

Submission ID: 6139

## APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR A428 BLACK CAT TO CAXTON GIBBET IMPROVEMENTS

### RESPONSES OF BEDFORD BOROUGH COUNCIL TO THE EXAMINING AUTHORITY'S WRITTEN QUESTIONS AND REQUESTS FOR INFORMATION (WQ2)

Issued on 4th November 2021

The following responses are made in Bedford Borough Council's (the 'Council') capacity as the landowner of land at Black Cat Roundabout, Great North Road, Roxton held in title P128267, Z1440Z, Z1441Z (the 'Land') in respect of the application for an order granting development consent for the A428 Black Cat to Caxton Gibbet Improvements ('Proposed Scheme').

Examining Authority's Written Question:

Q2.5.3.6 Land to the South and East of the current Black Cat roundabout.

Besides the written and oral submissions regarding these matters, the ExA notes that the effect of the Proposed Development and negotiations regarding safeguarding the development of this land has been addressed in principle in the SoCG with Bedford Borough Council [REP1-012]. Provide an update on these discussions with greater detail on specific pending issues. Parties may choose to report on matters in principle in the SoCG and the Schedule of all agreements, negotiations and objections (Annex A), and provide a more detailed report in the separate Joint Position Statement.

Bedford Borough Council's response:

The parties met on 2nd November 2021. The following issues are pending in discussions:

#### 1. Position of BBC's new boundary

National Highways (NH) have confirmed that following changes to the layout of the Black Cat roundabout, BCC's retained freehold title will abut the new adopted highway. NH are to provide plans confirming the same.

#### 2. Flood compensation land

BBC contend that temporary possession (TP) is sufficient to deliver the Scheme. NH speculated that they would be potentially subject to criminal sanctions in the event of a breach of the DCO by a third party that owned or occupied the land. BBC's position remains that TP are sufficient to deliver the scheme and have requested NH to set out its position and reasoning in full.

#### 3. Plots 3/3b & 3/3c 'landlocked under current DCO land plans

NH have confirmed they will provide a right of way to this land if an alternative solution cannot be found. BBC await seeing the proposed route and specification.

#### 4. Voluntary Agreement

NH's agent undertook to provide heads of terms by close of business on Friday 5th November 2021.

## 5. Sustainable strategic employment development

NH have agreed to continue work with BBC to explore development potential at their retained land to the south east of the Black Cat roundabout, including discussions with their Operational Development Team, and as appropriate making Non-Material Amendments. The scheme will extinguish the existing road services at the Black Cat Roundabout and make access to other road services on the A1 more circuitous. Accordingly, BBC consider that as a minimum the scheme design should not preclude the provision of replacement roadside services. BBC will shortly be sharing further information on traffic modelling with NH as a basis for progressing discussions.