

**A14 CAMBRIDGE TO HUNTINGDON
IMPROVEMENT SCHEME
DEVELOPMENT CONSENT ORDER - EXAMINATION**

**Comments on Response to Examining Authority's
First Written Questions**

By

Cambridgeshire County Council

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The County Council makes the following comments on the responses by Highways England to questions by the Examining Authority

	Question	HE Answer	CCC Comments
Q1.6.6	Have discussions been had with the relevant street authority on deemed consent for applications after 28 days, given that this would be outside the normal statutory process?	<p>8. The 28-day deemed consent provision within article 14 of the draft DCO is a standard provision which has appeared in a number of made DCOs. See, for example, the Cornwall Council (A30 Temple to Higher Carblake Improvement) Order 2015 (S.I. 2015/147) and the A160/A180 (Port of Immingham Improvement) Development Consent Order 2015 (S.I. 2015/129).</p> <p>9. No discussions to date have taken place with the relevant street authority(s) specifically on this point but, equally, Highways England is not aware of any objections to the inclusion of this provision within the DCO. However, Highways England will discuss the mechanics of this article with the relevant street authority(s) as part of on-going discussions.</p>	<p>In its own response to this question the County Council noted that the provision for deemed consent seemed unnecessary given that the Article also provided for the response not to be unreasonably withheld or delayed. The construction of Article 14(6) does not permit deemed consent to override objection by the Street Authority, and this is correct.</p> <p>The County Council intends to work with Highways England to deliver the scheme, and therefore it is unlikely that the need for deemed consent will arise provided Highways England is proactive in consultation ahead of submission.</p> <p>The County Council would not object to the provision for deemed consent if the Examining Authority considers Article 14(6) to be reasonable..</p>
Q1.6.37	Under what mechanism would the A14 be de-trunked to county road status outside the DCO boundary?	The term 'the Order limits' (i.e. what might be referred to as the DCO boundary) as defined in article 2 of the DCO relates to the limits of land	If the Examining Authority considers the approach by Highways England to be valid the

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		<p>to be acquired or temporarily possessed and the limits of deviation, within which 'the authorised development' may be carried out. The 'de-trunking' of the existing A14 under article 12(4) does not form part of 'the authorised development'. As such, there is no requirement for all of the 'de-trunked' roads to be within 'the Order limits' as the provisions of article 12(4) are not linked to those limits. They instead relate to the roads described in Part 3 of Schedule 3 to the DCO. Highways England therefore considers that the current provisions of the draft Order are appropriate for the A14 to be de-trunked as necessary.</p>	<p>County Council has no objection to the construction of the Order. However, the County Council is desirous that the process of de-trunking is legally valid and complete with respect to the liabilities to be taken on by the County Council.</p>