

Comments on the Applicant's D4 submissions

This document sets out the comments on the Applicant's Deadline 4 (D4) 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 previous deadlines.

2.2 Land Plans [REP4-002]

Topic	Paragraph Number	Councils' Comment
Land take for scheme	All sheets	The land plans for the scheme continue to show large areas of land being purchased by the Applicant in areas that adjoin proposed new local highways. CCC reiterates the point made in the Councils' Joint Written Representation [REP1-048], that there should be no assumption that any land not required for highway purposes will be adopted by the LHA as part of the highway.

2.6 Streets, Rights of Way and Access Plans [REP4-003]

Topic	Paragraph Number	Councils' Comment
Limits of deviation	All sheets	NH have added a single limit of deviation shape onto the plans that would appear to apply to all new and improved rights of way. Please refer to comments on 3.1 Updated draft Development Consent Order [REP4-006] Article 9, below.
	Sheets 6, 9, 11, 13 and 14	There appear to be inconsistencies on the way CCC roads have been stopped up when they cross the new trunk road, which would apparently leave in some cases small lengths of redundant county roads remaining. Compare Sheets 6 and 9 with Sheet 11, 13 and 14 for details.
	Sheets 11 and 12	Existing A428 land beyond immediate road footprint (remaining land after historic bends in road straightened), shown as detrunked on detrunking plans, needs to be stopped up on

		these plans, to avoid it becoming a maintenance liability for CCC. CCC's position is that it will not adopt land which is not required for highway purposes.
	Sheet 13	"Huntingdonshire County Council" should read "Huntingdonshire District Council" on this plan.
	All sheets	The relevant local highway authority (CCC) should be marked on the relevant plans.
Local road boundaries	All sheets	The Streets, Rights of Way and Access Plans only show carriageways as comprising part of the new and amended local highways. They do not include a proposed highway boundary, as requested in the Councils' Joint Written Representation [REP1-048]. The inclusion of a proposed or indicative highway boundary within the DCO Plans would be of benefit to all stakeholders in establishing the anticipated areas of responsibility upon completion of the scheme. CCC requests early engagement during the detailed design development phase to agree the extent of local roads to be handed over to the Council.

3.1 Updated draft Development Consent Order [REP4-005 and REP4-006]

Topic	Paragraph Number	Councils' Comment
Definition of "pre-commencement work"	Article 2	The Councils note the addition of the new definition of "pre-commencement work" and suggest that a consequential amendment is made to the definition of "commence" to replace the wording after "other than" and before "and "commencement" is to be construed accordingly" with the new definition.
Definition of "pre-commencement works"	Article 2	The Councils request that reference to "protection works" in the definition of "commence" and "pre-commencement works" is updated to refer to utilities protection works, following the explanation provided as to the nature of these works in the pre-commencement plan [REP4-038].
Extent of limits of deviation	Article 9	The Councils note that the concept of limits of deviation which apply to the public rights of way shown on the streets, rights of way and access plans [REP4-003] has been added to the wording of Article 9. This approach is welcomed.

		<p>However, the Councils have concerns in relation to the extent of the limits of deviation shown as applying to those routes on the updated streets, rights of way and access plans [REP4-003]. It is noted that the limits of deviation applying to the rights of way are widely drawn, in many cases mirroring the limits of deviation applying to the works plans [APP-009 and APP-010]. As the Councils commented at ISH2, and in their response to the Applicant's comments on Written Representations [REP4-060], it is not appropriate for the public rights of way to be deviated to the extent proposed. The public rights of way serve a particular function and provide wider connectivity and therefore the provision of a route to the west of the carriageway, rather than the east, for example, may have profound implications for the Councils' management of the local network and the experience of users of these routes.</p> <p>It is not clear to the Councils that the worst case routing of each of the public rights of way has been assessed in the Environmental Statement. For example, paragraph 2.5.7 of Chapter 2 of the Environmental Statement notes that the "<i>purpose of the LoD are [sic] to allow minor modifications and refinements to be made to the preliminary design, where necessary, during the detailed design</i>" [APP-071]. It cannot be said that the proposed limits of deviation allow for only minor modifications and refinements of the routes of the public rights of way.</p> <p>The Councils consider that minor modifications and refinements to the public rights of way would be appropriate. The Councils reiterate their request that specific limits of deviation are identified for the rights of way, in the same manner has been proposed for the utilities (see for example sheet 2C on the works plans [APP-009]).</p> <p>The Applicant has previously commented that many of the rights of way connect two points and therefore there is a limit to the practicalities of deviating the routes as widely as the limits of deviation theoretically allow. The Councils therefore query why such wider limits of deviation are necessary. This remains to be demonstrated by the Applicant.</p> <p>In relation to those rights of way that are to be provided as substitutes for rights of way which are to be stopped up (see Articles 18 and 29 and Part 2 of Schedule 4), only Article 29 includes reference to the limits of deviation. Article 18 would also need to be updated to refer to the limits of deviation to avoid conflict between these two articles. Consideration will</p>
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		<p>require to be given to whether the precise route lengths specified in column 4 of Schedule 4 preclude the Applicant from relying on the limits of deviation for these substitute routes.</p>
<p>Extension of limits of deviation</p>	<p>Article 9(2)</p>	<p>The Councils note that Article 9(2) has been updated to provide for consultation of the local highway authority in respect of any proposal to extend the limits of deviation. The Councils welcome the Applicant's further consideration of this matter, however, request that the approval of the local highway authority is required for an extension to the limits of deviation relating to a highway other than a special road or a trunk road.</p> <p>The local highway authority will ultimately be responsible for maintaining the highway assets and must therefore have reasonable certainty as to the location of these assets in order to be able to assess and comment on the proposal and the maintenance burden.</p> <p>The Councils understand from the Applicant that it is unlikely that this power will be used. This being the case, the Councils are unclear as to the objection to the need to seek approval from the local highway authority for deviations to local highways beyond the current limits.</p>
<p>Certification of new, altered or diverted streets and other structures</p>	<p>Article 13</p>	<p>The Councils reiterate that Article 13 must include a process for certification of the new local highways by the local highway authority and do not agree with the Applicant that this is a matter that can be dealt with purely by the legal agreement. As currently drafted, the dDCO provides that the relevant highway will be handed over to the local highway authority by operation of law once it is complete, whether or not it is certified as complete by the local highway authority. This cannot be overridden by the legal agreement. Certification is a formal stage in the legal process and should therefore be contained within the DCO.</p> <p>The Councils note that the precise details of the handover process can be contained in a legal agreement, however, the certification process must have its foundations in the dDCO to provide certainty for all parties as to when responsibility for maintaining the local highways is passed to the local highway authority.</p> <p>The Councils also note that, whilst discussions in relation to the legal agreement are ongoing, there remain material points at issue between the parties and the legal agreement is not yet concluded.</p>

<p>Certification of new, altered or diverted streets and other structures</p>	<p>Article 13(5)</p>	<p>The Councils remain of the view that their proposed amendment to Article 13(5) [REP3-039] is necessary to avoid duplication of Article 13(1). The Councils note that the Applicant is considering further the reference to vehicular private means of access in the context of the Scheme [REP4-036] and may have further comments once the Applicant's updated position is available.</p>
<p>Certification of new, altered or diverted streets and other structures</p>	<p>Article 13(9)</p>	<p>The Councils proposed an amendment to Article 13(9) [REP3-039] to clarify specifically that culverts under bridges are to be maintained by the Applicant. The Applicant has queried why this is necessary [REP4-036] The Council remains of the view that this is necessary to avoid ambiguity as to whether culverts would be encapsulated by the wording "<i>and structure below</i>", noting that structure is expressed in the singular form. The Councils wish as much certainty as reasonably possible about the assets they will be obliged to maintain.</p> <p>The current proposed wording of Article 13(9) also fails to address a point raised in the Councils' Written Representation [REP1-048] in respect of maintenance responsibilities for the surfaces of bridges which are shared by public rights of way and private means of access. In these instances, the Councils have been clear that the surfaces should be maintained by the private party benefiting from the right of access owing to the greater potential for damage to be caused to such a surface by private vehicular traffic as opposed to public right of way users.</p>
<p>Certification of new, altered or diverted streets and other structures</p>	<p>Article 13(10)</p>	<p>In relation to the Councils' proposed amendment to Article 13(10), the Councils note that this is being considered further by the Applicant [REP4-036] and the Councils may have further comments once the Applicant's updated position is available.</p>
<p>Classification of roads, etc. and permanent stopping up and restriction of use of streets and private means of access</p>	<p>Articles 14(7) and 18(2)</p>	<p>In the Councils' comments on the previous version of the dDCO [REP3-039], the Councils requested further clarification from the Applicant of the interaction between Articles 14(7) and 18(2). The Councils note the Applicant's response at REP4-036, however, it appears to the Councils that there are two potential triggers for providing the footpaths, cycle tracks, footways and bridleways: (i) before the authorised development is open for use (Article 14(7)); and (ii) where relevant, before the existing route is stopped up (Article 18(2)). The</p>

		<p>Councils therefore request further clarification on this matter. The Councils suggest that the timeframe in Article 14(7) is, where relevant subject to the earlier timeframe in Article 18(2).</p> <p>The Councils further consider that the deadline of “before the authorised development is open for use” is vague, as the authorised development is broad in scope. The Councils presume that the intention is for this article to refer to the point at which the main new trunk road is open for use and would be grateful if this could be clarified.</p>
Classification of roads, etc.	Article 14(8)	<p>The Councils reiterate their concern that Article 14(8) must provide for de-trunking to take place on a date agreed between the Applicant and the local highway authority. The Councils disagree with the Applicant that a separate legal agreement would be sufficient to address this matter. In the event that the de-trunking date determined by the Applicant under the Order differed from that agreed between the parties to the agreement, the road would be de-trunked on the date determined by the Applicant by operation of law, irrespective of the terms of the agreement.</p> <p>The Councils also note that, whilst discussions in relation to the legal agreement are ongoing, there remains material points at issue between the parties and the legal agreement is not yet concluded.</p>
Classification of roads, etc.	Article 14(16)	<p>The Councils welcome the addition of Article 14(16) in relation to the provision of as built plans, however, the Councils request that the timescales within which the plans are to be provided are amended to within 3 months of completion of the relevant footpath, cycle track, footway or bridleway to allow the Councils to update the Definitive Map and Statement.</p>
Power to alter layout etc. of streets	Article 15(3) and (4)	<p>Article 15 provides the Applicant with the power to alter the layout of any street within the Order limits and the layout of any street having a junction with such a street. The Councils’ position is that this power may only be exercised with the consent of the street authority. The Applicant has indicated that it is concerned that this will result in a potentially indefinite delay to the progress on the Scheme [REP4-036]. [The Councils would be willing to amend Article 15(4) such that consent is deemed to be granted if no response is received within 28 days.</p>

Temporary alteration, diversion, prohibition and restriction of the use of streets	Articles 17(4) and (6)	The Councils proposed an amendment to Article 17(4) to include the express ability for the street authority to request further information from the Applicant in response to an application for consent to temporarily alter, divert, prohibit or restrict the use of any street [REP3-039]. The Applicant has indicated that this ability must be subject to control on the timeframes for a decision to be reached [REP4-036]. The Councils highlight that the Councils are under an obligation not to unreasonably withhold or delay consent within the wording of Article 17.
Rights under or over streets	Article 39	The Councils note that the requirement of 28 days' advance notice proposed by the Councils [REP3-039] is being considered by the Applicant [REP4-036]. The Councils may have further comments on this matter once the Applicant's updated position is available.
Requirements	Part 1, Schedule 2	The Councils reiterate their request that a requirement relating to borrow pit restoration is sought. The Borrow Pit Excavation and Restoration Report (BPERR) does not negate the need for such a requirement. The Councils' concerns summarised in their responses to the ExA's second written questions [REP4-059] remain and the Councils highlight that the BPERR is not secured by the dDCO.
Requirements – definition of "Ecological Clerk of Works"	Paragraph 1, Part 1, Schedule 2	The Councils welcome the explanation provided by the Applicant in REP4-036 and suggest that reference to Table 2-1 of the First Iteration EMP [APP-234] is included in the definition of "Ecological Clerk of Works".
Requirements – "pre-commencement plan"	Paragraph 1, Part 1, Schedule 2	Please see the Councils' comments on 9.48 Pre-commencement Plan [REP4-038] below.
Requirements – landscaping	Paragraph 6, Part 1, Schedule 2	The Councils note that the Applicant is considering the Councils' proposed amendments to this Requirement [REP4-036] and may have further comments on this matter once the Applicant's updated position is available.
Requirements – traffic management	Paragraph 11, Part 1, Schedule 2	[The Councils note the Applicant's explanation that the traffic management plan must be substantially in accordance with the outline traffic management plan (OCTMP). Further clarification is requested from the Applicant as to whether matters described as "indicative", such as the timings of road closures at paragraph 3.4 of the OCTMP [REP4-011] may be amended through the preparation of the traffic management plan.]

Requirements – detailed design	Paragraph 12, Part 1, Schedule 2	The Applicant has confirmed in the Scheme Design Approach and Design Principles document [REP3-014] that this will be incorporated into the First Iteration EMP. However, as commented on in the Councils' response to second written question 2.10.1 [REP4-059], this alone is not adequate as Requirement 12 does not currently require the detailed design to be developed in accordance with the First Iteration EMP. It is necessary that Requirement 12 be updated to refer to the First Iteration EMP in order to ensure that these principles are secured.
Requirements – working hours	Paragraph 19, Part 1, Schedule 2	The Councils have responded to the Applicant's comments on the Councils' proposed amendments to the construction working hours at page 24 of REP4-060. The Councils' position remains unchanged.
Footpaths, cycle tracks, footways and bridleways	Part 7, Schedule 3	The Councils have responded to the Applicant's comments on the Councils' proposed amendments to the status of public rights of way at page 21 of REP4-060. The Councils' position remains unchanged.

4.3 Book of Reference [REP4-009 and REP4-010]

Topic	Paragraph Number	Councils' Comment
Land take	General point	The land parcels to be acquired for delivering the scheme, as detailed in the Book of Reference, should be reviewed in relation to any proposed Limits of Deviation to be applied to new or amended local highways (including PROW). This is particularly relevant in light of the amendments made in the Streets, Rights of Way and Access Plans [REP4-003] which now show a revised Limit of Deviation, and the most recent amendments to Article 9 of the dDCO. The implication is that if a revised limit of deviation permits construction works to take place <i>outside</i> of areas of land that have been acquired on a permanent basis, then the Applicant's ability to lawfully dedicate new highway in such areas may be affected.

7.4 Outline Construction Traffic Management Plan [REP4-011 and REP4-012]

Topic	Paragraph Number	Councils' Comment
Restricted routes for construction vehicles	3.3.3	The additional clarity in this paragraph is welcomed.

Restricted routes for construction vehicles	3.3.4	The restriction outlined in the updated paragraph is welcomed.
Self-diverting traffic	3.5.10	The updated approach to dealing with self-diverting traffic is noted and the approach to providing some mitigation measures where this is a problem is welcomed. However, monitoring the SRN is unlikely to provide any detailed evidence about the impact of self-diverting traffic on the local road network and therefore some monitoring on the local road network pre- and during works would provide a more comprehensive response to this issue. The Highway Authority is only likely to be able to provide qualitative evidence by means of complaints and ad-hoc feedback from councillors and residents, but without traffic monitoring information it may be difficult to ascertain the difference between perception and reality and how much worse the issue is during the works that it was before works commenced.

8.2 Draft Statement of Common Ground with Historic England Planning [REP4-014]

Topic	Paragraph Number	Councils' Comment
Assessment of findings: Construction	Table 3-1, page 19	CCC notes that the assessment of construction impacts is still under discussion with Historic England and has not been agreed. CCC's Relevant Representation [RR-013], the Councils' Joint Written Representation [REP1-048], paragraphs 12.5.7-12.5.8, and the Councils' Joint Local Impact Report [REP2-003], section 8.2, present our concerns about the magnitude of impact and significance of harm attributed for sites that will be permanently damaged by construction and for which inappropriate mitigation areas or techniques have been presented in the Updated Archaeological Mitigation Strategy at Deadline 4 [REP4-031].

8.3 Draft Statement of Common Ground with Natural England [REP4-015]

Topic	Paragraph Number	Councils' Comment
Borrow pit Restoration	Table 3-5 (page 44)	The Councils support Natural England's recommendations to fully investigate options for environmental / biodiversity enhancement options as part of restoration of the borrow pits.

8.7 Draft Statement of Common Ground with the National Farmers Union [REP4-019]

Topic	Paragraph Number	Councils' Comment
Soils	Pages 18 and 19	The Councils agree with the NFU that further detail in relation to pre-construction soil surveys and soil aftercare and restoration proposals should be provided. The Councils consider that this is particularly pertinent in respect of borrow pits.

9.23 Updated Archaeological Mitigation Strategy – Rev 3 [REP4-030 and REP4-031]

Topic	Paragraph Number	Councils' Comment
Aims of Specific intervention types	2.3	<p>CCC acknowledges the editing that has been done to improve the UAMS but identifies inconsistencies that remain across the document that make it confusing and open to challenge.</p> <p>We note the replacement of 'sampling' to 'targeted excavation' at 2.3.1, which should demonstrate a plan to subject irreplaceable archaeological remains to appropriate levels of investigation and recording prior to their loss. However, the ethos of 'targeted excavation' is still contestable as described in 2.3.6, "<i>The general aim of the sampling targeted excavation is to ensure that deposits are understood. The purpose is to supplement results of the evaluation excavation, where the nature, significance and extent of features does not warrant full excavation, but is designed to record the nature, depth, extent, character and date of archaeological features where this is not already understood.</i>" misses the principal issue consistently raised by CCC that the attributes of archaeological sites cannot be fully understood at an evaluation stage. All excavation seeks to be enough to understand the character of the site. The Applicant demonstrates a determination to focus on the excavation of individual <i>deposits</i> and <i>features</i> rather than to consider their collective value and relevance to the whole of the targeted archaeological site in question. CCC cannot support the approach as stated and contest that decisions can only be made in the field regarding which of a site's components should be investigated or not.</p>
Archaeological Mitigation Requirements	5.1.2 and 5.1.3	The mitigation strategies for Excavation and Archaeological Excavation for the site categories set out in 5.1.2 a and 5.1.2 b are acceptable. The Councils do not agree with category 5.1.2 c as it will be hard or impossible to determine which should be excavated or left unexcavated at the pre-excavation stage.

		<p>Targeted excavation cannot be prescribed in advance of stripping (5.1.3 b). It is suggested that this reference be removed and the UAMS show two categories of excavation: a. Detailed excavation, b. Standard excavation and explain these in Section 8 and 9. It can be explained in the relevant text area that lighter sampling may be required for some areas of archaeological excavation in the field subject to negotiation after stripping. Note: 5.1.3 a and b both deal with 'archaeological excavation' so the terminology remains at issue as it is not clear. Section 9 heading could be simplified to show 'Standard excavation'.</p>
Archaeological Mitigation Sites	Table 5.1	<p>Further editing is advised. Table 5.1 indicates "intensive" excavation – though section 8 names this as "Detailed Excavation". Consistency of terms between tabulated information and the methods sections is advised for a final revision of the UAMS so that there is no doubt as to meaning and for resourcing purposes.</p> <p>Table 5.1 Archaeological Mitigation Sites. This cannot be agreed as we remain in disagreement about:</p> <ul style="list-style-type: none"> - the areas for excavation for the following sites: 10, 11, 18, 34, 36-39 - the strategies for excavation of the following sites: 17, 20, 27, 32, 35 - both area and strategy not agreed: 19, 23, 23, 26, 28, 33
Archaeological Mitigation Sites and Archaeological mitigation action areas.	Table 5.1 and Appendix D:	<p>This cannot be agreed for any of the sites assigned for 'Targeted Excavation' We have previously explained our position in the inadequacies of the approach in relation to, for example, the multi-period archaeological remains at Site 17 (Category b Group value/key site). This mitigation strategy cannot be achieved as one cannot foretell which remains are Bronze Age or Saxo-Norman in advance of excavation. It is not fit for purpose.</p> <p>Another example is Site 33, a site of group value/key site according to 5.1.6, where the UAMS proposes "Selected and targeted excavation" in its entry at Appendix D, and lists 14 research objectives to steer the excavations. This is unworkable and not fit for purpose. Excavation of this Iron Age settlement area requires excavation levels in line with the brief given at Appendix B to provide contractors with an ability to meet the majority of the research objectives.</p>

9.41 Joint Position Statement with Natural England and the Local Authorities on Drainage Ponds [REP4-034]

Topic	Paragraph Number	Councils' Comment
Mitigation for loss of ponds		<p>The Councils' position is accurately represented within the JPS.</p> <p>The Councils require an update of Annex A to address the outstanding points.</p>

9.46 Applicant's Comments on Deadline 3 Submissions [REP4-036]

Topic	Paragraph Number	Councils' Comment
Traffic Modelling Methodology	REP3-035a	The Applicant's response is to state that sensitivity tests are being undertaken based on the Joint Position Statement with the Local Highway Authorities on Junction Modelling [REP3-024] and the Scope of Junction Model Sensitivity Test [REP3-029], both submitted at Deadline 3. Other comments in relation to the sensitivity tests state that these are to be submitted by Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.
Impacts of the scheme on Coton	REP3-035b	The Councils acknowledge that the coding errors in the Coton Area of the model do not mean that the whole model is incorrect and that it is still reasonable to use the strategic model in the assessment of the strategic impact of the scheme. However, the errors cast doubt on the impact of the scheme in the local area around Coton and therefore the Councils require monitoring of the impact of the scheme on Coton.
Operation of Caxton Gibbet roundabout	REP3-035c	The Applicant's response is to state that sensitivity tests are being undertaken based on the Joint Position Statement with the Local Highway Authorities on Junction Modelling [REP3-024] and the Scope of Junction Model Sensitivity Test [REP3-029], both submitted at Deadline 3. Other comments in relation to the sensitivity tests state that these are to be submitted by Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.
Landscape Effects	REP3-036d	The possibility of incorporating Elm is discussed within Annex L of the First Iteration Environmental Management Plan [APP-234] paragraph 1.10.14. This is acknowledged.

		<p>However, the Councils would like to see a firm commitment to the inclusion of Elm within the mixes.</p>
<p>Applicant's response the ExA WQ1 6: Effects on NMUs</p>	<p>REP3-035e</p>	<p>Paragraphs 3.15 and 3.16 on the NN NPS relates to the commitments to sustainable transport and encouraging modal shift. The Applicant's position on limiting provision to mitigating the disruption to existing routes is not going to encourage modal shift to enable reductions in air pollution and CO2 emissions. See the Councils' Local Impact Report [REP2-003], paragraphs 8.7.14 – 8.7.15. Diversions of existing Public Rights of Way will not increase the opportunity for sustainable travel or leisure activities (particularly as the 2km 'diversion' of 278/7 footpath is effectively an extinguishment/conversion into a roadside footway with no upgraded status). Opening up new routes and connected roadside NMUs will have a positive impact, as per the Councils' Local Impact Report [REP2-003], paragraphs 8.7.20- 8.7.23.</p> <p>Provision for NMUs on the Potton and Toseland bridge during construction will be far more feasible and economical than trying to retro-fit further improvements at a future date, if indeed possible, if adequate space is not provided. The strategic case for provision for a footway and cycleway across the new overbridges has been recognised in the WCHAR report [APP-241 Appendix 8.1] within the strategic opportunities section (3.3) which includes improvements identified:</p> <p><i>'Opportunity 2 providing shared use footway/cycleway facilities where new overbridges are provided across the proposed A428 would make these more comfortable for cyclists to use.'</i></p> <p><i>'Opportunity 4 providing interchange links for walkers and cyclists between the existing A428 and the B1046 Potton Road overbridge could link the proposed Strategic Expansion Location into the quiet road network to the south east of St. Neots.'</i></p> <p>Therefore, NH's statement that provision of facilities is not justified does not seem to accord with their own report.</p> <p>Strategic Opportunity 1 states <i>'Improving the existing A428 between the Caxton Gibbet and Cambridge Road roundabouts by providing a new shared use footway/cycleway alongside</i></p>

		<p><i>the carriageway would make this an attractive cycle link identified in the Third Cambridgeshire LTP 2011-2013.'</i></p> <p>It is disappointing that no progress is being made on the matter of NMUs.</p>
Wintering and breeding birds	REP3-037j	<p>National Highways reference to REP3-036c here doesn't address this point.</p> <p>National Highways have not provided evidence of why mitigation for breeding/wintering birds cannot be incorporated into the proposed agricultural restoration.</p> <p>The adverse impacts on wintering / breeding birds are associated with farmland species indicative of agricultural landscape. The Councils remain unclear as to why compensation cannot be incorporated into the proposed restoration to agricultural land.</p>
Biodiversity Net Gain	REP3-037k	<p>National Highways reference to REP3-036c here doesn't address this point.</p> <p>National Highways have not provided evidence of why compensation for residual net loss of hedgerows and habitat (areas) of high / medium distinctiveness identified in the Biodiversity Metric calculator [REP3-013] cannot be incorporated into agricultural restoration of the borrow-pits. For example, loss of arable field margins, parkland and hedgerows which are part of an agricultural landscape, as set out in the Councils response to Q2.3.2.1 [REP4-059].</p>
Scheme Junctions 6.3.8	REP3-038b	<p>The Applicant's response is to state that the flows from the model are sufficiently aligned to the observed data but as set out in the Councils' assessment this is not the case. The Applicant refers to the sensitivity tests that are being undertaken. The Applicant has proposed to undertake sensitivity tests at the key Scheme junctions (Black Cat, Caxton Gibbet and Cambridge Road) in Vissim, following the approach 2 suggested by CCC (documented in a note – 'CCC Preferred Method for Deriving Junction Model Flows' [REP3-043]). This is explained in the Scope of Junction Model Sensitivity Test [REP3-029]. Other comments in relation to the sensitivity tests state that these are to be submitted by Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.</p>

Existing junctions with no calibrated/ validated base models 6.4.2	REP1-038c ²	<p>The Applicant states that a response in relation to Wyboston, Barford Road and Madingley Mulch junctions is contained in the Scope of Junction Model Sensitivity Test [REP3-029], submitted at Deadline 3. The Councils commented on this document.</p> <p>It is understood that these junctions will be covered by the sensitivity tests expected at Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.</p>
Existing junctions with no calibrated/ validated base models 6.4.5a	REP1-038d	<p>The Applicant is proposing sensitivity tests at Wyboston and Barford Road junctions to address the concerns expressed by the Councils, the results of which will be available at Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.</p>
Existing junctions with no calibrated/ validated base models 6.4.5b	REP1-038e	<p>The Applicant states that this comment applies primarily to the Cambourne and Scotland Road, Hardwick junctions. In respect of these junctions, the Applicant asserts that the junctions, as assessed with the Scheme in place, have sufficient spare capacity through to 2040 to make it unnecessary to carry out further modelling, to assess the performance of these junctions in order to justify the minimal impact the Scheme has at these locations. The Councils require that assessment of these junctions is undertaken using traffic flows adjusted to observed turning movements to enable assessment of any mitigation required to ensure that the scale of the junction is reduced as a result of the predicted reduction in traffic as a result of the scheme. From the information presented it would appear that these junctions are not to be included in the sensitivity tests due to be submitted at deadline 5 and therefore the Councils will not have the confidence in the results of the modelling in these locations.</p>
Existing junctions with no calibrated/validated base models 6.4.6a	REP1-038f	<p>The Applicant reaffirms that the use of flows from the strategic model in the junction models is appropriate but from the analysis of the turn proportions at the junction for which information has been presented the Councils maintain that the turn proportions in the</p>

² The references in REP4-036 are quoted here, although the Councils believe the intention is to refer to “REP3” rather than “REP1”.

		strategic model do not accurately reflect the observed data which is to be expected as strategic models are validated to link flows not turning movements.
Existing junctions with no calibrated/ validated base models 6.4.6b	REP1-038g	<p>The Applicant reiterates that sensitivity tests of the Wyboston and Barford Road junctions to assess the implication of using the count data available.</p> <p>Whilst at the Madingley Mulch junction, the Applicant has extended the coverage of the M11 Junction 13 VISSIM model to cover this junction, as it is acknowledged that the problems at this location are connected with traffic queues on the A1303 between Madingley Mulch and M11 Junction 13, which prevent the Madingley Mulch junction from operating to its full potential.</p> <p>The Applicant states that a Technical Report with the model findings will be submitted to the Examination and shared with CCC at a future date, most likely by Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.</p>
Scheme Junctions – Junction Layout Comparison 7.2.1 a)	REP1-038i	<p>The rationale for not carrying out further work at the B1046/ Potton Road Junction and Eltisley Link junctions is also set out in the Scope of Junction Model Sensitivity Test [REP3-029].</p> <p>This is not acceptable to the Councils as the scheme is proposing significant changes to both these locations and the Councils need to be convinced that the proposed junction is of sufficient scale to accommodate the level of traffic projected without significant over provision. This is not possible based on the information available to date and therefore it is not possible to confirm the design at these locations.</p>
Scheme Junctions – Junction Layout Comparison 7.2.1 c)	REP1-038j	<p>The Applicant has proposed to undertake a Sensitivity Test at the key Scheme junctions following the approach 2 suggested by CCC (documented in a note prepared by CCC – “CCC Preferred Method for Deriving Junction Model Flows” [REP3-043]). This is explained in the Scope of Junction Model Sensitivity Test [REP3-029]. This test will show how the proposed junction operates, following the methodology suggested by CCC. To date there</p>

		has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.
Scheme Junctions – Junction Layout Comparison 7.2.2	REP1-038k	The Applicant has proposed to undertake a Sensitivity Test at the key Scheme junctions following the approach 2 suggested by CCC (documented in a note prepared by CCC – “CCC Preferred Method for Deriving Junction Model Flows” [REP3-043]). This is explained in the Scope of Junction Model Sensitivity Test [REP3-029]. This test will show how the proposed junction operates, following the methodology suggested by CCC. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.
Scheme Junctions – Forecast Traffic Flows 7.3.2	REP1-038l	<p>The rationale for not carrying out further work at the B1046/ Potton Road Junction and Eltisley Link junctions is also set out in the Scope of Junction Model Sensitivity Test [REP3-029].</p> <p>This is not acceptable to the Councils as the scheme is proposing significant changes to both these locations and the Councils need to be convinced that the proposed junction is of sufficient scale to accommodate the level of traffic projected without significant over provision. This is not possible based on the information available to date and therefore it is not possible to confirm the design at these locations.</p>
Scheme Junctions – Forecast Traffic Flows 7.3.3	REP1-038m	<p>This relates to the B1046/ Potton Road and (existing A428)/ Eltisley junctions. The Scope of Junction Model Sensitivity Test [REP3-029] provides the Applicant’s rationale for not carrying out further work in respect of these junctions.</p> <p>This is not acceptable to the Councils as the scheme is proposing significant changes to both these locations and the Councils need to be convinced that the proposed junction is of sufficient scale to accommodate the level of traffic projected without significant over provision. This is not possible based on the information available to date and therefore it is not possible to confirm the design at these locations.</p>
Scheme Junctions – Forecast Traffic Flows 7.3.4	REP1-038n	The rationale for not carrying out further work at the B1046/ Potton Road Junction and Eltisley Link junctions is also set out in the Scope of Junction Model Sensitivity Test [REP3-029].

		<p>This is not acceptable to the Councils as the scheme is proposing significant changes to both these locations and the Councils need to be convinced that the proposed junction is of sufficient scale to accommodate the level of traffic projected without significant over provision. This is not possible based on the information available to date and therefore it is not possible to confirm the design at these locations.</p>
<p>Scheme Junctions – Forecast Traffic Flows 7.3.5</p>	REP1-038o	<p>The rationale for not carrying out further work at the B1046/ Potton Road Junction and Eltisley Link junctions is also set out in the Scope of Junction Model Sensitivity Test [REP3-029].</p> <p>This is not acceptable to the Councils as the scheme is proposing significant changes to both these locations and the Councils need to be convinced that the proposed junction is of sufficient scale to accommodate the level of traffic projected without significant over provision. This is not possible based on the information available to date and therefore it is not possible to confirm the design at these locations.</p>
<p>Scheme Junctions – Forecast Traffic Flows 7.3.7</p>	REP1-038p	<p>The rationale for not carrying out further work at the B1046/ Potton Road Junction and Eltisley Link junctions is also set out in the Scope of Junction Model Sensitivity Test [REP3-029].</p> <p>This is not acceptable to the Councils as the scheme is proposing significant changes to both these locations and the Councils need to be convinced that the proposed junction is of sufficient scale to accommodate the level of traffic projected without significant over provision. This is not possible based on the information available to date and therefore it is not possible to confirm the design at these locations.</p>
<p>Scheme Junctions – Forecast Traffic Flows 7.3.8</p>	REP1-038q	<p>This relates to the B1046/ Potton Road and (existing A428)/ Eltisley junctions. The Scope of Junction Model Sensitivity Test [REP3-029] provides the Applicant's rationale for not carrying out further work in respect of these junctions.</p> <p>This is not acceptable to the Councils as the scheme is proposing significant changes to both these locations and the Councils need to be convinced that the proposed junction is of sufficient scale to accommodate the level of traffic projected without significant over</p>

		provision. This is not possible based on the information available to date and therefore it is not possible to confirm the design at these locations.
Scheme Junctions – Forecast Traffic Flows 7.3.9	REP1-038r	<p>The Applicant does not agree with the Councils assertion that the assessments undertaken are not based on robust data.</p> <p>The Applicant states that the sensitivity tests at Wyboston and Barton Road junctions will address this issue but the sensitivity tests do not address the concerns of the Councils at other junctions on the local road network.</p> <p>It would appear that the sensitivity tests will be submitted by Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.</p>
Table 8-1 – Summary of Existing Junctions without calibrated base models Row 5: A428/A1303 Madingley Mulch Roundabout	REP1-038s	<p>The Applicant states that the assessment of this junction is covered by the extension of the M11 J13 VISSIM model. This is agreed as being the preferred option for the modelling of this junction as the issues are caused by downstream issues on the A1303.</p> <p>The revised model has not been discussed or shared with the Councils and therefore it is not possible to confirm if the revised model is acceptable and it is also not possible to confirm if this junction is covered by the sensitivity testing proposed following ISH2.</p>
Table 8-1 – Summary of Existing Junctions without calibrated base models Row 6: Wyboston Roundabout	REP1-038t	<p>The Applicant confirms that this junction is included in the sensitivity testing following ISH2.</p> <p>It is noted that the sensitivity testing is due to be reported at Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.</p>
Table 8-1 – Summary of Existing Junctions without calibrated base models Row 7: Barford Road Roundabout	REP1-038u	<p>The Applicant confirms that this junction is included in the sensitivity testing following ISH2.</p> <p>It is noted that the sensitivity testing is due to be reported at Deadline 5. To date there has been no discussion on the sensitivity tests with the Councils and therefore the Councils have no certainty that the sensitivity tests will give the assurances required by the Councils.</p>

Existing Junctions with no calibrated base models 8.1.4	REP1-038v	The Applicant asserts that this issue will be addressed by the sensitivity testing proposed but it is unclear if all the junctions affected by the scheme will be covered by the sensitivity testing proposed by the applicant.
Existing Junctions with no calibrated base models 8.1.7	REP1-038w	The Councils are still concerned that the Applicant is not proposing to retest all of the junctions impacted by the scheme. This is a concern because there are a number of junctions where confidence is required to ensure that the impact of the proposed scheme at all the junctions particularly on the local road network is fully understood.
9.8 Traffic Routeing Impacts at Coton Technical Note [REP1-028]	REP3-038x	<p>The Applicant has declined to fix the coding errors identified in this area of the model because the flow differences are low, and the traffic is going to Cambridge.</p> <p>The Councils acknowledge that the actual impact of the scheme on Coton is likely to be less than indicated by the modelling because the model coding is incorrect. Therefore, the Councils require monitoring of the traffic levels of traffic through Coton to confirm this assumption.</p> <p>In addition, this approach means that the DCO model may not be suitable for use in the assessment of any other schemes in this area of the County such as M11 J13 without significant work to ensure that the strategic model adequately reflects the operation of the local and strategic road networks.</p>
Traffic Origins and Destinations and Forecast Growth 3.1.1	REP3-038z	<p>The Councils raised the issue that the model showed significant levels of traffic using the road through Coton that were not shown to be using this road in the observed data. The destination of this traffic was not the real issue. The fact that the majority of this traffic was shown to have a destination in Cambridge is not really relevant.</p> <p>The monitoring of the scheme impact through Coton by the Applicant should show that the predicted levels of traffic are not realised should the predicted level of traffic be generated than the Applicant will be required to agree mitigation with CCC and the Parish Council.</p>
Traffic Origins and Destinations and	REP3-038aa to REP3-038al	The Applicant argues that the issues with the model are due to traffic in the model using all routes available. However, the reason that the volumes of traffic through Coton are as they

Forecast Growth 3.1.2 – 3.1.10		<p>are in the model is due to the errors in the coding highlighted in the Technical Note [REP1-028].</p> <p>The monitoring of the scheme impact through Coton by NH should show that the predicted levels of traffic are not realised should the predicted level of traffic be generated than the Applicant will be required to agree mitigation with CCC and the Parish Council.</p>
9.16 Applicants response to submissions made at Open Floor Hearing 1 [REP1-035]	REP3-038ar	<p>The Councils acknowledge the approach taken by the applicant in relation to the testing of the rerouting due to construction of the scheme. The Councils are concerned that the result of this approach to modelling leads to a wider impact of the rerouting than might normally be expected.</p> <p>The Councils are seeking monitoring of key areas both before construction starts to give an accurate baseline and throughout construction to enable the impact of construction of the scheme to be assessed.</p>
Ongoing ecological survey work	REP3-040a	The Councils welcome the proposed submission of 2021 survey work at Deadline 5. This should be utilised to update the Biodiversity Metric calculations [REP3-013].
Planting - elm	REP3-040b	The Councils still seek confirmation that Elm (currently under consideration in the First EMP [APP-234]) will be included in the hedgerow and woodland planting mixes.
Great Crested Newt	REP3-040c	<p>The Councils welcome National Highways' proposed submission of a draft ESP licence to mitigate impact to GCN.</p> <p>The Councils welcome confirmation that no GCN breeding ponds will be lost in Cambridgeshire.</p>
Borrow-pit Biodiversity Net Gain	REP3-040d	National Highways reference to REP3-036c here does not adequately address this matter. See the Councils' response to REP3-037j and REP3-037k above.

Missed opportunities for Biodiversity Net Gain	REP3-040e	The Councils does not agree. The scheme should deliver at least no net loss, and seek to deliver net gain in accordance with National Policy, as set out in the Councils' response to National Highways response to the Councils' Local Impact Report REP2-003ad, pages 8-10 [REP4-058].
Construction hours	REP3-041a	The Councils welcome the opportunity to discuss the detail of this matter, as was agreed with the Applicant at a meeting on 10 November.
Noise impacts	REP3-041b	This matter is currently under consideration by the Councils.
Noise impacts	REP3-041c and REP3-041d	We are now satisfied with the Applicant's comment, following further detailed information presented at the meeting referred to on 21 October 2021, when this issue was discussed.
Applicant's response to submissions made in relation to residual emissions (comments on response to relevant representations)	REP3-041 and REP3-042e	<p>The Councils acknowledge the Applicant's approach in relation to plans to continue to refine and optimise carbon reduction measures during detailed design and construction phases in order to further reduce residual emissions. Commitments are also made to scheme level emissions being supported by national level policies in the Transport Decarbonisation Plan (2021)³ and Net Zero Carbon Highways Plan (2021)⁴ although as previously noted we are disappointed that policies such as the approach to provision of ultra rapid EV charge points along the strategic roads network as outlined in the Decarbonising Transport Plan are not provided for within this Scheme.</p> <p>With regards to the approach to offsetting, while we note that the approach to carbon offset in relation to the strategic road network is still to be defined, the authorities are concerned that as a result it is not possible to provide adequate certainty for testing this element of the proposed scheme's impacts. Elsewhere, in the Statement of Common Ground for example, the Applicant has stated that the scheme will not benefit from carbon offsetting. As such, the Councils still require greater certainty and commitment from the applicant with regards to offsetting residual emissions, even if it is not yet possible to precisely determine the means by which this offsetting will be undertaken.</p>

■ [REDACTED]

■ [REDACTED]

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9.48 Pre-commencement Plan [REP4-038]

Topic	Paragraph Number	Councils' Comment
Limitations	1.2	The Councils acknowledge that the detailed design of the Scheme has not been completed and therefore the scope and methods of pre-construction works are described as indicative. The Councils request confirmation that the final design of the pre-construction works will not give rise to materially greater environmental effects than those outlined indicatively in the pre-commencement plan.
Traffic management	3.1.26 and 3.1.27	The traffic management section is noted. If the traffic management is on CCC network we will require permits or road space booking and liaison with streetworks to avoid conflict with other works on our network. The Councils are currently reviewing our position on other detail that may be necessary in the traffic management plan.

9.49 Overview of handover process for de-trunked assets and local highways [REP4-039]

Topic	Paragraph Number	Councils' Comment
The handover process for detrunked assets	1.3.3	The Councils note the high-level nature of the overview document, however, would emphasise that the handover plan should include details and timings of all works, repairs and upgrades necessary to be carried out by the Applicant to bring <u>all of the detrunked assets up to the detrunked roads standards</u> . This requirement is not confined to carriageways and structures.
The handover process for detrunked assets	1.3.5	The Councils wish to clarify that, whilst the proposed De-trunking Date is set from the outset of the agreement, the actual De-trunking Date will not occur until the Councils have confirmed that the Handover Plan has been complied with to bring the highway assets up to an appropriate standard.
The handover process for new and local	1.3.7	As set out in relation to Article 13 above for 3.1 Updated draft Development Consent Order [REP4-005 and REP4-006] , the Councils require Article 13 to include a requirement for certification of all highways and PROW. They do not accept that it is sufficient for the

highways including PROW		<p>provision to be made only in the legal agreement. Certification is part of the formal legal process and as such ought to be contained within the DCO. The purpose of certification is to prevent handover by the undertaker before the LHA is reasonably satisfied that the highway concerned is in ready for handover in accordance with the provision of the DCO (e.g. alignment) and condition.</p> <p>Please see our detailed response to Article 13 above [REP4-005 and REP4-006].</p>
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9.50 Strategic Model Test at Girton [REP4-040]

Topic	Paragraph Number	Councils' Comment
Network Issues	2.1.1	<p>These coding errors are more extensive than those identified by CCC.</p> <p>The number of coding errors that NH are finding in the strategic model are also increasingly alarming.</p>
Network Issues	2.1.2	CCC agree that a sensitivity test is the appropriate way to test the impact of the errors.
Assessment	3.1.7	<p>The Applicant states that the Sensitivity Test forecasts show:</p> <p><i>An increase of 193 PCUs on the A14 WB at the A14/A428 diverge, due to a reduction of 36 seconds on delay.</i></p> <p>CCC note that the figure should be 133 PCU not 193 as stated. However, this is quite a large increase, albeit not of concern to CCC as it is on the SRN.</p> <p>Changes of this magnitude should improve the BCR for the scheme and therefore the revised model should be used in the assessment of the scheme.</p>
	Figure 3.3	The reduction of 48 PCU's through Dry Drayton in PM is welcomed, although this may be present in DM too if the coding were corrected in all model scenarios so this may not be an impact of the scheme and therefore, the Councils still require monitoring of the scheme impact on Dry Drayton.

	Figure 3.4	The sensitivity test appears to suggest quite a large reduction in delay on the A14 WB approach to Girton Interchange. This should improve user benefits of the scheme, although the change should be in DM too so the impact of the scheme may not be that significant in reality.
Impact on Daily Traffic Forecasts	Table 4-2 - Traffic Flows – 2040 DS AADT in Vehicles	The sensitivity test result is relatively small differences in flows on A428 which is not a surprise. The largest differences are in the vicinity of the coding errors, Girton Interchange. The Councils conclusion that NH should monitor Girton Interchange merge at A428 - M11 merge is unchanged.

9.51 Sensitivity Test for School Lane, Cambourne [REP4-041]

Topic	Paragraph Number	Councils' Comment
Network Issues	2.1.1	Coding errors in the strategic model are mounting up, undermining CCC's confidence in the model especially in areas more remote from the proposed scheme. This means that the use of this model in the assessment of other schemes such as M11 J13 and EWR will require very careful checks of the model coding.
Assessment	3.1.2	CCC notes the increase in flows through the Cambourne roundabouts and also note that the corrected flows should now be used in the detailed junction assessments for the Cambourne roundabouts to ensure that the impact of the scheme is fully captured at these junctions.
Conclusions	5.1.1	All of these coding errors are undermining CCC confidence in the strategic model. It would be useful to obtain DM and DS models in which all of the coding errors have been corrected so the combined impact of the errors identified to date can be assessed.
Conclusions	5.1.4	CCC would also like to see the impact of the model coding corrections on A1198 S of Caxton Gibbet. Hence please could the Applicant provide SLA for the A1198 SB, S of Caxton Gibbet, or better still, supply the cordoned models to CCC so we can interrogate the models ourselves.

9.52 Construction Phase Greenhouse Gas Emissions [REP4-042]

Topic	Paragraph Number	Councils' Comment
General		<p>The Councils welcome the further detail on construction phase emissions as provided in this technical note. This provides further detail on the materials to be used for the Scheme as well as emissions associated with wider construction activities.</p> <p>It is also noted that as the Scheme progresses mitigation measures to reduce emissions will continue to be refined and optimised during detailed design and construction phases. The Councils would encourage the Applicant to include the specification of construction materials with low embodied carbon such as low temperature asphalt. We would also welcome the opportunity to have sight of updated specifications as these become available.</p>
Land use change	Para 3.1.1	<p>The calculations do not accurately use Biodiversity Net Gain Metric 2.0 Phase 1 habitat areas [REP3-013], if based on the Land Use Carbon Calculations [REP4-048]. Please see our response to Land Use Carbon Calculations [REP4-048] below. The BNG Metric 2.0 calculations also do not include the results of the 2021 habitat survey data (to be submitted at Deadline 5). The Applicant is requested to check the accuracy of the Land Use Carbon Calculations [REP4-048] and whether this would necessitate recalculation of Table 3-2 and if so, to undertake this work.</p>

9.54 Barbastelle Bat Surveys and Mitigation Technical Notes [REP4-044]

Topic	Paragraph Number	Councils' Comment
Summary of Natural England's current position	Section 4.2	The Councils support Natural England's position.
Bat mitigation measures summary note	Appendix B	Natural England's comments regarding the lack of evidence to demonstrate the proposed bat mitigation measures are appropriate and reflect the Councils' own concerns set out in response to Q2.3.5.1.c, pages 4-8 [REP4-059].

9.55 Applicant's response to Cambridgeshire County Council's comments on archaeological mitigation areas [REP4-045]

Topic	Paragraph Number	Councils' Comment
Extent of archaeological site	1.1.2	A list of sites showing their areas and reasons for investigation methods was supplied to the Applicant on 30 June 2021, and resupplied with enhanced annotation on 25 October.

<p>areas or investigation methodology not agreed</p>		<p>This reused the list of sites and strategies supplied to the Applicant on 6 November 2020 following the presentation of the Rationale and Strategy (UAMS [REP4-030 and REP4-031] Appendix C) and again on 17 December 2020. Despite this, the list shown at 1.1.2 a of [REP4-045] is incorrect.</p> <ul style="list-style-type: none"> • 1.1.2a - areas not agreed should read Sites 10, 11, 18, 34, 36-39. Total 8 sites. • 1.1.2b - strategy not agreed should read Sites 17, 20, 27, 32, 35. Total 5 sites. • 1.1.2c - area and strategy not agreed should read Sites 19, 23, 24, 26, 28, 33. Total 6 sites. <p>The remaining 11 Cambridgeshire sites are agreed. There are a total of 30 Cambridgeshire sites if Site 14 in Urban and Civic's Wintringham Park development area is excluded (it has already been excavated by their archaeologists and does not need listing in the A428 scheme)</p> <p>This information was included in an updated Statement of Common Ground sent to the Applicant on 11 November, for submission at D5.</p>
<p>Bedfordshire mitigation areas</p>	<p>1.1.4</p>	<p>The Applicant does not state if BBC and CBC have approved the mitigation strategies for the 10 sites in their areas.</p>
<p>Omitted sites</p>	<p>1.1.6</p>	<p>It is not the case that the Applicant has not had advice from CCC for Sites 27 and 35 since these have been included in documents shared with them since November 2020 (see 1.1.2 above), to frame discussions over the Rationale and Strategy (Appendix C [REP4-030 and REP4-031]) and in discussions for the Statement of Common Ground.</p>
<p>Industry standard for archaeological evaluation</p>	<p>2.1.5</p>	<p>An evaluation trenching sample of 3-4% is not an industry standard. If this were the case this would be published as a such. The Multi-state European Project 'Planarch'⁵ statistically tested a range of evaluation trenching strategies for 100s of schemes undertaken across the UK, Ireland and North Europe in combination with non-intrusive</p>

⁵ Hey, G & Lacey, M, 2001. Evaluation of archaeological Decision-making Processes and Sampling Strategies (European Regional Development Fund Interreg IIC - Planarch Project). Kent: Oxford Archaeological Unit and Kent County Council. Available at:

		<p>evaluation methods concluding that 5-10% trenching samples of development areas were optimal for archaeological prospection and that anything less than 5% trenching opened the results of evaluation programme to uncertainty and introduced levels of unpredictability of the resource and its inherent significance. The concomitant outcome would expose developers to higher contingency costs and programme delays to deal with unanticipated archaeological evidence. However, the industry recognises the high cost of 5-10% trenching is hard to meet, particularly at the pre-determination planning stage, and agrees to balance physical evaluation with non-intrusive survey evidence (geophysical survey, aerial photograph and LiDAR transcriptions) if they are of good enough quality, thereby lowering the density. It is usually agreed that the risks of less than 5% evaluation trenching of a scheme area are balanced in the mitigation phase, where sites that have been found are subject to adequate excavation – proportionate and justifiable – in order to develop robust mitigation strategies that enable sites to be properly preserved by record.</p> <p>The Applicant’s strategy for the A428 seeks to omit the excavation of known parts of archaeological sites along its route, or subject them to low intensity excavation, as they believe that they adequately understand what has been found in a c.3.44% sample. This is not sound and the Applicant would be better advised as to the impact of destruction the scheme will have upon the ancient settlements and task sites present and be required to address their preservation by record more fully than is currently proposed.</p>
Features not found by the geophysical survey	2.1.6	<p>The human cremation burial and settlement evidence that were not evident in non-intrusive survey results demonstrates precisely the unpredictability of the resource and how it is investigated. CCC’s issue is that the UAMS [REP4-030 and REP4-031] has indicated a low level of excavation for this Iron Age settlement and burial area (Appendix D Site 23). The Councils note that CCC curators found the cremated remains owing to their experience in the nuanced archaeology of clayland Cambridgeshire.</p>
Maximising knowledge gain	2.2.2 to 2.2.4	<p>A 3% evaluation sample does not provide an adequate record of sites or adequate understanding of past human behaviour. Doing nothing or too little is not acceptable practice and risks the unrecorded loss of significant archaeological evidence. Reasons for not accepting 2.2.4c are given in response to 2.3 of responses to [REP3-030 and REP3-031] above.</p>

<p>CCCs mitigation areas</p>	<p>Table 3-1</p>	<p>This was initially shared on 6th November 2020 and updated following the issue of the archaeological brief in December 2020. The advice followed numerous site monitoring visits and while waiting for Phase 3 reports to be delivered. CCC expects the Applicant's strategy to suitably buffer settlement cores to attempt the recovery of burials/burial grounds that can be predicted for pre-Christian period settlements.</p> <p>It is incorrect to assume that the unenclosed components present at the east end Site 18 have been adequately understood in a low level of evaluation and disappointing that a feature-based approach has been adopted within palimpsests of archaeological sites. Our position is unchanged in relation to the excavation area and strategy advice for the sites listed in Table 3-1.</p> <p>Note, in relation to comments given for Site 23 Field 80 in Table 3-1, our experience is that archaeological remains and human bone, particularly cremations, which is the burial rite for the principal research objective to locate the extent of the Aylesford-Swarling cultural remains, is simply not recognised by non-archaeologists. Skulls are recognisable, mammoth skulls in particular, and anything that is shiny, but that is all.</p> <p>In relation to Plate 17 in the Applicant's response, the Councils ask that the Examiners look at the geophysical remains extending outside the scheme boundaries and consider our case for buffering the linear boundary off which task sites and enclosures are known. The low evaluation level is clearly demonstrated. Trench 507 and 695 show features present that are not cultivation furrows.</p> <p>Plate 40 depict the latest event in a series of parish boundaries. The Applicant has misunderstood the character for these features.</p>
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9.56 Statement on Forthcoming Updates to DfT Transport Appraisal Guidance [REP4-046]

Topic	Paragraph Number	Councils' Comment
<p>General</p>		<p>This document does not alter CCC's primary position on modelling. CCC agree with the Applicants suggestion that they undertake a sensitivity test to see if the upcoming changes to the data book have a material impact on the economic benefits of the scheme.</p>

Environmental Master Plan [REP4-047]

Topic	Paragraph Number	Councils' Comment
General		The changes to the Environmental Masterplan are not clear. The Councils seek further clarification from National Highways as to the latest changes to the Environmental Masterplan.

Land Use Carbon Calculations [REP4-048]

Topic	Paragraph Number	Councils' Comment
Habitat Area: Pre Works (hectares)	Column 2	<p>The Habitat Area: Post – Works for the following Phase 1 habitats are not consistent with the Phase 1 habitats identified in the Biodiversity Metric calculations, page 10 [REP3-013]:</p> <ul style="list-style-type: none"> • A3.1 Parkland and scattered trees – Broadleaved Parkland Scattered Trees • A3.1 Parkland and scattered trees - Broadleaved Urban Street Trees • J1.2 – Cultivated / disturbed land – amenity grassland
Habitat Area: Post Works (hectares)	Column 3	<p>The Habitat Area: Post – Works for the following Phase 1 habitats are not consistent with the Phase 1 habitats identified in the Biodiversity Metric calculations, page 10 [REP3-013]:</p> <ul style="list-style-type: none"> • A1.1.1 Woodland – Broadleaved-semi-natural • A.1.1.2 – Woodland -Broadleaved – Plantation • A.3.1 Parkland and scattered trees -broadleaved urban street trees • A.3.1 Parkland and scattered trees -broadleaved parkland scattered trees • B6 Poor semi-improved grassland • A2.1 Scrub – dense / continuous & A2.2 scrub – scattered • J2.6 Dry Ditch