

Our ref: HE/A14/EX/24
Your ref: TR010018

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11th May 2015

Dear Mr Coombes

Draft A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order

Notice of Preliminary Meeting, availability of relevant representations and appointment of the Examining Authority dated 17 April 2015 (the Rule 6 Letter)

I refer to the above-mentioned application for a development consent order and the Rule 6 Letter dated 17 April 2015.

This letter sets out Highways England's comments on the Rule 6 Letter, in preparation for the Preliminary Meeting on 13 May. While Highways England expects to speak to each agenda item at the Preliminary Meeting, this letter focuses in particular on the draft timetable for the examination and our proposed approach to statements of common ground.

Draft examination timetable

Our comments follow the chronology of the proposed timetable:

1. The draft timetable provides for an accompanied site visit on 16 July 2015 but does not explicitly provide for notification of interested parties of the time and place of the inspection under Rule 16(3). We suggest that timetable item 4 is amended to include that notification on 5 June 2015.
2. The timetable does not provide for the setting of a deadline under section 92(2) of the Planning Act 2008 (the Act) for each affected person to notify the Secretary of State that they wish a compulsory acquisition hearing to be held. That deadline needs to be set before notification of hearings under Rule 13(3) of the Infrastructure Planning (Examination Procedure) Rules 2010. We suggest that this deadline is set as Deadline 4 (22 July 2015).
3. The proposed timetable does not make provision for notification by the Examining Authority of:
 - a. interested parties of the date, time and place of Open Floor Hearings and Issue Specific Hearings; and
 - b. affected parties of the date, time and place of Compulsory Acquisition Hearings under Rule 13(3).

This is required at least 21 days before the date of the relevant hearing.

4. In addition, Highways England is obliged under Rule 13(6) to give notice of each hearing not later than 21 days before the date fixed for the commencement of the hearing. Since this requires publication of notice in a local newspaper, and one of the local newspapers only publishes once a week, in order to meet that newspaper's print deadlines, Highways England needs longer than 21 days' notice of the hearing in order to allow it to meet its obligations under Rule 13(6). We therefore suggest the dates for notification under Rule 13(3) below. To keep the timetable as simple as possible, where possible we have proposed dates already included in the timetable. To aid the Examining Authority's planning, however, we have also set out the latest dates on which notification could be made to allow publication with sufficient notice.
 - a. *Hearings in week commencing 13 July*: at the same time as the publication of the site visit details (5 June). The latest date on which details of the hearing could be received to allow publication with 21 days' notice is Thursday 11 June, to allow publication on 17 June.
 - b. *Hearings in week commencing 31 August*: at the same time as the publication of the Examining Authority's Second Written Questions (29 July 2015). The latest date on which details of the hearing could be received to allow publication with 21 days' notice is Thursday 30 July, to allow publication on 5 August.
 - c. *Hearings in week commencing 14 September*: 12 August 2015. The latest date on which details of the hearing could be received to allow publication with 21 days' notice is Thursday 13 August, to allow publication on 19 August.
 - d. *Hearings in week commencing 19 October*: 16 September 2015. The latest date on which details of the hearing could be received to allow publication on 23 September (thus ensuring a clear 21 days' notice before the 21 October hearing date) is Thursday 17 September.
5. Deadline 6 allows only 13 days to respond to all interested parties' responses to the Examining Authority's second written questions, draft a revised draft DCO and prepare any further information requested by the Examining Authority. To allow sufficient time to review and respond to all responses and requests and prepare the updated draft DCO, Highways England requests that Deadline 6 is moved to noon on 9 September 2015. The Examining Authority may wish to move each of the two separate weeks of hearings in September back by a week as a result. If so, we suggest that Deadline 7 is moved to 5 October 2015.
6. The draft timetable proposes the publication of a 'consultation draft DCO'. We are not aware of any obligation to consult formally on the draft DCO beyond the examination itself, nor are we aware of any precedent for this approach. We would suggest that the reference to "DCO" in item 20 is removed and Deadlines 8 and 9 are amended to refer to the revised draft DCO and explanatory memorandum submitted at Deadline 7.
7. We suggest that the timetable specifies a date for final submissions and a date for responses to those final submissions, to ensure a fair and equal opportunity for all to comment without being 'cut off' by the end of the examination. These dates could be Deadlines 8 and 9 respectively.

Statements of Common Ground

Prior to the issue of the Rule 6 letter, Highways England was progressing 46 Statements of Common Ground ('SoCGs'), details of which are set out in the **Appendix** to this letter. While many of these fall into the categories set out in Annex G of the Rule 6 letter, a number do not, and so we wish to propose a proportionate approach to these new parties for discussion at the Preliminary Meeting. In particular, this approach focuses on parish councils, statutory undertakers, and non-statutory organisations.

Highways England is using its best endeavours to have SoCGs finalised for the deadline of 15 June, however, due to the number of new SoCG parties identified in Annex G involved, it is likely that a number of the SoCGs will still be in draft form at this deadline.

Parish councils

Highways England has engaged with Parish Councils throughout the development of the scheme, as detailed in Appendix D to the Consultation Report, and more recently via update meetings specifically for Parish Council representatives. Representatives from the following Parish Councils attended these meetings:

| | | |
|-----------|-------------------|-----------------|
| Alconbury | Dry Drayton | Hemingford Grey |
| Brampton | Elsworth | Hilton |
| Buckden | Fen Drayton | Hollywell-cum- |
| Coton | Fenstanton | Needingworth |
| Cottenham | Hemingford Abbots | Madingley |

All of the Parish Councils submitted relevant representations save for Hollywell-cum-Needingworth and Madingley.

To date, however, SoCGs have not been progressed with Parish Councils. To meet the Examining Authority's requirements to the best of our abilities, we propose to prioritise the progression of SoCGs with the key Parish Councils, identified as follows.

26 Parish Councils qualified as statutory consultees under section 42(1)(a) of the Act. Of these, 17 submitted a relevant representation, of which 15 raised issues with the scheme. 8 non-statutory parish councils submitted a relevant representation.

Highways England proposes to prioritise the preparation of SoCGs with the 23 statutory and non-statutory Parish Councils that submitted relevant representations that raised issues with the scheme.

We do not propose to pursue SoCGs with Parish Councils that have not submitted a relevant representation, although we would of course be prepared to do so if any of these councils chose to participate in the examination in future.

Statutory undertakers

72 statutory undertakers qualified for consultation regarding the scheme under section 42(1)(a) of the Act. Highways England has previously contacted all of these parties to enquire whether they would like to prepare a SoCG with the Applicant. 12 statutory undertakers accepted this offer, and we are in the process of preparing SoCGs with them. Of the remainder, only Hinchingsbrooke Health Care NHS Trust submitted a relevant representation.

Highways England therefore proposes to seek to progress SoCGs with these 13 statutory undertakers. We do not propose to prepare SoCGs with statutory undertakers that have not submitted a relevant representation, although we would of course be prepared to do so if any chose to participate in the examination in future.

Non-statutory organisations

Highways England proposes to treat all of the parties whose relevant representations are listed in the relevant section of the National Infrastructure Planning project website as non-statutory organisations for the purposes of progressing SoCGs, save for 5 land interests who were statutory consultees (since these seem to be more appropriately categorised under that heading). We would be grateful for confirmation from the Examining Authority that no organisations listed under other sections of the web site ought to be treated as non-statutory organisations for this purpose.

Using that definition, there have been 27 relevant representations received from non- statutory organisations. We are already progressing SoCGs with 3 of these 27 organisations. Of the remaining 24, there are a further 10 that were identified as Key Stakeholders in the Consultation Report (page 52). Highways England proposes to prioritise the preparation of SOCGs with these 13 organisations, although we will also be contacting the remaining 14 to ask if they would be willing to jointly prepare and agree an SoCG.

I should be grateful if you would acknowledge safe receipt of this letter and for these comments to be passed to the Examining Authority.

Yours sincerely

John Rowland
Project Manager
A14 Cambridge to Huntingdon improvement scheme
Highways England

APPENDIX

PARTIES WITH WHOM SoCGs WERE ALREADY BEING PROGRESSED AT DATE OF RULE 6 LETTER

Cambridgeshire County Council
Huntingdonshire District Council
South Cambridgeshire District Council
Cambridge City Council
Peterborough City Council
Suffolk County Council
Godmanchester Town Council
St Ives Town Council
Huntingdon Town Council
Cambridge emergency services (Fire, Police, Ambulance)
Ellington & Alconbury Internal Drainage Board (IDB)
Swavesey IDB
Old West IDB
Anglian Water
Cambridge Water
GTC Pipelines
SSE
Virgin Media
BT Openreach
Vodafone
Uk Power Network
Oil Pipeline Agency
National Grid
Energetics Energy/ESP
Historic England
Natural England
Network Rail
Environment Agency
P Cooper, [REDACTED]
Mr Topham, [REDACTED]
Peter Mann [REDACTED]
Mr Everdell, [REDACTED]
The Lenton Trust - Lodge Farm Brampton, Park Farm, Low Harthay Farm, Rectory Farm
Robert Lenton [REDACTED]
Winder/Farbon, Sadler - New Barns Farm
Cambridge University land - University Farm, Ladysmith Farm, St Johns Land
St Johns College - Grange Farm, Girton and Poplar Farm, Dry Drayton
Church Commissioners - Corpus Christi Farm, Brampton Lodge Farm, Lower Debden Farm,
Debden Farm, Top Farm
Mill Common Car Park Trustees (Centenary House Trust)
Sewell Family
Northway Farms
National Farmers Union
Mr Pearson, [REDACTED]
Marshall family [REDACTED]
Domino Printing
Goff Petroleum