

A14 Cambridge to Huntingdon Improvement Scheme (TR010018)

Interested Party unique reference number 10030495

A14 Examination: Open Floor Hearing 14th July 2015

Summary of oral statement by Roger Buisson, Vice-chairman of the Cambridgeshire Local Access Forum

Please note that in this summary the information that was provided as answers to questions from members of the Panel has been included alongside the related information that was provided in the main statement. This has been done for ease of understanding.

Introduction

Roger Buisson, as Vice-chairman, provided the input from the Cambridgeshire Local Access Forum at the Open Floor Hearing.

He declared two potential conflicts of interest before he provided his input:

1. He was employed as a consultant to Cambridgeshire County Council to advise on the potential environmental impacts of the proposals in the Cambridgeshire and Peterborough Minerals and Waste Plan. That included the borrow pits that are a matter under discussion during this Examination.
2. He has appeared at three Nationally Significant Infrastructure Hearings, in none of these cases was his input related to Public Rights of Way or Non-motorised User matters. At one of these other Hearings the current Panel Chairman was a member of the Hearing Panel (the instance was Rampion OWF).

The Cambridgeshire Local Access Forum

Each Local Access Forum is created under provisions in Section 94 of the Countryside and Rights of Way Act 2000. A Local Access Forum can be created for each Local Highway Authority area (County or Unitary Authority) and each National Park Authority area.

The purpose of a Local Access Forum, is stated in section 94 of that Act, as to advise other statutory bodies on the improvement of public access to land for the purposes of open-air recreation and enjoyment. This purpose was extended by Regulation 22 of the Local Access

Forums (England) Regulations 2007 to cover issues relating to functional or utility access by non-motorised users, that is to travel to work or school etc and not just for recreation and enjoyment.

From this it is evident that a Local Access Forum is a statutory body. This point is made as Highways England in their submission at Deadline 3 on Statements of Common Ground has erroneously listed the Cambridgeshire Local Access Forum as a “Non-Statutory Organisation” (page 10 of that submission).

The members of the Cambridgeshire Local Access Forum are appointed by Cambridgeshire County Council and it is required, by Regulation 3 of the Local Access Forums (England) Regulations 2007, to maintain a reasonable balance of interest between users of local rights of way and owners and occupiers of access land or land over which local rights of way exist.

The current Cambridgeshire Local Access Forum membership, and their specialist interests, is listed on the Cambridgeshire County Council website
http://www4.cambridgeshire.gov.uk/info/20012/arts_green_spaces_and_activities/559/local_access_forum

Aim of the Cambridgeshire Local Access Forum in making representations to the Examining Authority

The Cambridgeshire Local Access Forum aims is to ensure that there is high-quality provision for non-motorised users both alongside and across the A14, including that section of the A14 that is to be de-trunked and passed over to Cambridgeshire County Council as the local highways authority.

Policy background

The National Policy Statement for National Networks (2014) states in Paragraph 3.17 (emphasis added):

There is a direct role for the national road network to play in helping pedestrians and cyclists. The Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes. **The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions.**

The emphasis has been added to highlight a particular issue identified by the Cambridgeshire Local Access Forum, the extent to which the Applicant in the Scheme proposals has addressed the historic legacy of severance. The Applicant has made play of its delivery of 'legacy' in the Scheme. In relation to the to-be de-trunked A14, its lack of action in providing for non-motorised users is creating a liability, and not a legacy, for Cambridgeshire County Council as the local highways authority which will inherit responsibility for this stretch of highway.

Submissions to the Examination by the Cambridgeshire Local Access Forum

The Cambridgeshire Local Access Forum has submitted a Relevant Representation, a Written Representation and a Response at Deadline 4.

The Cambridgeshire Local Access Forum has been approached by Highways England to consider preparing a Statement of Common Ground. The Cambridgeshire Local Access Forum has not agreed to such a course of action and does not propose to participate in the preparation of a Statement of Common Ground. The reason for this is that the members of the Cambridgeshire Local Access Forum provide their input in a voluntary capacity and do not have the time or resources to participate in the preparation of a Statement of Common Ground.

The current view of the Cambridgeshire Local Access Forum on Non-motorised User provision within the Scheme

On current provision:

The Cambridgeshire Local Access Forum notes the progress that is being made to provide high quality Non-motorised User provision alongside the proposed new and revised local roads that form part of the Scheme.

The Cambridgeshire Local Access Forum has also noted the updated Written Representation from the Cambridgeshire County Council at Deadline 3 where in pages 76 to 84 a series of issues are identified in relation to Public Rights of Way and Non-motorised User provision. The County Council describes these as "*significant omissions in provision for PROW and NMU Routes*" (paragraph 15.1.2) indicating that further progress has to be made by the Applicant before the Scheme can be considered acceptable in its proposals. The Cambridgeshire Local Access Forum awaits resolution of these "*significant omissions*".

The Cambridgeshire Local Access Forum also wishes to draw to the attention of the Applicant and the Examining Authority that there is an absence in clarity of detail about the

width of the Local Access Route (and potentially all Public Rights of Way) and the expression of that width in a legal form that can be readily integrated in to the Definitive Map held by Cambridgeshire County Council. The Local Access Route is described in paragraph 39 within the answer to Q1.5.8 provided by the Applicant at Deadline 2 as variously a 3m or 4m wide *“metalled path”* with a *“2m wide verge at the rear”*. The Cambridgeshire Local Access Forum has a particular interest in gaining clarity over the *“2m wide verge at the rear”*. Unless this is recorded in the Definitive Map there is a risk that this grass surface (which will be attractive to equestrians and walkers who, when ground conditions are suitable, would wish to ride or walk on a grass rather than a metalled surface) will not be maintained. There is a risk, in the absence of maintenance management, that this verge will suffer from scrub encroachment and no longer fulfil its intended purpose. The Development Consent Order needs to describe the definitive width in a manner that includes both a width for the provided man-made surface and a width for the natural, grass, verge. It is known that Cambridgeshire County Council is also concerned about the absence of detail on the face of the Development Consent Order on the widths of highways (including Public Rights of Way) that are to be created.

On the to-be de-trunked A14

A significant issue for the Cambridgeshire Local Access Forum is the absence of measures to remedy historic severance along the to-be de-trunked A14 between Fenstanton and Huntingdon town.

The Applicant has provided limited provision for non-motorised users along those parts of the existing A14 that are to be de-trunked. The Local Access Route is proposed alongside the to-be de-trunked A14 for a short section from where the proposed new A14 departs from the existing A14 toward Fenstanton. There are also particular provisions for Non-motorised Users within Huntingdon town.

Based on the fact that Non-motorised User provision have been proposed by the Applicant on some of the to-be de-trunked sections of highway, there appears to be no legal, policy or practical impediment as to why the Applicant could not have provided suitable provision to extend separated Non-motorised User provision along the full length of the to-be de-trunked A14 and to deal with a legacy of community severance and historic problems along that length.

If the Applicant persists in this explicit decision to take no action to remedy historic severance along the route of the to-be de-trunked A14 then it will have failed to achieve one of the objectives it has stated for the Scheme. This is to *“create a positive legacy”* - second bullet point of paragraph 34 within its answer to Q1.5.8 in the submitted document ‘Development Consent Order Application Response to the First Written Questions, Report 5:

Design and Engineering standards (HE/A14/EX/32)'. Rather than "*a positive legacy*" it will be handing on a liability, if it takes no action, to the Cambridgeshire County Council. That Council, as the to-be responsible authority for the to-be de-trunked A14, will inherit the historic severance created by the predecessor bodies to Highways England.

In summary

- Progress is being made in provision for Non-motorised Users but significant omissions remain.
- Detail is needed on the face of the Development Consent Order that defines the widths of components of the highways e.g. the grass verge to the proposed Local Access Road.
- Non-motorised User provision in relation to the to-be de-trunked A14 currently represents not a legacy of the Scheme but a liability for Cambridgeshire County Council.