



## HEARING AGENDA

### Application by Highways England for an Order Granting Development Consent for the A428 Black Cat to Caxton Gibbet Improvements

#### Issue Specific Hearing 6 (ISH6)

<b>Date</b>	Thursday 2 December 2021
<b>Timings</b>	Arrangements Conference: 09:20 am
	Hearing Start Time: 10:00 am
<b>Location</b>	Virtual event on Microsoft Teams

#### Requested Attendees

1. Applicant
2. Bedford Borough Council (BBC)
3. Cambridgeshire County Council (CCC)
4. Central Bedfordshire Council (CBC)
5. Huntingdonshire District Council (HDC)
6. South Cambridgeshire District Council (SCDC)
7. National Farmers Union (NFU)

The Examining Authority (ExA) welcomes involvement from any other persons or their representative whose land and/or rights are affected and who wish to make a representation in respect of the application at the Issue Specific Hearing (ISH6).

You were required to confirm attendance at ISH6 by Procedural Deadline D, Tuesday 16 November 2021.

#### Purpose of ISH6

The purpose of ISH6 is to examine key matters relating to the draft Development Consent Order (dDCO) that the ExA consider merit further explanation and discussion among different parties at a Hearing. It is not intended to discuss all matters relating to the dDCO, some of which the ExA may pursue through further rounds of Written Questions. At ISH6, the ExA is looking to clarify and get views on matters relating to:

1. Clarify issues around what is to be consented, the extent of the powers and what requirements, provisions and agreements are proposed;
2. Identify any possible issues of prevention, mitigation or compensation not yet covered by the dDCO; and
3. Establish or confirm the views of other parties as to the appropriateness, proportionality or efficacy of the provisions in the dDCO.



## Documents

The ExA referred to several documents in the preparation of this agenda, and some of the documents that we will be referring to during the Hearing are listed here. These documents can be located using the Examination Library reference number in [] square brackets:

1. dDCO [REP4-006];
2. Explanatory Memorandum [REP4-008];
3. Pre-commencement Plan [REP4-038];
4. Overview of handover process for de-trunked assets and local highways [REP4-039];

## AGENDA

The Hearing will start promptly at the indicated time of 10:00 am. All other times in the Agenda are indicative. The ExA will close the Hearing at 12:45 pm, or sooner if all relevant matters have been covered.

### 09:20 am Arrangements Conference

1. Registration by the Case Team

### 10:00 am Issue Specific Hearing 6 (session 1)

- 1. Welcome by Lead Member of the Examining Authority (ExA)**
- 2. Procedure for running the virtual ISH6**
- 3. Pre-commencement plan**
  - a. Views on the Pre-commencement plan
  - b. Views on the need for a definition of Pre-commencement in the dDCO
- 4. Article 4 – Development consent etc. granted by the Order**
  - a. Views from parties on the definition of 'adjacent land' proposed by the Applicant
- 5. Article 23 - Authority to survey and investigate the land**
  - a. Views from parties on the definition of 'land adjacent to but outside the order limits'
  - b. Notice Period



## **6. Article 40 – Temporary use of land for carrying out the authorised development and Article 41 – Temporary use of land for maintaining the authorised development**

- a. Notice Period

**11:00 am Break**

**11:15 am Issue Specific Hearing 6 (session 2)**

## **7. Article 55 – Traffic regulation**

- a. Applicant, confirm if different parts of the Proposed Development will be open for public use at different times [REP1-051]. If so, then the ExA could see the point made by the Cambridgeshire Councils [REP1-051] that the provisions in this Article are ambiguous; for instance, would the period of 12 months in Article 55(3) and 24 months in Article 55(7) then be different calendar periods? How would this be managed and monitored?

## **8. De-trunking**

- a. Overview of handover process for de-trunked assets and local highways, and proposed timescales [REP4-039, Paragraph 1.3.2]
- b. Progress, timescales and content of side agreements with Local Highway Authorities (LHA)
- c. Implications of not reaching agreement with LHAs on handover

## **9. Discharging Authorities**

- a. Agreement, if possible, on provision with respect to discharging authority
- b. Balance of nationally significant highway schemes where SoS is the only discharging authority, and others where LHAs are also discharging authorities

## **10. Roles and responsibilities**

- a. Traffic Management Officer
- b. Agricultural Liaison Officer

## **11. Procedural decisions, review of actions and next steps**

## **12. Closing remarks**

**12:45 pm Close of Issue Specific Hearing 6**