

## Comments on the Applicant's Deadline 3 (D3) submissions

This document sets out the comments on the Applicant's D3 submissions by Cambridgeshire County Council (**CCC**), Huntingdonshire District Council (**HDC**) and South Cambridgeshire District Council (**SCDC**) (together, the **Councils**). The tables below set out the document in question that the Councils are commenting on, together with the relevant paragraph or reference number.

Except where expressly stated otherwise below, the Councils reiterate and rely on their comments submitted to the ExA at Deadline 1, Deadline 2 and Deadline 3.

### 9.23 Updated Archaeological Mitigation Strategy [REP3-010]

Topic	Paragraph Number	Councils' Comment
Status of the AMS	1.2.5 and 1.3.1	As the local authority curators will be advising the course of excavations once started, and signing off the archaeological sites once satisfactorily completed, we will need to fully agree the strategy and extent of areas for excavation in the AMS. We have remaining issues that will be discussed for the Statement of Common Ground and hope to see a final AMS that accords with our requirements and can be approved by the Cambridgeshire councils.
Research questions by period	4.4.11 a. 4 <sup>th</sup> paragraph	As the Iron Age sites within the scheme express different morphologies, there is no reason to assume that their excavation results will all provide the same information. We disagree with consigning some sites to base planning alone or low-level sample excavation, as this biased approach will prevent proper understanding of such sites and not fulfil the overarching objective of 2.2.1a or address other research agenda items, specifically 4.4.11 c., 4.4.12 and 4.4.16 b. paragraph 2, but not 3, which contradicts the former's aims. Our understanding of the published Regional Research Agenda (Section 16, page 87 [REF 48]) given in these sections is to recommend that the areas between the close-spaced Iron Age and Roman settlements require examination – as a 'landscape archaeology' approach. While this type of archaeological investigation often takes place on large-scale Cambridgeshire development led sites, we do not agree with the author's suggested trading of not conducting very much excavation on known settlements in order to look at their

		hinterland, but to agree a rational approach to the investigation of this space where it can be justified.
Archaeological mitigation requirements	5.1.2 c., 5.1.3 b., 9.1.2	<p>Following the welcome absorption of the excavation strategy and investigation methods in the Joint Authorities' Archaeology Brief (Appendix B in [REP3-010]), there is no longer need for the 'Sampling' category. Archaeological excavation only ever samples a proportion of sites rather than 100% of them (aside from significant features or structures that may be subject to full excavation) and levels of sample excavation are shown as approved for the 'Full Excavation' and 'Excavation' methods at 5.1.3.</p> <p>CCC advised the Applicant of 'Sampling' not being an acceptable category/mitigation method by email on 08/08/21 as part of work to modify the AMS.</p> <p>To support archaeological contractors in designing their Site-Specific Written Schemes of Investigation, we recommend that, in particular but not solely, section 5 and sections 8-10 of the Updated AMS are duly edited to avoid any uncertainty and as levels of excavation have financial implications when tendering for the contract. This is important, as the levels of 'Sampling', as opposed to the other techniques, have been nowhere set out in the Updated AMS.</p>
Archaeological Mitigation Sites	Table 5.1	<p>Site 14 requires no involvement from A428 archaeologists as this site has already been excavated by Urban and Civic's archaeologists at Wintringham Park as part of that development. It should not be listed as archaeological contractors tendering for the A428 scheme will not excavate it.</p> <p>Site 21, also in Wintringham Park development area and within the site of a main A428 compound, should remain in the A428 list as the scheme will work to ensure it is protected from construction impacts. The Mitigation Requirements column should show this as an Archaeology Protection Area for the avoidance of doubt for those using the compound.</p> <p>All sites shown as 'c. Sampling' in the Mitigation Requirements column require amendment to 'b. Excavation'.</p> <p>Sites in this list (Table 5.1) are still to be agreed in terms of areas and levels of excavation.</p>

Provisional environmental sampling strategy for archaeological excavation	Table 8.1	Column 5 has not been edited to match the adjusted percentages of the excavation of linear features as shown in 8.3.7 a. This table should inform the process of environmental sampling for all excavated sites, it is absent for those shown in Section 9, levels of excavation for which remain to be agreed.
General methodology	9.2.7	This is not agreed. It would be more constructive to change the last sentence to read: "Some features might only require recording on plan. This will be determined during curatorial monitoring visits."
Preservation of archaeological remains beneath fill	11.3.1	Site 17 should be deleted from this paragraph as per advice given in the Cambridgeshire councils' Joint Written Representation [ <b>REP1-048</b> 12.5.5 – 12.5.8].
Preservation of archaeological remains beneath fill	11.3.8	<p>There is no discussion of measures to reinstate land buried under temporary scheme features (shown at 11.3.1) following the removal of materials. This typically requires ripping/scarifying or rotavating of the surface to restore the drainage properties of highly compacted soils. This action will have a major adverse impact on buried archaeological remains and negates attempts to preserve sites in situ and is not approved.</p> <p>Also, surcharged materials are seldom placed on topsoil, these usually being stripped in advance. Stripping the soils over Field 70 will also have an adverse impact on the surface of the archaeological evidence, as was the case at TEA 27 on the A14 scheme, which was unnecessarily stripped prior to the finalisation of the design of a flood compensation area, necessitating remedial archaeological work and the reinstatement of deeper soils.</p> <p>There are many parts of Field 70 around Site 17 that do not hold significant archaeological evidence and should be the alternative location for temporary works. This would protect the archaeology at Site 17 (AMS [<b>REP3-010</b>] Appendix D, page 187), which could be fenced off from all construction impacts.</p>
Weekly reports	13.2.1	The progress reports should also be sent to the curators.

Archive consolidation	14.2.4	Cambridgeshire County Council's Archaeology Archive Store does not accept digital archive. We will expect archaeological contractors to adhere to paragraph 9.10 of the Joint Authorities' Archaeology Brief in AMS Appendix B [REP3-010].
-----------------------	--------	--

#### 9.24 Borrow Pits Excavation and Restoration Report [REP3-011]

Topic	Paragraph Number	Councils' Comment
General		<p>The submission of the Borrow Pits Excavation and Restoration Report [TR010044/EXAM/9.24] (BPERR) is welcomed. It is noted that there appears to be some differences between the July version and the October version; these mostly appear to be additional information from the First Iteration Environmental Management Plan. Changes were noted in relation to noise, landscape and air quality. As the noted in the Council's Joint Written Representations (August 2021) [REP1-048] (paragraph 13.6) it was written on the basis that the BPERR was submitted as part of the original submission. Consequently, many of the Council's concerns remain.</p> <p>It is noted that the policy assessment in the BPERR does not match the Applicant's response to the Local Impact Report (LIR) Policy Assessment [REP3-009], in that no reference is made to Policy 19 or 20 in the BPERR.</p> <p>Please refer to the Council's submission in response to ExA's Second Written Questions (WQ2) [CLA.D4.WQ2.R] Q.2.6.2 for a summary of the Councils' current position in relation to the borrow pits. This is supported by other D4 submissions:</p> <ul style="list-style-type: none"> <li>• [CLA.D4.WQ1.AC.C] Comments on the Applicant's comments on other parties' responses to WQ1, Q1.6.2.1;</li> <li>• [CLA.D4.WR.AC.C] Comments on the Applicant's comments on Written Representations, pages 147-152); and</li> <li>• [CLA.D4.LIR.AC.C] Comments on the Applicant's comments on Local Impact Reports, Topic: Borrow Pits.</li> </ul>
Archaeology	Table 1-1: Outline management plans relevant to the borrow pits	Annex J needs editing to delete the technique 'Sampling' as this technique is not supported for reasons shown at 9.23 above and requires changing to the Archaeological Mitigation Strategy [REP3-010].

		It is unclear if the APP references (e.g. [APP-238]) will remain the same as those shown in this document, or if superseded amended documents will have new reference numbers requiring corresponding editing across all documents. This is raised to so that it is clear which version of the AMS is used when under discussion.
--	--	---

### 9.25 Biodiversity Net Gain: Metric 2.0 [REP3-012] & Appendix G [REP3-013]

Topic	Paragraph Number	Councils' Comment
Baseline data	2.2.1 and 3.6.4	<p>The BNG assessment is based on survey work undertaken between 2018 and 2020. It does not include the 2021 habitat survey work and is therefore not up to date.</p> <p>The Councils seek that the BNG metric be recalculated with the results of the 2021 survey work and submitted to the Examining Authority (along with the survey work) at Deadline 4.</p>
	2.7.3 i.	The Applicant has provided no information to demonstrate how the river corridors will be enhanced to be of 'fairly good' condition. It is important that this requirement to deliver 'fairly good' conditions is incorporated into the development of the enhancement of river corridors.
Habitat (area) loss not adequately compensated	Paragraphs 3.6.4 & 4.1.1	<p>The assessment of net gain with regards to habitat (Area) does not provide a comprehensive analysis of the BNG metric results. While an overall net gain in biodiversity units has been identified (+16%), the scheme has resulted in trading down of quality and type of habitat and therefore, does not meet the trading requirements of the BNG metric. as, flagged up in Appendix G [REP3-013, page 7]. Therefore, the scheme does not adequately compensate for the loss of high and medium distinctiveness habitats, as discussed below. Consequently, the scheme will deliver a net loss in habitat (area), as well as hedgerows. Adequate compensation for these losses should be incorporated into the scheme design, either on-site or off-site.</p> <p><u>Uncompensated loss of high/medium distinctive biodiversity (area)</u></p> <p>High distinctive habitats – under trading rules for Biodiversity Metric 2.0, compensatory habitats should be at least high distinctiveness and like-for-like. The calculator demonstrates this hasn't been achieved (highlighting a trading down &amp; not like for like error).</p>

		<p>Some high distinctive habitats are proposed as part of the scheme; however, they do not adequately compensate for the loss of -117.19 units of high distinctive habitat, including reedbeds, lowland mixed deciduous woodland and wood-pasture and parkland.</p> <p>Medium distinctive habitats – under trading rules for Biodiversity Metric 2.0, compensatory habitats should be like-for-like or better, within the broad habitat type. The calculator demonstrates this hasn't been achieved (highlighting a compensation - not like for like or better error).</p> <p>The scheme has not adequately compensated for the losses (-94.84 units), including arable field margins tussocky, mixed scrub and ditches.</p>
Condition assessment rationale	Appendix D: Condition assessment rationale	<p>Criteria rationale for the following habitats (listed on page 9 of Appendix G [REP3-013] are omitted and should be provided:</p> <ul style="list-style-type: none"> <li>• Lakes - Ponds (Non- Priority Habitat) – poor condition</li> <li>• Grassland - Lowland meadows – good condition</li> <li>• Wetland – Reedbeds – poor condition</li> <li>• Urban - Street Tree</li> </ul>
Habitat management required to achieve target condition	Appendix F: Habitat management required to achieve target condition	<p>The following habitats have been omitted:</p> <p>Woodland and forest - Other coniferous woodland (poor condition)</p>
	Appendix G (page 7)	<p>Page 7 of the BNG assessment highlights that the following habitat types require further compensation in order to deliver the required numbers of units to reach no net loss:</p> <p><b>High distinctive habitats</b> (-117.9 units) - reedbeds, lowland mixed deciduous woodland and wood-pasture and parkland.</p> <p><b>Medium distinctive habitats</b> (-94.84 units) - arable field margins tussocky, mixed scrub and ditches.</p>

		<p>It is noted that the scheme will result in an increase in medium distinctive neutral grassland and broad-leaved woodland, which will help to compensate for other types of 'woodland-forest – other woodland' to be lost.</p> <p><b>Low distinctive habitats</b> – low trading is acceptable</p>
	Appendix G (page 9)	Ref. 8 grassland – the area (hectare) figure is missing for lowland meadow.
	Appendix G (page 10)	<p>Calculation error - area of habitats proposed (665.49ha, page 10) - does not match the area of habitats lost (665.58ha, page 9).</p> <p>Grassland- Lowland meadows – area (hectare) figure omitted.</p>

#### 9.26 Scheme Design Approach and Design Principles [REP3-014]

Topic	Paragraph Number	Councils' Comment
	2.1.8	<p>PROW routes should be encouraging rather than intimidating. Both the Hen Brook Underpass and the Pillar Plantation Underpasses are utilitarian and uncompromising in their design. These current designs are boxes with right angles, whereas natural environments have curves. CCC requests that the design is changed to an oval design, such as that used on the A1198 for the Caxton Bridleway 5 underpass. This approach is supported by paragraph 3.1.1: "<i>The Design Vision for the Scheme is for the best possible integration with the surrounding landscape.</i>"</p> <p>There is also an issue with marrying ecological with human needs. We understand that it is proposed that these tunnels are unlit because the intention is for them to double as bat passages. However, Wintringham Park adds nearly 3000 new homes to the already sizeable population of 36,000. The developer's website rightly highlights footpaths, cycle routes and connectivity with the countryside as a benefit of the new development. St Neots as a town is currently really poorly served with good strategic NMU greenways out into the countryside network, and in reverse for surrounding villages accessing urban facilities. The Hen Brook and Pillar Plantation paths will be primary strategic route out from it/St Neots into the countryside and needs to deliver on being welcoming to encourage people to make the desired modal shift. If the tunnels are not sufficiently welcoming and well-lit, they will be</p>

		<p>a source of constant intimidating anti-social behaviour, so it needs to be planned out from the start. The Hen Brook tunnel is 32.1m long. The width is 6.85 including the brook and headroom 4.25m. It is going to be very dim, damp and intimidating at the midpoint. It is suggested that one solution would be a light well located in the centre reserve of A428 ventilating and letting in natural light and splitting the ‘tunnel’ into two slightly less daunting 16m sections for day-time use. This highlights the need for National Highways to be more collaborative with local councils and more innovative in design, in accordance with their design statement.</p>
Local Policy and Guidance	2.1.9	<p>The paragraph notes that local character assessments were considered in the definition of local landscape character areas for the study, which is accepted. It is the lack of consideration of the specific environmental opportunities identified within the national and district level landscape character assessments, that is a concern to the local authorities.</p>
Overarching design principles	2.2.6	<p>The scheme does not meet all of the overall design principles when considering non-motorised users. The designs are not inclusive, and the proposed provisions only meet minimal requirements. Whilst providing motorised users with a new well-connected route, NMU users are left with fragmented pieces of infrastructure which do not connect sufficiently to encourage active travel and meet the design standards of being environmentally sustainable.</p>
Design standards, guidance and good practice	3.2.2	<p>Given recent government policies and publications on active travel and carbon reduction the Applicant should be implementing high quality NMU infrastructure that at least meets the requirements of LTN 1/20 rather than the CD143 quoted which has not been updated to accord with recent guidance such as CD195.</p>
Engineering Design Principles	3.3.11 and 3.3.15	<p>The applicant refers to the aesthetic quality of structures, and in paragraph 3.3.15 that <i>“Structures have been designed as a family, with common design details, materials and structures. This approach has been taken to reinforce sense of place, create a memorable journey and maximise efficiency and buildability.”</i></p> <p>It is considered that there is nothing in the design of the features that relate particularly to the Cambridgeshire landscape or vernacular, and the authorities struggle to see how the structures would reinforce sense or place or create a memorable journey – these particular</p>



		<p>combinations of structures and materials are found on highways across the country. It is very disappointing that more aspirational design interventions have not been sought on this important and significant new piece of infrastructure within the Oxford-Cambridge Arc, where place-making (including environment, biodiversity and beauty) is a key “area of focus”, alongside connectivity and infrastructure.</p> <p>The authorities question why such a utilitarian palette has been employed, when, particularly on NMU structures, for example sustainable timber, green “living” bridges that connect both people and wildlife, or public art features would much better have reflected the Department of Levelling Up, Housing &amp; Communities aspirations for the region.</p>
Engineering Design Principles	3.3.17	The Applicant states local authorities were consulted on the design of structures; however, this has not been undertaken on the appearance and materiality of structures, and flexibility should be maintained for revisions based on local authority feedback.
Active travel provision	3.3.23	NH Active Travel provision states “Enabling more sustainable travel choices”. To meet this design principle the A428 should be providing safe, continuous NMU routes between the settlements along the A428. The Applicant’s proposal creates fragmented sections of NMU which are only provided where the A428 severs existing roads and does not encourage more sustainable travel choices. Provision of roadside NMU routes between St Neots, Eltisley and Cambourne would enable the Active Travel criteria to be met.
Landscape Views and Visual Appearance	3.3.32a	Limiting the extent of temporary and permanent land take within the Order Limits is welcomed where this enables the retention of valuable landscape features. However, in places the limited Order Limits have restricted the quantity (and thereby quality) of landscape mitigation and enhancement, in places where the landscape baseline condition is poor. This is considered a missed opportunity.
Landscape Views and Visual Appearance	3.3.34.c	The Councils have sought changes to the scheme to better “filter and screen” views of prominent features, particularly within the sensitive Ouse Valley. The Applicant has not accepted the concerns held by the Councils.

Landscape Views and Visual Appearance	3.3.34.e	The Councils have sought changes to species mixes and implementation times to enhance climate change resilience, based on the extreme droughts experienced within the region in recent years. These concerns have not been accepted by the Applicant.
Engagement on design matters	4.1.3	Engagement on design – There has been some engagement with CCC regarding NMU routes and PROW, but in our view, this has been insufficient. This is typified by the fact that CCC is having to raise so many points at this stage regarding fundamental issues, such as connectivity, and provision for equestrians on NMUs.
Development of the detailed design	5.1.1	CCC rejects the statement that the level of design development and consultation have been sufficient enough to only require minimal further design work. Since CCC were not involved in the technical working groups, our requirements have not been taken into account. The progress to detailed design is concerning designs such as the Pillar Plantation and Hen Brook Underpasses are boxes and have not made consideration of users (as outlined in our response to 2.1.8 above). CCC as local highway authority has not seen or approved any designs as yet.
Scheme response to the Road to Good Design	Appendix B: Scheme response to the Road to Good Design (pages 37-39)	<p>Good design in the local context: CCC has not been involved with this process. For example, a key alternative considered was the design of the footbridge at Wintringham Brook but the alternatives were not provided to CCC to comment upon.</p> <p>Appendix B states: ‘Good design is inclusive’. The Councils have repeatedly questioned the Applicant’s commitment to this statement in its Written Representation, our responses to WQ1 and in our LIR because of the lack of all-inclusive NMU design along roadside junctions and where equestrians could be included in overbridges and underpasses.</p> <p>At p45 the document states that ‘Good design is innovative’ and references the Wintringham Brook footbridge. It is not clear why the Applicant believes the design is innovative. In our view this is backward as the design is not inclusive of equestrians.</p>

<p>Scheme response to the Road to Good Design</p>	<p>Appendix B</p>	<p>1. The Applicant points to improvements to connectivity and improved safety addressed by the scheme but the Councils do not agree that this has yet been achieved with regard to provision for NMUs in Cambridgeshire.</p> <p>2. We are of the opinion that the mitigation measures included within the design of the scheme do not sufficiently address existing connectivity issues between communities, in accordance with relevant policies as set out in our WR at pp. 28-34, with specific issues highlighted at para 6.57 - 6.6.8, and also at pp. 98-110 of the Local Impact Report.</p> <p>9. The review of existing WCH movements highlights the small number of active travel journeys along the A428 corridor due to lack of existing safe, continuous facilities. Despite consultation feedback from organisations regarding the need for improved active travel connections, and transport policies citing the need for a strategic NMU route (LTP Long term transport strategy, TIP, Travel Strategy for Cambridge and South Cambridgeshire) there were no significant changes to the design in Cambridgeshire.</p> <p>'Good design is long-lasting' there is no mention of asset boundary definition features (which may not be the same as the legal highway boundary) or any detail about land take. This must be included in design and agreed with the LHA. CCC has reiterated that the LHA will not take land that is not related to highway purposes, and that asset boundaries need to be agreed and defined with the LHA through technical working groups that should be set up as the earliest opportunity.</p>
---	-------------------	---

**9.27 Updated Arboricultural Impact Assessment Plans [REP3-015] & Appendix 7.5: Updated Arboricultural Impact Assessment Report - Parts 2 [REP3-002], 3 [REP3-003], 4 [REP3-004] and 5 [REP3-005]**

Topic	Paragraph Number	Councils' Comment
General		The changes to the Arboricultural plans are noted. No further comments.

**9.32 Applicant Response to actions arising from Issue Specific Hearing 2 [REP3-019]**

Topic	Paragraph Number	Councils' Comment

Sensitivity Testing of Strategic traffic model flows in junction models	Table 1-1 Line 1 AP1	This refers to 9.44 Scope of Junction Model Sensitivity Test <b>[TR010044/EXAM/9.44]</b> Please see the comments on this document <b>[REP3-029]</b> later in this document.
Joint Position Statement on modelling methodology	Table 1-1 Line 2 AP2	This is largely superseded by 9.44 Scope of Junction Model Sensitivity Test <b>[TR010044/EXAM/9.44]</b> for the further work NH are proposing. Please see the comments on this document <b>[REP3-029]</b> later in this document.
Traffic management	Action Point 4, Appendix A, 1.1.7  Action Point 4, Appendix A, 1.1.8	The HGV construction traffic restriction on the Barford Road route is welcomed given the proximity to the Ernulf Academy.  The Councils would welcome an explanation from NH as to why there is a need for HGV traffic to use Cromwell Road and Cambridge Road in St Neots, given NH's compound is at Wintringham Park and there is a construction access on the A428 / Cambridge Road roundabout (1.1.9).
	Action Point 5	Offering incentives to staff to use sustainable travel to work would be welcomed. Perhaps it is time for National Highways DCO schemes to include sustainable travel plans for its workforce given national policies relating to climate change.
	Action Point 6	The request for traffic counts on the local road network was so that there was data to compare if complaints are made about re-assigning traffic. Without that it is sometimes difficult to judge the difference between perception and reality and the cause.
	Action Point 7	Noted and engagement with local stakeholders is welcomed.
Noise	Action Point 10	The Councils consider the baseline noise data for 2017 acceptable for the ES.
NMUs	Action Point 16	Signalled crossings should provide for all NMUs, not just pedestrians. The provision of a signalised crossing of the A1198 approximately 45m south of the southern roundabout should be included as this is an important link between services and the Cambourne West development will increase demand. Given the traffic volume and speeds at this junction an uncontrolled crossing at this location is not acceptable.

Design development process	Action Point 9	<p>CCC notes the applicant's reference to the document 'Scheme Design Approach and Design Principles' (document ref TR010044/EXAM/9.26). Item 9 of Appendix B of this document, 'Scheme response to the Road to Good Design', is headed 'Good road design is collaborative'. The document however does not outline what collaborative working is to be undertaken with CCC as the LHA to agree the extent of local highways and highway assets that are proposed to be handed over to the LHA upon completion of the scheme. As is noted by CCC at para 3.30 of document REP1-048, and as has been raised repeatedly, the agreement of highway boundaries for local roads is of significant importance to CCC in understanding the extent of the assets it is due to inherit as a result of the scheme. CCC has requested the formation of working groups to begin to tackle this issue, but no engagement on this matter has yet commenced. Such collaboration is also of value to the applicant and to adjoining private landowners as it serves to clarify, at an early stage, which parties are expected to assume ongoing responsibility for different assets. The Applicant has still not commented on the means of engagement they intend to undertake with LHAs on this matter, nor has it attempted to make the limited amendments to the DCO that have been requested to assist the LHA on this issue.</p>
Limits of Deviation	Action Point 13	<p>CCC notes that in the Applicant's Comments on Written Representations [REP3-008] in relation to REP1-048aa the Applicant proposes making changes to the wording of Article 9 of the DCO to give the LHA a consultative role if the Applicant wishes to extend the Limits of Deviation in the DCO pursuant to article 9. The Applicant also indicates it will amend the associated plans showing Limits of Deviation and make it clear that the Limit of Deviation will apply to PROW and NMU routes and will consider the effect of making such changes on articles 14(7) and 18(2)(a). Furthermore, the applicant commits to providing the LHA with as-built plans to assist with accurate statutory recording of new or diverted PROW.</p> <p>These are positive steps, however CCC has the following reservations and therefore at this time cannot agree on this matter.</p> <p>(1) Broad Limits of Deviation may permit the construction of PROW in unsuitable locations that do not provide optimum connectivity for users. It is not appropriate therefore to apply a scheme-wide limit to PROW, and a more appropriate corridor should be provided for each individual PROW.</p>

		<p>(2) CCC cannot comment on the appropriateness of the applicant's proposal to provide as-built plans until it has reviewed the nature of what is shown on those plans. The statutory recording of PROW must meet certain criteria which would need to be displayed on such a plan.</p> <p>(3) Further amendments to the draft Order are necessary to deal with the provisions of Schedule 3, Part 7 and Schedule 4, Part 2 to the draft Order. Presently, those Schedules require PROW to be constructed in specific places and condition the ability to stop up existing PROWs on the provision of replacement PROW in specific places. Where PROWs are constructed in different locations under the power to deviate, that raises questions as to whether Schedule 3, Part 7 has been complied with and, separately, whether the existing PROWs that are to be stopped up once the replacement PROWs have been provided (Schedule 4, Part 2), have in fact been validly been stopped up. One solution would be to provide (i) that any deviation of PROWs under the power to deviate may not permit deviations that would not connect the particular points listed in the final columns of those Parts of those Schedules; and (ii) that any deviated PROW which does connect those particular points is deemed to satisfy those Parts of those Schedules, so as to ensure that the PROWs to be stopped up are validly stopped up. This is of significance to CCC as the failure to give new highways legal effect through the DCO results in further separate legal processes being necessary.</p> <p>(4) Although the applicant indicates it is considering changes to articles 14(7) and 18(2)(a), CCC cannot agree to these changes until it has been able to review them after deadline 4.</p>
Handover of new highways	AP14	<p>CCC has made its position on handover of assets clear in document REP1-048, paras 3.4 to 3.14. The Councils require the DCO itself to contain a clear mechanism to underpin the provisions of the Legal Agreement to ensure that, as a matter of law, the relevant roads are not de-trunked without the Legal Agreement being complied with. The Councils have suggested at Deadline 3 amendments to the draft DCO that would provide for a clear certification process that would fulfil the necessary role. The certification process would also have added benefits in terms of clarifying, as a matter of law rather than just contract between the parties, the extent of the de-trunked road / new highways by reference to the as-built drawings.</p>

### 9.38 Joint Position Statement with the Local Highways Authorities on Junction Modelling [REP3-024]

Topic	Paragraph Number	Councils' Comment
		This document is largely superseded by the Scoping note [TR010044/EXAM/9.44] for the further work NH are proposing. Please see the comments below on 9.44 Scope of Junction Model Sensitivity Test [REP3-029].

### 9.41 Joint Position Statement with Natural England and the Local Authorities on Drainage Ponds [REP3-026]

Topic	Paragraph Number	Councils' Comment
Details of attenuation basins including intended design principles and planting arrangements	Annex A	Annex A [REP3-026] does not contain information about the enhancement to existing ponds, which the Councils requested be included within Annex A during the meeting between the Applicant and Local Authorities on 05 <sup>th</sup> October.  The Councils have asked for clarity about how attenuation pond 83 will be restored to mitigate the permanent habitat loss (two ponds). This has not been provided.

### 9.42 Chapter 11 Noise and Vibration Errata [REP3-027]

Topic	Paragraph Number	Councils' Comment
General		HDC accepts the Errata in relation to Noise and Vibration. The document does not change the methodology used or outcomes reported, as it appears only to correct a typographical error.

### 9.43 Assessment of Traffic Flows at Dry Drayton & Madingley [REP3-028]

Topic	Paragraph Number	Councils' Comment
The impact on Dry Drayton and Madingley	1.1.1	The impact highlighted by CCC was on Scotland Road, Dry Drayton and Church Lane, Madingley but the assessment undertaken by NH focusses on Oakington Road, Dry Drayton and The Avenue, Madingley and so does not address the issues seen in the assessment undertaken by the Councils.
The impact on Dry Drayton and Madingley	1.1.2	The Councils agree that there are significant changes to the road network in this area as a result of the A14 scheme, but the issue here is the impact of the proposed A428 Scheme. The only difference between the 2025 and 2040 DM and DS scenarios is the introduction of

		the A428 Black Cat to Caxton Gibbet Scheme and therefore, any changes on Scotland Road, Dry Drayton and Church Lane, Madingley are a direct result of the scheme, and the Councils require sufficient information to assess the significance of the suggested increase in traffic. To date there is insufficient information to assess the impact which is why the Councils have asked for monitoring of the traffic on Scotland Road, Dry Drayton and Church Lane, Madingley.
The impact on Dry Drayton and Madingley	1.1.8	The Councils agree that the Northstowe development may affect traffic flows in the Dry Drayton and Madingley areas, but the development is included in the DM scenarios. The only difference between the DM and DS scenarios is the addition of the A428 Black Cat to Caxton Gibbet scheme. Therefore, any changes on Scotland Road, Dry Drayton and Church Lane, Madingley are a direct result of the scheme, and the Councils require sufficient information to assess the significance of the suggested increase in traffic. To date there is insufficient information to assess the impact which is why the Councils have asked for monitoring of the traffic on Scotland Road, Dry Drayton and Church Lane, Madingley.
Assessment	2.1.1	<p>The Councils have not asked for a comparison of the differences between base year and the future years because as is acknowledged above there have been significant changes to the road network in this area as a result of the A14 scheme. The Councils have asked for an assessment of the changes in traffic as a result of the introduction of the A428 scheme which should be the only difference between the future year DM and DS scenarios</p> <p>The assessment undertaken in this section does not deal with the issues highlighted by the Councils who are concerned with the levels of traffic on Scotland Road, Dry Drayton and Church Lane, Madingley.</p>
2025 DM Forecasts	2.1.7	<i>The Applicant states that “A reason for some of the increase on Oakington Road will be due to a coding error on the section between Dry Drayton and the new A1307 junction. This resulted in the route distance specified being too short by 670m and may have resulted in more traffic using this route. There was also an error in the coding of The Avenue, although this was only 170m, with a similar error on the A428 in the eastbound direction on the approach to Girton. A test assignment shows that the overall impact from coding errors resulted in more traffic on Oakington Road but less on The Avenue”.</i>



		This indicates that the model is wrong in this location and therefore, these errors need to be fixed to see if this is the reason for the predicted impact of the scheme. If the modelling is not to be corrected then the Councils will require the monitoring of the impact of the scheme on Scotland Road, Dry Drayton and Church Lane, Madingley to enable an assessment of the impact of the scheme on these locations.
2025 Forecasts (DS)	2.1.8	As stated above the changes noted by the Councils were on Scotland Road, Dry Drayton and Church Lane, Madingley and so the Applicant has not answered the issues identified in the review of the model.
2040 DM Forecasts	2.1.13	<p>The Applicant states that <i>“Some of the increase is due to trips to and from the NW Cambridge development which is only connected to the A1303 in the model network but in reality can also access the A1307. This is illustrated in Figure 2-6. A connection into the A1307 would result in less traffic travelling through Madingley.”</i></p> <p>This indicates that the model coding of the Cambridge West (Eddington) is wrong and therefore, these errors need to be corrected to see if this is the reason for the predicted impact of the scheme. If the modelling is not to be corrected then the Councils will require the monitoring of the impact of the scheme on Scotland Road, Dry Drayton and Church Lane, Madingley to enable an assessment of the impact of the scheme on these locations.</p>

#### 9.44 Scope of Junction Model Sensitivity Test [REP3-029]

Topic	Paragraph Number	Councils' Comment
Flows to be used in sensitivity tests	3.1.3	The Applicant has opted to adopt Option 2 from the joint Cambridgeshire Authorities note [REP3-043] submitted as a response to ISH2. This is acceptable to CCC but needs to be undertaken for all the junctions listed in the submitted note.
Modelling of additional junctions in St Neots	Table 3-1 Row 1	<p>The Applicant states <i>“The Scheme would remove through traffic from St. Neots thereby providing net relief to local traffic. Local traffic would re-route and benefit through a net reduction of traffic within the town centre.</i></p> <p><i>In considering the proposed Scheme, and in particular, when weighing its adverse impacts against its benefits, the Applicant has established through its comprehensive and robust assessments of the network that the Scheme does offer significant net benefits to all the</i></p>

		<p> <i>local towns and villages in the vicinity of the Scheme and to the majority of the junctions in the network.</i>  <i>The Applicant considers that it would not be reasonable or proportionate to carry out further modelling to assess a potential deterioration in traffic conditions on selective approach arms of a number of specific individual junctions within the urban road network of a town, where the overall impact of the Scheme on the town is beneficial, and where the increase in traffic flows concerned is acknowledged to be the effect of local reassignment of traffic away from less suitable routes within the town centre”.</i> </p> <p>       The predicted increase in traffic on Great North Road and Cambridge Road is approximately 24% over the day with peak hour increases of around 200PCU’s. These are significant increases onto sections of road that have historically experienced severe delays as a result of the congestion on the A428.     </p> <p>       The increases predicted are a direct result of the proposed scheme and the Councils are concerned that some of the adjacent junctions will not be able to accommodate the level of traffic indicated and that this could lead to congestion on the local road network that might lead to traffic not rerouting away from less suitable routes and therefore the predicted improvements might not be realised.     </p> <p>       The Councils require the assessment of the following junctions:     </p> <ul style="list-style-type: none"> <li>• Great North Road/Alpha Drive/Marlborough Road;</li> <li>• Great North Road/Howard Road;</li> <li>• Great North Road/Little End Road;</li> <li>• Great North Road/ Nelson Road;</li> <li>• Cambridge Street/Cromwell Road/Station Road/Cambridge Road;</li> <li>• Cambridge Road/Dramsell Rise; and</li> <li>• Cambridge Road/Stone Hill/Wintringham Park access.</li> </ul> <p>       This is required to enable confirmation that the local road network can accommodate the predicted increase in traffic that is directly related to the implementation of the proposed scheme.     </p>
--	--	--

<p>Flows to be used in sensitivity tests of Black Cat Junction, Caxton Gibbet Junction, Cambridge Road Junction</p>	<p>Table 3-2 Row 1</p>	<p>The Applicant states <i>“As these are the three main Scheme junctions, sensitivity tests are proposed, for the 2040 AM and PM Do Something scenarios, using traffic count data to derive future year traffic flows – following the ‘Option 2’ approach recommended by CCC.”</i></p> <p>This approach is acceptable for these junctions. The Councils would request that the flows are discussed and agreed prior to any further modelling.</p>
<p>Vissim parameters for testing of Black Cat Junction Caxton Gibbet Junction Cambridge Road Junction</p>	<p>Table 3-2 Row 1</p>	<p>The Applicant states <i>“The Vissim parameters (such as look ahead distance of priority markers, the HGV disaggregation between OGV1 and OGV2, etc.) which have been questioned are not likely to have a significant impact on model results. However, as a sensitivity test is being run to take into account survey data, then the parameters can be adjusted to test the impact of different Vissim parameters.”</i></p> <p>The inclusion of these measures in the sensitivity tests is welcomed. The Councils request that the revised parameters are discussed and agreed prior to any further modelling.</p>
<p>Yelling &amp; Toseland Crossroads</p>	<p>Table 3-2 Row 2</p>	<p>The Applicant states that as the junction is shown to be operating well within capacity in 2040 there is no need to undertake further assessment and therefore no further action proposed by the Applicant.</p> <p>The Councils are not aware of any independent turning counts at this junction. Comparison of NH link counts with 2015 base year model flows on two of the four approach arms to this junction show good correlation between modelled and observed flows giving the Councils confidence in the performance of the strategic model at this location. The Councils are therefore also confident in the forecast year modelled flows predicted by the strategic model at this junction and therefore accept NH’s detailed junction model assessment of this junction.</p>
<p>A428/Toseland Road/ Abbotsley Road junction</p>	<p>Table 3-2 Row 3</p>	<p>The Applicant states that the scheme removes the vast majority of through traffic on the A428 at this junction and that the junction is shown to be operating well within capacity in 2040 and therefore there is no need to undertake further assessment at this junction. No further action is proposed by the Applicant.</p>

		<p>The Councils do not have confidence in the traffic flows used in the junction models used in the assessment of the scheme and therefore, are not able to agree the impact of the proposed scheme at this junction.</p> <p>The Councils requested that the modelling be undertaken using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the impact of the proposed scheme in this location. This is still needed for this junction.</p>
Potton Road/ B1046 Junction	Table 3-2 Row 4	<p>The Applicant states that as the junction is shown to be operating well within capacity in 2040, there is no need to undertake further assessment and therefore no further action proposed by the Applicant.</p> <p>The Councils do not have confidence in the traffic flows used in the junction models used in the assessment of the scheme and therefore, are not able to agree the impact of the proposed scheme at this junction.</p> <p>The Councils requested that the modelling be undertaken using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the impact of the proposed scheme in this location. This is still needed for this junction.</p>
Eltisley Link Junction	Table 3-2 Row 5	<p>The Applicant states that as the junction is shown to be operating well within capacity in 2040 there is no need to undertake further assessment and therefore no further action proposed by the Applicant.</p> <p>The Councils do not have confidence in the traffic flows used in the junction models used in the assessment of the scheme this junction is to be provided as part of the scheme and the level of performance (max RFC of 0.33) indicates that the proposed junction is significantly larger than it needs to be to cater for the predicted levels of traffic and therefore, the Councils are not able to agree the proposed design at this junction.</p> <p>The Councils requested that the modelling be undertaken using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the performance of this junction in the future year. This is still needed for this junction.</p>

Cambourne Junction	Table 3-2 Row 6	<p>The Applicant states that this junction could accommodate double the amount of traffic used in their modelling before reaching its capacity. They continue to state this means there is no reason to do any further modelling of the junction.</p> <p>The Councils do not have confidence in the traffic flows used in the assessment of the scheme for this junction and therefore request that modelling be undertaken using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the performance of this junction in the future year. This is still needed for this junction.</p>
Scotland Road, Hardwick, Junction	Table 3-2 Row 7	<p>The Councils are still attempting to identify traffic surveys at this junction. If these are forthcoming the Councils will require the junctions to be re-modelled using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the performance of this junction in the future year. This is because the Councils do not have confidence in the traffic flows used in the assessment of the scheme for this junction.</p>
Madingley Mulch Junction	Table 3-2 Row 8	<p>The Applicant states that that the issues at this junction are due to blocking back from M11 J13 and therefore this junction is better assessed by the extension of the M11 J13 VISSIM model.</p> <p>In principle the Councils agree with this statement but given the issues already noted with the M11 J13 VISSIM model this work will need to be agreed prior to any further modelling of this junction.</p>
Wyboston Junction	Table 3-2 Row 9	<p>NH States <i>“The Applicant maintains that the impact of the Scheme on this junction will still be beneficial whatever modelling approach is used. Nevertheless, the Applicant is prepared to undertake sensitivity testing to address the issues raised by CCC and to re-assess the net impact of the Scheme on the Local Road Network at this junction.”</i></p> <p>The agreement to undertake revised testing of this junction is welcomed by the Councils. The parameters at the junction and the flows to be used should be discussed and agreed with the Councils ahead of any further modelling at this junction.</p>

<p>A428 Barford Road junction</p>	<p>Table 3-2 Row 10</p>	<p>The Applicant states <i>“It would not normally be appropriate for National Highways to carry out further, more detailed modelling to assess the performance of this junction, where the overall impact is so clearly beneficial. Nevertheless, the Applicant is prepared to undertake sensitivity testing to quantify the net impact of the Scheme on the Local Road Network at this junction using a set of traffic flow forecasts based on the observed flows – following the ‘Option 2’ approach recommended by CCC.”</i></p> <p>The Councils welcome the commitment to undertake the modelling of this junction using the methodology suggested by the Councils (Option 2 in the Council’s note). The Councils request that the flows to be used in the modelling are discussed and agreed prior to any further modelling being undertaken at this junction.</p>
<p>M11 Junction 13/A1303 Buckden Roundabout</p>	<p>Table 3-2 Row 11</p>	<p>The Applicant states <i>“Base models have been developed and calibrated/ validated to TAG standards, which is the accepted and standard approach required in the NPSNN. The calibration and validation was done with the parameters in place – so the capacity of junctions and queue lengths are calibrated to observed information and are robustly modelled. The parameters are also consistent between the Do Minimum and Do Something scenarios, so the modelling submitted provides a robust assessment of the impacts of the Scheme. No further action proposed by the Applicant”</i></p> <p>With regard to M11 J13 there are a number of areas where the model is incorrect such as the coding of the construction access to the Eddington development as a permanent access. This together with the use of TFL parameters in the model means that there are significant areas that would benefit from the re modelling of this junction. Also, in relation to the Madingley Mulch Junction it was stated that the M11 J13 VISSIM model would be extended to include this junction. This information is required by the Councils to confirm the impact of the proposed scheme on the local road network.</p> <p>For the A1 Buckden Roundabout it is acknowledged that the base model is based on observed data, but the future year flows were taken directly from the strategic model and the Councils request that the flows used in this model are treated in the same way as the flows at other junctions assessed.</p>

**Comments on any other information and submissions received by D1 and D2 [REP3-030]**

Topic	Paragraph Number	Councils' Comment
Definition of "commence"	Table 2-2	The Councils note that the Applicant is developing a pre-commencement plan which aims to address the issues raised by the Councils. The Councils will comment further on the precise details of the pre-commencement plan once this is available following Deadline 4.