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00:04

Okay, so Welcome back, everybody. Thank you for your patience, I can see that we do have the examiner authority in the room with us now. So I'll just hand over to the side.

00:32

Good morning and welcome everybody. It is now exactly 10am and I am starting the first open floor hearing for the application made by highways England for the a four to eight blackcap to Caxton gibbet road improvement scheme. Before we introduce yourselves, please bear with me while I deal with a few housekeeping matters. First, could I check with Miss Gregory that everyone can hear me? Now, yes, we can hear you loud and clear. Thank you. And could you also confirm that the meeting recordings and live streams have started? yet? We do have the recording going and the live stream has started as well. Right. And with any request for reasonable adjustments today, no. Thank you, Miss Gregory. Okay, on to introductions. My name is Monica Sahaj. I have been appointed by the Secretary of State for housing Communities and Local government as the lead member of the examining authority to carry out an examination of the above application. If I could hand over to Mr. Parkin to introduce himself, please.

01:44

Thank you. Yes. Good morning. My name is Andrew Parkin, and I've also been appointed by the Secretary of State as a member of this examining authority. Presents my colleague Mr. Scriven.

01:54

Good morning, I'm Matthew Scriven, also appointed as a member of this examining authority.

02:00

Also present today our three members of the case team case manager today is Miss Michelle Gregory and Miss Gregory is covering for Mr. Emery Williams, who you may have had contact with previously. Mr. Williams will be returning to case management next week. The case officers covering today are Mr. Edwin Maudsley. And Miss Katherine Ohlone. Want to acknowledge and welcome those who are coming who are watching the livestream today. And finally, welcome to the attendees in this I will not ask for introductions across the virtual room today. We only require introductions from the speakers. And we will do that under agenda item three. speakers today advise the examining authority of their desire to attend and to speak at the openflow hearing by procedural deadline a on the third of August. Our two speakers today are from Central Bedfordshire Council, and they are Mr. Jethro punter and Mr. Guy Quint and I can see that they are present in the room. Okay. Moving on to agenda item two, I have three points to make here. First, a few words to acknowledge the virtual event today, for those present at previous virtual hearings will be familiar with what I'm about to say. But nevertheless, it is worth repeating for people who were not present or previous hearings. The examining authority we're

attending this meeting from the planning Inspectorate office in Bristol, we understand you might be attending from your homes and offices. So unlike a physical event, during today's virtual meeting, you may only be able to see our heads and shoulders, which makes reading body language more difficult. During the meeting, members of the examining authority may be looking down taking notes looking at a different monitor. And similarly, if you're watching us speak, then we may not be looking directly at the camera. But this does not mean that we're not listening to you. I want to show everyone that you have our full attention at all times. Just to limit distractions. If I could request Everyone, please keep your cameras and microphones off until you're invited to speak. This morning technology has been cooperative with us. And so we're not expecting any problems on our end. But if you do lose connection, please join the meeting using the same link in your invitation email. Okay, on to point the second point, which is just to say briefly about timings. If we expect the meeting to last longer than an hour, then we'll take a short break at about 11am in light of the number of confirmed speakers today. This should not be required, but I will keep track of time. The third and final point from me On this agenda item is to inform you that this event is both live streamed and recorded. The digital recording that we make are retained and published, they form and they form a public record that can contain your personal information, and to which general data protection regulation or GDPR applies. The planning inspectors practices to retain and publish recordings for a period of five years from the Secretary of State's decision on the development consent order. Consequently, if you participate in today's open flow hearing, it is important that you understand that you are being recorded and that you therefore consent to the retention and publication of the digital recording. It's very unlikely that the examining authority will ask you to put sensitive personal information into the public domain. Indeed, we would encourage you not to do that. However, if for some reason you feel that it is necessary for you to refer to sensitive personal information, we would encourage you to speak to the case team in the first instance, we would then explore with you whether the information could be provided in written format, which might then be redacted before publication. Does anyone have any questions with regards to this matter, please use the raise your hand function in Microsoft Teams. Okay, there's nothing there. Lovely. I think we can then move on to agenda item three.

06:31

This is the first open floor hearing. The purpose of the hearing is to provide an opportunity for parties to put their views forward verbally to the examining authority, in line with section 93 of the Planning Act 2008. And rules 14 and 15 of the examination procedure rules 2010. I'll shortly introduce the speakers today, but I just want to acknowledge that there are a number of other parties attending, but who will not be speaking, this includes the applicant highways England, who will only be observing proceedings. The applicant will respond in writing a deadline one on the 31st of August 2021. To the matters raised with the open flow hearing today, the examining authority we may subsequently ask questions of the organization or the individual about matters arising from their oral submission. Moving on to our speakers, our two speakers today are both from Central Bedfordshire Council, and they are Mr. Jethro punter. And Mr. Guy Quint. If I could invite Mr. punter to turn your camera and microphone on please. Good morning, Mr. Panda. I'll hand over to you now if you could introduce yourself and onto your representation.

07:49

Thank you. My name is Jess Rapunzel. I'm the Harry development team leader, central Bedfordshire Council. Councillor regard to traffic and highways issues. Over to you, Mr. Pentek. With your representation apologies for that the first item that wanted to raise as an authority is regard to construction phase impacts of the proposed scheme. As an authority, we fully recognize the benefits that the scheme will offer, reducing the levels of traffic through a number of villages with an authority upon completion of the scheme and being fully open to traffic. However, the scheme itself due to the scale and complexity of the works involved is expected to take a considerable period of time to fully construct. Our understanding is a program extending to the order of 45 months. As such, whilst the construction phase impacts will be temporary. The duration is such they can be expected to have a considerable impact upon the local roads, the traveling public and the local communities through which they pass in their own right. The submitted transport assessment and subsequent information that's been provided by the Federal Trade team predicts significant numbers of vehicle trips outside of those using formal diversion rates potentially being displaced onto the local road network. During those proposed construction phases, there is an expectation from the authority that this will result in a considerable future potential burden upon authority in terms of monitoring the effect of changes in traffic flow and composition and the impact on routes which may be sensitive to such changes. There will be significant and understandable concerns from local communities, which will require ongoing liaison and support throughout the construction program. And the potential need for either temporary or permanent works to address rising traffic issues, rather related to safety capacity or immunity. present this is an impact of the scheme which appears to not be fully addressed within the submitted transport assessment work, the outline construction traffic management plan or the provisions and requirements Detailed within the draft decio. We have held initial discussions on this matter with the PE forte scheme team. But these discussions have not yet reached firm conclusions. How such central proficiency This is an important area to be addressed through the process and a matter that we will also address further within our written representations. With regard to the specific routing and traffic management proposals contained within the outline construction traffic management plan, we do also have a number of specific concerns which will be articulated through written representations. But in particular, this relates to the use of station road through template for construction works associated with the pipeline diversion or worse to the rail bridge. That that's the the authority of a preposition representation with regard to the first point covering construction phasing packs. Did you want me to continue on to the other two items? Are there any questions at this point?

11:10

And the other two items are relating with air quality and noise Am I correct Mr. punter

11:17

polished further elements with regard to traffic with regard to the buffalo bridge and with the operational phase impacts on the a one

11:27

I would suggest you if there are both other points are related to traffic I would suggest carrying on unless Mr. striven Did you have any concerns of which would you like Mr. No, I think carry on we can pick them all up.

11:44

With regards to the details of the works to Barford road, we've had a number of ongoing discussions with the Fota team which have been positive. And as such the number of items we wanted to raise as reduced as a result of that. The remaining items were not largely related to the future provision for sustainable transport connectivity across the bridge, which I believe is also covered by one of the questions which has been raised to the local authorities with regard to enemy provision. And therefore we believe that that can be covered within our response to that question to that question. With regard to operational phase impacts, that the council remains concerned with regards to the impacts upon the a 100 solution to mitigate additional pressure on this route is not something that was put forward related to this game. The capacity of the one is something that's been identified as a concern for some period of time, recognizes already being capacity with the need for a significant solution to be found and funded. in the longer term. It was cited in the evidence informing central beneficiaries recently adopted local plan was one of the reasons why additional growth was not currently being considered in the template and sound the area. And if growth were to be proposed in this area, and it would impact upon the network, you would need to demonstrate mitigation, we felt the same should apply to the alternate scheme if it results in increased pressure on the network that is already known to be under stress. For reference, the increase in flows on the one north of Sandy are predicted to be in the order of 12% increase over a 12 hour period and increases in the order of 17% during the peak hour, which are not considered to be insignificant second count to the baseline situation. For the operation of that of that route, we believe a joined up approach is required when considering the multiple infrastructure schemes currently being considered in the location where where the where impacts have been identified within the submitted transport assessments. The proposal is these to be addressed via a monitoring manager approach. At present, the process is not clearly defined in terms of methodology timing, local authority involvement in that process or funding availability. We therefore request that further clarity on this process is provided as the DCR progressions. Thank you.

14:17

Thank you very much. Mr. Penton. I'm going to hand over to Mr. Scriven. if he has any questions. I do have a couple but I think I'll hand over to Mr. Scriven first.

14:31

Okay, thank you. So as you're aware, there's quite a few questions in the in the written combined the written questions around things like the network management duty traffic management Management Act, which were looking for sponsors on from both the local authorities and I think there as well from the from the applicant as well, so that those those items would be covered there. I suppose I'm interested in what what you think could be appropriate measures to be taken as part of as part of this scheme. In particularly on the on the A one, what sort of mitigation measures that we are you thinking about would be appropriate.

15:18

Thank you, sir. With regard to the a one, I think the the concerns of the authority have are twofold. Firstly, as regards to the operation of the Awan itself, but secondly is with regard to the potential for pressures upon the one to displace traffic through adjacent competing routes, in particular, through Sandy itself, for example. So, we would be seeking has, has an example issue for the monitor and

manage approach to be broader than the operation purely of the a one as that would not pick up the impacts of displaced traffic upon the more local road network. And therefore, that the trigger for intervention or for mitigation should not be limited purely to the operation of the one, but should also consider the operation of the adjacent routes, particularly to to address or avoid the issue of the local road network becoming more congested as a result of displaced traffic.

16:23

And I suppose there's a question there for me in terms of then we've got strategic road network, and we've got the local road network. And it I mean, at this point in time, how, how would that how would that work in reality? Is that would that be a joined up approach? Are you looking for a joined up approach, for example, between the two highway authorities? Or are you looking for highways England to potentially be monitoring your network and actively doing matches on your network or what you're what you're looking for?

16:57

Thanks. So I believe the approaches that a joined up approach would be effective. However, it would require an understanding of what level of involvement in terms of governance in the monitored managed process the local authority could be expected to have, in order for that to enterprise to operate effectively. And do any of these arrangements already exist?

17:34

Thanks. So I could say we do have a a good an ongoing relationship with highways England, in light of the importance of the trunk road network within central Bedfordshire Council. A number of those discussions and meetings take place with officers aside from myself, so I can't comment fully on fate upon the full extent of those discussions that that might invest.

18:00

In some highway authorities, there might be a for example, a partner in agreement between the two organizations for working on it on each other's networks or particularly highways England on on the local road network. Okay, that's, we can cover that in written questions, if needs be. In terms of in terms of the traffic, we mentioned about the increased kind of demands on yourself in terms of traffic monitor monitoring and potentially liaison with customers? Is, is that something that the local authority would want to take on? Or is that something that you'd be looking for was England to provide?

18:44

Thank you, sir. I understand the How is England will have a degree of local community liaison available through the details currently submitted within the outline construction management plan. However, it's the view of the authority that there will be likely a considerable increase in communication and concerns to Central Bedfordshire directly from the rest and population and therefore, that a degree of consultation will fall to the local authority in any event, and therefore be looking to see what support would be available to to cover the additional resource likely to be required and the local authority to deal with that increase in local consultation, both in terms of staffing and also in terms of infrastructure required to carry out the additional monitoring. Mr. Hyde,

19:50

did you have some questions on on this he wants to raise as well?

19:54

I just did. So there was one question which is about the matter raised on station road on Thames furred, you said you had a specific concern about that. And I just wasn't clear if that is a matter that has been addressed already, or is one that you continue to have concerns about? And if you do have concerns, could you just elaborate on that a little bit more, it's it's just worth saying that, as this is an open flow hearing, what we would expect is, there's a lot of nuanced points in your, in your representation, we'd Of course, expect you to put this to us in writing a deadline one. But what we're also expecting a deadline one is a written representation. And in that, we would like to see some evidence to support some of these points, which are all, you know, points that we definitely need to consider in the examination. So in light of that, we would expect to see a bit more information about the station road in terms for it, and you have specific concerns about the effect on that. But if you could just tell us briefly what the nature of those concerns today.

21:05

Thank you, with regard to stationary in terms of the device has, has been around the Africa to where it's um, it was currently the subject of a planning permission from the counselor of regard to the archaeological investigation works. And at the time, that application, there were concerns raised over the traffic impacts of that smaller scale of investigative work. And the types of vehicles the quantity of vehicles associated with that person as a result of which the conditions imposed upon that permission, include a specific reference to it being suitable only for the level of works associated with the archaeological investigation. The route itself passes through the center of the village and then a subsequent section of track and also crosses a level crossing. The number of sections of the route are relatively narrow with regard to on street parking used by residents of the village. And therefore the concern is with regards to increase in larger or abnormal load size vehicles would be challenging to accommodate with regard to the section eroding, grasping question.

22:31

So we did raise this matter the issue specific hearing yesterday about the planning permission, and if there were any specific concern conditions that had been imposed on the planning permission. So while we didn't have much of this detail yesterday, this is indeed helpful. And once again, I would ask that this comes to us with all the relevant evidence in response to written questions. But that in itself is is very helpful. I think that's it for me. Mr. Scriven. Did you have anything further?

23:14

At this stage? I don't think I have. Rest. There's a lot of this is covered in the in the written questions. Everyone will have an opportunity to, to come back on those.

23:28

Yeah, it's just probably also worth highlighting or saying, Mr. Panda that. If based on this representation, of course examine 30 people will consider this carefully today. If we have any additional questions to add during questions before they are formally issued, again, we do have the opportunity to

do that. So. So this has indeed been quite helpful at this point. And as you're aware that after the first round of written questions, we've also sent notification at rpm Part Two yesterday for hearings in September, so no doubt a lot of this will be covered at the hearings then. Thank you. Did you have anything further or are we okay to close your representation? There is nothing further from me. Thank you. Thank you very much. Okay. Now, if I could invite Mr. Quint to turn your camera microphone on please. Mr. Quint.

24:41

Hello, thank you. So my concerns relate to air quality and noise and vibration. My comments a fairly brief and obviously I will look to add more detail in our written representation and in the answers to this specific questions that have been raised on those points. Starting with air quality. The concerns relate to the fact the applicant has predicted an adverse impact on our Sandy Air Quality Management Area, but are not proposing to undertake any mitigation to counteract or offset that. During the air quality monitoring as set out in the sensitivity test, using the 2020 uncertainty log data report, which was only recently submitted to us, they actually identified the potential for medium level impacts for the seven properties that lie in the existing Sandy Air Quality Management Area. However, because this amounts of less than 30 properties being affected, they've simply caused the impact is not significant. Now, for us the size or scale of the impact is not material factor. As far as we're concerned, anything that's likely to result in an adverse impact on the health of CBC residents at this highly sensitive location, and is likely to counteract all our fundamental efforts to improve air quality in the air quality management area, which we're required to do by law is not acceptable, particularly without mitigation measures to offset that adverse impacts. Secondly, the applicant has not adequately factored in the huge impacts on air quality, when combined with the east west Rail Link proposals in particular regarding the proposed new station at temps for Dalton niets. And what that is likely to mean in terms of traffic generation on the one hand consequent congestion, etc. My colleague Mr. Hunter in his representations will identify the fact that the modeling has already suggested that there will be increased congestion at the sandy roundabout as a result of the the works and that seems to be fairly logical give you one bottle one problem at the the the blackcat roundabout and it will then accumulate at the next bottleneck which is the sandy roundabout. There. To us there appears to be an inflammation disconnect with East West rail project team, which is what we've been advised with the black cat project team despite the east west rail project teams, assuring us that they were liaising with on the cumulative impacts but for both projects. This needs to be resolved to ensure that an accurate assessment of cumulative impacts is reflected in their prediction of air quality impacts. And the impacts on the sandy air quality quality management area are paramount in that respect. Moving on to noise and vibration, just three short points here. Firstly, we were questioning why the further monitoring that was agreed to be undertaken to validate the noise model has now been apparently abandoned. And the applicants are now saying that they don't need to do it anyway. Then I'm concerned with regards to the noise. report results relate to the identification of a significant adverse impacts on a small number of receptors in our area, who will see noise levels as a result of the new road scheme increased by around nine dB. Once again, the product team are not proposing any further mitigation beyond the embedded mitigation measures already identified to try and address the significant adverse impacts. Now in our opinion, they are failing their primary objectives are set out in their noise and vibration chapter reflecting the mpsc objectives. Opposition at this point is that is not acceptable to expect even a handful of residents to be subjected to such such significant adverse noise impacts As a result, the operation euro scheme, and not make

efforts to identify further noise mitigation measures that could be implemented to alleviate those impacts. And again, my final point is regarding the cumulative noise impact of both the east west project and this project operating at the same time has not been properly assessed. In theory, I mean, we would anticipate noise from the A want to dominate to such an extent that the contribution of the East West Rail Link operation overall will have little additional impact over and above that already identified. However, this still needs to be considered and demonstrated as both of major infrastructure projects are likely to impact on the ambient noise environment in this area. And they've not done this as far as we can determine at this stage. And that's sorry, that's my that's me done with my comments at this stage.

29:10

Thank you Mr. Quint. That was really, really helpful, very brief, but all the points set out and as you've already said, you provide us with more details. Mr. Scriven, I had a question about cumulative Would you like me to go first? Yeah, is that okay? So I'll just set this out. So you have talked about cumulative impacts with eastern Australia. If you get an opportunity to do or maybe you have already see the recording of the issue specific hearing yesterday, where just in terms of timing, it does seem like East West rails scheme development is or at least the argument at the moment before the examining authority is that the development of the East West road rail scheme is not advanced enough for it to be considered in cumulative and that's that's the argument and Trump First. And it would be helpful to know whether, you know, to have your views on that, especially in terms because you consider that noise and air quality, both noise and air quality impacts, the cumulative effects are going to be a lot worse for the residents, particularly in Sandy. So so so your specific comments on that point would be helpful. It's almost as if the cumulative would need to be considered by the scheme coming after this proposed after the proposed development rather than by the proposed development. And again, this is not the examining authorities view it is the view that's been put forward to the examining authority. So your input on that would be really helpful.

30:49

My comments on that is, it's a convenient convening convenient argument, to just not consider what will impact on residents in that area. But then at the end the day, my concern is the impact on residents, the ease or diff or otherwise, of actually making those assessments getting all that information. That's not my concern. That's not it, that is down to the applicants. And, you know, I've had it sent to me by the black cat project team that they've tried to deal with the east west Rail Link team, and they've found it frustrating, I can sympathize. But again, that's that's not my concern. My concern is that these are two major projects that are going to impact within within the grand scheme of things are relatively relatively short space of time once, once they're both gone ahead and operational. And it would not be right in my view, to not consider them the entirety of those impacts for both of these major major projects. For both for both of them, I've made the same point to the east west, east west wrestling team that they need to consider the blackcat roundabout project, and that's implications in their in their planning submission as well.

32:14

All I would say, Mr. Quint is that when you're putting in your written submission, I think it will be very helpful for the examining authority, if you very clearly set out the impact, which you did very well today.

The evidence to support the impact of the proposed scheme alone, and what you envisage the impact to be cumulatively. If you've not done that, that's absolutely fine. But I think for the examining authority at this point, it would be helpful to know the effect of the proposed development alone, quite clearly. So

32:50

are you asking me to predict the combined the cumulative impact of both schemes? Or just

32:57

No, no, I think I'm trying to say that you should. What I'm saying is to make it very clear, that of your concerns are regarding the effects on air quality and noise of the proposed development alone. Right, as distinct from what you think how they are compounded, but not predicted. But you know, to make that distinction quite clear.

33:22

He was saying yes. That's all for me. Mr. Scriven, if you had any good, thank

33:28

you. Yeah, there's a question on on the air quality management area in in Sandy. And you mentioned the need for mitigation measures. Again, it's kind of a, what might those mitigation measures look like from your perspective,

33:46

with a greater perspective, it's not for us to design a mitigation scheme for this project. However, I would direct the applicants to the very detailed and comprehensive quality action plan that we have produced for the sandy quality management area, which is available on our website, which includes a raft of measures that we are looking to try and move forward, some of them more straightforward than than others. And that I think, would be a useful starting point for them to to look at in identifying mitigation that that could be put forward to try and offset the impacts that have been identified.

34:26

As we've alluded to already, that's that's the sort of thing that we'd like to, to understand better in the maybe in the written representations. And in the written questions that we've we've given as well. So Mr. Hi, did you have to say something?

34:45

I just one point to say that if there's anything that you want the examining authority to consider, it does need to be an examination. So if you've got an action plan, we're not expecting the action plan to come into examination at all, but if there's anything that you feel Wouldn't be relevant, I completely appreciate that it's not for you to design the mitigation for the proposed development. But if you feel that there are measures in your current action plan which are relevant to this particular proposed development, which you feel have not been taken into account, then that specifically does need to come into examination. It's not something for us, that we can go looking for. So, yeah, that's a good signpost.

35:24

That's absolutely fine. I will, I will speak to my quality officer and get their input on that.

35:31

And the other question in terms of the on the the noise and on noise and vibration, and the surveys that haven't been undertaken, that you've made reference to that were that were promised? Can you can you just explain why they are there, obviously, to give you a better picture of what the effects would be, but why are they so critical to you?

35:55

They're not critical to me. But they were put forward actually to validate the noise model. And as I'm sure you appreciate, noise models and air quality models are only as good as the the quality of the data that's put into them. So they obviously identified a needed need to do this. And we're just questioning why that we know why it was. It was put off because of the COVID pandemic, which affected so many things. But now we're simply being told that they no longer need to do it. But without any clear justification as to why the need was identified originally. Why is that neat? The COVID in it and we can see delayed that. But why is it suddenly obviated the need for the further validation that the noise model? Okay, thank you.

36:52

That's it for me. At this point in time, as I say, there's there's quite a few written questions about this, as well for parties to respond on so I think that'll suffice for now.

37:05

Thank you. Mr. Scriven. Mr. Clint, was there anything else that you'd like to add? Or you have your particulars your representation? No, no, that was it. Thank you so much for your time. Thank you very much. It's just worth saying to both Mr. Quint and Mr. punter that both representations have been very helpful. I think these are the kinds of representations where we would like a certain amount of dialogue. An open for hearing does does not necessarily provide the full opportunity for us to be able to do that at the hearing itself. Having said that, it is still very helpful to have these representations. And as I've already said, we've given notification for the next round of hearings. For the matters that remain unresolved after the responses to written questions. Those these those matters will be picked up at the hearing. So we look forward to seeing both Mr. Hunter, Mr. Ponta and Mr. Quint at those hearings. applicant will respond to these at deadline one, as has been confirmed at both preliminary meeting part one and in the agenda of this open for hearing. So I think that leaves us to close this meeting now. So I'm going to just move on to closing remarks. Are there any questions before I close this open for hearing please use your raise your hand function. I don't see anything. So just thank you for taking the time to come before us and making the representations to both our speakers. The time is now 38 minutes past 10am and I will close this open for hearing. Thank you