearing planned for that day. The ExA's procedural decision in respect of REP9-006 was published in September 2015 and is available on the planning portal website at:

<http://infrastructure.planninginspectorate.gov.uk/document/3432375>

### **Changes accepted by the ExA as non-material and not involving compulsory acquisition**

Whilst the ExA is aware that the applicant has carried out extensive consultations regarding all the proposed changes with those affected and other interested parties, it proposes to give all such parties an opportunity to make representations at an Open Floor Hearing to be held on Wednesday 21 October 2015. Parties are reminded that representations must relate only to any of the proposed changes and not any other matters.

### **Non-material changes involving compulsory acquisition**

So far as non-material changes involving CA as set out in REP5-030 is concerned, a compulsory acquisition hearing will be held on Wednesday 21 October 2015 (notwithstanding the fact that at the date of this letter no request has been made to the ExA for a hearing to be held). The ExA is concerned to ensure that in the light of the tight examination timetable and the quite detailed changes, an affected person

has not missed an opportunity to seek such a hearing. A second compulsory acquisition hearing will be held immediately following the first compulsory acquisition hearing on 21 October 2015 to consider any outstanding compulsory acquisition matters.

### **Issue Specific Hearing Relating to Drainage and Flood Risk**

An Issue Specific Hearing relating to Drainage and Flood Risk will be held immediately following the conclusion of the compulsory acquisition hearings on Wednesday 21 October 2015.

### **Notification of Forthcoming Hearings**

As set out above the ExA has arranged for further hearings to be held on Wednesday, 21 October 2015 dealing with compulsory acquisition, an issue specific hearing relation to Drainage and Flood Risk and an Open Floor Hearing relating to the proposed provision and the proposed changes and not any other matters.

There is a further issue specific hearing on Thursday 22 October 2015 into the draft Development Consent Order. Please note the revised date for the publication of the ExA's draft DCO which is Tuesday, 13 October 2015. Agendas for these hearings will be provided approximately one week before the hearing date on our website accessed by following this link:

<http://infrastructure.planninginspectorate.gov.uk/A14>

### **Changes to the Examination Timetable**

The resultant changed Examination Timetable arising from the above is appended at **Annex C**.

Thank you for your continuing interest and participation in this examination.

Yours faithfully

*Frances Fernandes*

**Frances Fernandes**  
**Lead Member of the Panel of Examining Inspectors**

#### **Annexes:**

- A - Initial assessment of issues
- B - Notification of hearings
- C - Revised timetable for examination of the application
- D - Availability of Examination Documents

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the National Infrastructure Planning website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

### **Initial assessment of issues**

This is the initial assessment of issues arising from consideration by the Examining Authority (ExA) of the proposed provision application documents and additional relevant representations received.

It is not a comprehensive or exclusive list of all relevant matters. The ExA will have regard to all important and relevant matters when it writes its recommendation to the Secretary of State after the examination has concluded.

The principal issues identified relate to the effect of the additional land-take on the agricultural interests affected, the effect of the changed junction arrangements on network resilience and the effects on ecological mitigation.

The other matters raised in relevant representations relate to matters that have already been considered in relation to the application scheme as a whole.

## Notification of hearings

As set out in the examination timetable (**Annex C**), those interested parties who wish to speak at hearings should notify Nicholas Coombes at [A14CambridgetoHuntingdon@pins.gsi.gov.uk](mailto:A14CambridgetoHuntingdon@pins.gsi.gov.uk) or the postal address on the front page of this letter. Please notify us by **noon on Wednesday 14 October 2015**.

It would assist with organisation of the hearing if you could tell us of any special needs you may have (e.g. disabled access, hearing loop, etc.). Please ensure that you include your interested party reference number in your correspondence, and make it clear which hearing you wish to participate in.

The Examining Authority provides notice of the following hearings, in compliance with Regulations 15 and 16 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 and Rule 13 of the Infrastructure Planning (Examination Procedure) Rules 2010.

The venue will open to the public half an hour prior to the start of the meeting. The ExA will allow comfort breaks and a one hour lunch break if required. Agendas will be published during the week before the hearing on the National Infrastructure pages of the Planning Portal website at this link:

<http://infrastructure.planninginspectorate.gov.uk/A14>

Date of hearings: Wednesday 21 October 2015

Time of hearings: 10.00am, then consecutive

Venue: Burgess Hall, Westwood Road, Saint Ives  
Cambridgeshire PE27 6WU

### **1. Compulsory acquisition hearing – proposed provision for the compulsory acquisition of additional land only**

This hearing allows affected persons to address the ExA on matters related to the proposed provision for the compulsory acquisition of additional land only.

If accompanied site visits are considered necessary during the course of the hearing, they will be arranged at the hearing and take place as soon as possible following the close of the hearing. There will be no transport provided in these circumstances.

### **2. Compulsory acquisition hearing – general matters (if required)**

This hearing will only take place if the ExA thinks it necessary. In this circumstance an agenda will be published.

### **3. Issue specific hearing – Drainage and Flood Risk**

This hearing will cover any matters that the ExA consider to be unresolved, which will be published in the agenda.

#### **4. Open floor hearing**

This hearing allows interested parties to address the ExA on matters related to the proposed provision for the compulsory acquisition of additional land and on any other matters relating to compulsory acquisition.

#### **5. Issue specific hearing – draft Development Consent Order**

Date of hearing: Thursday 22 October 2015

Time of hearings: 10.00am

Venue: Burgess Hall, Westwood Road, Saint Ives  
Cambridgeshire PE27 6WU

The purpose of an issue specific hearing is for discussion on the relevant issues led by the ExA. Parties should expect to be questioned by the ExA and justify their statements.

This hearing will concentrate on the specific issue of the draft Development Consent Order (DCO). This is the order which the Secretary of State would make if he/she wished to consent the application. Discussion at this hearing is 'without prejudice'; this means that parties may make contributions to improve the quality of the draft DCO without invalidating their own positions of support or opposition to the scheme as a whole.

Irrespective of its recommendation, the ExA is required to present a draft DCO to the Secretary of State. Discussion about the specifics of the draft DCO does not indicate that the ExA has made up its mind about the application.

The hearing into the draft DCO is likely to be of a technical nature and will be based on the specific wording of the draft DCO.

#### **Notification of site visits (if required)**

The ExA provides notice of the following site inspection, if required, in compliance with Rule 16 of The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended).

Date of visit: Wednesday 21 October 2015

Time of visit: If required, as soon as practicably possible following the hearings

Departure point: Burgess Hall, Westwood Road, Saint Ives  
Cambridgeshire PE27 6WU

## Revised timetable for examination of the application

The revised timetable for examination of the application is as follows:

Item	Matters	Due Dates
22	<p><b>Deadline 10</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Summary of oral submissions put at hearings</li> <li>• Post-hearing documents</li> <li>• Comments on any supplementary joint LIR</li> <li>• Applicant's revised draft DCO and Explanatory Memorandum</li> <li>• Any further information requested by the ExA</li> </ul>	<p>Noon</p> <p><b>Monday 28 September 2015</b></p>
23	Publication of ExA's Report on the Implications for European Sites	<b>Friday 9 October 2015</b>
24	Publication of ExA's draft DCO	<b>Tuesday 13 October 2015</b>
25	<p><b>Deadline 11</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Notification of wish to make oral representations at the October hearings</li> <li>• Any further information requested by the ExA</li> </ul>	<p>Noon</p> <p><b>Wednesday 14 October 2015</b></p>
26	Compulsory acquisition hearing in relation to the proposed provision for additional land (if required)	<p><b>10.00am</b></p> <p><b>Wednesday 21 October 2015</b></p> <p><b>The hearings will take place consecutively.</b></p>
27	Compulsory acquisition hearing on general matters (if required)	
28	Issue specific hearing about unresolved matters	
29	Open floor hearing in relation to the proposed provision for additional land and the proposed change requests	
30	Accompanied site visits (ASVs) regarding compulsory acquisition issues (if required)	<p><b>As soon as practicable possible after the hearings at Items 26-29 above</b></p>
31	Issue specific hearing on the draft DCO	<b>Thursday 22 October 2015</b>

32	<p><b>Deadline 12</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Written representations regarding the proposed provision for the compulsory acquisition of additional land</li> <li>• Comment on changes to the scheme</li> </ul>	<p><b>Noon</b></p> <p><b>Thursday 22 October 2015</b></p>
33	<p><b>Deadline 13</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on ExA's draft DCO</li> <li>• Comments on Report on the Implications for European Sites</li> <li>• Post hearing documents</li> <li>• Any further information requested by the ExA</li> </ul>	<p><b>Noon</b></p> <p><b>Friday 30 October 2015</b></p>
34	<p><b>Deadline 14</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on written representations regarding the proposed provision for the compulsory acquisition of additional land</li> <li>• Responses to comments on ExA's draft DCO</li> <li>• Any further information requested by the ExA</li> </ul>	<p><b>Noon</b></p> <p><b>Friday 6 November 2015</b></p>
35	<p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>	<p><b>Friday 13 November 2015</b></p>

## Publication Dates

All information received will be published on the Planning Portal as soon as practicable after the deadline for submissions.

<http://infrastructure.planningportal.gov.uk/A14>

## Hearing Agendas

Please note that we will aim to publish a detailed draft agenda for each hearing on the Planning Portal at least 5 working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

## **Availability of Examination Documents**

Highways England, the applicant, has provided hard copies of the application documents as submitted to the Planning Inspectorate. These are available at Cambridge Central Library and Huntingdonshire District Council (see addresses below).

Anyone wishing to view documents in relation to the examination of the proposed project can do so via the National Infrastructure pages of the Planning Portal website:

<http://infrastructure.planninginspectorate.gov.uk/A14>

### **Cambridge Central Library**

7 Lion Yard  
Cambridge  
CB2 3QD

Opening times:                    Monday, Tuesday, Thursday and Friday - 9am to 6pm  
    Wednesday - 9am to 7pm  
    Saturday – 10am to 6pm  
    Sunday – 12pm to 4pm

Copying charges:                Black and White A4 – 10p per page  
    Colour A4 – 50p per page

### **Huntingdonshire District Council**

Pathfinder House  
St Mary's Street  
Huntingdon  
PE29 3TN

Opening times:                    Monday to Thursday - 9am to 5pm  
    Friday – 9am to 4.30pm

Copying charges:                Black and White A4 – 10p per page

You may also view documents online in your local library. Libraries adjacent to the proposed route have been supplied with a poster explaining how documents can be accessed. Copying charges may apply as above, but Cambridgeshire County Council does not charge for access to the internet in its libraries.