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3rd August 2021

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
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BS1 6PN

Electronic submission only

Copied by email to: A428.Blackcat@planninginspectorate.gov.uk

Huntingdonshire District Council Unique Reference: 20028273

Dear Emre Williams

RESPONSE TO RULE 6 LETTER DATED 9 JULY 2021 AND ISSUE OF FIRST WRITTEN QUESTIONS ON 21 July 2021

APPLICATION BY HIGHWAYS AGENCY FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE A428 BLACK CAT TO CAXTON GIBBET ROAD IMPROVEMENT SCHEME.

Thank you for your letters dated 9th and 21st July 2021 in relation to the Rule 6 letter (**the letter**) dated 9 July 2021 in respect of the above Scheme and the issue of the Examining Authority's First Written Questions (**FWQs**) on 21 July 2021.

A joint response by the Council with Cambridgeshire County Council and South Cambridgeshire District Council has been prepared and is attached. Please note that the letter attached is stated as being "on behalf of Cambridgeshire County Council, South Cambridgeshire District Council, Huntingdon District Council (**the Councils**)". For the avoidance of doubt, the reference to Huntingdon District Council should read Huntingdonshire District Council.

If you require any clarification on any of the above matters, please do not hesitate to contact my Implementation Team Leader, Claire Burton on [REDACTED] [REDACTED] [REDACTED]

Yours sincerely

[REDACTED]
Clara Kerr
Strategic Growth Manager



Enc: Response to Rule 6 letter dated 9 July 2021 and Issue of First Written Questions on 21 July 2021

My ref: A428 PM 020821
Your ref:

Date: 2nd August



**Place and Economy
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A428 Black Cat to Caxton Gibbet Improvement Scheme

Response to Rule 6 Letter dated 9 July 2021 and issue of First Written Questions on 21 July 2021

I write on behalf of Cambridgeshire County Council, South Cambridgeshire District Council, Huntingdon District Council (**the Councils**) in response to the Rule 6 letter (**the letter**) dated 9 July 2021 in respect of the above Scheme and the issue of the Examining Authority's First Written Questions (**FWQs**) on 21 July 2021. We have discussed the content of this letter with Bedford Borough Council and understand that they agree with the content and will be submitting a letter in similar terms.

Attendance at Preliminary Meeting

The Councils wish to participate in Part 1 of the Preliminary Meeting on 10 August 2021 and Part 2 of the Preliminary Meeting on 18 August 2021.

The Councils would like to speak on the following agenda items:

1. The virtual approach to Examination and number of hearings.
2. In the absence of specific coverage in the Rule 6 Letter Annex C of Minerals and Waste, to confirm that borrow pits and other associated matters will be given sufficient emphasis in the 'Land Use' section.
3. Draft Examination timetable: The Councils are of the view that the Examination timetable is overly compressed at Deadline 1 which puts at risk fair and effective participation in the DCO process. This is further compounded by a lack of information provided by the Applicant. Further information is provided under the "Draft Examination timetable" heading below.

Participation in ISH1 and OFH1

The Councils wish to participate in ISH1 on 18 August 2021 and OFH1 on 19 August 2021. The Councils will also wish to participate in any ISH or OFH held on 24 August 2021.

The issues which the Councils anticipate speaking to at ISH1 are:

1. Confirming its support in principle for the A428 scheme.
2. Comments on key areas of the Application including environmental effects, traffic numbers and impacts/provisions for NMUs.
3. Providing comments on the draft DCO and required amendments to protect the Councils' interests and those of the local communities in which they operate.

The Councils note that a very ambitious range of issues is listed in the agenda for ISH1 and doubt whether it will be possible to cover that range of issues in sufficient detail in the time provided. It would be helpful if the Examining Authority would give an indication of how the issues covered in ISH1 will be covered in more detail in future ISHs.

Nomination of sites for Accompanied Site Inspection

We suggest that the Examining Authority visit the following sites and locations as part of the ASI:

- The Councils would like to draw the Examining Authorities attention to the standard of the existing A428 proposed to be de-trunked, and review a number of the proposed traffic diversion routes to the north and south of the area. Specifically:
 - The A428 between St Neots and Caxton Gibbet
 - St Neots
 - Great North Road near Wyboston
 - Yelling
 - Toseland
 - Abbotsley
 - Great Gransden

Our intention is to attend the ASI, which we note may be on 21, 22, 23, 24 or 28 September 2021.

Draft Examination timetable

The Councils wrote to the Planning Inspectorate on 6 July 2021 providing comments on the Rule 9 and Rule 17 letter.

The contents of that letter are not repeated here, however broadly the Councils advised that they required an extension to the deadline for submission of the Local Impact Report(s) to allow sufficient time to understand the impacts of the scheme on the Councils' administrative areas.

The Councils envisaged being best placed to prepare Local Impact Reports once the Applicant had the opportunity to respond to the Relevant Representations, many of which were made by local people.

The Councils have not received a response to that request and instead the draft Examination timetable further compresses the timescale for the Councils to formulate its position on important topics. The Local Impact Report(s) now fall due on the same day as the Councils' Written Representation(s) and responses to FWQs, many of which are directed to the Councils. This is in addition to provision of Statements of Common Ground and comments on Relevant Representations plus participation in ISH1 and OFH1 in the same period.

The Councils' position is that requiring this volume of information to be submitted less than two weeks after the start of the Examination, combined with the resource requirements of participating in ISH1 and OFH1, risks the fair and effective participation by the Councils in the DCO process. The Councils note that the approach taken is not in accordance with the usual approach set out under the rules and guidance whereby the Written Representations are required not earlier than 21 days after the issue of the Rule 8 Letter, which has not yet been issued.

The Councils note that the draft Examination timetable for the A47 North Tuddenham to Easton scheme was published on 6 July 2021 and contains a more balanced timetable, better enabling interested parties to manage resource and time constraints. The Rule 6 letter for the A47 scheme indicates that Written Representations will be due at Deadline 1 which is almost 3 weeks after the second part of the Preliminary Meeting. Local Impact Reports and responses to FWQs are then due at Deadline 2 which is 4.5 weeks after the second part of the Preliminary Meeting. No ISH hearing is scheduled before these deadlines.

The Councils also wish to reiterate that whilst they continue to seek to engage with the Applicant to further understand and resolve the issues between them, this is proving difficult and much of the technical discussion which the Councils require for their responses remains outstanding. Any additional time in the Examination timetable would therefore facilitate better informed submissions by the Councils; in particular, a more sequential approach would allow the Councils documentation to take into account the formal responses of the Applicant.

The Councils therefore request:

1. Deadline 1 is extended by two weeks until Tuesday 14 September 2021. As Deadline 2 (for responses to documents submitted to Deadline 1) falls on Tuesday 5 October (three weeks after the new proposed date for Deadline 1) the Councils do not consider there needs to be an extension to Deadline 2. The extension to Deadline 1 therefore has limited consequences for the Examination timetable as a whole.
2. It would be helpful if the deadline for the Applicant to respond to Relevant Representations remained 31 August 2021 to allow the Councils to have sight of the responses before making its submissions on new proposed date of 14 September 2021.
3. Deadline 3 is extended by two weeks until Monday 15 November 2021. The Councils consider allowing only two weeks to response to any Second Written Questions is insufficient and could prejudice their participation. As Deadline 5 (for responses to documents submitted at Deadline 3) falls on Tuesday 14 December 2021 the Councils do not consider there needs to be an extension to Deadline 5. The extension to Deadline 3 therefore has limited consequences for the Examination timetable as a whole.
4. The ExA's Third Written Questions falls after the Christmas holiday period. The Councils request an extra week for initial responses, moving Deadline 6 from 11th January to 14th January 2022, and then a reduce period for comments on the responses, so there would be no change to Deadline 7.

The Councils will raise these points again at the Preliminary Meeting however an early response would be welcome, given that Deadline 1 follows very soon after the Preliminary Meeting.

I look forward to hearing from you.

Yours sincerely

Chris Poultney, Transport Strategy Manager, Cambridgeshire County Council

Chenge Taruvinga, Strategic Sites Team Manager, South Cambridgeshire District Council

Claire Burton, Implementation Team Leader, Huntingdonshire District Council