

# A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.29 Joint Position Statement on matters raised by Central  
Bedfordshire Council at Open Flood Hearing 1

Planning Act 2008

Rule 8(1)(k)

Infrastructure Planning (Examination Procedure)  
Rules 2010

October 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure (Examination Procedure)  
Rules 2010**

**A428 Black Cat to Caxton Gibbet  
improvements  
Development Consent Order 202[ ]**

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# 1 Introduction

- 1.1.1 This Joint Position Statement (the Statement) has been produced by National Highways (the Applicant) in response to concerns raised by Central Bedfordshire Council (CBC) at Open Floor Hearing 1 (OFH1) held on 19 August 2021 [EV-018].
- 1.1.2 The Examining Authority (ExA) published a series of additional questions on 31 August 2021 to be responded to at Deadline 1. Specifically Questions 1.11.7.12 and 1.11.7.13 were asked following the matters raised at OFH1.
- 1.1.3 As part of the Applicant's response to Q 1.11.7.13 a commitment was given that the Applicant would seek to engage with Central Bedfordshire Council and prepare a joint statement setting out the respective positions on monitoring and community liaison for submission at Deadline 3. Accordingly, this document responds to that commitment.
- 1.1.4 The following Interested Parties identified within the Applicant's response to Q 1.11.7.13 have prepared this Joint Statement:
- a. The Applicant.
  - b. Central Bedfordshire Council.
- 1.1.5 The contents of this Joint Position Statement were discussed at a meeting held between the Applicant and Central Bedfordshire Council on 20 September 2021. The Joint Position Statement was then shared with Central Bedfordshire Council on 22 September 2021 in order that their position on the matters set out could be confirmed. The positions of the Applicant and Central Bedfordshire Council are set out in **Table 1-1** of this document.

**Table 1-1. Joint Position Statement between Central Bedfordshire Council and the Applicant at Deadline 3 (05 October 2021)**

Central Bedfordshire Council	The Applicant	Current Position
<p><b>Funding for a post within CBC with specific responsibility for monitoring, addressing, and managing local impacts, including local liaison, for the duration of the construction works (and a subsequent reasonable period post completion to carry out any post construction monitoring).</b></p> <p>It is not currently clear what the roles, responsibilities, and powers of the National Highways Customer Liaison will be, particularly with regards to the local highway network. However, it is expected that the initial queries from parishes impacted by displaced traffic during the construction period (and the elected members representing their resident’s concerns) will be to the local authority as the body responsible for the local roads in question. It is also not clear that the Customer Liaison will have any remit or funding to carry out works to mitigate impacts away from the Trunk Road network, and therefore that they will have very limited ability to react to any local concerns received. As such, it is fully expected that concerns will follow through to CBC in any event,</p>	<p>National Highways has already committed to dedicated customer liaison for the Scheme in order to minimise any burden on local authorities Accordingly, it is not considered necessary for further funding to be provided as this would be duplicated effort and could lead to a confusing position for the public.</p> <p>In addition, National Highways would normally expect to hold regular, frequent Traffic Management forum meetings with all relevant bodies including the local highways authorities during the course of construction works. These meetings often start by being weekly, moving to fortnightly or monthly as the project progresses and the work and routines become better understood. The Applicant would establish the CBC point of contact and would work with CBC and the appointed contractor to minimise impacts and support local connectivity and ease of movement.</p>	<p>The Applicant will continue to work with CBC to ensure roles and responsibilities of the Customer Liaison team are made clear.</p>

Central Bedfordshire Council	The Applicant	Current Position
<p>as will the responsibility to address impacts arising from the construction phases of the A428 project.</p> <p>Whilst meetings with the Customer Liaison on a regular basis would be welcomed, this in itself will be an additional requirement upon the CBC Traffic Management Team, as will any actions arising from the meetings.</p> <p>Following the representations made at the Open Floor Hearings of the 18<sup>th</sup> August 2021, CBC have proposed a staged approach to monitoring and managing construction phase impacts, (correspondence with the A428 DCO team dated 19/08/2021) and subsequent meeting of the 20/09/2021, which shared a number of elements of the approach requested by the Cambridgeshire Authorities during Issue Specific Hearing 1, i.e.:</p> <ol style="list-style-type: none"> <li>1. A request for National Highways to either carry out or fund surveys (using Automatic Traffic Counters) on the routes identified in the submitted Transport Assessment (document refs. APP 241 and APP 242) as being the most heavily impacted by displaced traffic. ATCs (Automatic Traffic Counters) are economic for the applicant to provide, and can provide flow,</li> </ol>		<p>Frequency of meetings will be discussed with CBC and balanced against available resources.</p> <p>The Applicant's position with regard to local traffic monitoring is set out in the response to ISH2.  <b>[TR010044/EXAM/9.32]</b></p>

Central Bedfordshire Council	The Applicant	Current Position
<p>speed and vehicle mix data, therefore setting an appropriate benchmark against which any arising issues relating to significant increases in flow, changes in traffic composition (i.e.: increased HGV movements), or changes in speed (i.e.: increased speeding due to 'rat-running' traffic), can be measured. This is considered to be a reasonable and proportional approach to monitoring construction phase impacts.</p> <p>2. These ATCs to then remain in place for the duration of the project to monitor changes during each construction phase. Maintaining the ATCs for an initial period post completion would also assist with the Post Operation Evaluation programme.</p> <p>3. A dedicated officer, or equivalent funding, for a number of weekly hours to be agreed. It is considered that the required time would likely reduce over the lifetime of the project, with the greatest demands during the earliest phases, when impacts are first identified (during this initial period CBC would suggest a post is funded for 3 days a week with a staged reduction to</p>		<p>It is not possible to ring fence funds for reactive measures. Any agreed intervention will be managed within the existing scheme budget.</p>

Central Bedfordshire Council	The Applicant	Current Position
<p>be agreed). CBC would be happy to discuss this further with National Highways.</p> <p>4. A mitigation fund to address issues arising from the ongoing monitoring process identified in point '2' (above). This to be called upon when specific congestion, amenity or safety issues are identified, using the forum of the proposed Traffic Management meetings. Whilst the measures that may be required are not fully known, as these would be identified through the monitoring process, it is expected that potential measures could include (but not be limited to):</p> <ul style="list-style-type: none"> <li>• Variable Message Signage</li> <li>• Traffic Calming Measures</li> <li>• Traffic management measures</li> <li>• Signage</li> </ul> <p>CBC would be happy to discuss this further with National Highways.</p> <p>CBC remain of the view that, in light of the construction phase impacts on local roads identified within the applicant's submission document, which are predicted to extend over a considerable (circa 4 year) period, it would be both</p>		



Central Bedfordshire Council	The Applicant	Current Position
<p>reasonable and proportional for the levels of support outlined above to be provided by the applicant as part of the DCO package of works, secured via either a DCO requirement or separate legal agreement as considered appropriate.</p> <p>In the absence of such support the responsibility for monitoring the impact of the scheme on the local highway network will fall to the Local Authority, as will the need to respond to and address areas of local concern.</p> <p>The absence of appropriate support will place an unreasonable burden upon the authority and / or leave the authority in a position where impacts cannot be adequately monitored nor managed.</p> <p>With specific reference to question 1.11.1.2 and the impact of the scheme upon the ability of the Local Highway Authority to enact its Network Management Duties, in the absence of appropriate support for the monitoring and management process, it is considered that there will be a negative impact upon the Authorities ability to effectively fulfil this duty as a result of the scheme.</p>		

Central Bedfordshire Council	The Applicant	Current Position
<p><b>Additional resourcing for increased enforcement of HGV using inappropriate routes.</b></p> <p>For clarity, the concern of the CBC is not with regards to the provision of new HGV restrictions, but rather the potential for increased levels of contravention, when traffic re-routes onto local roads during the construction period (as predicted within the applicants Transport Assessment).</p> <p>This area of concern would be addressed if the measures requested in the first item were supported by the applicant.</p>	<p>In respect of weight restrictions, temporary traffic management measures could be used to control HGVs using inappropriate routes, but it would be for the local highway authority to consider whether it was justified and necessary for it to consider introducing weight restrictions on its own network. If the Applicant is made aware of HGVs self-diverting onto the local network as a result of construction works, the Applicant will work with the local highway authority and police to determine suitable temporary traffic measures and, if appropriate, consider support for and funding of traffic regulation orders.</p>	<p>In response to actions arising from ISH2 point 6 the Applicant states:</p> <p>Temporary traffic management measures will be considered in the event that self-diversion is obviously and regularly occurring at an identified point due to construction of the works, and it is agreed with the local highway authority and local police force that there is a need for this.</p>
<p><b>CCTV and/or ANPR coverage for impacted routes to enable and support monitoring and enforcement, for the duration of the construction works (and a subsequent reasonable period post completion to carry out any post construction monitoring).</b></p> <p>Whilst the inspection of official diversion routes is appreciated, in the event that the monitoring requested in the first item identifies significant increases in flow or changes in traffic composition on local roads during the construction phases, and where the</p>	<p>The Applicant will undertake reasonable measures to ensure construction traffic associated with the Scheme adheres to routes within the Outline Construction Traffic Management Plan [APP-244].</p> <p>The Applicant will undertake visual inspections of any official diversion routes prior to and after use. Any requests for remedial action would be discussed at the traffic management forum meetings.</p> <p>The Applicant has set out its position in relation to maintenance and repair to local roads as result of self-diverting traffic in its</p>	<p>The Applicant's position with regard to local traffic monitoring is set out in the response to ISH2. [TR010044/EXAM/9.32]</p>

Central Bedfordshire Council	The Applicant	Current Position
<p>deterioration of these local roads is expected as a direct result of displaced traffic, then the same level of assessment should be applied.</p> <p>At present there is no commitment to carry out remedial action, only the opportunity to discuss at traffic management forum meetings. CBC would be seeking a firmer commitment that identified damage to the local road network will be made good.</p>	<p>response to CBC's Local impact report which states:</p> <p>The Applicant will make every effort to ensure traffic continues to use the strategic road network and will seek to address specific concerns through traffic management plans.</p> <p>Once the Scheme has opened, villages and towns located south of the A428 and A421 are forecast to have lower traffic flows, providing long term benefits.</p> <p>With respect to any enforcement action, the Applicant will inform the local Police of closures in advance and the local Police would then be responsible for any enforcement action taken.</p>	
<p><b>Funding for temporary and/or permanent signage, (including for wider displaced traffic) for the duration of the construction works (and a subsequent reasonable period post completion to carry out any post construction monitoring).</b></p> <p>CBC considers that this area of concern would be addressed if the measures requested in the first item were supported by the applicant, with temporary or permanent signage being one of the measures that could be</p>	<p>The Applicant aims to encourage continued use of the Strategic Road Network (SRN) and reduce self-diverting traffic during construction by ensuring high levels of communication with road users. Using VMS and clear diversion route signage on the SRN, well in advance, the Applicant will ensure road users are kept informed and able to plan their journeys.</p> <p>Additionally, the Applicant will monitor the effectiveness of traffic management measures to ensure significant increases are addressed and delays minimised at key SRN junctions.</p>	<p>In response to actions arising from ISH2 point 6 [TR010044/EXAM/9.32] the Applicant states:</p> <p>Temporary traffic management measures will be considered in the event that self-diversion is obviously and regularly occurring at an identified point due to construction of the works, and it is agreed with the local highway authority and local police force that there is a need for this.</p>

Central Bedfordshire Council	The Applicant	Current Position
<p>delivered through the mitigation fund, if found to be necessary.</p> <p>In addition, CBC are of the view that the applicant cannot fully monitor the effectiveness of traffic management measures, without some form of monitoring on the Local Road network expected to be most heavily impacted by displaced traffic.</p>		
<p><b>A fund to address issues identified through the monitoring process to address resulting safety, capacity, or amenity issues.</b></p> <p>CBC are seeking the identification and agreement of a fund to manage the impacts of traffic displaced during the construction phase arising as a result of the scheme. As this would be a response to issues identified through monitoring the details of the measures to be delivered cannot be confirmed at this stage, but would be expected to include (but not be limited to):</p> <ul style="list-style-type: none"> <li>• Variable Message Signage</li> <li>• Traffic Calming Measures</li> <li>• Traffic management measures</li> <li>• Signage</li> </ul>	<p>There will be a significant shift of vehicles from local roads to the SRN as a result of the Scheme. This and other Scheme benefits realised will be monitored as part of the Post Operational Evaluation.</p> <p>It is not possible to ring fence funds for reactive measures. Any agreed intervention will be managed within the existing scheme budget.</p>	<p>In response to actions arising from ISH2 point 6 [TR010044/EXAM/9.32] the Applicant states:</p> <p>Temporary traffic management measures will be considered in the event that self-diversion is obviously and regularly occurring at an identified point due to construction of the works, and it is agreed with the local highway authority and local police force that there is a need for this.</p>

Central Bedfordshire Council	The Applicant	Current Position
<p>The proposed Post Operational Evaluation, including impacts upon the Local Road network is welcomed. However, for clarity, the fund requested is specifically to address issues identified during the construction period.</p>		
<p><b>As per Section 59 of the Highways Act 1980, the recovery of expenses from Highways England (National Highways) for the diversion of extraordinary traffic onto local roads or the use of CBC roads for extraordinary construction traffic.</b></p> <p>The position proposed appears to be contrary to the proposals in point 3, where the applicant proposes undertaking visual before and after surveys of diversion routes. If no funding is to be made available, then how will any damage identified on the diversion routes be made good.</p>	<p>The Applicant has committed to repair of damage near site entrances. Post opening of the Scheme, Local Authorities will benefit from a considerable reduction in strategic traffic using their roads. The Applicant will undertake reasonable measures to ensure construction traffic associated with the Scheme adheres to routes within the Outline Construction Traffic Management Plan [APP-244].</p> <p>It is not considered appropriate to propose a fund dedicated beyond these measures.</p>	<p>The Applicant does not consider these responses to be contradictory and will work CBC to ensure clarity is achieved.</p>
<p><b>The use of Station Road in Tempsford by construction traffic for construction works associated with the pipeline diversion.</b></p> <p>Whilst the works are described as early activities, it is considered likely that both the gas main diversion and the</p>	<p>The use of Station Road by construction traffic would be limited to specific elements of work until haul roads are in place. Work elements would include the gas main diversion works and construction of the east abutment of the East Coast Main Line Railway; both of which are early activities. Once these specific elements of</p>	<p>HGVs were used by the Applicant in the recent archaeological mitigation works undertaken under local planning consent and the Applicant is keen to understand any concerns that have arisen as a result of these works.</p>

Central Bedfordshire Council	The Applicant	Current Position
<p>bridge works will require significant heavy goods vehicle movements.</p> <p>At present no further information has been provided by the applicant team on the vehicle numbers or types expected to use Station Road, or the duration of use prior to alternate construction access being available. It is understood that this information will be provided by the applicant by Deadline 3, at which point CBC will be in a position to comment further.</p> <p>However, at present the authority maintains its position that Station Road is not suited to significant construction traffic or extraordinary loads.</p>	<p>work are completed, Station Road will then become a prohibited route for construction traffic.</p> <p>The Applicant will provide expected durations for the use of Station Road through ongoing engagement during detailed design.</p>	<p>Engagement with CBC on the potential for an alternate route and any appropriate mitigation will continue during detailed design and post consent.</p>
<p><b>The use of the A603 as a signed diversion route. The route has a recognised road traffic collision history which may be exacerbated by increased flows, in particular the section between Hatch Road and Moggerhanger.</b></p> <p>It is noted and agreed that the A603 has previously operated as a diversion route for the A1, which has led to a fuller understanding of the issues which can arise during these periods.</p> <p>As identified in both the Open Floor Hearings and the CBC written</p>	<p>The use of the A603 in relation to planned closures of the A1 has been in place for many years. It is the most appropriate route in the vicinity of the A1. Diversions further afield are unlikely to be followed.</p> <p>The Applicant notes National speed limits are in place with the exception of Moggerhanger, where a 30mph limit is in place. The Applicant also understand that the speed camera along this route has recently been removed and would be keen to learn more about the reasoning behind this.</p>	<p>The Applicant is willing to continue engagement with CBC in relation to this matter.</p>

Central Bedfordshire Council	The Applicant	Current Position
<p>statement, there is a known issue with regards to the right turn from Vinegar Hill onto the A603, which will be the predominant movement for diverted northbound traffic. As such CBC would encourage National Highways to meet with the CBC traffic manager to discuss an appropriate temporary scheme, to be implemented when the route is to be used as a formal diversion.</p> <p>The speed camera has been temporarily removed as it is in very close proximity to a planned new signalised junction, with a view to relocating elsewhere on this stretch of highway. The applicant should however be aware that the new signalised junction, whilst not yet implemented, may impact (to a limited degree) upon journey times on the A603.</p>	<p>The Applicant would welcome the sharing of any safety audit information that can help understanding of factors affecting collisions in this location.</p>	

## 2 Joint Position Statement

- 2.1.1 The Statement is based upon the information and positions summarised within **Table 1-1** of this document.
- 2.1.2 In summary:
- 2.1.3 Whilst CBC appreciates the level of engagement offered by the project team to date, the lack of any substantive proposals to manage and mitigate the construction phase impacts of the Scheme away from the Trunk Road network remains an area of considerable, and unaddressed concern for CBC.
- 2.1.4 CBC have proposed an approach which they consider to be reasonable and proportional, and which they continue to view as the most appropriate response to the areas of concern identified in the Open Floor Hearings and the subsequent Written Statement.
- 2.1.5 The Applicant will seek further engagement with CBC to ensure points of understanding and clarity are reached.
- 2.1.6 The Applicant considers the scheme appropriately resourced to manage customer concerns. These resources are best placed to liaise with construction teams and provide resolution. The Applicant is committed to timely resolution of any complaints made.
- 2.1.7 It is beyond the scope of the scheme to intervene on Local Authority roads. The measures proposed by the Applicant are considered appropriate to ensure existing traffic continues to use the strategic road network and prevent the need to divert onto local roads. Specific concerns will be addressed through traffic management plans.